

## **WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE AMENDED AGENDA**

**THURSDAY, JULY 20, 2023, from 9:00 – 10:30 A.M.**

### **In-Person Meeting**

At Michigan Works! Service Center, 200 W Van Buren Street, Battle Creek, MI 49017

Note: Members must attend in-person to participate in voting.

Public Access is available at:

<https://us02web.zoom.us/j/89492750695?pwd=dnV5NUg2djdJYmRYcE51aDhYbkEwdz09>

Meeting ID: 894 9275 0695 Passcode: 890148

Or Dial US Toll Free:

833 548 0282; 877 853 5257; 888 475 4499; 833 548 0276

- I. **CALL TO ORDER / INTRODUCTIONS** Lisa Godfrey, Chair
- II. **TRANSPARENCY & INTEGRITY OF WDB DECISIONS** Kathy Olsen
- III. **PUBLIC TIME**
- IV. **APPROVAL OF MINUTES (Vote Required)**
  - A. WDB June 15, 2023 Executive Committee Meeting Minutes (*Exhibit A*)
- V. **COMMITTEE REPORTS**
  - A. Monitoring and Evaluation Brian O'Donnell/ Dave Maurer
  - B. DART Committee John Fiore
- VI. **NEW BUSINESS**
  - A. WDB Plans (*Vote Required*) Amanda Rosenberg
    1. AY2023 Wagner-Peyser (W-P) Employment Services Allocations and AY 2023 WIOA SWA to Support PY2023 ES Operations (*Exhibit B1*)
    2. AY2023 (WIOA) Adult, Dislocated Worker (DW), and Youth Program Allocations for the Time Period of July 1, 2023 through June 30, 2025 (*Exhibit B2*)
    3. AY2022 (WIOA) Statewide Activities Funding for PY2023 High Concentrations of WIOA Eligible Youth (*Exhibit B3rev*)
    4. 2022 WIOA Statewide Activities Funding Allocations for PY2023 Customer Relationship Management (CRM) (*Exhibit B4*)
    5. AY2022 WIOA SWA Funding to Support Capacity Building Professional Development (CBPD) for PY2023 (*Exhibit B5*)
    6. AY22 WIOA Statewide Activities Funding for Career Exploration and Experience Events (*Exhibit B6*)
    7. FY 2022 and 2023 General Fund/General Purpose Funding for Michigan Electric Vehicles (EV) Jobs Academy (*Exhibit B7*)

B. WDB Policies (*Exhibit C1*)

Kathy Olsen

1. Policy 24 Rev 08 Grievance and Complaint (*Exhibit C2*)
2. Policy 25 Rev 05 Nondiscrimination and Equal Opportunity (*Exhibit C3*)
3. Policy 23 Rev 04 Sexual and Other Forms of Workplace Harassment (*Exhibit C4*)

**VII. STAFF REPORTS**

A. Business Services Update, Labor Market Info  
& Dashboard (*Exhibit D*)

Ashley Iovieno

B. Operations Update & Dashboard (*Exhibit E*)

Amy Meyers

C. Directors Report (*Exhibit F*)

Jakki Bungart-Bibb

**VIII. OLD BUSINESS**

**IX. PUBLIC TIME**

**X. MEMBERS' TIME**

**XI. UPCOMING MEETINGS**

- A. **Executive Committee** – Thursday, August 17, 2023, from 9:00-10:30 am  
at Upjohn Institute, 300 S Westnedge Ave, Kalamazoo, MI 49007
- B. **Full Workforce Development Board** – Thursday, September 21, 2023, from 9:00-10:30 am  
at a location in St. Joseph County
- C. **Monitoring & Evaluation Committee** – Tuesday, October 24, 2023, from 8:00-9:30 am  
at Michigan Works! Service Center, 1601 S Burdick St, Kalamazoo MI 49001
- D. **Disability Awareness Resource Team (DART) Committee** – Tuesday, September 19, 2023,  
from 2:00-4:00 pm (In-person with virtual option)  
at the Upjohn Institute, 300 S. Westnedge Ave, Kalamazoo, Michigan 49007
- E. **Career Educational Advisory Council (CEAC)** – Monday, September 18, 2023, from 1:00-3:00 pm  
(In-person with virtual option)  
at Kalamazoo RESA, 1819 E. Milham Rd, Portage, MI 49002

**XII. ADJOURNMENT**

Lisa Godfrey, Chair

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**Workforce Development Board Executive Committee  
Meeting Minutes  
June 15, 2023**

**CALL TO ORDER:** Workforce Development Board Chair, Lisa Godfrey, called the meeting to order at 9:00 a.m. at the Michigan Works! Service Center, 1601 S. Burdick Street, Kalamazoo, Michigan 49001.

Attendees introduced themselves and Kathy Olsen introduced individuals who were attending virtually.

**WDB Members Present:**

Lisa Godfrey (PS)\*                      Kris Jenkins (Educ)\*                      Frank Tecumseh (PS)\*  
Randall Hazelbaker (PS)\*              Jackie Murray (PS)\*                      \* Exec Committee

**WDB Executive Members Absent**

Dave Maurer (PS)\*

**Other WDB Members Present**

Morris Applebey (Labor)              Al Ives (PS)                                      Jose Orozco (CBO)  
Jeff Heppler (PS)                      Karla Meeks (PS) <sup>∇</sup>

**Center for Workforce Innovation and Solutions / Michigan Works! / Upjohn Institute Staff Present:**

Jakki Bungart- Bibb                      Amy Meyers  
Ashley Iovieno                              Kathy Olsen

**Michigan Works! Services / Program Staff Present:**

Blaine Farr (WDI) <sup>∇</sup>                      Sarah Mansberger (YOU/KRESA)              Amanda Sutherland YOU/KRESA)

**Guests Present:**

Kylee Johnson                              Kristine Stevens (GOCC) <sup>∇</sup>                      <sup>∇</sup> Attended Virtually  
(for Rep. Julie Rogers) <sup>∇</sup>

**TRANSPARENCY & INTEGRITY OF WDB DECISIONS**

Kathy Olsen asked members present if there were any items on the agenda requiring a vote for which a conflict of interest or a potential conflict of interest exists; and if so, the conflict should be declared at this time. There were none.

**PUBLIC TIME**

No comments.

**APPROVAL OF MINUTES (Exhibits A1 & A2)**

**Motion made by Frank Tecumseh and supported by Jose' Orozco to approve the Workforce Development Board (WDB) April 20, 2023 Executive Committee meeting minutes and the May 18, 2023 Full Board quarterly meeting minutes. Motion carried.**

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## COMMITTEE REPORTS

### Monitoring Committee

Jackie Murray reported the Monitoring Committee met on May 23, 2023 to review programs and services provided by direct services which included Partnership. Accountability. Training. Hope. (PATH); Food Assistance Employment and Training (FAE&T); Learn, Earn And Provide (LEAP); Barrier Removal Employment Success (BRES); and Clean Slate. During the meeting, three participants were interviewed, two of them had participated in the PATH program and one had participated in Clean Slate to have past offenses expunged from her record. All three indicated they benefitted from the services provided. Ms. Murray provided a very thorough summary of the purpose of each program, as well as the file monitoring results. She also reported that Mark Waurio, PATH Manager, provided a PowerPoint presentation that included an overview of the PATH and FAE&T programs. Jennifer Klempnow, Innovative Solutions Director, provided a PowerPoint presentation that included overviews of the LEAP, BRES, and Clean Slate programs.

**Highlights of the PATH and FAE&T Programs** reported by Ms. Murray included the following: As of May 2022, PATH and FAE&T have transitioned away from electronic/TuaPATH files and have instead reverted to all hard copy/paper files; over the past year, the most common barriers reported by PATH participants have been childcare, transportation, criminal background, lack of soft skills, and motivation; and staff reported enhanced collaboration with Bethany Christian Services to better serve refugee participants. **Highlights of Clean Slate, LEAP and BRES Program Operations** reported included: An attorney was contracted to help determine expungement eligibility for CSP. This allows for a faster, smoother process as staff no longer must wait for a Pro Bono attorney to review the client's ICHAT. To diversify training, LEAP participants have also been offered information about training opportunities through Goodwill, MiLEAP, Fatherhood Networks, ICON, and Computer Literacy trainings at Willard Library and the Kalamazoo Literacy Council. Local LEAP participants and program successes have been highlighted across the nation. Michigan Works! Southwest was a key partner in assisting Bay County with implementing the LEAP program. Staff stated the most common BRES supportive services offered over the course of the past year were housing and utility assistance.

**Summary of Outcomes for PATH and FAE&T Programs - Corrective Actions** included the following: (1) Continued Corrective Action to enhance PATH processes and procedures related to the accuracy of acceptable documentation and the calculating and inputting of participation hours to ensure documentation aligns with program requirements and reported outcomes. (2) Continued Corrective Action for the enhancement of internal PATH monitoring procedures to ensure an effective internal monitoring process is in place that better ensures the validity and accuracy of participant information and its compliance with program requirements. Due to the continuation of both previous corrective actions, Program Management was required to submit a formal mitigation plan. The plan has been received and approved. (3) Corrective Action is also required to ensure PATH ISS outcomes, including those related to the Employment Goal, Assessments, and Action Plan, and subsequent updates, are entered into OSMIS for all participants. Two *Administrative Recommendations* were made. The first was to ensure the use of PATH and FAE&T forms and documentation aligns with federal, state, and local requirements, both in how forms are utilized, as well as how information from those forms is entered into OSMIS. The second, due to limited progress being made, the enhancement of strategies to increase the diversity of PATH activity engagement for participants remained as an *Administrative Recommendation*. There were no recommendations made during this monitoring review for *Continuous Improvement*.

**Summary of Outcomes for Clean Slate, LEAP and BRES Program Operations** - There were no *corrective actions*. An *administrative recommendation* was made for BRES staff to review internal procedures for implementing new forms to better ensure staff and participants utilize the correct document versions. Three *continuous improvement* recommendations were made: (1) Strengthen processes to ensure LEAP files contain all required information and that documentation requirements are consistently applied across participants. (2) Review internal BRES standards for supportive service approval to ensure services and required eligibility documentation is consistent across customers. (3) Review processes regarding BRES participant exits to ensure the timeliness of OSMIS participant exits.

## NEW BUSINESS

### Request for Proposal Update

**One Stop RFP** – Amy Meyers reported there were no bidders for the first release of the One-Stop Request for Proposal (RFP). It was re-released; however, prior to the re-release, the RFP was rewritten, and additional potential bidders were added to the solicitation list. Ms. Meyers also noted that with the change

in relationship with Kalamazoo RESA, there were considerable differences in the RFP that was released due to separating Employment Services and One-Stop functions. Ms. Meyers reported one bid was received and following the staff and WDB RFP Committee reviews, a decision was made to award the contract to Janet Bloomfield Consulting. The effectiveness and efficiency of the contractor will be monitored throughout the term of the contract.

**Workforce Development Agreement** (Exhibits B1-B3) – Amy Meyers reported the county contract, or “Workforce Development Agreement” is renewed every two years with an annual modification done to reflect the actual budget for the year prior and to update the planned budget for the upcoming year. The purpose of the Agreement is for the county to establish a relationship with the W.E. Upjohn Institute for Employment Research (Michigan Works! Southwest) for the planning, administration, Workforce Development Board staffing, and program and fiscal management of the four-county workforce development system and to define the terms and conditions of this undertaking. As outlined on the plan document (Exhibit B1), the funding allocation budget currently planned for the year beginning July 1, 2023 is estimated at \$9.8 million (additional details were provided in Exhibit B2). The estimated budget for the upcoming year is based on the current information provided through a draft policy from the State. The Agreement will be updated at the end of the year to reflect actual funds awarded from the State, which may or may not include additional Barrier Removal Employment Success (BRES) and Going PRO Talent funding. In addition, a budget modification to the year that began on July 1, 2022 and is ending June 30, 2023 is included in the Agreement. The modification reflects an actual budget of \$12,833,208 (additional details were provided in Exhibit B3). This Agreement will be an action item on the June 20, 2023 Kalamazoo County Board agenda.

## **WDB Plans**

***Memorandums of Understanding (MOUs)*** (Exhibit C1) and ***Infrastructure Funding Agreements (IFAs)*** (Exhibit C2)

Under the Workforce Innovation and Opportunity Act (WIOA), the development and execution of Memorandums of Understanding (MOUs) with all One-Stop partners is required. Also, in accordance with the WIOA, the MOUs must include an Infrastructure Funding Agreement (IFA), which details how infrastructure costs for the One-Stop delivery system will be funded in the local area. The MOU is acceptable to be renewed once every three years, while the IFA must be updated and reviewed annually. The MOU portion of the document assists all local partners with effective coordination and collaboration, and each partner agrees to a partnership to best serve job seekers and employers in the communities served. The required partner list of those who are identified on the MOU are included on the overview that was included in the packet. (Exhibit C1). The infrastructure funding agreement outlines the Infrastructure costs of all the One-Stop Centers located in the MW! Southwest service area, which are defined as non-personnel costs necessary for the general operation of the One-Stop centers. The financial contribution of each partner was determined by a methodology set forth by the state, as outlined in the IFA document. (Exhibit C2). These MOUs and IFAs have been distributed to all local partners for their review as well. The state partners, including Veterans, Unemployment Insurance Agency (UIA), Michigan Rehabilitation Services (MRS), and Bureau of Services for Blind Persons (BSBP) will be submitting one combined MOU for the State. Staff anticipate that it may be available for Board review at the July meeting.

Board members discussed the need for additional partners for English as a Second Language (ESL), especially in Branch and Calhoun Counties. Staff committed to following up with Voces to further discuss addressing ESL options.

**Motion made by Kris Jenkins and supported by Morris Applebey to approve the Memorandums of Understanding and the Infrastructure Funding Agreements. Motion carried.**

### ***MiREACH*** (Exhibit C3)

Amy Meyers reported Michigan Works! Southwest was awarded \$148,409 to support the Michigan Rural Enhanced Access to Careers in Healthcare (MiREACH) initiative, which provides tuition and support services to individuals entering healthcare occupations directly impacting patient care in rural communities. This is the first time this funding has been distributed and funding is for the period of April 1, 2023 – December 31, 2024. Funding allocations are determined by the Michigan Works! area's number of healthcare institutions which qualify as Healthcare Professional Shortage Areas. In the MW! Southwest four-county area, all of Branch and St. Joseph counties qualify, along with portions of Calhoun County (including Homer, Marshall, and Albion). The funding can be used for training and related training expenses, including supportive services, if needed, with a \$5,000 maximum per participant. Participants must meet WIOA eligibility criteria and MW! Southwest will strive to serve members of the Asset Limited Income Constrained Employed (A.L.I.C.E.) population, those who are unemployed and underemployed, along with underrepresented populations. In addition, the employer partners must have job openings in one or more of the targeted occupations that are outlined on the plan document (Exhibit C3), including, nurses, home health aides, nursing assistants, and pharmacy techs. To assist with employer identification, staff plan to work with existing healthcare consortium members.

**Motion made by Randall Hazelbaker and supported by Jackie Murray to approve the MiREACH plan. Motion carried.**

### **WDB Bi-Annual State Recertification** (Exhibit D)

Kathy Olsen reported local Workforce Development Boards are required to be recertified by the Governor every two years on a two-year cycle that begins on July 1. This differs from the local Board member terms that have an October 1 start date. Part of the recertification process includes Board members attesting that they have no conflict of interest by completing local and State Conflict of Interest forms. The list of current members and the sector each represents was provided in Exhibit D.

## **STAFF REPORTS**

### **Business Services Update and Dashboard** (Exhibit F)

Ashley Iovieno provided a Business Services and Dashboard Report update (Exhibit F). The Dashboard was emailed to members prior to the meeting. The Dashboard included data pertaining to unemployment rates, job demand, the Going PRO Talent Fund, and employers served. She also provided updates pertaining to the Labor Market newsletter, and the Michigan Department of Corrections (MDOC) Job Fair.

***Unemployment Rates*** - Ms. Iovieno reported unemployment rates for the month of April 2023 were listed on page two of the Dashboard. The Michigan Unemployment rate was reported to be 3.8% with the national rate coming in at 3.4% and the four counties located in the Michigan Works! Southwest service area ranges from 2.9% to 3.7%. St. Joseph County was reported to be at 3.4%, Kalamazoo County was at 2.9%, Branch County was at 3.2%, and Calhoun County was at 3.7%.

***Job Demand*** - Page three of the Dashboard included details of job demand in the Southwest Prosperity Region. She reported the in-demand jobs data continues to show Registered Nurses at the top followed by retail salespersons and then first-line supervisors/retail for a total of 18,120 ads which is a 12.8% increase from last month. Employers with the most openings align closely with the occupations with the most openings. The link to the online jobs data was sent to members following the meeting.

***Going PRO Talent Fund (GPTF)*** - The chart in the dashboard for the Going PRO Talent Fund has been updated to reflect all of cycle one awards as well as all Industry Led Collaborative (ILC) awards. Since last month's board report, where it was reported that four ILCs were submitted to the State for consideration, all four were awarded funding. This includes awards to thirty-two (32) companies, one (1) in Branch County, eighteen (18) in Calhoun County, one (1) in Kalamazoo County, one (1) in St. Joseph County, and

eleven (11) in other area counties. The total funding added is \$1,150,650. For FY2023 this brings the total Going Pro Talent Fund award amount to \$4,415,102 for Michigan Works! Southwest, which is approximately \$770,000 more than FY22's total and does not include any Cycle 2 awards that may be awarded.

The open application period for cycle two just ended, MW Southwest submitted twenty-seven (27) applications to the State for consideration. There were seventeen (17) applications from Kalamazoo County, six (6) from Calhoun County, one (1) from Branch County, one (1) from St. Joseph County, and two (2) from outside counties. The total funding request was \$956,842. The status of those applications should be announced prior to mid-July. She thanked the Business Solutions Team for all their work related to the Going Pro Talent Fund and noted that balancing cycle two applications along with so many ILC applications made for a busy, but successful, spring as this is the most MW Southwest has received for the Going PRO Talent Fund.

***Employers Served*** - Page five of the Dashboard highlights the number of employers served and services provided, this data is up to date as of May 2023.

***Michigan's Labor Market News*** – The June edition of the Labor Market Newsletter was just released. This report focuses on the 2022 Occupational Employment and Wage Trends. The map of the month features the 2022 Median Wage by Michigan County. The rates for Kalamazoo and Calhoun Counties were reported to be in the \$19.84 to \$21.71 range; Branch County was in the \$18.77 to \$19.83 range; and St. Joseph County was in the \$17.88 to \$18.76 range. The link to the Labor Market Newsletter was sent to members following the meeting.

***Michigan Department of Corrections (MDOC) Job Fair*** – Ms. Iovieno reported Michigan Works! Southwest is partnering with the Michigan Department of Corrections (MDOC) to hold a small job fair. The goal of this job fair is to help connect individuals who are either on parole or probation to local employers who are hiring. The event will also be open to job seekers currently receiving services as well as the public. This event will take place on July 12, 2023 at the Kalamazoo Service Center from 9:00 am to 12:00 pm.

***Burning Glass Analytics and Real Time Jobs Data*** (Exhibit E) - The labor market reports generated from Burning Glass Analytics and Real Time Jobs Data were not available for this meeting.

### **Operations Update and Dashboard (Exhibit G)**

Amy Meyers reported that the Employer Resource Network® (ERN®), highlighted on page five of the Dashboard, was recently awarded \$30,000 per year for a three-year period from the United Way of Southcentral Michigan to support the work of the ERN®. She thanked the United Way partners for this opportunity and stated that Michigan Works! Southwest looks forward to the opportunity to be able to focus these dollars on success coaching in the Kalamazoo and greater Battle Creek areas. Also, in alignment with the work of the ERN®, the Barrier Removal Employment Success (BRES), highlighted on page three of the dashboard, has recently increased collaboration with ERN® success coaches in assisting ERN® participants with resources, referrals, and support services to achieve a shared goal of assisting participants in overcoming barriers to maintaining employment. Since January 1, 2023, BRES has provided \$13,785.09 in support services to ERN® participants.

Ms. Meyers also reported that on June 7, 2023, State monitors were on-site to monitor the Trade Adjustment Assistance (TAA) program. There were no findings as a result of that monitoring and Data Validation (DV) passed at 100%. She noted that Data Validation is an extensive process with over one hundred fields to be reviewed and the goal of data validation is to ensure that reported data and information is accurate and that

both electronic records and paper files are subject to data validation. Ms. Meyers thanked Kalamazoo RESA staff and Michigan Works! Southwest monitoring staff for their work on ensuring accurate data collection.

In responding to questions from Board members, Ms. Meyers further reported the PATH program ends on September 30, 2023 and staff have not received updated data pertaining to the PATH participation rate. She also noted that the Work Participation Rate (WPR) is the best measure of success for this program. There has been some proposed legislation to revisit the PATH performance measures and to align them with WIOA. Performance Measures for Employment Services and Wagner-Peyser, listed on page 4 of the Dashboard, are negotiated every two years, and will be updated in the next program year that begins July 1. She reported that overall, Michigan Works! Southwest is doing very well. The first four measures listed are exit-based measures and the Measurable Skilled Gain (MSG) is an annual measure. Year-end final data will not be available until 6-12 weeks after the end of the program year. She offered to provide definitions in a follow-up email to members, as well as include hyperlinks to the definitions on future Dashboards.

### **Director's Report (Exhibit H)**

**State Budget** - Jakki Bungart-Bibb reported legislative leaders and the Governor's administration reached a target agreement setting the framework for completion action on the 2023-24 fiscal year budget. It is unclear when the House-Senate conference committees might begin meeting to approve the final versions of budget bills for each department and major budget area. The goal is to have the budget finalized by the end of this month, if not sooner. There is a nonbinding statutory deadline of July 1, 2023 for the Legislature to complete work on the budget. A template is available if members are interested in writing to their legislative representatives.

**Federal – Fiscal Responsibility Act and the Debt Ceiling** – The House and Senate approved the Fiscal Responsibility Act that suspended the debt ceiling and the President signed this into law on June 3, 2023. Key measures of the Bill are listed below. [View the full text of the bill.](#)

- Suspend the debt ceiling until January 2025.
- Caps non-defense spending at \$704 billion for fiscal year 2024. Veterans Affairs (VA) healthcare spending would be excluded from this cap. Defense spending would be capped at \$886 billion in the fiscal year 2024.
- Rescinds about \$30 billion of unspent coronavirus relief funding.
- Rescinds \$1.4 billion of Internal Revenue Service (IRS) funding. It would also move \$20 billion of the \$80 billion allocated to the agency in the [Inflation Reduction Act of 2022](#) to non-defense funds.
- Enhances work requirements for the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Assistance to Needy Families program (TANF).
- Simplifies environmental reviews for energy projects.
- Ends the [student loan debt repayment pause](#) in August 2023.

**ETA Conference** - The U.S. Department of Labor's Employment and Training Administration (ETA) provided an opportunity for the public workforce system to come together to ensure building an economy that works for all at the USDOL Vision 2030 Workforce that convened in May in Virginia. This was an invite only conference. ETA shared their vision for the next decade, focused on four guiding pillars:

- Open Opportunities for Vulnerable Workers and Communities
- New Industry Partnerships that Lead to Real, Good Jobs
- Build a Better Care Economy
- Action Today for the Future of Work

This monumental task requires all facets of the workforce development system to come together. Attendees included representatives from state and local workforce boards, education and training providers, state



workforce agencies, community colleges, employers, unions, industry associations, training intermediaries, philanthropy, community-based organizations, academic researchers, and federal and other government partners. Representing workforce development, Ms. Bungart-Bibb reported that she attended the conference, and during the conference she had the opportunity to meet with the Assistant Secretary of Labor to discuss local programs.

***Mackinac Policy Conference*** - The 2023 Mackinac Policy Conference focused on “the Power of &,” which invited dialogue among speakers and attendees on why Michigan needs an “and” approach instead of “either or” policy solutions. The “and” approach should create a healthy, productive tension among leaders with different points of view. When it comes to Michigan’s greatest issues and opportunities, “the Power of &” brings otherwise polarized sides closer together to provide the needed stimulus for leaders to bring nuanced thinking to problem solving. Michigan will benefit from an “and” approach when it comes to:

- Individual Freedom & Collection Action
- Sustainability & Economic Growth
- Investing in the Future & Financial Responsibility

Ms. Bibb reported she attended the conference, filling a seat for Mike Horrigan that was paid for by the Upjohn Institute. At the conference, she had the opportunity to meet with leaders from Ford regarding the battery plant being built in Marshall, as well as with state staff to discuss workforce development programs. Sessions she attended included ones presented by the Governor and others presented by local economist, Tim Bartik from the Upjohn Institute.

***Transition*** - Ms. Bibb thanked the Kalamazoo RESA staff for their partnership with Michigan Works! Southwest and noted their staff and planning has been critical to developing and transitioning the local service centers. She reminded everyone that Kalamazoo RESA will continue as a service provider for youth programs that include the Workforce Innovation and Opportunity Act (WIOA) Youth, Young Professionals (YP) and Jobs for Michigan (JMG) programs.

## **OLD BUSINESS**

None.

## **PUBLIC TIME**

Amanda Sutherland, administrator for workforce development for Kalamazoo RESA addressed the Board and noted that she was honored to serve as a leader to the KRESA team and the other workforce partners. Sarah Mansberger finished reading Ms. Sutherland’s prepared remarks and thanked Michigan Works! Southwest for their incredible support over the years through contracts, grants, new initiatives, annual reports, monitoring, and audits. She also highlighted the changes in responsibilities that occurred during the COVID-19 closure. In Ms. Sutherland’s remarks, she recognized the leadership of Eric Stewart, Paige Daniels, and Sarah Mansberger. In Ms. Sutherland’s closing remarks, she noted “this is not a goodbye, but I will see you later.” She wished the best to Mark Waurio and the rest of the Michigan Works! Southwest team.

Sarah Mansberger noted that many of the staff working in the workforce development programs are continuing with this work. A few have already begun employment with the Upjohn Institute and the others will be transitioning to employment with the Upjohn Institute in July.

Lisa Godfrey noted that she has been on the Workforce Development Board for over thirty years where she began by serving on the Monitoring and Evaluation Committee. Throughout her time on the Board, Kalamazoo RESA has been a strong partner and she hopes that strong relationship will continue.

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## MEMBERS' TIME

None.

## UPCOMING MEETINGS

- The next WDB Executive Committee meeting is scheduled for Thursday, July 20, 2023, from 9:00-10:30 a.m. at the Michigan Works! Service Center, 200 W. Van Buren Street, Battle Creek, Michigan.
- The next meeting of the full WDB is scheduled for Thursday, September 21, 2023, from 9:00 – 10:30 a.m. in St. Joseph County.

Other upcoming committee meetings listed on the agenda included:

- The Monitoring and Evaluation Committee meeting is scheduled for Tuesday, June 27, 2023, from 8:00-9:30 a.m. at the Michigan Works! Service Center, 1601 S. Burdick Street, Kalamazoo, Michigan.
- The Disability Awareness Resource Team (DART) Committee meeting is scheduled for Tuesday, June 20, 2023, 2023, from 2:00-4:00 p.m. at the Upjohn Institute, 300 S. Westnedge Ave., Kalamazoo, Michigan.
- The Career Educational Advisory Council (CEAC) meeting is scheduled for Monday, September 18, 2023, from 1:00-3:00 p.m. at Kalamazoo RESA, Wile Auditorium, 1819 E. Milham Rd, Portage, Michigan.

## ADJOURNMENT

There being no other reports or business for the Board, the meeting was adjourned at 10:05 a.m.

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Kathy Olsen

Date

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Lisa Godfrey

Date

## APPROVED

These minutes were approved on \_\_\_\_\_

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**Appropriation Year (AY) 2023 Wagner-Peyser Employment Service (ES) Allocations and  
AY 2023 Workforce Innovation and Opportunity Act (WIOA) Statewide Activities Allocations  
to Support Program Year (PY) 2023 ES Operations  
PI: 23-15**

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Michigan Works! Southwest has received notice of an allocation for Employment Service operations totaling \$759,261 for the time period of July 1, 2023 through June 30, 2025. This is an increase of \$44,248, from AY2022 Allocations.

**Background**

The federal Wagner-Peyser Act of 1933 provides for the establishment of a nationwide labor exchange system with Employment Service Offices that provide job matching at no cost to all employers and job seekers, known as Employment Service (ES). The Wagner-Peyser Act was amended by the WIOA in 2014, and calls for stronger partnerships with ES to seek new avenues to enhance the seamless delivery of services in the One-Stop system.

Universal services provided by ES include:

- job search assistance,
- job referrals, and
- placement assistance for job seekers.

Additionally, re-employment services are available for unemployment insurance claimants, as well as recruitment services to assist employers with job openings. Services are delivered in one of three modes including self-service, facilitated self-help services, and staff-assisted service delivery approaches.

The services offered to employers, in addition to referral of job seekers to available job openings, include assistance in development of job order requirements, matching job seeker experience with job requirements and skills, assisting employers with special recruitment needs, arranging job fairs, assisting employers to analyze hard-to-fill job orders, assisting with job restructuring, and helping employers cope with layoffs.

**Performance**

The following three performance measures will be tracked for Wagner-Peyser ES programs:

<b>Measure</b>	<b>Target*</b>
Employment Rate 2nd Quarter After Exit	65.0%
Employment Rate 4th Quarter After Exit	63.0%
Median Earnings 2nd Quarter After Exit	\$5,419

## Funding Summary

Wagner-Peyser Allocation	\$640,935
Program	\$525,567
Administration	\$115,368

Source: PI: 23-15

WIOA Statewide Activities Allocation	\$118,326
Program	\$106,494
Administration	\$11,832

Source: PI: 23-15

## Technical Information

<b>Program Title/Number</b>	Program Year (PY) 2023 Wagner -Peyser Employment Service (ES) Operations; PI:23-15
<b>Funding Source</b>	Wagner-Peyser Act 7(a) and WIOA Statewide Activities Funds
<b>Funding Level</b>	\$759,261
<b>Duration</b>	July 1, 2023– June 30, 2025
<b>Reference</b>	Department of Labor and Economic Opportunity PI: 23-15
<b>CFDA Number</b>	17.207; 17.258; 17.259; 17.278

**Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker (DW), and Youth Program  
 Allocations for Appropriation Year (AY) 2023, the Time Period of July 1, 2023 through June 30, 2025  
 PI: 23-14**

**Allocations**

Michigan Works! Southwest has been allocated the following Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth Services funding for 2023 (July 1, 2023 through June 30, 2025):

- Adult: \$2,111,268 (an increase from the PY2022 allocation of \$960,119)
- Dislocated Worker: \$722,473 (a decrease from the PY2022 allocation of \$170,671)
- Youth: \$2,490,525 (an increase from the PY2022 allocation of \$1,112,048)

**Workforce Development Services**

**Services to Adult and Dislocated Worker participants** incorporate the following resources, depending on individual needs:

**Basic Career Services**

- Initial assessment of skills and abilities
- Labor market information
- Job search assistance
- Career information and resources
- Job development assistance
- Employability skills workshops
- Orientation to information and services available through the One-Stop system

**Individualized Career Services**

- Short-term pre-vocational services
- Group counseling
- Individual counseling
- Career planning (case management) services
- Comprehensive assessments
- Workforce preparation activities
- Advanced job search assistance

**Training Services**

- Occupational skill training
- On-the-Job training
- Registered apprenticeships
- Job readiness training
- Customized training
- Skill upgrading and re-training
- Incumbent Worker Training

**Services to Youth participants** vary based on individual needs, as the program incorporates strategies that consider differing needs of in school youth (ages 14-21) and out of school youth (ages 16-24). Services that are required to be made available to participants include the basic career services listed above, along with the following:

- Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies.
- Alternative secondary school services or dropout recovery services.
- Paid and unpaid work experiences.
- Occupational skills training.
- Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

*Youth Services continued*

- Leadership development opportunities.
- Supportive services.
- Adult mentoring for the period of participation and subsequent period, for a total of not less than 12 months.
- Follow-up services.
- Comprehensive guidance and counseling.
- Financial literacy education.
- Entrepreneurial skills training.
- Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career counseling and career exploration services.
- Activities that help youth prepare for and transition to postsecondary education and training.

Notes on Youth funding:

- At least fifty percent of expenditures for youth will be invested in out-of-school youth.
- At least twenty percent of youth funds must be spent on work experience.

**PY2023 Performance Measures**

<u>Adult</u>	
Employment Rate 2 <sup>nd</sup> Quarter after Exit	88.60%
Employment Rate 4 <sup>th</sup> Quarter after Exit	83.60%
Median Earnings 2 <sup>nd</sup> Quarter after Exit	\$6,506
Credential Attainment within 4 Quarters after Exit	80.70%
Measurable Skills Gain	65.10%
<u>Dislocated Worker</u>	
Employment Rate 2 <sup>nd</sup> Quarter after Exit	90.10%
Employment Rate 4 <sup>th</sup> Quarter after Exit	89.40%
Median Earnings 2 <sup>nd</sup> Quarter after Exit	\$8,505
Credential Attainment within 4 Quarters after Exit	78.30%
Measurable Skills Gain	67.60%
<u>Youth</u>	
Employment or Placement Rate 2 <sup>nd</sup> Quarter after Exit	80.60%
Employment or Placement Rate 4 <sup>th</sup> Quarter after Exit	72.80%
Median Earnings 2 <sup>nd</sup> Quarter After Exit	\$3,660
Credential Attainment within 4 Quarters after Exit	73.20%
Measurable Skills Gain	37.00%
<u>Other</u>	
Effectiveness in Serving Employers	Baseline

**Funding Summary**

**Adult**

<b>Funding Category</b>	<b>Funding Level</b>
Total Allocation	\$2,111,268
Administration	\$211,126
Program	\$1,900,142

Source: AY2023 Allocations, PI: 23-14

**Dislocated Worker**

<b>Funding Category</b>	<b>Funding Level</b>
Total Allocation	\$722,473
Administration	\$72,247
Program	\$650,226

Source: AY2023 Allocations, PI: 23-14

**Youth**

<b>Funding Category</b>	<b>Funding Level</b>
Total Allocation	\$2,490,525
Administration	\$249,052
Program	\$2,241,473

Source: AY2023 Allocations, PI:23-14

**Technical Information**

<b>Program Title/Number</b>	Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker (DW), and Youth Program Allocations for Allocation Year (AY) 2023, the Time Period of July 1, 2023 through June 30, 2025; PI:23-14
<b>Funding Source</b>	Workforce Innovation and Opportunity Act (WIOA)
<b>Funding Level</b>	Adult: \$2,111,268 Dislocated Worker: \$722,473 Youth: \$2,490,525
<b>Duration</b>	July 1, 2023 – June 30, 2025
<b>Reference</b>	Department of Labor and Economic Opportunity PI: 23-14 (June 26, 2023)
<b>CFDA Number</b>	17.259 (Youth) and 17.258 (Adult) and 17.278 (Dislocated Worker)

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**Appropriation Year (AY) 2022 Workforce Innovation and Opportunity Act (WIOA) Statewide Activities Funding  
for Program Year (PY) 2023 High Concentrations of WIOA Eligible Youth  
PI: 23-16**

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The Department of Labor and Economic Opportunity has allocated Michigan Works! Southwest \$14,320 in Workforce Innovation and Opportunity Act (WIOA) Statewide Activities funding to serve High Concentrations of WIOA Eligible Youth for program year 2023 (July 1, 2023 through June 30, 2024).

The WIOA Youth Program provides eligible youth seeking academic and employment success with an effective and comprehensive range of resources to improve their education and skill competencies, as well as provide them with effective connections to employers. The program incorporates service strategies that consider differing needs of in-school youth and out-of-school youth.

These funds are to provide additional assistance to local areas that have high concentrations of WIOA eligible youth to:

- Provide an objective assessment of the academic levels, skill levels, and service needs of each participant, for the purpose of identifying appropriate services and career pathways.
- Develop service strategies for each participant that include education and employment goals, achievement objectives, and appropriate services.
- Provide:
  - Activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential.
  - Preparation for postsecondary educational and training opportunities.
  - Strong linkages between academic instruction and occupational education that leads to the attainment of recognized postsecondary credentials.
  - Preparation for unsubsidized employment opportunities.
  - Effective connections to employers in in-demand industry sectors and occupations.

Program services described are available to youth who:

- **Are in school, ages 14- 21 years old,**
- Are low-income individuals; and
- Are within at least one of the following categories:
  - Deficient in basic literacy skills;
  - English language learner;
  - School Dropout;
  - Homeless, runaway, or foster child;



- Pregnant or parenting;
- Offender;
- An individual (including a youth with a disability) who requires additional assistance to complete an educational program, or to secure and maintain employment.

Or

- **Are out of school, ages 16-24 years old, and**
- Are within at least one of the following categories:
  - Recipient of secondary school diploma (or equivalent) and is low income basic skills deficient or an English language learner;
  - School Dropout;
  - Homeless, runaway, or foster child;
  - Pregnant or parenting;
  - Offender;
  - A youth who is an individual with a disability;
  - A low income individual who requires additional assistance to complete an educational program, or to secure and maintain employment.

### Funding Summary

Funding Category	Funding Level
<b>Allocation</b>	
Base Allocation	\$14,320
<b>Distribution by Cost Category</b>	
Administration	\$1,432
Program	\$12,888

Source: PI: 23:16; 6/30/2023

#### Technical Information

<b>Program Title/Number</b>  <b>Funding Source</b> <b>Funding Level</b> <b>Duration</b> <b>Reference</b>	Appropriation Year (AY) 2022 Workforce Innovation and Opportunity Act (WIOA) Statewide Activities Funding for Program Year (PY) 2023 (July 1, 2023 through June 30, 2024) High Concentrations of WIOA Eligible Youth Workforce Innovation and Opportunity Act Statewide Activities \$14,320 PY2023 (July 1, 2023 - June 30, 2024) State of Michigan PI: 23-16; 6/30/2023
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**Appropriation Year (AY) 2022 Workforce Innovation and Opportunity Act (WIOA) Statewide Activities  
Allocations for Program Year (PY) 2023 Customer Relationship Management (CRM),  
the Period of July 1, 2023 through June 30, 2024  
PI: 23-17**

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## Background

For PY 2023, the Department of Labor and Economic Opportunity-Workforce Development (LEO-WD) has made available funding totaling \$4,173 for Michigan Works! Southwest to be used in support of electronic systems for customer relationship management (CRM). This is the same allocation Michigan Works! Southwest received for PY 2022.

The funding is to be used to support existing CRM systems or for the purchase or renewal of software licenses that will aid in the identification and information gathering of potential layoffs or opportunities for layoff aversion, while the LEO-WD works on integrating CRM functionality into the state data system.

By using data systems to identify and gather information, local areas are allowed to provide assistance to employers in managing reductions in workforce, which may include early identification of firms at risk of layoffs, assessment of the needs of and options for at-risk firms, and the delivery of services to address those needs. An electronic CRM system allows for a more proactive approach to assist employers of those companies at risk of having a layoff or to identify where layoffs have already occurred.

## Planned Use

Locally, funds will be used to purchase licenses for Salesforce, a CRM system that is being used across the state for Business Services related activities, such as identification and information gathering of potential layoffs or opportunities for layoff aversion.

Salesforce is a CRM platform that provides users with an interface for case management and task management, and a system for automatically routing and escalating important events. The Salesforce customer portal provides the ability to track what has been entered by Michigan Works! Southwest, as well as what has been entered by identified partners, including local and state economic development. Salesforce also includes a social networking plug-in that enables users to link with social networking websites, provides analytical tools and offers other services including email alert, chat, and Google search.

## Technical Information

<b>Program Title/Number</b>	Statewide Rapid Response Allocations for Customer Relationship Management (CRM) for PY2023; PI: 23-17
<b>Funding Source</b>	Appropriation Year (AY) 2022 WIOA Statewide Activities funds
<b>Funding Level</b>	\$4,173
<b>Duration</b>	July 1, 2023 through June 30, 2024
<b>Reference</b>	LEO-WD: PI: 23-17, 6/30/2023
<b>CFDA Number</b>	17.258; 17.259; 17.278

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**Appropriation Year 2022 Statewide Activities Funding to Support  
Capacity Building and Professional Development (CBPD)  
for Program Year (PY) 2023, the Period of July 1, 2023 through June 30, 2024  
PI: 23-18**

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The Department of Labor and Economic Opportunity is providing Workforce Innovation and Opportunity Act (WIOA) Statewide Activities funds to Michigan Works! Southwest, for enhancing the work of Michigan Works! Agency professionals in the development of skills and abilities that will address the changing program and technological needs presented in the Michigan Works! System, in the amount of \$33,321. This is an increase of \$254, from Program Year 2022.

Capacity Building and Professional Development funds may be utilized for, but are not limited to:

- Supporting state and local partnerships;
- Enhancing system capacity to provide opportunities for individuals with barriers to employment to enter in-demand industry sectors or occupations and nontraditional occupations;
- Developing and improving local program performance and goals; and
- Assisting in ongoing system development and proficiency, including professional development and technical assistance.

Capacity building and professional development activities will be achieved through the membership fee to the Michigan Works! Association. The Association was established in 1987 by Michigan Works! Agencies to foster high-quality employment and training programs serving employers and workers by providing support activities and a forum for information exchange for Michigan's workforce development system. This system has been recognized as one of the most innovative membership and training associations in the country.

Utilizing this funding, the Michigan Works! Association will be able to:

- Provide support to the state and the system in the design, development, implementation and operation of policy and state-level initiatives.
- Serve as a clearinghouse/conduit of information for procedures, policies and updates on a multitude of topics.
- Provide professional development, technical assistance and training delivered through both classroom and web-based settings.

**Technical Information**

Program Title/Number	Capacity Building/Professional Development; PI: 23-18
Funding Source	AY2022 Workforce Innovation and Opportunity Act (WIOA) Statewide Activities
Funding Level	\$33,321
Period of Performance	Program Year (PY) 2023 (July 1, 2023 - June 30, 2024)
Source Reference	LEO Policy Issuance: 23-18
CFDA Number	17.258, 17.259, 17.278

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## Career Exploration and Experience Events

**PI: 23-19**

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Michigan Works! Southwest has received an allocation of \$30,000 for the time period of July 1, 2023 through December 31, 2024 to support career exploration experiences. Each of the events will involve multiple businesses and industries at a single location or virtual event, similar to MiCareer Quest™ or similar career exploration and experience events.

These career events will include the following components:

1. Local in-demand businesses and industries.
2. An overview of the industry and key positions in-demand.
3. Hands-on activities, whenever possible, to provide practical knowledge of the positions available in the various industries.
4. Information pertaining to the educational requirements for key positions in-demand (certificate, apprenticeship, two or four year degree, etc.).
5. Key aspects of an "average day on the job" should be highlighted.
6. Potential should exist for job shadowing, internships, and/or other work experiences with participating employers after the conclusion of the event.

Michigan Works! and partner agencies plans to provide the following support in coordination with the event:

1. Facilitate relationship building between educational partners and businesses.
2. Define roles, skills, and training expectations via presentations and hands-on experiences.
3. Arrange transportation, monitor student safety and behavior, and encourage engagement and open communication.
4. Provide information about the availability of corresponding education and training programs.

### Technical Information

Program Title/Number	Career Exploration and Experience Events; PI: 23-19
Funding Level	\$30,000
Funding Source	AY22 WIOA Statewide Activities
Period of Performance	July 1, 2023 – December 31, 2024
Source Reference	State of Michigan, LEO, Policy Issuance: 23-19 (June 30, 2023)
CFDA Number	17.258; 17.259; 17.278

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**FY 22 and FY 23 GFGP Funding for Michigan Electric Vehicles Jobs Academy (EV Jobs Academy) and Talent Action Team (TAT) Electric Vehicle (“EV”) MEDC State Restricted funds  
PI: 23-20**

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**Background**

The EV Jobs Academy and TAT programs assist in building a skilled workforce needed for in-demand jobs in the mobility industry. The programs address the demand by creating employment and training programs related to the mobility industry. EV Jobs Academy supports education and training in critical mobility careers, including those needing supportive services and incumbent workers who want to advance into new, emerging careers.

**Funding**

Michigan Works! Southwest has received an allocation of \$421,085 of EV Jobs Academy funding to support increasing the number of individuals working in mobility related careers.

EV Jobs Academy funding is to be spent on EV/Mobility training and related training expenses. MWAs may spend up to \$5,000 per participant; this amount includes supportive services.

**Targeted Populations**

EV Jobs Academy and TAT are intentionally targeting individuals from the following populations:

- Asset Limited Income Constrained Employed (A.L.I.C.E.)• Economically Disadvantaged
- Unemployed
- Dislocated Workers
- Underemployed
- Adults on Public Assistance
- Adults in Need of High School Diploma or Equivalency
- Individuals Living in Distressed Communities and Opportunity Zones, including:
  - o Rural
- Underrepresented populations, including based on:
  - o Race
  - o National Origin
  - o Gender
  - o Age
  - o Disability

**Technical Information**

<b>Program Title/Number</b>	FY22 and FY23 GFGP for MI EV Jobs Academy EV MEDC State Restricted Funds/PI: 23-20
<b>Funding Source</b>	State GFGP
<b>Funding Level</b>	\$421,085
<b>Duration</b>	June 1, 2023 – September 30, 2025
<b>Reference</b>	State of Michigan; LEO PI: 23-20, 7/3/2023

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## Workforce Development Board Policy Revision Summary July 20, 2023

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Updates were made to the policies listed below to change how discrimination complaints are processed within the Michigan Works! System/Service Center operations.

All discrimination complaints must now be filed with either the State-Level Equal Opportunity Officer or the United States Department of Labor, Civil Rights Center.

References were also updated.

Minor edits were made to language within the policies.

- WDB Policy 23 Rev 04 – Sexual and Other Forms of Workplace Harassment
- WDB Policy 24 Rev 08 – Grievance and Complaint Handling
- WDB Policy 25 Rev 05 – Nondiscrimination and Equal Opportunity

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## Workforce Development Board

WDB Policy 24 ~~R07~~R08

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**AUTHORITY:** The Michigan Works! Southwest Workforce Development Board is established under the Workforce Innovation and Opportunity Act of 2014, and subsequent changes. The Board is assigned the responsibility to set policy for the workforce investment system within the local area.

**ORDER OF PRECEDENCE:** Where any part of this policy shall be determined to conflict with any federal, state, or local policy, the federal, state, and then local policy shall take precedence without affecting any other part or parts of this policy.

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## Grievance and Complaint Handling

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### BACKGROUND

All persons who are applicants for, or recipients of, services funded by Workforce Development, State of Michigan, and all sub-grantees, subcontractors/subrecipients, service providers, One Stop partners, employees, participants, providers of training services, employer-based training employers, and other interested parties shall be afforded the opportunity to resolve, by means of administrative process, any alleged violation of state and federal policy and/or regulations, including those of discrimination and retaliation, related to the programs assigned to the Michigan Works! Southwest Area.

To ensure compliance it is critical that local Workforce Development Boards (WDB), Michigan Works Agencies and service providers/subrecipients establish written policies and procedures that implement the state and federal policies, procedures and regulations for handling grievances and complaints.

### SCOPE

All workforce development programs, services and activities under the auspices of the Michigan Works! Southwest Workforce Development Board.

### REFERENCES

Workforce Development, State of Michigan Complaint and Grievance Policy Issuance 22-05 and subsequent changes

Workforce Development Agency, State of Michigan, Policy Issuance 18-09 [and subsequent changes](#) Nondiscrimination and Equal Opportunity Requirements ~~and subsequent changes~~

Title VII of the Civil Rights Act of 1964, as amended and the Michigan Civil Rights Act

Workforce Development, State of Michigan, Policy Issuance 18-01, the U.S. Department of Labor's (USDOL's) Training and Employment Guidance Letter (TEGL) No.2-12 regarding Employment and Training Administration (ETA) Grant Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse and Criminal Conduct.

Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 P.L. 104-193

Workforce Innovation and Opportunity Act (WIOA) of 2014, sections 106(b) (5) and 181(c)

29 Code of Federal Regulations (CFR) Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA and subsequent changes

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Temporary Assistance to Needy Families (TANF) Regulation, 45 Code of Federal Regulations (CFR) 261.70

Food and Nutrition Act of 2008

Workforce Development, State of Michigan Trade Adjustment Assistance (TAA) Comprehensive Manual, May 10, 2019 and subsequent revisions

Workforce Development, State of Michigan Employment Service Manual, ~~September 8, 2020~~ March 10, 2022 and subsequent revisions

## POLICY

### I. Definitions

#### A. Complaint

A complaint is an informal, verbal or written, allegation of discriminatory or unequal treatment, as well as retaliation.

1. **Discrimination** - For cases of alleged discrimination and cases of retaliation for filing a complaint of alleged discrimination, those complaints should be directed to ~~the Michigan Works! Southwest~~ Mr. Matthew Shilling, Equal Opportunity Officer, Michigan Department of Labor and Economic Opportunity at [LEO-EO-Discrimination-Complaint@michigan.gov](mailto:LEO-EO-Discrimination-Complaint@michigan.gov) or 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 website at [www.dol.gov/crc](http://www.dol.gov/crc).
2. **General Complaint** - To investigate and resolve a general complaint, the complaint procedures for the affected organization(s) shall be followed and the full appeal process exhausted in an attempt to reach a satisfactory informal resolution.
3. If an informal solution cannot be reached with the person or organization against whom the complaint is made, an official grievance may be filed.

#### B. Grievance

For purposes of this policy, and consistency with state policy, a grievance is defined as a written complaint that has not been resolved through informal processes, filed in accordance with the established policy and procedures.

### II. Implementation

- #### A. Michigan Works! Southwest shall develop, maintain, and make available to participants, sub-grantees, subcontractors/subrecipients, service providers, employees, One Stop partners, providers of training services, and other interested parties, a procedure, consistent with state policies and federal regulations, for the notification of Equal Opportunity (EO) is the Law and the handling of complaints and grievances, including complaints of discrimination and retaliation, that involve programs, activities and/or services administered by Michigan Works! Southwest, funded by Workforce Development (WD), State of Michigan, and other state and federal agencies, and under the auspices of the Michigan Works! Southwest Workforce Development Board.

1. An opportunity to resolve complaints informally before they become grievances shall be made available to participants and interested parties.



2. The content of this policy and the related procedures shall be provided to the affected parties in the following manner:
  - a. **Participants:** shall receive copies of the current EO is the Law Notice and the local Grievance and Complaint Procedures as part of the enrollment process. Participants shall sign and date a document acknowledging receipt of the Notice and Procedures and agreement to follow the procedures as outlined.
  - b. **Subcontractors:** information shall be included in the contract language and copies of the current EO is the Law Notice and the local Grievance and Complaint Procedures shall be attached. A signed acknowledgement of receipt of the Notice and Procedures and agreement to follow the procedures shall be included in the signed contract.
  - c. **Subgrantees:** same procedure as item b above.
  - d. **Service Providers:** same procedure as item b above.
  - e. **Employees:** shall receive copies of the current EO is the Law Notice and the local Grievance and Complaint Procedures at the time of hire. Employees shall sign and date a document acknowledging receipt of the Notice and Procedures and agreement to follow the procedures as outlined at the time of hire and annually thereafter during the first quarter of a program year.
  - f. **One-Stop Partners:** the information shall be included in the Memorandum of Understanding (MOU) or other signed agreements with Michigan Works! Southwest. Copies of the current EO is the Law Notice and Grievance and Complaint Procedures shall be attached.
  - g. **Providers of Training Services:** shall be made aware of Michigan Works! Southwest's current EO is the Law Notice and Grievance and Complaint Procedures and direct Michigan Works! Southwest participants with related concerns to the Michigan Works! Southwest Agency. All Requests for Proposals for training services and the resulting contracts shall include the current EO Notice and the local policies and procedures, as well as the location where the documents can be reviewed.
  - h. **Employer-Based Training Employers:** information regarding the current EO is the Law Notice and the local policies and procedures shall be included in the contract language and copies of the current EO is the Law Notice and Grievance and Complaint Procedures shall be attached. The location where the documents can be reviewed shall also be included in the contract.
  - i. **Other Interested Parties:** The current EO is the Law Notice and Grievance and Complaint Procedures will be posted in the One Stop Service Centers in areas accessible to the public, in areas where services are provided, and in administrative areas. Hard and/or electronic copies shall be made available upon request.
- B. Grievance and complaint handling procedures, including procedures for addressing discrimination and retaliation complaints, shall include a clear progression of actions to be taken in the resolution of a complaint or grievance that includes an opportunity to resolve complaints informally at the lowest level before they become an official grievance.
- C. Michigan Works! Southwest and its subrecipients shall ensure participants and other interested parties, sign and date documentation acknowledging receipt of the Michigan Works! Southwest EO is the Law Notice and the Grievance and Complaint Procedures. (See Section II.A.42. of this policy for list.) The

documentation shall be maintained for review by ~~WD~~ the Michigan Department of Labor and Economic Opportunity and other applicable entities according to state and federal policy requirements. (See item G of this subsection.)

- D. Persons enrolled in the Trade Adjustment Assistance (TAA) Program shall also receive a written copy of the Request for Redetermination Procedures. These are the procedures that shall be followed when requesting a redetermination of a TAA training, job search, and/or a relocation service decision.
- E. The EO is the Law Notice, the Grievance and Complaint Procedures and the TAA Request for Redetermination Procedures shall be accessible to individuals with disabilities.
- F. Where a significant number or proportion of individuals with limited English proficiency (LEP) exist, a reasonable effort shall be made to assure that the EO is the Law Notice, the Grievance and Complaint Procedures and the TAA Request for Redetermination Procedures is provided to and understood by individuals with limited English proficiency (LEP).
- G. All locally developed grievance and complaint policies, procedures, signed acknowledgements, and related documentation shall be maintained and available for review by the Michigan Department of Labor and Economic Opportunity~~WD~~.

III. Accessibility

All processes required by this policy are to be made available in hard copy and/or posted on the Michigan Works! Southwest website and must be accessible to persons with disabilities or other barriers as required by law.

IV. Language Barriers

Where a significant number or proportions of limited English speaking individuals exist, the local grant recipients are responsible for making a reasonable effort to assure that the information in this policy will be provided to and understood by limited English speaking individuals who seek information regarding the grievance procedure.

V. Posting

Complaint and Grievance procedures must be posted and accessible in areas where administration and program services are provided.

VI. Monitoring/Tracking of Complaints and Grievances

Michigan Works! Southwest and its subrecipients shall maintain a monitoring and tracking system to document grievances received and their disposition.

- A. Records of grievances shall be reported and maintained according to state policy and federal regulations.
- B. Records of grievances shall be maintained for a period of three years and the retention period shall begin on the date of the Michigan Department of Labor and Economic Opportunity~~WD~~ acceptance of the final closeout report for the applicable grant or contract.
- C. Records shall be retained beyond three years if any litigation or audit is begun, or if a claim is instituted involving the grant or contract covered by the records prior to the end of the retention period. In these instances, the records shall be retained until the litigation, audit or claim has been resolved.

VII. Appeal of Funding Determinations

- A. Individuals, agencies, and/or organizations responding to a solicitation for the delivery of administrative and/or workforce development programs, services

and/or activities may appeal the funding decision using the Michigan Works! Southwest Request for Proposal (RFP) Appeal Procedure.

- B. These appeal procedures, or summary thereof, shall be included in the solicitation documents.

VIII. Appeal of State Level Monitoring Findings

Michigan Works! Southwest may appeal non-designation of local areas, monitoring findings, incident report findings, single audit resolution findings/issues, and other matters related to State Workforce Investment programs by filing an appeal with the Michigan Department of Labor and Economic Opportunity~~WD~~ within 30 days of the adverse decision using the procedures established by the Michigan Department of Labor and Economic Opportunity~~WD~~.

Other interested parties may not appeal the Michigan Department of Labor and Economic Opportunity~~WD~~ findings directly with the Michigan Department of Labor and Economic Opportunity~~WD~~. To the extent that interested parties are affected by a Michigan Department of Labor and Economic Opportunity~~WD~~ decision, the interested parties shall first file a grievance using the local level procedures outlined in the Michigan Works! Southwest Grievance and Complaint Procedures.

IX. Special Provisions

- A. Equal Opportunity: Complaints alleging violation of the nondiscrimination and equal opportunity (EO) provision of state/federal grant programs shall be resolved in accordance with the WDB Nondiscrimination and Equal Opportunity (EO) Policy 25 ~~Revision 03~~ and subsequent revisions.
- B. Jurisdiction: Temporary Assistance to Needy Families (TANF) and Food Assistance program applicant and recipient grievances shall be handled in accordance with Michigan Works! Southwest or the Michigan Department of Health and Human Services (MDHHS) procedures, as appropriate, given the nature of the grievance.
- C. Wagner-Peyser and Employment related complaints: grievances involving activities funded by the Wagner-Peyser Act shall be resolved in accordance with the procedures outlined in the Employment Service (ES) Manual. Employment related complaints, including but not limited to, employer wage and hour concerns, migrant farm worker or veteran complaints, and other general labor laws, shall also be handled in accordance with the grievance procedures outlined in the State of Michigan Employment Services (ES) Manual. The ES Manual and assistance with this type of complaint is available at the Michigan Works! Southwest Service Centers.
- D. Criminal Conduct: known or suspected fraud, abuse, or criminal conduct under the Workforce Innovation and Opportunity Act (WIOA) shall be reported in accordance with the incident reporting guidelines issued by the Michigan Department of Labor and Economic Opportunity~~WD~~.
- E. Dual Enrollments: For grievances that involve participants who are dually enrolled in any of the Michigan Works! Southwest workforce development programs funded by the Michigan Department of Labor and Economic Opportunity~~WD~~, the Michigan Works! Southwest Agency shall:
1. Determine the funding source supporting the activity or program being grieved, and
  2. Resolve the grievance using the appropriate program grievance procedure.
- F. TANF Displacement: A grievance may be filed by an affected individual if (1) a recipient of TANF is placed in a position when any other individual is on layoff

from the same or any substantially equivalent job; or (2) if the employer has terminated the employment of any regular employer or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy created with a TANF recipient.

- G. WIOA Displacement: A grievance may be filed by a regular employee displaced by a WIOA participant who is placed in an employment activity operated with WIOA funds. A grievance may also be filed by a WIOA participant in an employment activity if the participant is displaced.
- H. Binding Arbitration/Collective Bargaining: WIOA participants alleging a labor standards violation shall have the opportunity to submit the grievance to a binding arbitration procedure if the applicable collective bargaining agreement provides that opportunity.

**INITIAL EFFECTIVE  
DATE** 7/1/2007

<b>APPROVED</b>		
<b>Initial Policy:</b>	WDB Executive Committee	10/4/2007
<b>Revision 01</b>	WDB Executive Committee	12/3/2009
Updated Name of RFP Appeal Procedures		9/10/2010
<b>Revision 02</b>	WDB Executive Committee	10/6/2011
<b>Revision 03</b>	WDB Executive Committee	8/2/2012
<b>Revision 04</b>	WDB Executive Committee	1/9/2014
<b>Revision 04:</b>	WDB Executive Committee	10/15/2014 <i>(All WDB policies accepted to apply to all four counties)</i>
<b>Revision 05</b>	WDB Executive Committee	6/17/2015
<b>Revision 06</b>	WDB Executive Committee	4/12/2019
<b>Revision 07</b>	WDB Executive Committee	5/19/2022
<b>Revision 08</b>	WDB Executive Committee	x/xx/2023

**EXPIRATION** Ongoing

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## Workforce Development Board

## WDB Policy 25 ~~R04~~R05

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**AUTHORITY:** The Michigan Works! Southwest Workforce Development Board is established under the Workforce Innovation and Opportunity Act of 2014, and subsequent changes. The Board is assigned the responsibility to set policy for the workforce investment system within the local area.

**ORDER OF PRECEDENCE:** Where any part of this policy shall be determined to conflict with any federal, state or local policy, the federal, state, and then local policy shall take precedence without affecting any other part or parts of this policy.

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## Nondiscrimination and Equal Opportunity

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**BACKGROUND** Workforce Development Boards (WDB), Michigan Works! Agencies (MWA), and their service providers are required to have local, written policies and procedures that assure compliance with state and federal policies and regulations related to Nondiscrimination and Equal Opportunity (EO).

In compliance with state and federal policies, local policies and procedures must be established by Workforce Development Boards, Michigan Works! Agencies and their subrecipients that prohibit exclusion, provide universal access to all customers, including the availability of language assistance, so they may participate fully in the available workforce development services and program activities.

This includes promoting access, equity and respect for the differing customs, languages, abilities, and beliefs of people who seek workforce services and individuals who may have limited English proficiency (LEP).

**SCOPE** All workforce development programs, services and activities under the auspices of the Michigan Works! Southwest Workforce Development Board.

**REFERENCES** Workforce Innovation and Opportunity Act (WIOA) of 2014, Section 188  
29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA and subsequent changes

Workforce Development Agency, State of Michigan, Policy Issuance 18-09 and subsequent changes Nondiscrimination and Equal Opportunity Requirements ~~and subsequent changes~~

Title VII of the Civil Rights Act of 1964, as amended and Michigan Civil Rights Act

~~WDB Policy 26 Revision 03 Reasonable Accommodations and Language Assistance~~

**DEFINITIONS** Integrated Settings: environments that maximize inclusiveness and enable individuals with Limited English Proficiency to interact and participate with others in programs and services.

Limited English Proficiency (LEP): An individual whose primary language for communication 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 may still be considered as LEP for other purposes (e.g. reading or writing).

POLICY

I. **Principles of Nondiscrimination and Equal Opportunity Covered Basis**

- A. The Michigan Works! Southwest Workforce Development Board (WDB), the Michigan Works! Agency (MWA) and its subrecipients, as recipients of state and federal funds, shall provide equal opportunity and shall not discriminate against any individual in the United States on the basis of race, color, religion, sex (including but not limited to, pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, sexual orientation, and gender identity), national origin (including limited English proficiency [LEP]), age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in any WIOA Title I financially assisted program or activity, 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 WIOA Title I financially assisted program or activity. [29 CFR Part 38.5]
- B. Principles of nondiscrimination and equal opportunity shall apply to all entities (“recipients”) receiving financial assistance under Title I of the WIOA, One Stop partners, programs, and activities that are part of the One Stop delivery system, and the employment practices of recipients and/or One Stop partners in connection with programs and activities that are being conducted as part of the WIOA Title I or the One Stop delivery system. This includes, but is not limited to, agencies and programs listed in 29 CFR Part 38.2; and includes, but is not limited to, activities such as hiring, promotion, employment practices, program eligibility, training, placement, procurement decisions and the composition of committees, boards, or advisory groups formed to carry out workforce development initiatives.
- C. The Michigan Works! Southwest Agency (MWA) shall designate an individual to serve as the MWA Equal Opportunity Officer to coordinate management of the MWA’s nondiscrimination with the Michigan Department of Labor and Economic Opportunity; and to oversee the Michigan Works! Southwest’s equal opportunity responsibilities; and to serve as a technical resource.

The EO Officer and contact information for Michigan Works! Southwest is identified to be Amy Meyers, 222-300 S. Westnedge Ave, Kalamazoo, Michigan 49007. Telephone 269-385-0414 or 711 for Relay Center and TTY.

- D. If any administrative enforcement action or lawsuit is filed against Michigan Works! Southwest or its service providers, alleging discrimination on any of the covered basis, Michigan Works! Southwest must immediately notify the Michigan Department of Labor and Economic Opportunity and provide the following:
1. The name of the parties to the action or lawsuit,
  2. The forum in which each case was filed, and
  3. The relevant case number(s).

II. **Nondiscrimination and Equal Opportunity Policies**

- A. To meet nondiscrimination and equal opportunity responsibilities, the Michigan Works! Southwest Agency and its subrecipients shall establish policies and procedures to ensure that the following is achieved and in compliance with WIOA Section 188 and with 29 CFR Part 38:
1. provide initial and on-going notice of compliance with state and federal nondiscrimination and equal opportunity policies and regulations;
  2. comply with requirements for posting nondiscrimination and equal opportunity notices;

3. include nondiscrimination and equal opportunity policy statements on program documents and materials distributed to the public;
  - a. indicate that programs and activities are an “equal opportunity employer/program” and that “auxiliary aids and services are available upon request” in all materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or to the public at large;
  - b. prominently provide the telephone number of the text telephone or equally effective telecommunications system, such as a relay service, videophone, or captioned telephone used by the recipient. e.g. “Dial 711 for Relay Center and TTY” where such materials indicate that the recipient may be reached by voice telephone;
  - c. ensure that each orientation with new participants, new employees, and/or the general public include the discussion of rights and responsibilities under the nondiscrimination and equal opportunity provision of the WIOA, including the right to file complaints of discrimination and retaliation;
  - d. ensure that every participant and employee receive the Equal Opportunity Notice and Grievance and Complaint procedures and that each sign an acknowledgement of receipt which is kept in their files;
4. ensure that communications with individuals with Limited English Proficiency (LEP) are as effective as communications with others;
5. ensure that communications with individuals with disabilities are as effective as communications with others;
6. operate workforce programs, services and activities in a manner that is both programmatically and physically accessible for individuals with disabilities;
7. collect data, maintain records, and provide information and reports as needed to determine compliance with the nondiscrimination and equal opportunity requirements of workforce development programs;
8. comply with all notification, complaint handling and file documentation requirements established by the state and follow the state’s uniform procedures for handling discrimination complaints;
9. develop and publish local procedures for processing complaints under 29 CFR Part 38 and the WIOA Section 188;
10. participate in periodic compliance, performance and specialized reviews to assure the maintenance and effectiveness of local nondiscriminatory and equal opportunity systems and practices including procedures for implementing corrective and remedial action for non-compliance.
11. Participate in specialized Equal Opportunity training.

### III. Assurance of Nondiscrimination and Equal Opportunity in Contracts

- A. All contracts and other funding instruments awarding funds through Michigan Works! Southwest shall contain an assurance of nondiscrimination and equal opportunity in the provision of services, activities, employment practices, and in all terms, conditions and privileges of employment to ensure compliance with Section 188 of the WIOA and 29 CFR Part 38.
  1. This requirement includes contracts/agreements established for On-the-Job Training (OJT), Work Experience (WE) and other Wage Reimbursement positions.
  2. This requirement includes Memorandums of Understanding (MOUs).
- B. Service levels shall be representative of the demographic characteristics and the geographic distribution of the eligible population within the Michigan Works!

Southwest area or general population census data, whichever is most reflective of the population being served.

- C. For applicable workforce development programs, ~~the MWA~~ Michigan Works! Southwest shall track and review service levels for characteristics to include, but not limited to:
  - 1. Sex;
  - 2. Race/Ethnicity;
  - 3. Individuals with Limited English Proficiency (LEP);
  - 4. Preferred language;
  - 5. Age; and
  - 6. Disability status.
- D. To address variances in service levels, service providers may be asked to provide affirmative outreach plans to the Michigan Works! Southwest's EO Officer.

#### IV. Limited English Proficiency and/or Requests for Language Assistance in Service Delivery and Operations

- A. The Michigan Works! Southwest Agency and its subrecipients shall administer programs and services in integrated settings.
  - 1. Separate programs for individuals with Limited English Proficiency (LEP) are permitted, where necessary, to ensure that the training, benefits and services provided to qualified individuals in need of language assistance are as effective as those provided to others.
  - 2. Separate programs cannot be used to restrict the participation of persons with LEP in general integrated programs.
  - 3. Individuals with LEP shall retain the right to participate in other available training if they elect to, and if they meet the selection criteria established for program participation.
  - 4. Where separate programming is offered, written documentation outlining the rationale used for establishing each separate program, activity or service shall be provided to the Michigan Works! Southwest's Equal Opportunity (EO) Officer for prior approval. All related documentation shall be retained on file by the EO Officer.
- B. All eligible persons who apply for programs, services or employment funded under sources from the Workforce Development Agency, State of Michigan and its successor organizations, shall be afforded accurate language assistance services, whether oral interpretation or written translation, in a timely manner and free of charge.
  - 1. Language assistance will be considered timely when it is provided at a place and time that ensures equal access and avoids the delay or denial of any aid, benefit, service, or training at issue.
  - 2. The Michigan Works! Southwest Agency and its subrecipients shall take reasonable steps to ensure meaningful access to each LEP individual served or encountered so that the individuals are effectively informed about and/or able to participate in the program or activity.
    - a. Reasonable steps generally include, but are not limited to:
      - i. An assessment of a LEP individual to determine language assistance needs;
      - ii. Providing oral interpretation or written translation of both hard copy and electronic materials, in the appropriate non-English languages, to LEP individuals; and
      - iii. Outreach to LEP communities to improve service delivery in needed languages.



- b. Reasonable steps to provide meaningful access to training programs may include, but are not limited to, providing:
    - i. Written training materials in appropriate non-English languages by written translation or by oral interpretation or summarization; and
    - ii. Oral training content in appropriate non-English languages through in-person interpretation or telephone interpretation.
  - c. Language assistance services shall comply with 29 CFR Part 38.9 (Discrimination prohibited based on national origin, including limited English proficiency) and must include a “Babel notice,” indicating that language assistance is available, in all communications of vital information.
  - d. Vital Information – For languages spoken by a significant number or portion of the population eligible to be served, or likely to be encountered, the Michigan Works! Southwest Agency and its subrecipients must translate vital information in written materials into these languages and make them readily available. Examples include, but are not limited to: applications, consent forms and complaint forms, notices of rights and responsibilities (EO is the Law Notice), notice of availability of free language assistance, letters or notices that require a response from the individual.
  - e. Training Materials – Written training materials are excluded from translation requirements; however, recipients must take reasonable steps to ensure meaningful access. Some steps include but are not limited to: translation of materials upon request; and ~~convey~~conveying information orally through a certified interpreter.
- C. The Michigan Works! Southwest Agency and its subrecipients shall develop and maintain written policies and/or procedures describing the process for participants, employees, applicants for employment and the general public to request language assistance for accessing programs, services and locations.
- D. Local policies and procedures related to language translation services shall also reference the subrecipient’s willingness to make reasonable modifications to organizational policies, procedures and practices when requested unless the subrecipient can demonstrate that such modifications would result in a fundamental alteration in the nature of their program, activity or service.
- E. Policies and/or procedures already in place in the Michigan Works! Southwest Agency or its subrecipients parent organizations may be used to satisfy the requirements of this policy provided those policies and procedures address the full range of language assistance as required by federal regulations including:
- 1. Restructuring a job or training programs,
  - 2. Developing modified work or training schedules,
  - 3. Altering assessment/testing techniques which prevent the fair evaluation of skills,
  - 4. Providing for language translation services, and
  - 5. Making necessary alterations to the work or training site to ensure that the facilities are accessible to individuals requesting language assistance.
- F. The Michigan Works! Southwest Agency and its subrecipients will ensure the dissemination of both public and internal notice of the language assistance process for individuals with LEP, including forms and/or instructions needed to initiate language assistance requests.

**V. Appealing Decisions for a Request for Language Assistance**

- A. Individuals wishing to appeal a denial of a request for language assistance should use the Michigan Works! Southwest’s procedures as required in this policy.

**INITIAL EFFECTIVE  
DATE**

7/1/2007

**APPROVED**

<b>Initial Policy</b>	WDB Executive Committee	10/4/2007
<b>Revision 01</b>	WDB Executive Committee	12/3/2009
<b>Revision 01:</b>	WDB Executive Committee	10/15/2014 ( <i>All WDB policies accepted to apply to all four counties</i> )
<b>Revision 02</b>	Workforce Development Board	5/20/2015
<b>Revision 03</b>	WDB Executive Committee	4/12/2019
<b>Revision 04</b>	Workforce Development Board	5/19/2022
<b><u>Revision 05</u></b>	<u>WDB Executive Committee</u>	<u>x/xx/2023</u>

**EXPIRATION**

Ongoing

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## Workforce Development Board

WDB Policy 23 ~~R03~~R04

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**AUTHORITY:** The Michigan Works! Southwest Workforce Development Board is established under the Workforce Innovation and Opportunity Act of 2014, and subsequent changes. The Board is assigned the responsibility to set policy for the workforce investment system within the local area.

**ORDER OF PRECEDENCE:** Where any part of this policy shall be determined to conflict with any federal, state or local policy, the federal, state, and then local policy shall take precedence without affecting any other part or parts of this policy.

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## Sexual and Other Forms of Workplace Harassment

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### BACKGROUND

Sexual harassment is a form of unlawful harassment that violates Title VII of the Civil Rights Act of 1964, the Elliott-Larsen Civil Rights Act of 1976 and other rules and regulations issued by federal and state agencies granting financial assistance through the Workforce Development Agency (WDA) and its successor organizations. In keeping with federal regulations and state policies, the same principles that govern sexual harassment are applicable to harassment based on race, color, religion, sex (including but not limited to, pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, sexual orientation, and gender identity), national origin (including limited English proficiency [LEP]), age, disability, political affiliation or belief, citizenship/status as a lawfully admitted immigrant authorized to work in the United States or other legally protected status or non-merit factor.

The Workforce Development Boards, Michigan Works! Agencies and their subrecipients must maintain work, service, and training environments free of discriminatory and sexual harassment. They must make good faith efforts to prevent harassing behaviors and create work, service and training atmospheres that foster inclusion and respectful interpersonal relationships.

The issue of harassment in the workplace and its prohibition should be considered a sensitive, serious and important topic. It is the responsibility of all staff in the workforce development system, especially those in supervisory roles, to eliminate and/or prevent all forms of harassment.

### SCOPE

All workforce development programs, services and activities under the auspices of the Michigan Works! Southwest Workforce Development Board.

### REFERENCES

Title VII of the Civil Rights Act of 1964, as amended, and the Michigan Civil Rights Act

Elliott-Larsen Civil Rights Act of 1976

29 CFR Part 38 Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA and subsequent changes

The Workforce Innovation and Opportunity Act of 2014, Section 188

Workforce Development Agency, State of Michigan Policy Issuance 18-09 and subsequent changes Nondiscrimination and Equal Opportunity Requirements ~~and subsequent changes~~

POLICY

- I. Definitions
  - A. Sexual Harassment - Consistent with federal regulations and state policies and guidelines, sexual harassment is defined as:  
“Unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct of a sexual nature constitute harassment when:
    1. Submitting to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or participation in a program, activity or service; or
    2. Submitting to or rejecting such conduct is used as the basis for decisions affecting an individual’s status as an employee or participant in a program, activity or service; or
    3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s performance as an employee or a participant in a program, activity or service; or creating an intimidating, hostile, or offensive work, training, business or learning environment.”
  - B. Other Forms of Harassment - The principles outlined in the above definition shall also apply to harassing behaviors based on race, color, religion, sex (including but not limited to, pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, sexual orientation, and gender identity), national origin (including limited English proficiency [LEP]), age, disability, political affiliation or belief, citizenship/status as a lawfully admitted immigrant authorized to work in the United States or other legally protected status or non-merit factor.
  - C. Zero Tolerance – Sexual, discriminatory, and other forms of harassment, including retaliation, are unlawful and will not be tolerated in any program, service, activity, or location funded by Michigan Works! Southwest.
- II. Implementation
  - A. The prohibition against sexual and other forms of workplace harassment, including retaliation, applies to all employees, customers, participants, applicants and others who access workforce development programs, services, activities, and locations funded by Michigan Works! Southwest.
- III. Policy Requirements
  - A. The Michigan Works! Southwest Agency shall develop and apply written policies on sexual and other forms of harassment, including retaliation, that are consistent with federal regulations, state policies, and other WDB policies. This WDB Policy 23 ~~Revision 03~~ and subsequent changes/visions, addresses this requirement for the Michigan Works! Southwest Agency.
  - B. The Michigan Works! Southwest Agency’s service providers shall develop and apply written policies on sexual and other forms of harassment, including retaliation, that are consistent with federal regulations, state policies, and WDB policies.
  - C. All policies shall include an understandable definition of what constitutes sexual and other forms of harassment, including retaliation, and convey a stance of zero tolerance for sexual and discriminatory harassment and retaliation.
  - D. Policies and procedures for complaint and grievance management including reporting of perceived harassment shall include at least two individuals to whom complaints can be reported.
- IV. Complaints and Grievances
  - A. Complaints alleging discrimination, or retaliation for filing a complaint of alleged discrimination, under a WIOA Title I-financially assisted program or activity should be directed to the ~~Michigan Works! Southwest~~State of Michigan Equal Opportunity

Officer. All other complaints of harassment and retaliation reported to subrecipients or other organizations in the workforce development system should be handled using the internal policies and procedures of the affected organization(s). Once that process has been exhausted, and if the complainant wishes to make an appeal, the individual should be directed to Michigan Works! Southwest's EO Officer or Director, using the established Michigan Works! Southwest Grievance and Complaint procedures (see WDB Policy 24, ~~Revision 06~~ and subsequent ~~changes~~revisions, Grievance and Complaint Handling).

- B. All complaints of harassment and retaliation, regardless of their nature, and how they were reported shall be promptly and thoroughly investigated, making every effort to maintain the confidentiality of the person making the complaint, the person(s) alleged to be involved in the harassment or retaliation, and the outcome of the investigation.
- C. If following a thorough and timely investigation of a harassment or a retaliation claim, there is found to be basis for the claim; prompt, appropriate disciplinary action must be taken, up to and including termination of employment; dismissal from a program, activities or services; and prohibition from the use, current and future, of facilities, program, activities, and services.

V. Prohibition against Reprisal or Retaliation

- A. The Michigan Works! Southwest Agency and its subrecipients are prohibited from any form of reprisal or retaliation against any individual filing or taking part in the investigation of a harassment complaint.

**INITIAL EFFECTIVE  
 DATE**

7/1/2007

**APPROVED**

<b>Initial Policy:</b>	WDB Executive Committee	10/4/2007
<b>Revision 01:</b>	WDB Executive Committee	12/3/2009
<b>Revision 01:</b>	WDB Executive Committee	10/15/2014 <i>(All WDB policies accepted to apply to all four counties)</i>
<b>Revision 02:</b>	Workforce Development Board	5/20/2015
<b>Revision 03</b>	WDB Executive Committee	4/12/2019
<b><u>Revision 04</u></b>	<b><u>WDB Executive Committee</u></b>	<b><u>x//xx/2023</u></b>

**EXPIRATION**

Ongoing

Exhibit D

June 30, 2023  
Business Services Summary

# Michigan Works! Southwest Dashboard

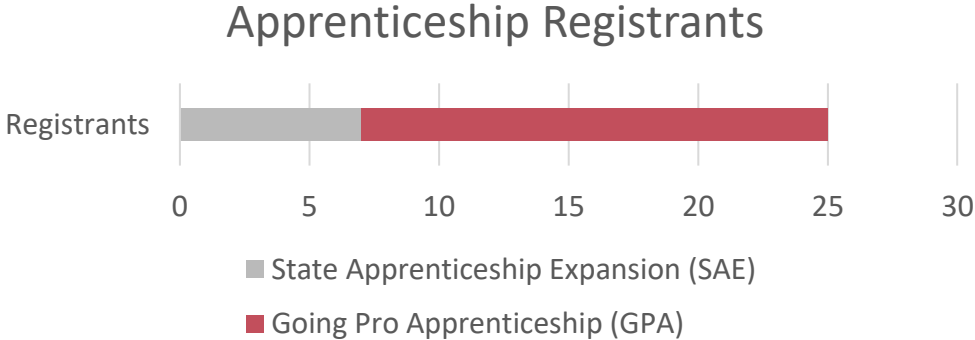


# Apprenticeship Summary

## Total Registrants

(June 30, 2023)

25



# Unemployment Rate by County

May 2023

Kalamazoo County  
4%

Calhoun County  
4.6%

Branch County  
4%

St. Joseph County  
4.4%

Source: <https://milmi.org/DataSearch/Unemployment-by-County>

# Job Demand\* (Southwest Prosperity Region)

Time Period

May 2023

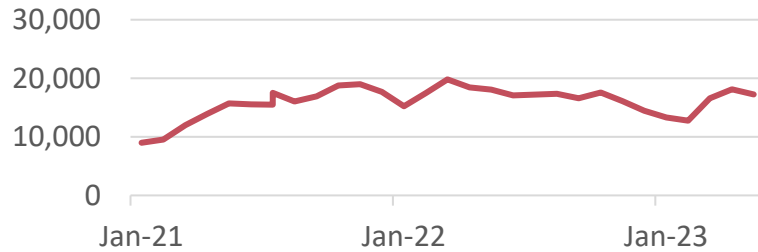
Total Ads

17,237

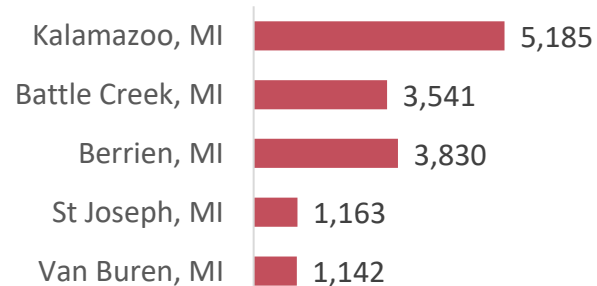
Change/Month

-5.8%

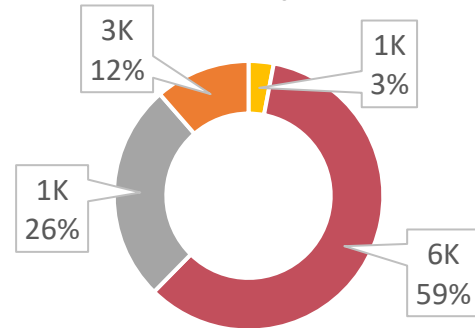
## Historical Ad Volume



## Top Job Locations

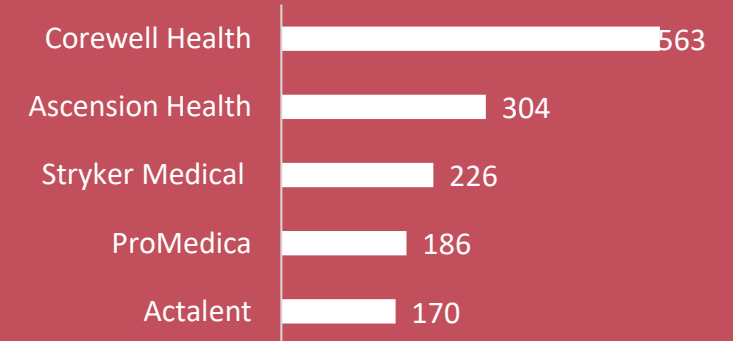


## Education Requirements

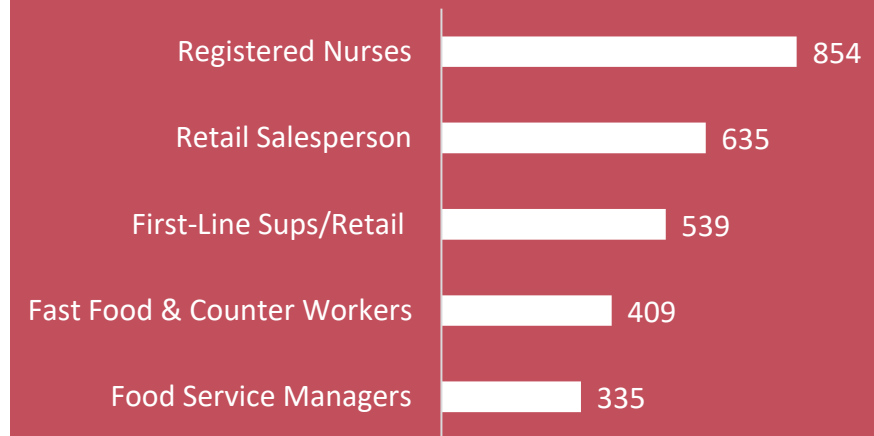


- High School or Vocational Training
- Associate Degree
- Bachelor's Degree
- Master's Degree or Higher

## Top Employers



## Top Occupations





# Going Pro Talent Fund (GPTF) FY2023



**\$4,415,102**

Awarded to companies



**Branch**

\$54,111

**Calhoun**

\$1,027,601

**St. Joseph**

\$374,715

**Kalamazoo**

\$2,046,425



**62\***

Companies Awarded GPTF



**Branch**

2

**Calhoun**

23

**St. Joseph**

4

**Kalamazoo**

20



**2,518**

Individuals to be trained



**Branch**

36

**Calhoun**

660

**St. Joseph**

254

**Kalamazoo**

1,004



**336**

Planned Apprentices



**Branch**

0

**Calhoun**

39

**St. Joseph**

3

**Kalamazoo**

284



**726**

Anticipated New Hires



**Branch**

6

**Calhoun**

203

**St. Joseph**

127

**Kalamazoo**

373

\*Thirteen additional employers outside of Michigan Works! Southwest's four-county area were awarded GPTF money.

# Employers Served

Number of Employers Served  
(7/1/2022 – 06/30/2023)

516

Number of Services Provided  
(7/1/2022 – 06/30/2023)

3,961



Exhibit E

June 30, 2023  
Services Summary

# Michigan Works! Southwest Dashboard



# PATH

Partnership. Accountability.  
Training. Hope.

Number of Participants  
(Served 10/01/2022 – 06/30/2023)

807

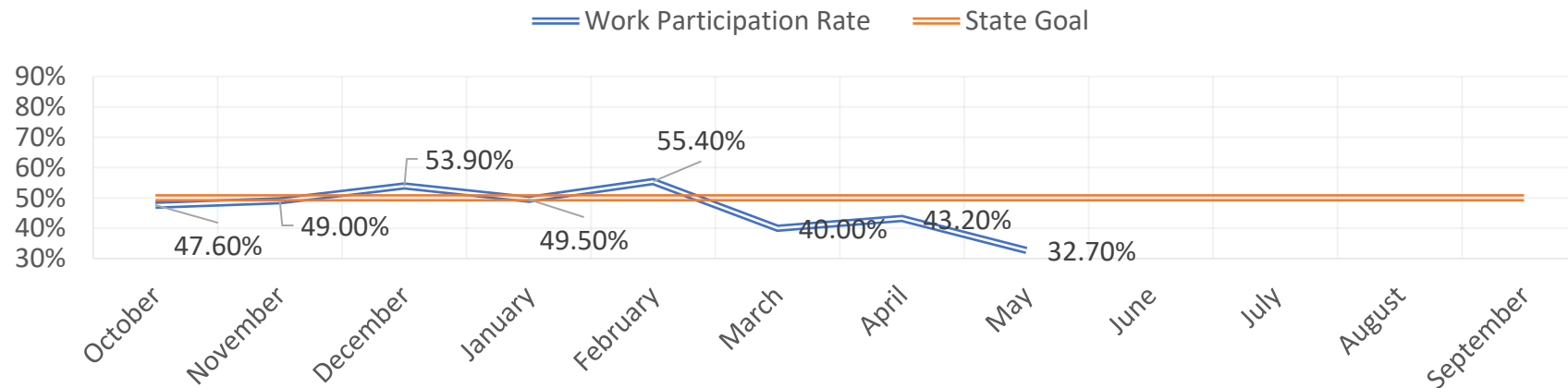
Employment Rate  
(10/01/2022 – 06/30/2023)

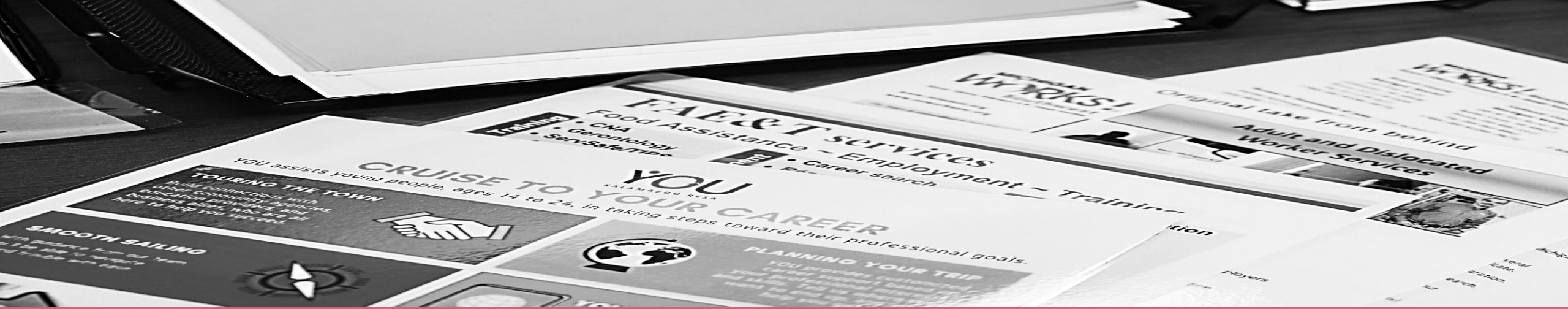
47.5%

Wage  
(10/01/2022 – 06/30/2023)

\$15.54

## PATH WORK PARTICIPATION RATE (FY23): 32.70%





# LEAP

Learn, Earn, and Provide

255

Number of Participants  
(Served 10/01/2022 – 06/30/2023)

67.8%

Employment Rate  
(10/01/2022 – 06/30/2023)

\$15.70

Average Wage  
(10/01/2022 – 06/30/2023)

# BRES

Barrier Removal Employment Success

324

Number of Individuals Who Received BRES  
Services  
(10/01/2022 – 06/30/2023)

## Most Common BRES Support Services Provided:

- Expungement Fees
- Housing and Rental Assistance

# WIOA and Wagner-Peyser Performance

(Workforce Innovation and Opportunity Act)

	WIOA Adult		WIOA Dislocated Worker		WIOA Youth		Wagner-Peyser	
	Target	Actual	Target	Actual	Target	Actual	Target	Actual
Employment 2nd Quarter After Exit	88.60%	88.90%	90.10%	91.70%	80.60%	75.90%	65.00%	71.70%
Employment 4th Quarter After Exit	83.60%	91.30%	87.60%	89.20%	72.80%	82.80%	63.00%	65.90%
Median Earnings 2nd Quarter After Exit	\$6,192	\$7,931	\$7,914	\$10,489	\$3,660	\$4,030	\$5,175	\$9,140
Credential Attainment Rate	77.30%	59.30%	76.90%	92.90%	71.40%	72.20%	N/A	N/A
Measurable Skill Gains	65.10%	92.00%	67.60%	89.70%	33.30%	41.70%	N/A	N/A

PY22-Q4 outcomes as of 6/30/2023

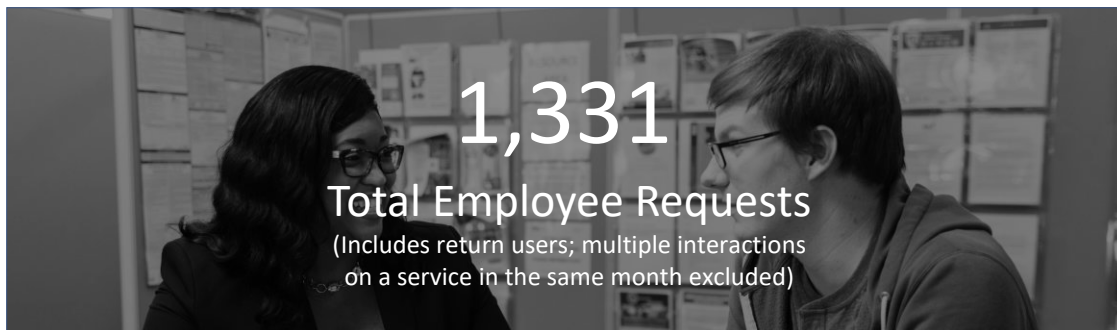
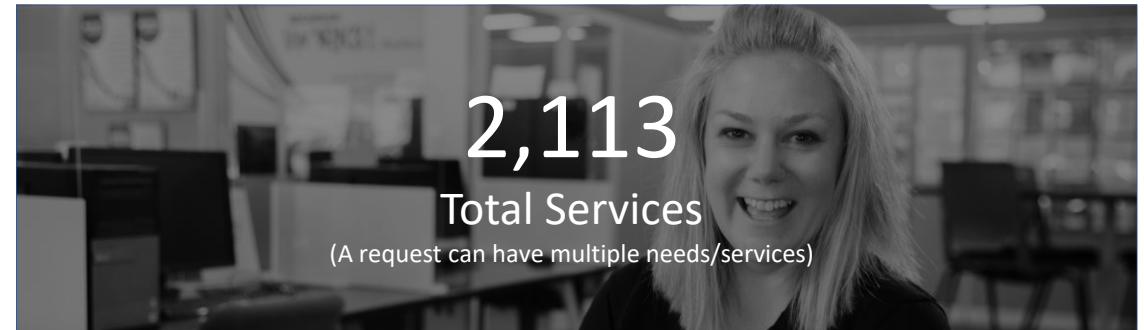
See Slide 6 & 7 for Performance Measures Definitions

# Employer Resource Network (ERN)

Key Performance Indicators (10/01/2022 to 06/30/2023)

767% ROI

Increased Productivity and Retention Saves Money  
Based on retention; turnover costs = \$4,129 per employee.



# WIOA Performance Measures Overview

## Source: State of Michigan WIOA Manual

**Employment Rate – 2nd Quarter after Exit:** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program. For WIOA Title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit.

**Employment Rate – 4th Quarter after Exit:** The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program. For WIOA Title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit.

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

**Credential Attainment:** The percentage of those participants enrolled in an education or training program (excluding those in On-the-Job Training [OJT] and customized training) who attain a recognized post-secondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within four quarters after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed within four quarters after exit or is enrolled in an education or training program leading to a recognized post-secondary credential within 365 days of exit from the program.



# WIOA Performance Measures Overview

## Source: State of Michigan WIOA Manual

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

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