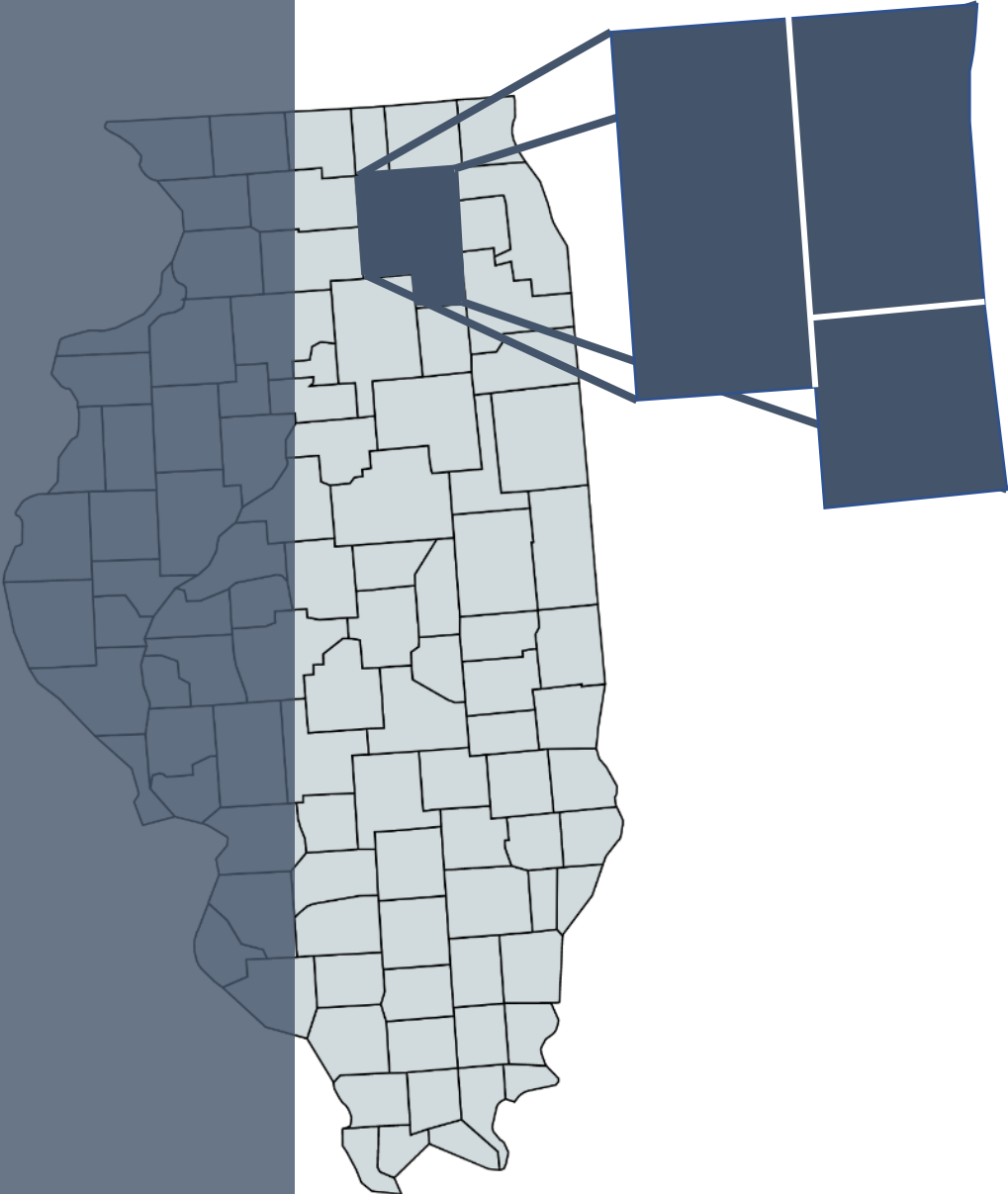


**Local  
Workforce  
Innovation  
Area  
(LWIA) 5  
WIOA Plan  
2024-2028**

*March, 2024*



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## **INTRODUCTION**

The Local Workforce Development Board, in conjunction with the WIOA required Partners, has established a 4-Year Local Plan for the Local Workforce Innovation Area designated as LWIA 5 that serves Kane, Kendall and DeKalb Counties that accompanies the Regional Plan for the Northeast Region of Illinois (EDR 4), which includes LWIA 5 along with Cook, DuPage, Grundy, Kankakee, Lake, McHenry and Will Counties. Guidance from the State of Illinois provided the outline for the development of the Local Plan, which includes an emphasis on service integration between required Partners within the local workforce system.

The Workforce Innovation and Opportunity Act encourages local boards to provide leadership and deliver on strategies that support business competitiveness and growth and strategies that assist our residents in acquiring skills valued in the labor market. LWIA 5 is embracing this vision by developing priorities that will: result in an aligned and responsive set of seamless services to employers and job seekers and support the economic growth and prosperity of our three-county area.

This plan establishes the framework for the local workforce system, which encompasses the work of seventeen (17) different agencies and community-based organizations that represent the following thirteen (13) federally-funded partner programs:

1. Adult, Dislocated Worker and Youth Programs (Title IB)
2. Temporary Assistance for Needy Families
3. Wagner-Peyser
4. Trade Adjustment and Readjustment Assistance
5. Unemployment Compensation
6. Veterans Job Counseling
7. Vocational Rehabilitation
8. Adult Education and Family Literacy
9. Community Service Block Grant
10. Migrant Seasonal Farmworker Program
11. Perkins Career Technical Education
12. Senior Community Services Employment Program
13. YouthBuild

This plan incorporates the following priorities for the four-year period of 2024-2028 and the operational framework under which the local workforce system will operate. These include and align with the key elements of the LWIAs service integration plans:

1. Engage employers across the three-county area, especially those in key employment sectors.
2. Coordinate with economic development and business groups to support business growth.
3. Increase focus on building the workforce system's connections to partners and other service providers in service to business and job-seeker customers across the three-county area.
4. Support career pathway models in targeted industries.
5. Adapt to needs as they evolve to improve systems and services, exploring opportunities for service enhancement and improvement.
6. Champion diversity by promoting inclusive principles and building equitable access to services.
7. Support professional development and cross-training strategies and activities that include; leveraging information, data and knowledge from the required partners.

#### CHAPTER 4: OPERATING SYSTEMS AND POLICIES

This chapter provides an overview of all the operating systems and policies within the Local Workforce Innovation Areas (LWIAs). LWIAs must incorporate key documents into the plan that describe the one-stop delivery system and the services that are provided by the workforce partners. LWIAs are required to provide information and analysis regarding the challenges and opportunities that are associated with the local operating system and policies.

**A. Coordination of Planning Requirements. This plan will incorporate the Memorandum of Understanding and Service Integration Action Plan and include the following statements in this chapter: As part of this plan, the LWIA will complete a Service Integration Self-Assessment of its progress on service integration. A copy of the documentation associated with the self-assessment process will be submitted as an appendix to this plan.**

1. *The Local Workforce Innovation Area (5) Memorandum of Understanding provides a description of the one-stop delivery system, and other information that is essential to the establishment and operation of effective local workforce development systems as required by the WIOA Rule (20 CFR Part 678.705).*

The LWIA 5 **Memorandum of Understanding (MOU)** provides a description of the one-stop delivery system and the commitment of the local Partners to provide coordinated and integrated services through the area's comprehensive job center, workNet Batavia, located at 143 1<sup>st</sup> Street in Batavia, IL 60510. The MOU describes the collective vision for the system and defines the workforce services each Partner will provide along with their methods for delivery. The one-stop Partners are committed to service improvements to accommodate customer-centered design approaches by supporting expanded integration among Partners and enhanced access through community-based sites where individuals can seek assistance in locations with which they are familiar. To further effective operations in Program Year 2023, the Partners implemented operational changes to its One-Stop delivery and Operator model to:

- ✓ Ensure sustainable staffing for delivery of universal career services for workNet Batavia patrons.
- ✓ Establish a foundational role for the Operator where four (4) key responsibilities were defined that prioritize the coordination of partner activities and service delivery, which include:
  1. Data Collection and Reporting
  2. Service Coordination among Mandated WIOA Partners
  3. Professional Development and Continuous Improvement
  4. One-Stop Center Certification Maintenance

Two full-time Career Navigator positions will be maintained during the plan cycle to offer specialized resources and provide direct services that support individuals with increasing their preparation for the workforce. One Navigator is Spanish-speaking and the other is certified as a resume writer. Through the establishment of a foundational Operator role, the LWIA secured a bid from a consortium partnership that included, the Kane County Office of Community Reinvestment, Elgin Community College and the Illinois Department of Employment Security. As core partners within the local one-stop system, the consortium has a long-standing relationship that prioritizes its partnership through frequent cooperative efforts that work toward solutions to benefit job seekers

and the business community. The consortium has formed a core leadership panel that meets quarterly to ensure the operator services are performed in an effective manner. Direct operator and customer-facing functions, along with staff support to the consortium are provided through an on-site manager. These cooperative specialties and efforts provide for:

- ✓ Improved communication
- ✓ Increased access to services
- ✓ Cultural competency
- ✓ Enhanced outreach and engagement
- ✓ Reliable delivery of resources and support

workNet Batavia, led by the One-Stop Operator, have successfully been able to continue delivering a full range of WIOA services from all partners, directly on-site, digitally and through direct linkage, including, but not limited to:

- ✓ Resource room with accessible computers and staff/Partner staff assistance.
- ✓ Scheduled workshops, resource events, career fairs and job clubs.
- ✓ Orientation and information sessions both virtual and in-person.
- ✓ Labor market and Illinois workNet information.
- ✓ Assistance with filing unemployment claims and access to Illinois Job Link.
- ✓ Accessibility and translation services.
- ✓ Skills testing.
- ✓ Initial assessment, as well as comprehensive and specialized assessment when indicated.
- ✓ Hiring events, job vacancies and business service information, stemmed from coordination with economic development and business groups to support business growth.
- ✓ Career planning, including resume and interview preparation assistance.
- ✓ Job search assistance.
- ✓ Employment plan development.
- ✓ Job training services.
- ✓ Referral to partner entities, including but not limited to, those that provide academic remediation and literacy services, supportive services, case management, emergency funds, childcare, financial assistance, training funds and other benefits.

The PY23 MOU for LWIA 5 can be located on the approval dashboard for the State of Illinois at [https://www.illinoisworknet.com/WIOA/RegPlanning/Pages/Plans\\_MOUs\\_Dashboard.aspx](https://www.illinoisworknet.com/WIOA/RegPlanning/Pages/Plans_MOUs_Dashboard.aspx).

2. *The Memorandum of Understanding and any subsequent modifications is incorporated by reference into this plan. The Local Workforce Innovation Area (5) Service Integration Action Plan provides a description of how local workforce partners will align and coordinate services as required by the State of Illinois Service Integration Policy (WIOA Policy Chapter 1, Section 13). The Service Integration Action Plan, any subsequent modifications and the results of the Service Integration Self-Assessment are incorporated by reference into this plan.*

Led by the One-Stop Operator, the local Partners collaboratively assessed seven (7) levels of service integration functions and identified areas for continuous improvement to strengthen communication and service integration strategies that are collaborative, coordinated and meet the needs of both job seeker and business customers. In January 2024 and as a result of the completed self-assessment, the Partners identified a continuous improvement plan to foster and enhance

service integration for the local area, which is further detailed on [Appendix A](#) and summarized as follows:

1. Expand communication measures
2. Improve customer satisfaction and feedback tracking
3. Expand cross-training methods and explore professional development
4. Improve mechanisms for the recording and reporting of referral outcomes
5. Define steps for Partner evaluation of service integration and LWIB reporting

Continuous and on-going improvement efforts will be led by the Operator and will include discussions with Regional colleagues to examine best practices in order to develop priorities and plans for each goal. The Operator will facilitate active discussions with Partners to collectively and effectively progress with implementation and measure progress, which will also be overseen by the One-Stop Committee of the Workforce Development Board.

**B. Provide a copy of the following local policies and agreements:**

The Illinois Local Workforce Innovation Area 5, comprising Kane, Kendall, and DeKalb Counties connects employers to a skilled workforce and helps individuals develop the skills needed to thrive in the workplace. Under an intergovernmental agreement executed in 2015 between the Counties of Kane, Kendall, and DeKalb, the Kane County Chairman has been designated as the Chief Elected Official to serve as the administrator for the local area, with Kane County serving as the grant recipient and fiscal agent. Agreements and/or policies related to governance within the local area are referenced in [Appendix B](#):

1. **Local Intergovernmental Agreement** details the Chief Elected Official (CEO) Functions and Agreement Between Multiple Chief Elected Officials.
2. **Local Intergovernmental Agreement** details the Chief Elected Official Delegation of Authority and Acknowledgment of Financial Liability as required under State WIOA Policy Chapter 1, Section 3.
3. **State WIOA Policy Chapter 1, Section 5** is followed for Local Workforce Innovation Board (LWIB) Certification and Recertification Requirements.
4. **Local Procurement Policy** details the One-Stop Operator Procurement requirements per State WIOA Policy Chapter 1, Section 7 and includes the Procurement Ordinance followed by Title I for WIOA program implementation.

Career services and job training in Kane, Kendall, and DeKalb Counties are overseen by the Workforce Development Board. The board, which is appointed by the three County Board Chairmen, assists and advises local elected officials regarding the use of Federal workforce development funds. The business-led Workforce Development Board represents regional employers, labor organizations, higher education, community-based organizations, economic development and workforce system partners. The Workforce Development Board works to establish policies to ensure these services are relevant, flexible, demand driven and customer focused thus contributing to the vitality of the region's economy. The following policies are in effect and can be referenced in [Appendix B](#):

5. **State WIOA Policy Chapter 4, Section 2** is followed for local Career Planning services.
6. **Local WIOA Follow-Up Policy** details General Follow-Up Services required under State WIOA Policy Chapter 4, Section 3.
7. **Local WIOA Enrollment Policy** details the Selective Service Registration Requirements

- per State WIOA Policy Chapter 5, Section 1.1.
8. **Local WIOA Enrollment Policy** details Youth Eligibility requirements per State WIOA Policy Chapter 5, Section 4.
  9. **Local WIOA Enrollment Policy** identifies Service Priorities per State WIOA Policy Chapter 5, Section 6.
  10. **Local WIOA Enrollment Policy** identifies Veterans' Priority of Service Requirements per State WIOA Policy Chapter 5, Section 7.
  11. **Local Individual Training Accounts Policy** details requirements per State WIOA Policy Chapter 7, Section 2.1.
  12. **Local On-the-Job Training Policy** details requirements per State WIOA Policy Chapter 7, Section 2.2.1.
  13. **Local Incumbent Worker Training Policy** details requirements per State WIOA Policy Chapter 7, Section 2.2.3.
  14. **Local Youth Work Experience Policy** details local requirements for Work Experience (WEX) per State WIOA Policy Chapter 7, Section 2.5 as the local area does not deliver Transitional Jobs program.
  15. **State WIOA Policy Chapter 7, Section 3** is followed for local Training Provider and Training Program Eligibility.
  16. **Local Supportive Services Policy** details requirements per State WIOA Policy Chapter 7, Section 4.
  17. **Local Protection of Personally Identifiable Information (PII) Procedures** details local protocols as identified in State Privacy and Security (Personally Identifiable Information) WIOA Policy Chapter 8, Section 2.2.
  18. **State WIOA Policy Chapter 8, Section 3.6** is followed for local Property Control for Property Purchased with WIOA Funds.
  19. **Local Compliant and Grievance Procedures (Nondiscrimination)** (WIOA Policy Chapter 8, Section 5)

The Workforce Development Board will conduct a policy review to determine if any new policies are needed to guide local service delivery and to ensure existing policies effectively address equity.

**C. Describe how the use of technology and alternative means of service delivery in the one-stop delivery system, including a description of:**

1. *How the workforce centers are implementing and transitioning to an integrated, technology-enabled intake and case management information system for WIOA programs.*

workNet Batavia is currently using a customer relationship management program, LaunchPad, to enable technology tools for collecting and tracking common data elements/information for one-stop Center customers along with services and/or programming utilized. This data is also used to upload the required reporting elements into the Illinois Workforce Development System (IWDS) and offer progress updates to the Partners and the Workforce Development Board. This will include an analysis of data points to aid in understanding key elements of workforce equity to address. Given the recent transition to the tool, expanded implementation is still being planned and will be limited to supporting system referrals as an LWIA-wide shared case management system is unattainable locally due to the need for data-sharing agreements and specific protections for personal identification information; however, consistent and comprehensive communication across partners will remain a high priority. The Workforce Development Board will implement any state-led

initiatives to improve the public-private data infrastructure related to a fully integrated, technology-enabled intake and case management system. LWIA 5 recognizes that many technological solutions must come from the State level, particularly in terms of any case management system which would require a statewide system to be integrated across WIOA partner program. LWIA 5 will be pleased to work toward such a goal and adopt any such system that can be developed.

- 2. How the local area is using multiple methods to provide orientations for customers, including but not limited to, virtual and asynchronous orientations.*

The local area has adopted a comprehensive approach to providing orientations for customers, employing a variety of methods to accommodate diverse needs. This includes offering in-person, virtual and community-based sessions. One noteworthy initiative involves the development of customized orientation sessions and workshops, particularly in response to a growing population of youth in need from school districts and to connect with English language learners completing Adult Education programming to promote available employment-related services. The One-Stop team's high responsiveness has significantly increased attendance numbers for both orientations and workshops. Building relationships with and within events, and in-person career fairs and workshops have broadened the audience reach, specifically targeting groups with deficiencies and barriers. This engagement has translated into job readiness and preparation at the fair, with a focus on tailoring services to underserved populations. Additionally, the local area is keen on leveraging AI platforms to adjust to the specific needs and characteristics of their audience and community.

Further, center initiatives such as "Network with workNet" and "Walk-In Wednesday's" have been introduced and will be expanded across the three-county area along with Lobby Day events to educate the public on center programs and introduce services. Also, business relationships will be leveraged to host employers actively hiring which also creates an opportunity to share programs and services available.

Areas for improvement include enhancing the clearinghouse of partner information and exploring options like Guidebook, SkyDrive, or website improvements with the goal of creating a more intuitive public resources guide and to streamline the referral process from paper/email to an online system. Continuous adaptation to changes in the job seeker climate is emphasized.

- 3. How the Local Board will facilitate access to services provided through the one-stop delivery system through the use of technology and other means, such as online meeting software and mobile workforce centers.*

The local area is committed to fostering self-sufficiency amongst those they serve. In the coming program year, there's a planned integration of a digital literacy component using the Northstar platform and the One-Stop team is actively working on structuring and deploying effective programming in this area through a pilot project with workNet Partner's Chinese Mutual Aid Association and World Relief. By acquiring competency with technology such as internet platforms, social media and mobile devices, job seekers will be able to participate in virtual workshop offerings such as those that offer job preparedness.

As noted above, the local area has adopted a comprehensive approach to providing services which includes offering in-person, virtual and community-based sessions. The local area has experienced increased interaction from other community resources seeking assistance for their clients and the



center has developed customized initiatives to be responsive through on-site and topic-specific presentations, customized orientations and identification of resources. This collaborative approach reflects a commitment to supporting a broader network and addressing the needs of the community at large.

A significant focus has been placed on breaking the stigma associated with higher-level job seekers. The local area aims to dispel misconceptions and challenge stereotypes, emphasizing that individuals with extensive work experience and education also benefit from support services. This shift in perspective is crucial in creating an inclusive environment that recognizes the diverse backgrounds and needs of all those seeking assistance in the workforce. Additionally, the center seeks to support refugees navigate the job market as they integrate into their new communities and pursue meaningful employment. Established relationships with two welcome centers in the LWIA will continue to be fostered with Chinese Mutual Aid Association, Elgin and World Relief, Aurora to strengthen refugee participation in activities and programming to equip them with the necessary skills.

Lastly, the idea of hosting an open house at the one-stop center is being considered, offering a platform to showcase available services and engage with the community. The area has taken a proactive approach by providing a platform for the Operator to join various advisory panels and committees. This involvement allows the workforce centers to extend their reach, bringing workforce services directly to the community. Recognizing the significance of networking over traditional marketing, the team emphasizes community outreach to vulnerable populations. The collective efforts of the center team, coupled with their involvement in advisory panels, have contributed to the rapid success witnessed at the one-stop center in a relatively short timeframe.

Overall, the center is utilizing technology and community-based strategies, which includes establishing new partnerships to ensure widespread access to the services is provided through the one-stop delivery system. This proactive engagement reflects a commitment to understanding and meeting the unique needs of the community.

**D. Describe how the Local Board will support the strategies identified in the WIOA State Plan and work with entities carrying out core programs, including a description of:**

1. *Expanding access to employment, training, education, and supportive service for eligible individuals, particularly eligible individuals with barriers to employment (Sec. 679.560(b)(2)(i)).*

The Workforce Board is actively working to expand access to employment training, education, and supportive services for eligible individuals, particularly those facing barriers to employment. This is achieved by collaborating with entities involved in core programs in various ways and enhancing communication and collaboration. A key objective outlined in the service integration plan is cross-training, which aims to educate all one-stop partners and improve their knowledge and understanding of the available programming and services. This will enhance coordination, referrals and foster co-enrollment strategies. Additionally, the one-stop will identify and prioritize topic-specific perspectives where Partners can be leveraged to deliver information/training, which may include labor market and career pathways information.

To facilitate this goal, the one-stop partners meet at least every quarter. The One-Stop Operator has also developed a comprehensive partner matrix, which outlines the various programs and

services available at the one-stop center. As the centralized point of contact, the Operator ensures that partners are regularly informed of announcements, events, promotional materials, and job vacancies to keep everyone updated on opportunities for staff and job-seekers alike. Priority has been placed on expanding these communication measures to ensure more frequent messaging from the one-stop and consistent partner engagement to routinely share program updates and opportunities. Additionally, the Operator has implemented a Coordinated Referral Process, providing general information about partner programs, services, benefits, and resources to all customers as appropriate. Through the use of streamlined templates and electronic routing options, the Operator can track referrals and provide outcome reports.

The MOU sets forth additional goals for the workforce system partners, including offering a range of services customized to meet the specific needs of local customers, promoting innovative and effective service design, maximizing the availability of resources, ensuring accessibility for all individuals, supporting customer choice, reducing duplication of services, delivering high-quality customer service, operating with integrated management systems and high-quality staffing, engaging in continuous improvement, and participating in quarterly planning meetings.

By following these approaches, the Board and its partners aim to create an engaging and inclusive environment that facilitates employment opportunities and enhances the overall customer experience.

- 2. Scaling up the use of Integrated Education and Training models to help adults get their State High School Diploma and work on other basic skills and English language acquisition while earning credentials and industry-recognized credentials that lead to in-demand occupations.*

LWIA 5 aims to deliver services that align with the State Plan goal of offering integrated education and training, which combines adult education and literacy activities with workforce preparation and training for specific occupations. The community colleges actively integrate adult education and basic skills acquisition, including English Language Acquisition (ELA), into their training programs through innovative models like the "Bridge Program."

Moreover, the community colleges within the LWIA are exploring the development of micro-credentials that are stackable and can lead to career pathway development, recognizing the challenges adults face in obtaining their GED and industry-recognized credentials due to limited commitment time, financial barriers, and parenting obligations. These micro-credentials present a valuable opportunity for short-term training and skill enhancement.

The local area will continue to support, promote/market and assist with ensuring greater access to integrated training models offered by the local community colleges.

- 3. How the core programs in the local area will leverage their business services to provide more holistic support to employers.*

Building off the previous success of the workNet Business Services Team (BST) prior to the pandemic, the One-Stop Operator and key members of the Business Services Team reconvened in Program Year 2023 to refresh efforts and define priorities to position the area in effectively collaborating to engage local employers. Given numerous partner-wide staffing changes and the onboarding of a new one-stop team, Title I and IDES led efforts to re-establish the BST membership

and engage new individuals in order to share information regarding individual partner business programs and discussions occurred to learn from past engagement.

To enhance outreach and communication, the BST is working on improving its marketing brochure that showcases the array of services available to businesses, along with individual contacts for streamlined engagement. The objective is cross-marketing where business referrals lead to consolidated meetings and multiple business-facing staff members participate to streamline the delivery of information, thus eliminating the need for separate meetings with individual staff/programs. Therefore, the team is comprised of business-facing staff from LWIA partners that actively engage with local businesses in the community and would be able to articulate the services and resources available at all partners. As such, the BST will have routine connection points and regular cross-training opportunities to comprehensively understand the diverse roles, business strategies, and services offered. Individual BST members will strive to stay informed and share new information as it becomes available on topics such as career pathways and apprenticeships. A framework for sharing industry and sector analysis and trends in the LWIA will be explored and planned through service integration efforts, which includes establishing routine presentation/sharing methods area-wide and to front-line staff to best serve system customers. This collaborative approach ensures that the team is equipped with a holistic understanding of the local business landscape.

Additionally, BST is creating and piloting a needs assessment survey which will allow the local area to seek direct employer input that will offer increased knowledge of business demands and needs. This will provide data to align pathway investments with the need of employers and prioritize options that position the area with future employer demand. Lastly, Launchpad's (one-stop CRM tool) functionality across LWIA 5 will be explored as a method to compile information from active employers (i.e. business intelligence), serving as a foundational and universal needs assessment tool. This tool can capture common business trends, identify needs (such as soft skills), and highlight employment opportunities for job seekers, fostering a more comprehensive approach to employer support.

Lastly, the One-Stop serves as the central hub for these initiatives, playing a pivotal role in handling initial business engagements, posting employment opportunities for job seekers, organizing job fairs, and maintaining a pool of potential job seekers.

4. *Increasing the awareness of the services the workforce development system offers to both individuals and employers in the local area.*

The local area has adopted a comprehensive approach to providing orientations for customers, employing a variety of methods to accommodate diverse needs. This includes offering in-person, virtual and community-based sessions. One noteworthy initiative involves the development of customized orientation sessions and workshops, particularly in response to a growing population of youth in need from school districts and to connect with English language learners completing Adult Education programming to promote available employment-related services. The One-Stop team's high responsiveness has significantly increased attendance numbers for both orientations and workshops. Building relationships with and within events, and in-person career fairs and workshops have broadened the audience reach, specifically targeting groups with deficiencies and barriers. This engagement has translated into job readiness and preparation at the fair, with a focus on tailoring

services to underserved populations. Additionally, the local area is keen on leveraging AI platforms to adjust to the specific needs and characteristics of their audience and community.

Further, center initiatives such as "Network with workNet" and "Walk-In Wednesday's" have been introduced and will be expanded across the three-county area along with Lobby Day events to educate the public on center programs and introduce services. Also, business relationships will be leveraged to host employers actively hiring which also creates an opportunity to share programs and services available.

Strong partnerships with community programs are fostered to streamline services and provide funding for the wrap-around support needed for career pathways. Additionally, all employment services, including training, are informed by the requirements of local employers. These requirements are identified by the Business Services Team, which works directly with employers and business organizations to source job leads and employment/training opportunities.

Through these concerted efforts, LWIA 5 is positioning itself as a proactive and integrated partner, offering businesses a one-stop solution for their varied needs while simultaneously enhancing support for job seekers in the community. Areas for improvement include enhancing the clearinghouse of partner information and exploring options like Guidebook, SkyDrive, or website improvements with the goal of creating a more intuitive public resources guide and to streamline the referral process from paper/email to an online system. Continuous adaptation to changes in the job seeker climate is emphasized.

5. *Determining the most effective marketing methods and messages for informing college and university students about Prior Learning Assessments.*

One of the most effective marketing methods to reach out to college and university students about Prior Learning Assessments is through direct communication and active engagement with the students. WIOA staff has taken the initiative to address students in Adult Education classes, bridging the information gap by providing necessary materials. Moreover, the career services departments available in the area's community colleges and universities are equipped with competent staff to assist students in finding suitable employment opportunities. Collaborating with these departments, workforce system partners aim to expand on-site programs and activities, offering education on PLA opportunities as well. These partners will also work closely with colleges and universities to identify and implement national best practices for recognizing prior experience and industry credentials that are still not acknowledged within college programs.

To address this, LWIA 5 will continue supporting the statewide efforts driven by the State Board of Education to expand policies that recognize credits earned through industry credentials, as well as informal experiences or workplace achievements.

For example, Waubensee College offers an extensive list of credit options that can be awarded to students for industry credentials earned elsewhere. Many courses can even contribute towards earning a journeyman card and an AAS credential in fields like construction and skilled trades. However, one of the challenges that students may face is that PLA credits often appear differently on college transcripts, which can affect their transferability to universities.

In the past, the local area has encountered challenges with dual credit programs, where credits earned are not always accepted by four-year universities. As a solution, community colleges have explored Articulated Credit options, allowing high school students who achieve a specific letter grade in their course to receive credit for a similar course at the community college.

- 6. How targeted marketing will be used to reach various segments of the labor force, such as mature workers and the underemployed, who may not require extensive education or training to qualify for jobs in high-demand occupations, as well as younger jobseekers that do not yet have a plan for a post-high school career.*

Given the low unemployment rate, front-line staff and employers have had to innovate their talent acquisition strategies. IDES has taken the initiative of reaching out directly to individuals who are soon to be released from incarceration. They inform them about potential employers in the local workforce area who are willing to hire individuals with a criminal record, considering the nature of the offense. Social media platforms, particularly Facebook, have proven to be effective in strategically targeting specific populations within the labor force. By utilizing targeted advertisements on social media, geographic areas and specific age groups can be reached. Clicks on these advertisements are closely monitored and tracked, allowing partners and front-line staff to continuously improve their targeted marketing efforts. The Board will continue to utilize cost-effective targeted marketing outreach approaches, such as social media, to connect with different segments of the labor force.

Furthermore, certain community colleges in the three-county area have shifted their focus towards targeted marketing efforts aimed at adults with some college experience but no degree. They have collaborated with employers to identify these populations and have implemented online marketing strategies and handouts to encourage mature workers to complete their degrees.

Overall, LWIA 5 has made significant efforts to ensure that targeted populations of the labor force have access to relevant information. The workNet Center and its One-Stop Operator have developed informative flyers and materials specifically tailored to these populations. By sending out targeted monthly mailings to mature workers and veterans in the community, awareness of the local workforce system and in-demand jobs has been effectively increased.

Community outreach initiatives have played a crucial role in reaching a wider audience, including mature workers and the underemployed. Collaborations with community-based organizations, faith-based organizations, chambers of commerce, and economic development entities have been established to inform these populations about job opportunities that don't necessarily require extensive education or training. Moreover, some partners have placed flyers at local businesses that are popular among mature populations or the underemployed and the one-stop is actively engaging school districts to offer readiness activities for students transitioning to the workforce. Additionally, the One-Stop Operator will continue to provide staff for information sessions at the library to ensure the community is aware of the services available at the workNet center.

- 7. Facilitating the development of career pathways and co-enrollment as appropriate, in core programs (Sec. 679.560(b)(2)(ii)).*

WIOA emphasizes career pathways as a strategy for aligning education and training programs with the needs of employers. Locally, career pathways are used to help individuals attain the skills and

credentials needed to secure employment in high-demand industries. Title II partners play a significant role in this process by collaborating and aligning resources, such as data-sharing, curriculum development, and leveraging supportive services. Employers in LWIA 5 have embraced apprenticeships, leading to stronger collaboration between local partners. Industry advisory boards continue to further enhance pathways, particularly in manufacturing, healthcare, professional services, and heating, ventilation, and air conditioning (HVAC) sectors. Expansions are also occurring with stackable credential options where individuals can earn multiple certifications and credentials over time from entry-level to technical status that are recognized by employers. Additionally, the Integrated Career and Academic Preparation System (ICAPS) programs, where contextualized basic skills instruction is tailored to a specific industry sector while simultaneously offering industry-recognized college coursework that leads to valuable credentials, provides individuals with opportunities for career advancement. Moreover, each local community college has developed programs with high schools to prepare students for postsecondary certificates, degrees or industry credentials. In line with our commitment to excellence, the local Community Colleges actively promote programs that lead to valuable credentials.

Lastly, the local one-stop system has established strong partnerships within the communities they served. As these connections are leveraged, routine dialogue to collaborate and align resources, coupled with cross-training front-line staff on career pathways, supports the overall efforts on advising, informing and serving customers.

The Workforce Development Board recognizes the tremendous potential that career pathway programs offer. These programs serve as a stepping stone for individuals seeking economic stability and for employers in need of a skilled and efficient workforce. With this in mind, the Board is committed to co-enrollment strategies to improve access to these valuable credentialed programs.

8. *Improving access to activities leading to a recognized post-secondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable) (Sec. 679.560(b)(2)(iii)).*

The Board recognizes the opportunity career pathway programs provide for both individuals looking to become economically stable, and for employers requiring a productive, experienced workforce to thrive. Training programs under Title I must lead to recognized post-secondary credentials, which include certificates, industry-recognized certification, and/or licensure. Through the Workforce Development Board's strong partnerships with the community colleges, both directing and improving access to these types of credentialed programs is occurring. For Program Year 2022, the Workforce Development Board established training contracts with the area's three community colleges, Elgin Community College, Kishwaukee College and Waubesa Community College to establish intentional partnerships that would connect WIOA eligible Adults and Dislocated Workers to expanded and accelerated class-sized/cohort credentialed and in-demand training offerings.

In addition, the Community Colleges in the local area also seek to encourage programs leading to credentials, such as through the integrated Career and Academic Preparation System (ICAPS) program. The ICAPS program serves adult education students (including ESL, Adult Basic Education, and Adult Secondary Education) and simultaneously provides basic skills instruction that is contextualized to a specific industry sector and credit-bearing, industry-recognized, college coursework that leads to a credential for jobs with self-sustaining wages. ICAPS integrates technical



training and basic skills education in a team-taught environment, leading to industry-recognized credentials and opportunities to continue on a career pathway

**E. Describe how local strategies will be coordinated with state (including the Illinois' WIOA State Plan), and regional and local partners to enhance services and avoid duplication of activities, including a description of each local partner and key elements listed in the following section:**

A key focus area in this plan is the coordination of services, which is woven throughout the local priorities highlighted in the plan. The ultimate goal is to streamline services, eliminate redundancy, and enhance the impact of the system, which is done locally by fostering close collaboration with both core and non-core partners through frequent and consistent communication, service coordination and engagement through Partner meetings along with one-on-one exchanges with the one-stop Operator. Central to LWIA 5's approach under this plan is the alignment of services among system partners, expanding the reach of the local workforce system through collaboration with economic development and non-traditional partners, close collaboration with existing employer groups, and efforts to enhance collaboration with college industry advisory groups. This approach has resulted in improved services, reduced duplication, increased integration, and a continued emphasis on customer-focused service design.

Moreover, in-service events and supportive methods (i.e. drop-in virtual office hours, resource guides/desk aids and routine topic-specific perspectives) will be explored to facilitate the cross-training of staff to strive for continuous improvement with regard to service integration goals. Additionally, and at the Regional level, planning and communication activities are convened to foster regional collaboration and information sharing, which includes engagement with local Partners. This is achieved through events, working groups to support functional areas such as employer engagement, tailored initiatives and progress reporting and/or materials.

To further enhance services and prevent duplication of activities, the Board has established the One-Stop Committee, which focuses on the local delivery system. The One-Stop Committee oversees the one-stop operator, develops system measures for the service centers, establishes a certification process for the one-stop center, and continuously assesses the service delivery and coordination strategies of all partner programs.

*1. Adult, Dislocated Worker and Youth employment and training activities under WIOA Title I (Sec. 679.560(b)(6)).*

Adult, Dislocated Worker, and Youth employment and training activities under WIOA Title I, as managed by the Kane County Office of Community Reinvestment, have an established regional relationship with the Workforce Partners of Metropolitan Chicago, which is a coalition of Local Workforce Boards developed over 15 years ago. The Workforce Boards of Metropolitan Chicago undertakes joint grant applications, project coordination, and information sharing. In addition to fostering collaboration, regular meetings with the Partners will also aid in avoiding any duplication of activities across the region. Locally, Title I is co-located with Wagner Peyser at the comprehensive one-stop center. The programs work together to deliver job readiness and training-related services to customers alongside the local community colleges.

2. *Adult education and literacy under WIOA Title II. This description must include how the Local Board will review local applications submitted under Title II consistent with WIOA Secs. 107(d)(11)(A) and (B)(i) and WIOA Sec. 232 (Sec. 679.560(b)(12)).*

Adult education and literacy activities under WIOA Title II have a presence on the Board, as do representatives of all the core partners. Title II partners regularly help collaborate and align resources and have been instrumental in facilitating the development of the local plan. Title II partners will continue to be a key contributor to the discussion and implementation of career pathways discussed in this plan.

In addition, LWIA 5 is committed to fulfilling all collaborative responsibilities mandated by the State of Illinois, including the review of local applications submitted under Title II in alignment with guidance from the Illinois Community College Board, and actively supporting all other partner programs. These activities will be facilitated by the Board's Manager.

3. *Wagner-Peyser Act (29 U.S.C. 49 et seq.) services (679.560(b)(11))*

Wagner-Peyser Act services offered through the Illinois Department of Employment Security (IDES) are currently co-located with Title I services at the LWIA 5 comprehensive one-stop center. This physical co-location facilitates the collaboration and coordination of employer engagement, as well as reduces duplicative services. IDES staff distribute a weekly calendar of events for the one-stop center, informing all Title I staff of any job fairs, workshops or trainings scheduled throughout the local area. Staff from IDES have been active participants in regional planning efforts, local service planning, as well as the MOU negotiations. IDES is represented on the Board and is a key member of the local Rapid Response team.

4. *Vocational Rehabilitation service activities under WIOA Title IV (Sec. 679.560(b)(13))*

Vocational Rehabilitation service activities under WIOA Title IV are administered by the Illinois Department of Human Services – Division of Rehabilitation Services (IDHS). IDHS maintains Board representation and participates in policy and program discussion. IDHS staff also provide service hours weekly at the LWIA 5 one-stop to assist individuals with disabilities in need of supportive assistance. While Title I maintains all assistive technology/equipment at the comprehensive one-stop center, Vocational Rehabilitation staff provides guidance related to the type of equipment that would be suitable for the needs of those seeking services at the one-stop. Additional collaborative efforts continue to be identified in which duplication of services will considered as well.

5. *Relevant secondary and post-secondary education programs and activities with education and workforce investment activities (Sec. 679.560(b)(9))*

Relevant secondary and post-secondary education programs and activities with education and workforce investment activities are represented on the Board by three Community Colleges: Elgin Community College, Kishwaukee College, and Waubesa Community College. The staff of these entities are also actively engaged in WIOA activities, representing Perkins, Adult Education, Continuing Education, and Business/Professional Services. All three community colleges participate as a provider of Title I services as well, serving youth in the local area. This effectively reduces duplicative services as well, as each entity is in direct communication with the other core partners as a direct service provider. The Board also has representation from the Regional Offices of



Education (ROE) for Kane and Kendall Counties, which represents a vital connection for disseminating information throughout the county school systems.

LWIA 5 partners with Community College career services departments to market and promote work-based learning opportunities. These relationships with education have afforded LWIA 5 to participate in College Advisory Board's comprised of representatives from industry to help develop a curriculum for the area's in-demand jobs. And, these partnerships help inform the area regarding Pre-Apprenticeships and Apprenticeships as well as assisting in the identification of training gaps, career pathways and corresponding options for job seekers and WIOA students.

6. *How the Local Board will support the state strategies identified under section 676.105 and work with the entities carrying out core programs and other workforce development programs, including programs of study and career pathway programs under the Strengthening Career and Technical Education for 21<sup>st</sup> Century Act authorized under the Carl D. Perkins Career & Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) to support service alignment and needs identified in regional or local level assessments including the Perkins Comprehensive Local Needs Assessment (Sec. 679.560(b)(1)(ii)).*

In support of the strategies identified in the State Plan under 20 CFR 676.105 to work with entities carrying out core programs and other workforce development programs (including those authorized under the Carl D. Perkins Career and Technical Education Act) to support service alignment, Title I career planners refer customers to Career and Technical Education (CTE) programs offered through the community college system when appropriate. CTE under Perkins provides students with the academic and technical skills, knowledge and training necessary to succeed in future careers and to become lifelong learners. CTE program information is available for area residents at the one-stop center, including information concerning career pathways and industry stackable credentials. All workforce development partners coordinate services to best serve the client, including assistance with college tuition, help with obtaining a GED, textbook assistance, help with transportation or mileage reimbursement, or childcare or other assistance needed to succeed in a career pathway and obtain employment.

The Board will continue to align other services provided in the one-stop delivery system such as investments in workforce, education, and economic development through partnerships and collaboration with entities representing each of these fields. This will ensure that job-seekers and workers receive the highest quality career services, education, training, and supportive services to obtain and retain in-demand employment. The Board includes representation from each of the WIOA core programs, including representatives from all three community colleges, allowing for formal input related to the direction of workforce activities and initiatives, ultimately aligning resources across the region and eliminating duplicative efforts.

CTE Programs at the area's colleges are added and re-certified each year on the WIOA Approved Training Programs list to promote high-skilled, in-demand employment. The Local Workforce Development Board approves these programs.

Additionally, advisory committees perform a vital function at the area colleges, especially in the Career and Technical Education program areas. Local advisory committees are, in many cases, the most effective way to develop and strengthen Community partnerships. The one-stop Operator

and Title I is routinely invited to support and advocate for education programs throughout the community.

7. *Provide a copy of the local supportive service policies and describe how the board will coordinate the provision of transportation and other appropriate support services in the local area (Sec. 679.560(b)(10)) and include information on the supportive services by each local program as appropriate.*

Appendix A contains a copy of the most recent Supportive Service policy. This policy is continuously reviewed and may be updated based on the actual needs and utilization expressed by our valued system customers.

Under Title I, LWIA 5 has a longstanding policy to provide eligible customers with various forms of assistance, including child/dependent care, transportation, reimbursement for auto repairs, and other vehicle-related expenses that directly affect their ability to commute, as well as uniforms, tools, or other job requirements. Additionally, emergency services such as utilities, food, and health/medical care are also available. Whenever possible, customers are referred to local community resources to address their support service needs. The goal is to ensure that these needs never become a hindrance to their training or employment opportunities. For instance, if a customer requires health or medical services, we would refer them to the appropriate community resource or state agency to apply for ongoing assistance.

Enhancements will also be made to the referral process among our partner programs. LWIA 5 will work to expand cross-training methods to share information about partner programs, services, benefits, and resources to ensure system-wide referrals are occurring for customers who may benefit from them. The Operator spearheads this process and will also establishing a standardized tracking mechanism that tracks referral outcomes to better serve our valued system customers.

Additionally, center staff participate with the local area planning councils to ensure community needs are addressed and are members of community resource teams across the three-county area with the Workforce Board Manager engaging the Continuum of Care to inform community agencies that service individuals with barriers regarding available workforce services.

**F. Describe how the local area will provide adult and dislocated worker employment and training activities including:**

1. *A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area (Sec. 679.560(b)(6)).*

The needs of adult and dislocated job seekers vary greatly based on their career goals, education level, barriers to employment, and transferable skills. Job seekers require a diverse range of services, including basic academic support, job readiness training, local employment information, career planning, skills assessment, job search assistance, and supportive services like transportation or childcare. Additionally, they may need short or long-term training or formal education to achieve their goals. These services are available through the comprehensive one-stop center as well as Title I's two offices in the three-county area, both on-site and through referrals to partner organizations. These Title I services are administered by the Kane County Office of

Community Reinvestment, which includes all key program elements as defined under WIOA and comprehensive customer flow.

The Workforce Development Board establishes the WIOA grant budget annually and has budgeted the majority of the training budget to be used for Individual Training Accounts (ITAs). ITAs are authorized by the Kane County Office of Community Reinvestment to WIOA eligible participants assessed as needing occupational training to gain a set of skills and industry credential needed by local employers and regional industry. ITAs are written for short-term occupational training programs that are in a high demand occupation – the training program must be certified on the Illinois Eligible Training Provider List. All training will lead to a certificate of completion and/or an industry credential.

Additionally, DOL Registered Apprenticeship training programs are eligible training program under WIOA to be funded through an Individual Training Account (ITA). The Workforce Development Board works with area providers, including the three Community College's, to manage the process of having the DOL Registered Apprenticeship programs approved as part of the Illinois Eligible Training Provider List when appropriate. The Kane County Office of Community Reinvestment will make available to potential participants information on the apprenticeship programs and where appropriate and eligible enroll in additional WIOA grant funded services.

2. *A description of how the Local Board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities (Sec. 679.560(b)(7)).*

In the unfortunate event of a dislocation occurring in the three-county area, LWIA 5's Title I team coordinates the rapid response activities with the State Rapid Response Unit (SRRU) at the local level. Title I collaborates with the Illinois Department of Employment Security (IDES) staff and the SRRU to assist local government officials, employers, and workers. This assistance includes offering resources such as funding, technical support, and labor market information. To enhance the response, Title I utilizes the expertise of the local joint business service team (BST) by leveraging their business contacts and job development activities and coordinating their efforts to support a customized service plan and range of activities. These may include:

- Consulting with the SRRU, state and local economic development organizations, and other relevant entities to mitigate potential layoffs.
- Determining the proposed layoff schedule and understanding the employer's plans to assist the displaced workers, including the status of any collective bargaining negotiations that may impact layoff benefits.
- Coordinating the delivery of rapid response layoff orientations for affected workers in conjunction with the State RRU.
- Facilitating participation by local service providers in these sessions.
- Promptly assessing the needs of impacted workers using surveys.
- Maintaining an inventory of available workforce resources for conducting onsite meetings aimed at addressing the short-term and long-term assistance needs of the affected workers.
- Providing reemployment opportunities by coordinating collection of applicable job leads or identifying employer prospects within the local area.
- Verification that procedures are in place for timely access and referral to workforce centers, services, and information offered by WIOA, UI, TAA, Wagner-Peyser, and other programs

In addition, when a local rapid response team or local partner becomes aware of a WARN-level layoff or closure event, Title I contacts the SRRU coordinator to discuss the event and develop strategies for carrying out rapid response activities. When a local partner becomes aware of a layoff or closure event that does not meet the WARN threshold or is not TAA-related, it will initiate rapid response according to our local operational plan. Title I will inform the SRRU coordinator of the rapid response event and the number of attendees. Once the rapid response activities are nearing completion, the local rapid response team will notify and coordinate with the one-stop operator in an efficient manner.

**G. Describe how the local area will provide youth activities, including:**

1. *A description and assessment of the type and availability of youth workforce investment activities in the local area, including activities for youth who are individuals with disabilities, which must include an identification of successful models of such activities. (Sec. 679.560(b)(8)).*

Youth activities within LWIA 5 are orchestrated in collaboration with the Youth Committee of the Workforce Development Board, ensuring representation occurs from each of the three counties. As the area procures providers for delivery of WIOA Title I Youth services, this committee evaluates and recommends eligible and suitable sub-recipients, ensuring programs are designed to meet the needs of area youth with barriers that includes young parents, homeless, criminal justice involved and those with disabilities. Regular meetings throughout the program year are dedicated to reviewing and assessing their subsequent performance against negotiated goals which is managed by Kane County Office of Community Reinvestment through a dedicated manager.

Key priorities in LWIA 5's youth programs include high-impact deliverables and effective strategies for assessment, individualized guidance, counseling, work-based learning activities, High School Equivalency preparation and/or tutoring activities, as applicable, bridge programs and occupational training through Individual Training Accounts (ITAs) along with the use of incentives and supportive services. Additionally, area youth programs must have robust outreach and recruitment strategies along with strong case management, career exploration activities, job readiness programming and job placement mechanisms with employer partnerships.

Local successful youth program models incorporate a combination of the following services:

- ✓ Our local Community College programs provide continuous onsite support to the Youth while they participate in services such as but not limited to; Occupational Skills Training, GED assistance, or Work Based Learning. With the individualized needs of the Youth, they may go into Occupational Skills Training right away which will offer the participant an opportunity to gain a marketable credential in an in-demand field. Should further career exploration or work experience be beneficial, participants have the option of participating in worked-based learning activities first. Each community college has built on-going relationships with local employers and onsite internal departments to effectively connect youth to worksites that would best aid in their career interests/pursuits. Worked-based learning is a positive tool that offers youth employability skills that they can use in multiple employment settings while obtaining real life work experience.
- ✓ In addition to our traditional community college setting programs, LWIA 5 has sub-recipients that offer the hands-on workforce approach as the traditional community college setting

does not benefit everyone. Specifically, LWIA 5 offers a Manufacturing Career Internship Program which allows Youth to gain exposure to the manufacturing work setting, obtain hands-on experience through an internship, achieve certifications in both OSHA and Forklift operation, and have the opportunity to be hired on after the 240 Hour internship with their partnered employers. The skills and certifications they obtain throughout the internship benefits their marketability in the manufacturing industry. The goal of the program is for Youth to be offered direct exposure and experience to the manufacturing industry setting that best fits their interests.

- ✓ Furthermore, one of LWIA 5's sub-recipients offers three 10-week internship programs to young adults with disabilities. This program not only focuses specifically on employment, but also topics of independent living and day to day responsibilities. This 5-day a week program is onsite at Northwestern Medicine, Delnor Hospital and extends the opportunity for youth to work in the real-life hospital setting in areas of food service, hospitality, clerical, and operations. The case management staff performs a thorough assessment of the Youth's needs to be able to develop resources and guides to ensure success in their internships. The Youth gain both employability soft skills and technical skills that have benefited their marketability in the workforce. Upon completion of the internships, supporting staff assists with job placement both within the hospital and outside of the hospital to align with their employment goals.

Youth programming in LWIA 5 has been successful in part due to utilizing collaboration to augment the strengths of each provider to holistically meet the needs of the participants. Co-enrollment, which allows for resource sharing amongst the providers within the existing network, has been a proven means to achieve these benefits.

2. *A description of how local areas will meet the minimum expenditure rate for out-of-school youth.*

The focus of LWIA 5 has shifted towards serving older, out-of-school youth, emphasizing occupational training and exposure to employment through Work-Based Learning opportunities. With the area investing the majority of its youth resources to address the needs of out-of-school youth (approximately 80%), the minimum expenditure can be reliably achieved. Monthly progress reports are required from youth providers to ensure compliance and staff regularly monitor expenditures to ensure rates are met. Further and in coordination with the Youth Committee of the Workforce Development Board, the employment marketplace and evolving needs of young adults will be continuously monitored to ensure funds are allocated appropriately and offered through approaches/methods that will directly impact participants.

3. *The design framework for youth programs in the local area, including how the 14 program elements will be made available within that framework. (681.460).*

The Workforce Development Board has established that youth programming for the area will be delivered through sub-contracted providers to effectively address young adults across the three-county area that overall, will provide a comprehensive and accessible program for youth in the LWIA. This will be accomplished through a competitive procurement process where high-value program designs are required to ensure each youth participant will receive exposure to all fourteen (14) WIOA program elements and mandatory accessibility is required for youth during their participation. Additionally, the Board requires programs that assess the needs and goals of eligible youth at point of

entry, and work holistically to develop a plan to assist each individual in achieving their objectives with service delivery that is well-rounded and comprehensive in order for outcomes to be achieved.

Programs must also include recruitment, assessment, career exploration, training, education, work-based learning and placement assistance. Contracted providers have included "touchpoints" in their service delivery plan where participants are introduced to these services. Additionally, the Workforce Development Board requires each sub-contracted provider achieve a minimum of 20% expenditure for work experience activities for paid and unpaid work experiences, pre-apprenticeship, internships/job shadow, and on-the-job training opportunities, which must be meaningful and developed based on the individual needs of participating youth.

Further, support services for youth needing assistance must be provided through referrals to other community organizations or through WIOA-funded services and adult mentoring and comprehensive guidance and counseling are essential for young adults to feel comfortable accessing WIOA services. Contracted providers are required to incorporate a program design that utilizes these services as a direct resource for their participants.

Overall, successful program models in the area utilize an array of services and employ collaborative efforts to aid the youth as they explore career pathways, begin/complete educational initiatives, and work to overcome barriers, this includes integrating with the one-stop system to identify additional community-based resources and establish further beneficial relationship. Furthermore, the Kane County Office of Community Reinvestment, through its Youth Manager, will work with each service provider to manage contract progress with delivery goals, expenditures and outcomes/performance. The Manager's efforts will include offering and identifying technical assistance, fostering collaboration amongst the youth providers with best practice sharing along with one-stop service integration.

#### **H. Provide a description of how the local area will provide services to individuals with barriers to employment and training as outlined in Illinois WIOA State Plan**

1. *Provide information on how priority will be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient consistent with WIOA Sec. 134(c)(3)(E) (Sec. 679.560(b)(21)).*

LWIA 5 ensures individuals with barriers to employment have access to services through the one-stop center and the Workforce Development Board has adopted an enrollment policy under WIOA for Title I, which includes provisions for serving priority populations. The one-stop Partners are committed to priority of service center utilizes the intake process at the comprehensive workNet Center to identify job-seeking customers who are among priority populations, including individuals receiving public assistance, other low-income individuals, and individuals who are basic skills deficient.

2. *Provide information on local programs, policies, and procedures to address and mitigate barriers to employment training.*

Local programs, policies, and procedures address and mitigate barriers to employment training through the following methods:



- Intake/Inquiry Form to collect basic customer demographics and identify initial or immediate needs/barriers, which can be addressed through a partner referral; leading to expedited and efficient services rendered.
- Access to Technology and Resources by ensuring access to technology, computers, internet, and other resources necessary for job searching, online learning, and skill development.
- Needs Assessment to identify barriers to employment faced by individuals, which may involve assessing education levels, skills, disabilities, past employment history, and other factors that may hinder employment.
- Individualized Career Services and case management services to help job seekers overcome barriers and develop career/employment plans tailored to their needs and goals.
- Skill Development that offers training programs and workshops to develop essential job skills, including technical skills, soft skills, digital literacy and occupational skills relevant to local labor market demands.
- Education and Literacy Programs that provide adult education to improve basic skills such as reading, writing, and math, which are essential for employment success.
- Supportive Services such as transportation assistance, child care, housing assistance, and counseling to address non-employment barriers that may hinder an individual's ability to participate in training or secure employment.
- Job Search Assistance that assists individuals with job search strategies, resume writing, interview preparation, and job placement services to help them secure employment opportunities.
- Work-Based Learning Opportunities such as internships, apprenticeships, on-the-job training, and job shadowing to provide hands-on experience and enhance employability.
- Collaboration with One-Stop and Community Partners to leverage resources and expertise in addressing barriers to employment and delivering comprehensive services.

3. *How the local workforce area will ensure equitable access to workforce and educational services through:*

- a. **Disaggregating data by race, gender, and target population to reveal where disparities and inequities exist in policies and programs.** LWIA 5 will continue to ensure that policies and programs in the local workforce system are accessible, regardless of racial, gender, or socioeconomic background. The One-Stop Operator will continue to publish quarterly reports to local Partners which will provide a breakdown of demographic data for customers served by system services. This will be expanded in Program Year 2024 to include additional data points such as residential county, race/ethnicity, education level, age, gender with supplementary information where possible reading basic needs, and job search needs. Combined, this will help the local area identify gaps in access to workforce and educational services. Where disparities and inequities are identified within the one-stop delivery system, the Partners will work to strategize solutions. For the Title I program, target population data will be utilized to annually to identify any disparities and inequities that will help the Kane County Office of Community Reinvestment determine if additional efforts are required to increase awareness and if the Workforce Development Board should consider any adjustments to strategies.

Additionally, LWIA 5 will continue to access data points from multiple data platforms such as Census, IWDS, IDES labor market information and JobsEQ which can provide evidence of disparities and inequities that exist in policies and programs by race, gender, and target population. As the design and delivery of workforce services are guided by current and timely

Labor Market Information, increased partner involvement and consistent correspondence will be beneficial to communicating the scale of resources available.

Through its service integration plan, LWIA 5 is working collectively to provide one-stop customers with a satisfaction survey to gather other service inequities that may not be evident through data tracking platforms. LWIA 5 will continue to use these evaluation methods to acquire disaggregating data and will engage other LWIAs to discuss other methods that may help access consumer data.

- b. Exposing more high school students, particularly young women and minorities, to STEM careers.** Job fairs have proven to be an effective marketing tool for career pathways. LWIA 5 will continue partnering with local high schools, community colleges, Career & Technical Education (CTE) providers, and employers to promote STEM-related careers. The Board will leverage real-time labor market data from IDES to promote these occupations and their high-wage earnings as well as the cost-effective training programs locally available. LWIA 5 will partner with local employers to review employment and skills data to ensure they are a true reflection of what is in demand. When applicable, LWIA 5 will promote STEM careers through high school extracurricular activities and after-school programs that specifically serve minorities and young women. Industry experts and specialists will be leveraged to ensure STEM programs are taught by professionals who exhibit the skills and training necessary to perform STEM-related jobs. LWIA 5 is committed to ensuring diverse populations are informed of diverse career paths and will work to provide continual access to the opportunities.
- c. Exploring how effective mentor programs can be expanded to adults, particularly to those who are displaced and moving to a new career.** The local area implemented mentoring/coaching alongside mental health counseling for Adults enrolled in the WIOA Title I program during and post-pandemic and contracted with a service provider to incorporate strategies that complement program staff efforts. Given this limited success, the local area has not identified mentoring as a top priority, however, models can be explored over time and incorporated in this plan accordingly.
- d. Ensuring workforce services are strategically located in relation to populations most in most need.** By having only one comprehensive One-Stop in the three-county Region, LWIA 5 understands the need for ensuring workforce services are strategically located across the region so that access to services is readily available, particularly for clients who have transportation barriers. As such, LWIA 5 will provide services through multiple access points which may include WIOA partners sites, libraries and community-based organizations. Center usage by geographic location will also be routinely monitored by the one-stop Operator and will inform the need for additional delivery sites/partnerships to effectively connect with underserved populations or where increased accessibility has been identified as a needed.

Virtual access has also been maintained and is utilized to offer direct career services to jobseekers, including information and orientation session along with workshops and one-on-one assistance. The center maintains a calendar of events available through the workNet Batavia website and maintain social media accounts to have a unified online presence.

Additionally, the one-stop has launched a spotlight series where partner programs, community-based organizations, and employers are featured at the Center or access site, which broadens



the reach of the workforce system by bringing impactful opportunities and resources to the general public and offers the one-stop another method to bring awareness of services available within the LWIA.

**I. Describe how the local area will utilize a customer-centered approach to its services delivery model, including the following:**

1. *How a customer-centered or human-centered approach will be used over the course of this plan to improve local service delivery methods.*

Consistent with the strategy for Service Integration, individual partners use their own methods for collecting customer data and designing and delivering services, resulting in applicable information being shared systemwide as appropriate. At the One-Stop Center, a questionnaire and customer survey for center customers and referred individuals will be expanded to gauge satisfaction and collect input related to services received and/or gaps. This information will be shared at Partner meetings minimally on an annual basis. Through the One-Stop manager, the LWIA will explore best practices/opportunities for collection of this data with the Region.

2. *Any efforts to provide services to customers in the spaces where they commonly visit (i.e. using a bus or other mobile solution to provide services outside of the one-stop center or having a local workforce are representative available at a public library at set times).*

With a skilled one-stop team that includes a dedicated one-stop Manager and two Career Navigators, expanded outreach has been the focus during Program Year 2023 and several partnerships have been refreshed post-pandemic including those with the public libraries. Standing appointments or walk-in assistance is available in the area's largest communities through the Gail Borden Public Library in Elgin, and Santori Library in Aurora also included is St. Charles Public Library. Additionally, services also expand to the Workforce Development Office in DeKalb and there are plans being developed to enhance small workshops in Kendall County out of the Yorkville Workforce Development Office, both of which house Title I case management staff. This has brought attention to our center, as individuals become aware that there is central hub they can connect with for additional services as needed. Additional libraries will be approached for similar partnerships based on need over the term of the 4-year plan.

Further efforts to expand engagement included adding the availability of public transportation for the DeKalb Workforce Development Office and the City approved and implemented a bus-stop across from the office with a stop tailored to our current hours. The one-stop also reestablished a relationship with Northern Illinois University through their Veterans Career Services Department, where resume workshops and overall career search specific to Military to Civilian transition is being offered. Lastly, the one-stop is piloting a digital literacy platform, NorthStar, to assist those in need of technical skills to be effective in their job search efforts. With partner Chinese Mutual Aid Association, the one-stop staff will be offering instruction to transitioning refugees receiving English language skills at their Carpentersville connection location at Centro de Informacion. The approach is bringing the resources to those who need within their community.

3. *Any efforts to review and update the referral process, including creating a universal referral process, utilizing an electronic referral management system, expansion of referral pathways, etc. If there are any obstacles to updating the local area's referral process, describe them here.*

Currently, the one-stop system is using a digital referral form and there is a tracking system maintained by the one-stop manager. While the system is not perfect, all Partners strive to relay timely and accurate information as possible. The referrals received by the one-stop can transition to a disconnect in communication, at times. The one-stop looks for full transparency from our partners to disclose detailed information to best proceed. As part of service integration, the Partners will define referral outcomes and improve mechanisms for recording and reporting data collection. This will allow the area to use data to improve/enhance services and offer meaningful training sessions with Partner staff. The area will also explore the use of the existing CRM tool, LaunchPad, as an electronic referral management system for the LWIA. Obstacles could include individual Partner privacy policies that require specific data collection standards that would impede local avenues.

**G. Describe of training activities in the local area, including the following:**

1. *How the local area will encourage the use of work-based learning strategies, including the local area goals for specific work-based learning activities and proposed outcomes related to these activities.*

Work-based learning strategies are essential for young people to acquire work experience, as well as for adults who have limited or outdated work experience. Youth providers are currently required to spend at least 20 percent of their contract funding on work-based learning, and youth customers are being linked to work-based learning opportunities based on employer need and commitment, and interest among job seekers. The Workforce Development Board authorizes a range of work-based learning programs, including:

- ✓ On-the-Job Training – is marketed to employers with the understanding that a customized training plan will be established to address their hiring needs. This approach has been successful and will continue to be utilized. Within the OJT program, job-ready candidates are assessed to ensure they are suitable for placement and are matched with employers that seek their skill-sets.
- ✓ Incumbent Worker Training – local businesses can apply for a training grant that reimburses costs to enhance the skills of existing employees. This is aimed at helping business remain competitive by upgrading skill sets to meet changing industry demands or technology requirements.
- ✓ Apprenticeships – are discussed with job seekers where training that combines classroom instruction and hand-on experience with employer partners are beneficial to an individual's career pathway and chosen field.
- ✓ Internships and Work-Experience – are provided to WIOA youth participants to help young adults develop the skills, knowledge and work habits necessary to be successful in the labor market. These offer exposure to different industries and help to improve communication, and teamwork skills.

Additionally, the local Senior Community Service Employment Program (SCSEP), which provides older workers on-the-job work experience to assist them in obtaining unsubsidized employment. And, the local Community college partners are working directly with employers to develop work-based training programs in manufacturing, healthcare, and information technology.

- 2. How local areas will provide training and professional development opportunities to staff regarding equity, access, trauma-informed care, and other topics concerning a customer-centered approach to service delivery.*

While many local partners participate in the annual Statewide WIOA summit, partner in-service events will be explored to facilitate the cross-training of staff and/or continuous improvement activities will be scheduled and offered once common operational needs are defined, with anticipated outcomes leading to increased communication and insight regarding topics related to customer-center approaches to ensure accurate and efficient service delivery to the area's customer base. The exploration of need will be ongoing during program year 2024.

- 3. How training services outlined in WIOA Sec. 134 will be provided through the use of individual training accounts, including, if contracts for training services will be used, how the use of such contracts will be coordinated with the use of individual training accounts under that chapter, and how the Local Board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided (Sec. 679.560(b)(18)).*

The majority of LWIA 5's training funds are used to support Individual Training Accounts (ITAs). The current local ITA policy can be found in Appendix A, which outlines a process by which eligible job-seekers identify their career interests and, with staff assistance if necessary, research their training options. ITAs are payment agreements established on behalf of the participant with a training provider which are awarded to eligible participants enrolled in WIOA Adult, Dislocated Worker and Youth programs to enable them to access an in-demand occupational training program made available through the statewide list of eligible providers. ITA awards are provided based on an individualized assessment of job-readiness, employment, training and financial needs, labor market demand and potential for successful completion including the attainment of an industry-recognized credential. Customers utilizing ITAs are required to research multiple providers to ensure an informed customer choice is achieved when selecting training, and the customer must attest to his or her selection.

With more training providers offering apprenticeship programs that provide local employers in the three-county area with trained and credentialed workers, the local board expanded the in-district ITA definition to include participants accepted into the Department of Labor (DOL) Registered Apprenticeship programs regardless of their place of residency effective August 26, 2021. See Appendix A.

The local board routinely reviews training services, availability and accessibility of training options for special populations, those with barriers and special needs. As a result, the local Workforce Development Board expanded customer choice by executing contracts with the three local Community Colleges (Elgin Community College, Kishwaukee College and Waubensee Community College) to purchase programming and classes/cohorts for multiple WIOA participants in an effort to accelerate training options for eligible adults and dislocated workers. Contracts were negotiated separately which each institution and could include and array of the corresponding elements:

- ✓ Bridge/cohort/I-Caps/non-credit models
- ✓ Soft skills, job readiness instruction and career exploration
- ✓ Tutoring and/or support for basic skills deficient individuals

- ✓ Additional student supports to aid in program completion and preparation for employment (i.e. case management services, resume development, etc.)
- ✓ Establishing employer partners and use of WIOA On-the-Job Training (OJT) as an option to bridge any additional skill gaps at placement
- ✓ Assistance with preliminary WIOA eligibility screening and document collection to further expedite entry into the established training programs.

Starting in Program Year 2022, the College's embarked on joint marketing and recruitment efforts, which included engagement with local communities and Partner programs (such as DHS- Vocational Rehabilitation and the Continuum of Care) to bring awareness of available training. Additionally, new webpages were developed by each College with shared messaging and an inquiry form to collect participation interest for prompt engagement. The launch of this training initiative required extensive planning for each College individually and in conjunction with the Kane County Office of Community Reinvestment. Eight (8) cohorts have been formed and training has been delivered in the area's CompTIA, Truck Driving, Nursing Assistant and Welding. The Workforce Development Board will examine progress and consider extensions for these pilot projects in May 2024.

4. *How the Local Board will ensure the continuous improvement of eligible providers of services through the system and that the providers will meet the employment needs of local employers, workers, and jobseekers.*

LWIA 5 is following WIOA Policy 15-WIOA-5.3: WIOA Training Provider and Training Program Eligibility to recommend providers for inclusion on the statewide eligible training provider list. This policy can be found in Appendix A of this plan. The Board will be exploring adopting a local policy, but in the interim, annually reviews eligible providers of services through the system to ensure they will meet the employment needs of local employers, workers, and jobseekers.

The LWIA 5 will also maintain efforts previously identified to enhance the impact of training investment. These include: equipping one-stop system staff with up-to-date information regarding labor market trends and specific employer needs to better inform job seekers; working with employers by sector, and ensuring that appropriate training is available based on aggregate industry needs; identifying certifications and credentials that are valuable to multiple employers in the local area, and intentionally sharing this information with all partners – including training providers.

5. *How the local area tracks non-enrolling basic services provided to reportable individuals.*

The initial process of tracking those who are non-enrolled involves completion of a registration and/or inquiry form where basic information is gathered and a general direction of service is rendered. A profile is created in the local CRM tool used by one-stop staff, Launchpad, and services rendered are tracked to ensure fluid delivery of services without repetition from all parties involved. Non-enrolled serviced individuals are also entered into the State's IWDS system daily for compliance along with tracking and reporting data. All customers receive timely services regardless of enrolled or non-enrolled status.

**K. Describe if the local workforce board will authorize the transfer of WIOA Title 1B workforce funds, including the maximum dollar amount and/or percentage that is authorized to be transferred on an annual basis**

1. To transfer funds between the adult and dislocated worker funding streams
2. To use funds for incumbent worker training
3. To use funds for transitional jobs
4. To use funds to pay for performance contracts

The Workforce Development Board has authority to manage WIOA Title I funds and does consider fund transfers between the adult and dislocated worker funding streams during the annual budgeting process. Any transfer of funds would occur in alignment with relevant federal, state, and Kane County policies and procedures. Further, the Board reviews expenditure information at their standing meetings and considers transfer action when necessary. Given the demand for adult services and based on the low unemployment rate which has reduced the dislocated worker applicant pool, the Workforce Development Board authorized transfers for Program Year's 2022 and 2023. To ensure all adult and dislocated worker funds are fully utilized, the Workforce Development Board will continue to consider fund transfers and may elect to act in this regard during the four-year plan cycle.

Additionally, the Workforce Development Board policy allows for up to 20 percent of funds to be allocated to incumbent worker activities, and the budget for this activity is considered by the Board each program year based on need. The Workforce Development Board recognizes that it can invest up to 10 percent of adult and dislocated worker funding in transitional job programs but is not pursuing these activities nor is the local Board considering for pay-for-performance contracts at this time but will revisit this contracting option if needed.

**L. Describe how a workforce equity lens is or will be incorporated in the operating systems and policies as part of the Local Workforce Innovation Areas (LWIAs)**

A workforce equity lens will be incorporated into our operating systems and policies by collecting and analyzing data about demographics, race, gender and ethnicity, among other characteristics of participants in the workforce system. LWIA 5 will ensure the inclusion of Census data and other credible data sources to understand the diverse workforce and how to best serve them. LWIA 5 will continue to use this method moving forward and ensure operating systems and policies are aligned with a workforce equity lens, which includes reviewing operating policies on an annual basis. Data collection will further be refined by the one-stop to understand operational effectiveness with common inquiries and traffic patterns, as examples, which will be examined with the local Partners to ensure delivery methods are equal and aligned. LWIA 5 will continue to work on to evaluating and addressing equity and inclusion.

**CHAPTER 5: PERFORMANCE GOALS AND EVALUATION**

The plan must include information on the actions the Local Board will take toward becoming or remaining a high performing board, consistent with the factors developed by the State Board (WIOA Sec. 101(d)(6)) and (§ 679.560(b)(17)). LWIAs are required to provide information and analysis regarding the challenges and opportunities that are associated with performance goals and evaluation.

**A. Provide information regarding the local levels of performance negotiated with the Governor and chief elected official consisting with WIOA Sec. 116(c) to be used to measure the performance of the local area and to be used by the Local Board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under WIOA Title I Subtitle B and the one-stop delivery system (core and required partners as applicable) in the local area**

1. *WIOA Performance Measures*

The Board annually meets or exceeds its performance and will comply with the Title I performance measures negotiated by the by the Illinois Department of Commerce and Economic Opportunity (DCEO). Performance levels for PY23 have been negotiated with the LWIA as follows:

Performance Measure	PY23 Performance Goal
<b>Adult</b>	
Employment Rate 2 <sup>nd</sup> Quarter after Exit	75.5%
Employment Rate 4 <sup>th</sup> Quarter after Exit	75%
Median Earnings	\$8,000
Credential Attainment	76%
Measurable Skills Gain	59%
<b>Dislocated Workers</b>	
Employment Rate 2 <sup>nd</sup> Quarter after Exit	81%
Employment Rate 4 <sup>th</sup> Quarter after Exit	80%
Median Earnings	\$11,700
Credential Attainment	83%
Measurable Skills Gain	56%
<b>Youth</b>	
Employment/Placement in Education Rate 2 <sup>nd</sup> Quarter after Exit	79%
Employment/Placement in Education Rate 4 <sup>th</sup> Quarter after Exit	77.5%
Median Earnings	\$4,700
Credential Attainment	65%
Measurable Skills Gain	52%

The local PY22 Performance Outcomes achieved by Title I, as summarized and assessed by the Illinois Department of Commerce and Economic Opportunity (DCEO), are detailed on [Appendix C](#).

2. *Additional State Performance Measures*

The Workforce Development Board will comply with any additional state defined performance measures.

**B. Describe how the current and planned evaluation activities and how this information will be provided to the Local Board and program administrators as appropriate**

Services and outcomes are evaluated regularly by each partner program and as part of the service integration process. When service delivery strategies are identified as successful, efforts are made to expand and replicate them for additional customers and cross-train staff on their implementation. Additionally, the Kane County Office of Community Reinvestment provides quarterly progress and performance updates to the local Board which includes sharing data and service delivery evaluations.

*1. What existing service delivery strategies will be expanded based on promising return on investment?*

Continuing providing coordinated and integrated service strategies with through the one-stop, which includes preserving the staffing model where dedicated navigators guide individuals to appropriate programming, identify next steps which can include coordinating referrals and maintain daily availability to offer basic career services along with employment preparatory activities, such as, resume development, job search assistance and interview preparation. These efforts, while not unique to the system, are directly supported and sustainable by Partner contributions through the LWIAs annual cost-sharing agreement.

With the expanded requirements of case management under WIOA for Title I staff, the local area has been utilizing service provider(s) to offer job readiness and group preparedness training. This has allowed WIOA enrollees accelerated access to instruction on organizing and executing a job search with activities tailored to participant needs, but ranging from job market research to on-line application planning and social media tactics through customized resume development. This supplementary service strategy will continue to be expanded and/or tailored to assist WIOA enrollees as well as applicants.

*2. What existing service delivery strategies will be curtailed or eliminated based on minimal return on investment?*

The Workforce Development Board authorized contracting with a service provider to provide mental health counseling and adult mentoring/coaching services for WIOA Title I enrollees. While the service was highly rated by staff as having a positive impact on those enrolled, overall participation was under 50%. Since it was difficult to keep youth engaged in this service, with minimal adults, as well as, dislocated workers accessed the assistance, the Board did not execute a contract extension given the operational cost required to maintain professional licensed counselors with limited impact resulting. Currently, Title I staff leverage other community resources available when needed.

*3. What new service strategies will be used to address regional educational and training needs based on promising return on investment?*

- *What ROI and qualitative outcome data for various education and training programs will be collected to identify barriers to employment?*
- *What are the most cost-effective approaches to taking down those barriers or helping residents overcome them?*

While as a region and through the Workforce Partners of Metropolitan Chicago (WPMC), successful training strategies and education initiatives were launched in previous program years through development of a Regional Incumbent Worker Training project and career pathway



materials/information (see Regional chapters 1.A.3. and 1.B. for expanded detail), forthcoming service strategies will continue to be fostered and developed to fill regional gaps. This will include a continued commitment from local staff represented by the Kane County Office of Community Reinvestment to contribute to Regional discussions and participate in regional service delivery teams focused in the areas of one-stop operations and business services.

In collaboration with the core partners, the local area will support the creation of a robust talent pipeline into entry-level and middle-skill jobs with on and off-ramps for skills development as students pursue their career advancement in the three-county area. This includes continuing to consult with existing sector-focused employer groups such as the Career Tech Advisory groups convened as a requirement of the Perkins Act to identify mutually identified goals and strategies across all workforce-related programming and to reduce duplication of effort.

The Workforce Development Board will work with the one-stop Partners as part of the Service Integration Action Plan to develop metrics and measures of success. Evaluation and data collection will be defined by the Partners, collected and reported by the One Stop Operator and reviewed by the Workforce Board's One-Stop Committee at least annually. Additionally, data collected through the Partners will help to identify employment barriers to better align system services, including investments in training, to ensure job seekers have access to pathways with remediation supports that enable them to acquire the knowledge, skills, abilities, and credentials required for in-demand jobs. Lastly, the One-Stop Center will be instrumental in making sure that member agencies and institutions are both sharing information, and also not duplicating services (in order to be more cost effective).

**C. Describe how a workforce equity lens is or will be incorporated in the analysis of performance goals and implementation of evaluation activities.**

A Workforce equity lens will be incorporated by analyzing performance goals and implementation of evaluation activities by convening with our Partners throughout the year to evaluate progress and determine where there may be gaps to address. If gaps are present, the LWIA looks to design and implement strategies to address those. After implementation, the LWIA will convene the Partners again to evaluate the outcomes and determine if the gaps were corrected. The same process is used with our One-Stop Committee and Youth Committee. LWIA 5 will ensure the inclusion of Census data and other credible data sources to understand the diverse workforce and how to best serve them. The Statistical Adjustment Model (SAM) is in the process of being rolled out which will also provide data regarding job seeker barriers for those served under the Title I program, and evaluating disaggregated outcome data will offer future areas of emphasis regarding underrepresentation in specific occupations.



## CHAPTER 6: TECHNICAL REQUIREMENTS AND ASSURANCES

This chapter includes the technical requirements and assurances that are required by the Workforce Innovation and Opportunity Act (WIOA Sec. 121 (c)(2)(iv)). LWIAs are required to provide information and analysis regarding the challenges and opportunities that are associated with meeting the administrative requirement of the Workforce Innovation and Opportunity Act programs.

### A. Fiscal Management

1. *Identify the entity responsible for the disbursement of grant funds described in WIOA Sec. 107(d)(12)(B)(i)(III) as determined by the chief elected official or the Governor under WIOA Sec. 107(d)(12)(B)(i) (§ 679.560(b)(14)).*

Kane County is the entity responsible for the disbursement of grant funds, as outlined in the Intergovernmental Agreement between the Counties of Kane, Kendall, and DeKalb. All subgrants and contracts are procured under the Kane County Procurement Ordinance, which can be accessed at Kane County Government website and, as requested, is included in [Appendix B](#) of this plan.

2. *Provide a copy of the local procurement policies and procedures and describe the competitive procurement process that will be used to award the subgrants and contracts for WIOA Title I activities (§ 679.560(b)(15)).*

Kane County's Purchasing Ordinance is used for any competitive procurement process required under WIOA Title I, which is included in [Appendix B](#) of this plan.

### B. Physical and Programmatic Accessibility

1. *Describe how entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with WIOA Sec. 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities (§ 679.560(b)(5)(iii)).*

Section 188 of the Workforce Innovation and Opportunity Act (WIOA) of 2014 and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) are fulfilled through policies and procedures established by DOL and DCEO. The one-stop is fully compliant with WIOA Section 188 and the Americans with Disabilities Act. The locally-designated Equal Opportunity (EO) Officer provides oversight for implementing, maintaining, and monitoring WIOA Section 188 Nondiscrimination and Equal Opportunity Regulations. Staff training includes information about how to support the needs of customers and peers with disabilities. In overseeing the one-stop - center, the operator will be responsible for working with the EO Officer to ensure continued compliance with applicable laws relating to programmatic and physical accessibility. Accessible computers, adjustable desks, TTY phone technology and Sorenson Video phones are available to all staff and customers. Additionally, information is provided to staff and customers on the process to file ADA grievances.

The One-Stop Center Accessibility Compliance Checklist (Facility Accessibility Survey) and Contractor/Service Provider (Self-Evaluation Tool) provided by the DCEO Office of Equal Opportunity Monitoring and Compliance are completed by the Equal Opportunity Officer annually to ensure that

clients with disabilities have uninhibited access to services and are appropriately accommodated to meet their needs. The survey and evaluation tool address and answer the questions on whether facilities are physically and programmatically accessible for individuals with disabilities. They are used to determine if WIOA programs and services are accessible and whether there are policies and procedures in place that address areas such as accessible parking, doors and doorways, signage, request for reasonable accommodation and auxiliary aids, wheelchair accessibility, TTY services, EO Posters, sign language interpreter services, staff acknowledgment of EO/Non-discriminatory policies and procedures.

The availability of assistive technology and other resources for individuals with disabilities is assessed as part of the survey and evaluation tool, evaluating the availability of items such as large screen monitors, trackball mice, scanning/reading software, enlarged keyboards, web page reading software, adjustable keyboard trays, alternative formatted materials (Large print, Braille, Audio-tape). Inventory is reviewed as part of the assessment to assure the availability of the required assistive technology and alternative sources at the one-stop center.

All LWIA 5 contracts include language regarding ADA requirements, consistent with Kane County contracting guidelines. These guidelines meet the requirements outlined in the Illinois One-Stop Center Accessibility Compliance Checklist.

2. *Provide copies of executed cooperative agreements (as applicable) that define how all local service providers, including additional providers, will carry out the requirements for integration of and access to the entire set of services available in the local one-stop system, with respect to efforts that will enhance the provision of services to individuals with disabilities (§679.560(b)(13)). This may include cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers and other efforts at cooperation, collaboration and coordination.*

LWIA 5 partners have updated the Memorandum of Understanding, which also addresses all ADA and WIOA Section 188 requirements for the partners. The one-stop certification process will ensure that the center is accessible by all, offering adequate parking, necessary equipment for persons with disabilities, and adequately connecting English Language Learning individuals with appropriate translation services.

### **C. Plan Development and Public Comment**

1. *Describe the process used by the Local Board to provide a public comment period prior to submission of the plan, including an opportunity to have input into the development of the local plan, particularly for representatives of businesses, education and labor organizations (§ 679.560(b)(19)).*

The NEEDR Regional Plan was developed through a collaborative process between the seven (7)

LWIAs in the Region, the WIOA core partners, Economic Development organizations, Educational entities, Business leaders, and other key stakeholders. In addition to soliciting input from each stakeholder group, a formal virtual meeting was held on Wednesday, February 14, 2024 to provide an opportunity for all stakeholders to discuss the plan in a single meeting. The intent was to allow for discussion between stakeholders about the concepts included in the plan and provide additional input to be incorporated in the draft version of the plan. Over 100 stakeholders from across the NEEDR attended the session and a lively discussion was held.

After the stakeholder meeting, the Regional Plan was posted for public comment on Friday, February 16, 2024 throughout the NEEDR. The Regional Plan was posted for the required 30 days.

The Local Plan draft was made available for public comment for thirty (30) days on the Kane County Government website beginning February 16, 2024 and ending March 17, 2024. Notice of availability of the plan was published in local newspapers in the Counties of Kane, Kendall, and DeKalb. Additionally, it was distributed to system stakeholders including the Workforce Development Board and LWIA 5 Partners. Those wishing to make comments were instructed to do so electronically, directed to the Office of Community Reinvestment, Workforce Development Division.

2. *Provide a summary of the public comments received and how this information was addressed by the CEO, partners and the Local Board in the final plan.*

There were no public comments received in any of the seven LWIAs in response to the Regional Plan and no comments were received at the local level as well.

3. *Provide information regarding the regional and local plan modification procedures.*

Because there were no public comments on the draft plan, no plan modification was required. The Workforce Development Board will consider modifications to this plan per federal and state requirements.

**D. Describe how a workforce equity lens is or will be incorporated in meeting the administrative requirement of the Workforce Innovation and Opportunity Act programs.**

As previously mentioned, the workforce equity lens will be incorporated in meeting the administrative requirement of the Workforce Innovation and Opportunity Act programs by considering the collection and analysis of data about demographics, race, ethnicity, gender and age among other characteristics of participants in the workforce system. LWIA 5 will ensure the inclusion of Census data and other credible data sources to understand the diverse workforce and how to best serve them. Additionally, the local Workforce Development Board will use the competitive procurement process to award sub grantees when needed and will incorporate an equity lens into the procurement of Title I services. Respondent's will be asked to address equity in both jobseeker and employer engagement activities for future requests for proposals.

LWIA 5 LOCAL PLAN

# Appendix A

Local Service Integration Continuous Improvement Plan

## LWIA #5 Self-Assessment Service Integration Continuous Improvement Plan

The One-Stop Operator Partner Consortium (Kane County Office of Community Reinvestment, Elgin Community College and the Illinois Department of Employment Security) completed the Service Integration self-assessment and drafted the resulting continuous improvement plan that was released in its entirety to system partners on January 25, 2024 for review prior to a joint meeting on January 30, 2024 where each element was reviewed and feedback was discussed. Further written feedback was encouraged through February 2, 2024 to ensure all Partners had an opportunity to be heard and provide input. The result of these efforts produced the following continuous improvement plan for the LWIA.

Plan	Steps for implementation	Implementation Date	Self-Assessment Goals Addressed
Expand communication measures with more frequent messaging from the One-Stop and consistent Partner engagement to routinely share program updates/opportunities and event information along with flyers	<ul style="list-style-type: none"> <li>• Establish weekly and monthly communication points and beneficial topical areas</li> <li>• Identify ways Partners can improve on sharing programming and/or event information</li> <li>• Determine steps to increase partner involvement in newsletter creation</li> <li>• Establish contact lists beyond MOU signatories and update processes for capturing this information</li> <li>• Increased partner visibility through attendance at workNet Batavia events/activities</li> </ul>	<p style="text-align: center;">PY 24, Q1 Consistent Partner Engagement and Communication efforts in place</p>	<ul style="list-style-type: none"> <li>• Goal 2, Point B</li> <li>• Goal 4, Point A</li> <li>• Goal 6, Point A</li> </ul>
Improve customer satisfaction and feedback tracking	<ul style="list-style-type: none"> <li>• Develop action steps</li> <li>• Review best practices across the Region, which includes use of technology</li> <li>• Create a customer satisfaction survey and input section</li> <li>• Establish method for evaluation and determine frequency for review and use in decision-making along with reporting</li> </ul>	<p style="text-align: center;">PY24, Q1 Launch Questionnaire</p> <p style="text-align: center;">PY24, Q4 Initial Partner Data Review</p>	<ul style="list-style-type: none"> <li>• Goal 1, Point D</li> <li>• Goal 4, Point C</li> <li>• Goal 7, Point A</li> </ul>
Expand cross-training methods and explore joint professional development for Partner staff	<ul style="list-style-type: none"> <li>• Review best practices from other areas and engage regional One-Stop Operator group</li> <li>• Consider and prioritize cross-training methods (i.e. drop-in virtual office hours, resource guide/desk aid, cross training series and develop routine training sessions</li> <li>• Identify and prioritize topic-specific perspectives where partners can be leveraged to deliver information/training (i.e. Labor Market and Career Pathways information), which can include members of the local business services team presenting employer needs data</li> <li>• Survey to define common professional development needed</li> <li>• Develop schedule and method of delivery and consider consultants, if applicable</li> </ul>	<p style="text-align: center;">PY23, Q3 – PY24, Q4</p> <p style="text-align: center;">PY25 Professional development, implementation, if applicable</p>	<ul style="list-style-type: none"> <li>• Goal 2, Point A</li> <li>• Goal 2, Point C</li> <li>• Goal 4, Point B</li> <li>• Goal 6, Point C</li> </ul>
Improve mechanisms for recording and reporting outcomes of referrals	<ul style="list-style-type: none"> <li>• Review best practices from other areas and engage regional One-Stop Operator group</li> <li>• Review referral records and define referral outcomes</li> <li>• Determine outcome reporting methods and explore Launchpad as a supporting system</li> <li>• Offer cross-training sessions with Partner staff to record referral completions</li> <li>• Develop method for evaluation of information/data and use in decision-making</li> </ul>	<p style="text-align: center;">PY24, Q1 – Q2</p>	<ul style="list-style-type: none"> <li>• Goal 4, Point B</li> <li>• Goal 4, Point C</li> </ul>
Define steps to approach Local Partner Evaluation of Service Integration	<ul style="list-style-type: none"> <li>• Need technical assistance training on IWIB tool</li> <li>• Define annual review process</li> <li>• Establish reporting (progress and/or accomplishments) to LWIB</li> </ul>	<p style="text-align: center;">PY 25 IWIB Toolkit Training</p>	<ul style="list-style-type: none"> <li>• Goal 7, Point B</li> </ul>

LWIA 5 LOCAL PLAN

# Appendix B

## Local Intergovernmental Agreement and Policies

# Intergovernmental Agreement

## Kane, Kendall and DeKalb County Local Workforce Development Area

This agreement, entered into effective as of the 1<sup>st</sup> day of July, 2015 by and between the COUNTY OF KANE, the COUNTY OF KENDALL, and the COUNTY OF DEKALB, each a body politic and corporate of the State of Illinois and hereinafter collectively referred to as “the Counties”; WITNESSETH:

WHEREAS, the United States Congress has enacted Public Law 113-128, the Workforce Innovation and Opportunity Act of 2014 (hereinafter “WIOA”) providing financial assistance for the support of workforce development activities in Local Workforce Development Areas throughout the country; and

WHEREAS, the Counties anticipate approval as a designated Local Workforce Development Area (hereinafter “the Local Area”) from the State of Illinois, as mandated by WIOA for those areas having performed successfully and maintained fiscal integrity under the previous Workforce Investment Act of 1998; and

WHEREAS, WIOA provides that, in a Local Area with more than one unit of general local government, the Chief Elected Officials of the respective units of government may execute an agreement to describe their responsibilities for carrying out their roles and responsibilities; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1 et. Seq.), enacted by the State of Illinois provides in part as follows:

“Section 3. Intergovernmental cooperation. Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment except where specifically and expressly prohibited by law.”

“Section 5. Intergovernmental contracts. Any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking or to combine, transfer, or exercise any powers, functions, privileges, or authority which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be approved by the governing bodies of each party to the contract and except where specifically and expressly prohibited by law. Such contract shall set forth fully the purposed, powers, rights, objectives and responsibilities of the contracting parties;” and

WHEREAS, the parties to this agreement have conferred upon them the exercise of powers authorized in Chapter 55 of the Illinois Compiled Statutes (known as the “Illinois Counties Code”); and

WHEREAS, the Counties of Kane, Kendall, and DeKalb desire to jointly enter into such an agreement regarding the administration and implementation of local workforce development activities under WIOA.



NOW THEREFORE, upon consideration of the mutual covenants and obligations contained herein and subject to the terms and conditions hereinafter stated, it is hereby agreed between the Counties as follows:

### **Section I: Purpose**

The intent of this agreement is to designate a Chief Elected Official (CEO) among the Counties for the purpose of ensuring the effective administration of local workforce development activities under WIOA. This agreement further seeks to establish clear roles and responsibilities of the Counties within the workforce development system established by WIOA. The Counties shall defer to the CEO to make all significant actions related to oversight and management of the workforce development system.

### **Section II: CEO Designation**

The Counties agree and hereby designate the Chairman of the Kane County Board to serve as the Chief Elected Official (CEO) for the purpose of overseeing WIOA administration for the Local Area. Any and all references to the CEO and/or Chairman, or a form thereof, in this agreement shall be construed to include authorized signatories of said offices. The duties and responsibilities of the CEO are as follows:

1. Accept all WIOA funding and act as signatory for all agreements, leases or grants, or any other document requiring a CEO signature in order to be legally binding. The CEO may designate one or more signatories for said purpose.
2. Ensure compliance with applicable Federal uniform administrative requirements and cost principles.
3. Submit reports to the State and federal government as required.
4. Submit Local Workforce Development Board appointment requests and other certification documents to the Illinois Department of Commerce and Economic Opportunity (hereinafter "DCEO").
5. Serve as primary liaison with the Local Workforce Development Board.
6. Approve all significant actions of the Local Workforce Development Board, including, but not limited to, those items listed in Section IV of this agreement for which the Board shall provide input to the CEO.
7. Review all agreements pertaining to the delivery of workforce development services within the Local Area.
8. Provide staff support for the Local Workforce Development Board under the consortium model as defined by State policy. Said consortium shall include the Office of Community Reinvestment's Workforce Development Division and other workforce system partners.
9. Apply for competitive grant awards that serve to augment workforce services in the Local Area.
10. Designate or procure the one-stop operator and career service provider(s) in accordance with State policy.

Further, the CEO shall serve as the liaison to the Governor regarding significant structural, planning, operational and performance matters pertaining to the delivery of workforce services within the Local Area and shall be responsible for formal communication with the State of Illinois in making arrangements for consultation and agreement regarding the following:



1. Negotiation of local performance measures.
2. Consult with the Governor in the development of a reorganization plan, in the event of decertification of the Local Workforce Development Board.
3. Coordination in the provision of rapid response activities.
4. Coordination in the establishment of fiscal and accountability management systems.
5. Consultation arrangements concerning any activities in the Local Area funded by the State or by the U.S. Department of Labor.
6. Apply for waiver(s) seeking approval from the Governor to allow the Board or its staff to provide training services, as appropriate.

### **Section III. Grant Recipient & Fiscal Agent Designation**

The Counties agree and hereby designate Kane County to serve as the Grant Recipient and Fiscal Agent for the purpose of overseeing and administering WIOA funds, including any related funds awarded for the delivery of workforce programs and services in the Local Area. The duties and responsibilities of the Fiscal Agent are as follows:

1. Administer Title I WIOA funding within the Local Area.
2. Enter into and/or maintain a grant relationship as receiver of record on behalf of the Counties with the Illinois Department of Commerce and Economic Opportunity for all funding.
3. Disburse WIOA funds consistent with approved plans and budgets.
4. Ensure sustained fiscal integrity and accountability for expenditures of funds in accordance with all OMB Circulars, WIOA and corresponding federal regulations and State policies.
5. Respond to audit financial findings.
6. Maintain proper accounting records and adequate documentation.
7. Prepare financial reports.
8. Procure contracts or obtain written agreements pertaining to workforce development activities, conduct financial monitoring of service providers and ensure independent audit of all employment and training programs.
9. Provide technical assistance to subrecipients regarding fiscal issues.
10. Bear financial liability, on behalf of all Counties, for misspent funds or disallowed costs as defined in WIOA Section 107(d)(12)(B)(i)(I), 20 CFR Part 683.710 of the regulations, as well as policies issued by the US Department of Labor and State of Illinois, and that repayment of such costs shall be sourced from non-federal funds.

### **Section IV. Local Workforce Development Board**

The Counties are expressly authorized to appoint members to the Local Workforce Development Board pursuant to Section 107(c)(1)(B)(i) of WIOA. The CEO shall sign and submit all board certification documentation as required by the State, including appointment forms. The Local Workforce Development Board membership shall be developed in accordance with WIOA requirements outlined in Section 107(b)(2) and in accordance with State criteria and procedures, with nominations accepted on a rolling basis. County Board Chairmen shall be responsible for appointing their respective board representatives based on eligible nominations received. Board membership shall total up to 40 seats and shall be inclusive of those mandated partners appointed to the Local Workforce Development Board pursuant to State policy. Board representation shall generally be apportioned to each County based on the most recent US Census Bureau decennial census population data available. Adjustments to said

representation will be made as needed in order to achieve overall Board certification and will be communicated to the County Chairmen.

The Counties agree that appointments for board membership will be carried out within 90 days of term expiration or seat vacancy in order to expedite approval of said nominees by the State. Board members shall be appointed for a fixed period of two years, with terms staggered so that no more than 50 percent of the members' terms of service shall expire in any given year. Once appointed, board members shall serve for the term of office as indicated herein unless the member resigns or ceases to represent the category to which he or she was appointed. In such instances, vacancies shall be filled in the same manner in which the appointment was made. Appointees to vacant seats in the middle of a term of office shall serve until the term of office of the original member has expired.

Each County Board Chairman expressly reserves the right to remove any of his or her respective appointees to the Local Workforce Development Board for any reason.

The Chair and the Vice Chair of the Local Workforce Development Board shall be elected by the board members from amongst the appointed business representatives. The Local Workforce Development Board shall provide the CEO input regarding the following:

1. Development and submission of Local and Regional Plans as required, with additional modifications reviewed and submitted as needed.
2. Approval of grant funding allocation in compliance with WIOA and in accordance with the Local Plan.
3. Development of a budget for Title I activities to be submitted as part of the Local Plan, including costs associated with Board-related expenses such as data collection and planning, subscriptions and travel, subject to the approval of the CEO.
4. Negotiation of local performance measures with the State.
5. Program oversight of workforce development activities to ensure appropriate management and use of funds in order to maximize performance outcomes under WIOA.
6. Review financial reports associated with workforce development funding provided to the Local Area.
7. Certification of one-stop centers.
8. Selection of eligible youth and career service providers, as well as the one-stop operator, in compliance with DCEO policy.
9. Approval of additional and/or non-required one-stop partners.
10. Consistent with the State Plan, development and execution of a Memorandum of Understanding with the one-stop partners concerning the operation of the one-stop delivery system in accordance with 20 CFR Part 678.500.

The Counties further agree that the most effective manner in which each Chairman may collaborate with the Local Workforce Development Board is through board-appointed representation. It shall be the responsibility of appointed members to report and keep informed his or her respective Chairman regarding board-related business. A County Liaison will be elected from each County to serve on the Executive Committee, ensuring effective communication and equitable representation across the Counties. The CEO shall also maintain formal communication with each County in accordance with Open Meetings Act notifications, such as providing electronic copies of Local Workforce Development Board meeting agendas and related packet information to all Chairmen.

## **Section V. Funding Apportionment**

Annual funding allocations will generally be apportioned for workforce development services for the residents of each County based on the most recent US Census Bureau decennial census population data available.

## **Section VI: Duration & Entirety of Agreement**

This agreement shall be in effect as of the date first written above and shall be automatically renewed on June 30 of each subsequent year. Should any County no longer wish to be included in Local Workforce Development Area 5, written notice of that County's intent to terminate this agreement must be submitted to Kane County no later than January 1 of any given year. That County's withdrawal from the program shall become effective at the end of business June 30 of the same calendar year.

The County indicating its intent to terminate this agreement shall cooperate with the CEO, DCEO and/or the U.S. Department of Labor regarding any inquiry or audit required regarding active WIOA funds accepted prior to the effective termination of the County.

This agreement supersedes all prior agreements, representations and mutual understandings, whether written or oral, between any and all of the Counties with respect to the subject matter hereof.

## **Section VII: Modification**

The Counties agree to adopt any amendment to this agreement incorporating changes necessary to meet the requirements for intergovernmental agreements set forth in WIOA and subsequent State policies applicable for the duration of this agreement; that the CEO shall submit said amendment to the State as required by DCEO and will provide copies to all parties to this agreement. However, a county will not be required to adopt any amendment, if the county, in its sole discretion, determines it is impossible or impractical for the county to adopt the amendment. The remaining counties, their officials, officers, employees, including their past, present, and future board members, elected officials and agents, waive any and all claims, at law or in equity, they may have against the non-adopting county as a result of its refusal to adopt an amendment under this provision.

This agreement may otherwise be modified by mutual agreement as evidenced by a written amendment executed by all parties herein.

## **Section VIII: Miscellaneous**

The Counties agree to evidence their consent to participate as a member of the designated Local Workforce Development Area by providing the CEO with one (1) certified copy of a resolution from their respective governing body authorizing the appropriate representative to sign this agreement, and an unqualified opinion of their legal counsel acceptable to the CEO concluding that the terms and provisions of this agreement are fully authorized under State and local law and that this agreement provides full legal authority for the CEO to undertake or assist in undertaking workforce development activities.

The signature of each County elected official will be affixed to this agreement evidencing the willingness of said County to participate in the Local Workforce Development Area. A copy of this agreement, once fully executed, shall be provided to each County.

The Counties agree that this agreement may be executed in one or more counterparts, each of which shall for all intents and purposes be deemed an original, and all of such counterparts taken together shall constitute one and the same agreement.

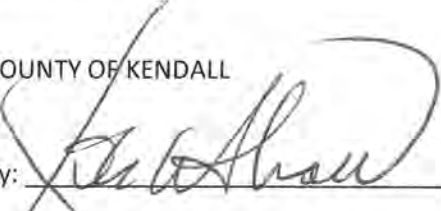
**Section IX: Signatures**

COUNTY OF KANE

By:  Date Signed: 11-6-15

Christopher Lauzen  
County Board Chairman

COUNTY OF KENDALL

By:  Date Signed: 11-17-15

John Shaw  
County Board Chairman

COUNTY OF DEKALB

By:  Date Signed: 10/21/15

Mark Pietrowski, Jr.  
County Board Chairman



August 4, 2023

## **WIOA POLICY 1.5**

### **LOCAL WORKFORCE INNOVATION BOARDS CERTIFICATION AND RECERTIFICATION REQUIREMENTS**

#### **I. POLICY**

The Department of Commerce and Economic Opportunity Office of Employment and Training (OET) will make a determination regarding the certification of all Local Workforce Innovation Boards (LWIBs) based on compliance with criteria established in Section 107 of the Workforce Innovation and Opportunity Act (WIOA) and this policy.

#### **1.5.1. Local Workforce Innovation Board Initial Certification**

1. The composition of each Local Workforce Innovation Board (LWIB) will be evaluated on the following criteria:
  - a. Federal membership composition requirements encompassing business, representatives of the workforce, including labor organizations, local education program representatives and representatives of governmental and economic and community development entities;
  - b. Specific requirements for each of the above membership categories; (Refer to the Local Workforce Innovation Board (LWIB) Membership Requirements section of the policy manual.)
  - c. Authority of board members (optimum policy-making authority);
  - d. Majority business membership;
  - e. At least twenty percent (20%) workforce/labor membership; and
  - f. Compliance with the Chief Elected Official (CEO) Agreement and LWIB Bylaws of the local board.
2. If the LWIB meets the requirements for initial certification, it will be certified for a two (2)-year period.
3. Initial LWIB certification requires the electronic submittal of a complete LWIB certification information packet (preferably in .pdf format) to the Office of Employment and Training (OET) by uploading documents to the Local Workforce Area Contacts System (LWACS). The packet consists of the following:

- a. A copy of a Workforce Innovation and Opportunity Act (WIOA) compliant CEO Agreement, signed and dated by the CEO(s). (Refer to the Chief Elected Official Delegation of Authority and Acknowledgment of Financial Liability section of the policy manual for minimum requirements of a CEO Agreement.) Among other requirements, the CEO Agreement must clearly identify:
  - 1) The CEO(s) who have authority to appoint members;
  - 2) The CEO(s) who have the authority to submit appointment requests to OET; and
  - 3) Grant Recipient designation. (Refer to the Chief Elected Official Delegation of Authority and Acknowledgment of Financial Liability section of the policy manual.)
  
- b. A narrative demonstrating how the business members of the LWIB provide employment opportunities that include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area;
  
- c. A statement of accessibility indicating:
  - 1) All LWIB and LWIB committee meetings will be held in accessible facilities; and
  - 2) All materials and discussions are in an accessible format (i.e., large print, Braille, interpreter, etc.) for all members, as needed or indicated.
  
- d. Complete LWIB membership forms, including:
  - 1) Nomination forms (OET/LWIB Form # 001) for all business, education (as needed), and labor members being appointed;
  - 2) Appointment/Reappointment Forms (OET/LWIB Form # 002) for all LWIB members; (Refer to the Local Workforce Innovation Board (LWIB) Membership Requirements section of the policy manual.)
  - 3) A current and accurate Composition Summary Form (OET/LWIB Form # 003); and
  - 4) A current and accurate Composition Summary Form Additional CEO Signature Page (OET/LWIB Form # 004), if applicable.
    - a) Forms # 001 and # 004 are provided as attachments to the Local Workforce Innovation Board (LWIB) Membership Requirements section of the policy manual. (See the Forms & Instructions tab.) Forms # 002 and # 003 are generated by LWACS and must be printed from the system, signed, and uploaded into the LWACS document library.
  
- e. The completed LWIB Certification information packet must be uploaded to the LWACS document library.
  - 1) Do not submit partial packets. Packets without all required signatures, required members and completed documents as outlined in this policy will not be accepted and/or reviewed. If the packet is not in compliance with state and local requirements as determined by Office of Employment and Training (OET) staff, the packet will be returned to the local board staff for revisions.
  - 2) A letter of certification will be issued once the LWIB has been determined to be in compliance.

### **1.5.2. Local Workforce Innovation Board Recertification**

1. The Workforce Innovation and Opportunity Act (WIOA) requires each Local Workforce Innovation Board (LWIB) to be recertified every two (2) years. The first recertification was effective beginning October 1, 2017. Recertification of local boards will be based on the extent to which the local board has ensured:
  - a. Board composition requirements have been maintained;
  - b. Local workforce activities enable the Local Workforce Innovation Area (LWIA) to meet negotiated standards related to performance measures; and
  - c. Fiscal integrity has been sustained.
  - d. If an LWIB meets all membership requirements but fails to meet all performance measures, LWIB recertification will be granted for only a one (1)-year review period instead of a two (2)-year period.
  - e. At the end of the one (1)-year review period, the recertification process will be repeated with an updated assessment of LWIB membership and local performance measures.
  - f. If the LWIB meets all the performance measures during the one (1)-year review period, they will be given a new two (2)-year recertification.
  - g. All recertification documentation is due to the Office of Employment and Training (OET) by October 1 of the recertification year.
2. Subsequent LWIB recertification requires the electronic submittal of a complete LWIB recertification information packet (preferably in .pdf format) to OET. The packet consists of the following:
  - a. A copy of the Chief Elected Official (CEO) Agreement (if changed since the last certification/recertification), signed, and dated by the CEO(s) (Refer to the Chief Elected Official Delegation of Authority and Acknowledgment of Financial Liability section of the policy manual.).
  - b. A copy of the LWIB bylaws (if changed since the last certification/ recertification), signed, and dated;
  - c. A narrative demonstrating how the business members of the LWIB provide employment opportunities that include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area;
  - d. A statement of accessibility indicating:
    - 1) All LWIB and LWIB committee meetings will be held in accessible facilities; and
    - 2) All materials and discussions are in an accessible format (i.e., large print, Braille, interpreter, etc.) for all members, as needed or indicated.
  - e. Complete LWIB membership forms, including:



- 1) Nomination forms (OET/LWIB Form # 001) for all business, education, and labor members being appointed;
  - 2) Appointment/Reappointment Forms (OET/LWIB Form # 002) for all LWIB members; (Refer to the Local Workforce Innovation Board (LWIB) Membership Requirements section of the policy manual.)
  - 3) A current and accurate Composition Summary Form (OET/LWIB Form # 003); and
  - 4) A current and accurate Composition Summary Form Additional CEO Signature Page (OET/LWIB Form # 004), if applicable.
  - 5) Forms # 001 and # 004 are provided as attachments to the Local Workforce Innovation Board (LWIB) Membership Requirements section of the policy manual. Forms # 002 and # 003 are generated by LWACS and must be printed from the system, signed, and uploaded into the LWACS document library.
- f. The completed LWIB recertification information packet must be uploaded to the LWACS document library.
- 1) All recertification packets shall include:
    - a) A copy of the current CEO Agreement;
    - b) A copy of the current LWIB bylaws;
    - c) A copy of the current CEO/LWIB Agreement for LWIBs with such an agreement in place;
    - d) A business member narrative; and
    - e) A statement of accessibility.
- g. Documentation of any changes made to the CEO Agreement, LWIB bylaws, and CEO/LWIB Agreement since the most recent recertification (or original certification if this is the first recertification of the LWIB). Changes should be documented as follows:
- 1) Written summary of all changes to the CEO Agreement, LWIB bylaws, and CEO/LWIB Agreement;
  - 2) A separate electronic copy of the CEO Agreement, LWIB bylaws, and CEO/LWIB Agreement that clearly indicates all changes. (This can be accomplished through word processing software such as using the "Track Changes" feature of Microsoft Word.); and
  - 3) A separate final copy of the CEO Agreement, LWIB bylaws, and CEO/LWIB Agreement.
- h. Do not submit partial packets. Packets without all required signatures, required members and completed documents as outlined in this policy will not be accepted and/or reviewed. If the packet is not in compliance with state and local requirements as determined by OET staff, the packet will be returned to the local board staff for revisions.
- i. A letter of recertification will be issued once the LWIB has been determined to be in compliance.

### **1.5.3. Local Workforce Innovation Board Bylaw Compliance**

1. Upon notification of the Local Workforce Innovation Board (LWIB) certification, the new board is required to review and revise its bylaws for Workforce Innovation and Opportunity Act (WIOA) compliance. At a minimum, the bylaws should include:

- a. The nomination process used by the Chief Elected Official(s) (CEO(s)) to elect the local board chair and members;
- b. The term limitations and how the term appointments will be staggered to ensure only a portion of the membership expires in a given year;
- c. The process to notify the CEO(s) of a board member vacancy to ensure a prompt nominee within ninety (90) days of the vacancy;
- d. Whether an appointee filling a vacancy will serve the remainder of the unexpired term or be appointed for a new full term;
- e. If utilized by the LWIB, the proxy and alternative designee process will be used when a board member is unable to attend a meeting and assigns a designee;
- f. The use of technology, in accordance with the Open Meetings Act, such as phone and web-based meetings that will be used to promote board member participation;
- g. The process to ensure board members actively participate in convening the workforce system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce activities;
- h. A description of any other conditions governing appointment or membership on the board as deemed appropriate by the CEO(s);
- i. The adopted generally accepted parliamentary procedure, such as Robert's Rules of Order, chosen by the LWIB;
- j. The LWIB's policy assuring attendance and participation of its members;
- k. Quorum requirements;
- l. Any standing committees the LWIB has established; (Refer to the Local Workforce Innovation Board (LWIB) Membership Requirements section of the policy manual.)
- m. The LWIB's conflict of interest policy, which may not be any less stringent than the requirements of the Local Workforce Innovation Board Membership Requirements section of the policy manual;
- n. The LWIB's policy on absentee voting, if allowed by the LWIB; and
- o. The process the board will take when expedient action is warranted between board meetings, such as calling a special meeting or allowing the Executive Committee to act on behalf of the board.

2. The LWIB is required to review its existing bylaws periodically. If a need arises to alter the bylaws, then the revised bylaws must be signed, dated, and emailed to the Office of Employment and Training (OET) staff listed on the Contacts tab.
3. A checklist that outlines the required elements of the board bylaws, as well as a suggested template, accompanies this policy.

#### **1.5.4. Local Workforce Innovation Board Decertification**

1. Local Workforce Innovation Boards (LWIBs) are subject to decertification by the Office of Employment and Training (OET) under one or more of the following conditions:
  - a. Failure to carry out functions of the board; or
  - b. Fraud and/or abuse.
  - c. If an LWIB, having already been placed on a one (1)-year cycle of recertification due to a lack of meeting all performance measures, fails to meet all performance measures in a second year, the LWIB may be decertified.
2. A written notice of decertification and opportunity for appeal will be provided before decertification becomes effective.
3. An LWIB that is decertified or fails to achieve initial certification will be required to reappoint and submit a revised membership listing and repeat the process for initial certification.

#### **1.5.5. Local Workforce Innovation Board Appeal Process**

1. If a Local Workforce Innovation Board (LWIB) is denied certification or decertified by the state, it may appeal the decision. The Office of Employment and Training (OET) will notify the LWIB of its decision regarding the appeal within twenty-one (21) days from the receipt of the request by the LWIB.
2. The LWIB has twenty-one (21) days, from the date of receipt of the notice of denial in which to file an appeal to OET. The appeal must include the following information:
  - a. A statement that the LWIB is appealing the denial;
  - b. The reason(s) certification or recertification should be granted or decertification should not be made;
  - c. LWIB contact information to request additional information, if necessary; and
  - d. The signature of the Chief Elected Official (CEO).
3. The appeal must be submitted formally, in writing to OET, and must be sent by registered mail no later than the twenty-first (21<sup>st</sup>) day from the date of receipt of the notice of denial.

4. Appeals must be sent to:
  - Local Workforce Innovation Board Decertification Appeal
  - Illinois Department of Commerce and Economic Opportunity
  - Office of Employment and Training
  - 607 E Adams Street – 3<sup>rd</sup> Floor
  - Springfield, Illinois 62701
  
5. OET will review the request for appeal within twenty-one (21) days of its receipt.
  - a. If an administrative error was made or if additional information submitted by the LWIB changes the basis upon which the original decision was issued, the decision may be reversed, and the LWIB granted certification or recertification, or the decertification may be revoked.
  - b. If OET reverses its decision, it will notify the LWIB of its action in writing.
  - c. If OET does not reverse its decision to deny LWIB certification or recertification or upholds its decision to decertify the LWIB, it shall notify the LWIB within twenty-one (21) days from the receipt of the request by the LWIB.

## II. INQUIRIES

Inquiries related to the requirements of this policy may be directed to Mike Baker at [Michael.Baker@illinois.gov](mailto:Michael.Baker@illinois.gov).

## III. ATTACHMENTS

- A. LWIB Bylaws Template
- B. LWIB Bylaws Checklist

Sincerely,

A handwritten signature in black ink, appearing to read "Julio Rodriguez", with a stylized flourish at the end.

Julio Rodriguez, Deputy Director  
Office of Employment and Training

JR:ld



## PROCUREMENT

Policy No.	2018-08-PRO
Date Adopted	August 8, 2018
Effective Date	August 8, 2018

### INTRODUCTION

This policy addresses the guidelines for the procurement of goods or services when using Workforce Innovation and Opportunity Act funding and addresses the standard of conduct for any individuals or entities involved in competitive procurement. This policy is supplemental to the requirements of the Kane County Purchasing Ordinance and will be made available to the public in accordance with federal guidelines.

### GENERAL GUIDELINES

Locally adopted policies and procedures codified in the most recent version of the Kane County Purchasing Ordinance will be followed when procuring goods or services. All procurement transactions must be conducted in accordance with the Uniform Guidance at 2 CFR Part 200. Proposed costs must be allowable, meaning that they are reasonable, necessary, and allocable.

### FULL AND OPEN COMPETITION

Procurement processes must provide for full and open competition. Entities carrying out procurement will avoid requirements that have the effect of limiting competition, such as requiring unnecessary experience, excessive bonding, or unreasonable qualifications. Noncompetitive pricing or retainer contracts are prohibited. Entities may not specify only “brand name” products in solicitations. Arbitrary actions taken in the procurement process may be considered restrictive to competition and may require review and/or re-solicitation.

Individuals or entities involved in the development or drafting of specifications, requirements, scopes of work, invitations for bids or requests for proposals are to be excluded from competing in such procurements. Information contained in proposals submitted is to be maintained in a manner that is confidential, to avoid the misuse of said information by a competitor and to prevent collusive bidding.

### CONFLICT OF INTEREST

In general, a conflict of interest can be real, apparent, or organizational. A *real conflict* arises when an individual or member of the individual’s immediate family has a financial or personal benefit from a firm considered for a funding contract. An *apparent conflict* may arise due to a perceived lack of impartiality. An *organizational conflict* of interest may be present when an entity is unable to carry out business in an impartial or objective manner, when an unfair competitive advantage is present due to access to information through relationships or activities, or when insufficient firewalls are present within an organization serving multiple roles or administrative functions of the local workforce development system.

Immediate family is defined in the Kane County Code of Ethics Ordinance as father, mother, son, daughter, brother, sister and spouse.

Workforce Development Board members must recuse themselves from participation in activities where a conflict of interest exists, *whether real, apparent or organizational*. This includes, for example, participation in any/all phases of a competitive procurement or non-competitive selection of goods and services, one-stop operator, eligible training providers, etc.

In instances where an entity acts in more than one role in the One-Stop delivery system or performs more than one function in the procurement process, internal controls shall be established to mitigate and prevent conflict of interest. This may include recusal of the affected party from specific activities or business related to procurement, or the use of an outside independent entity to facilitate or review procurement. Firewalls will be established in a manner appropriate to each situation and documented thoroughly.

Additional firewalls may be required in situations where a sole source selection process is utilized.

### **OPERATOR PROCUREMENT**

The Workforce Development Board will authorize the selection of a One-Stop Operator not less often than every four years through a competitive procurement process. In accordance with TEGl 15-16, individuals and entities involved in the competitive selection of an Operator must be free of apparent or real conflicts of interest.

The Board will make available to the public the procurement solicitation, a listing of entities that have submitted bids or proposals, an abstract of bids or proposals received, the identity of the selected One-Stop Operator, and the total award amount and contract duration. Should it be determined that sole source procurement is necessary and reasonable, thorough documentation of the decision-making process will be prepared, consistent with the policies outlined in the Uniform Guidance at 2 CFR Part 200.320.

### **PROCUREMENT CYCLES**

Providers or subcontractors for Adult, Dislocated Worker and Youth Title IB funding will generally be procured every three years.

### **REFERENCES:**

*WIOA Section 121(d)*

*WIOA Final Rule 20 CFR 678.600-635*

*Uniform Administrative Requirements; 2 CFR 200.317-326*

*TEGL 15-16*

## ARTICLE VI. PURCHASING

SECTION:

### *Division 1. General Provisions*

2-206: Generally

2-207: Definitions

### *Division 2. Procurement Organization*

2-208: Official

2-209: Regulations And Operational Procedures

2-210: Public Access To Procurement Information

2-211: Delegation To Other County Officials

### *Division 3. Source Selection And Contract Formation*

2-212: Purchases Below Simplified Acquisition Threshold

2-213: Artificial Division Or Fragmentation Prohibited

2-214: Bidding

2-215: Request For Proposals

2-216: Professional Services Selection Process

2-217: Emergency Purchase

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2-219: Request For Information

2-220: Change Order(s)

2-221: Cooperative Joint Purchasing

2-222: Solicitation Amendments

2-223: Bids/Offers

2-224: Solicitation

2-225: Rejection Of Individual Bids Or Proposals

2-226: Responsibility Of Bidders And Offerors

2-227: Multiyear Contracts

2-228: Extension Of Bid/Offer Acceptance Time

2-229: Electronic Reverse Auction Bidding

2-230: Communication During The Procurement Process

2-231: Revenue Generating Contracts

2-231-1: Responsible Bidder Requirements For Public Works Projects

### *Division 4. Specifications*

2-232: Responsibility For Specifications

2-233: Relationship With Using Agencies

2-234: Maximum Practicable Competition

2-235: Contractors Engaged For Specification Development

### *Division 5. Appeals And Remedies*

2-236: Bid Protests And Claims

2-237: Appeal

### *Division 6. Debarment And Suspension*

2-238: Prohibition To Award Contracts To Parties Debarred Or Suspended



## DIVISION 1. GENERAL PROVISIONS

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### 2-206: GENERALLY:

A. Purpose: Pursuant to Kane County's statutory obligation to provide for the purchase of commodities, equipment and services, the purpose of this article is to manage the procurement process in compliance with all applicable laws and ensure that fair and equitable treatment is provided to all parties involved in Kane County's purchasing activities. The intent is to foster a competitive bidding environment to maximize public procurement funds, thereby increasing public confidence in the county's purchasing practices.

B. Applicability: This article applies to procurement of materials, services, supplies, equipment, construction, construction related services and professional services by Kane County. These provisions shall apply to all expenditures of public funds by a county agency for purchasing regardless of its source, except as otherwise provided by federal or state law, regulations, Kane County ordinance or administrative policy. Procurements involving federal or state funding will be subject to any applicable law, regulation or grant.

C. Severability: If any provision of this article or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect the validity of the remaining provisions or application of this article.

D. Property Rights: Receipt of a solicitation or other procurement document, or submission of any response thereto, or other offer, confers no right to receive an award or contract, nor does it obligate Kane County in any manner. (Ord. 15-364, 12-8-2015)

### 2-207: DEFINITIONS:

A. Singular-Plural: Words in the singular number include the plural and those in the plural include the singular.

B. Gender: Words of a particular gender include any gender and the neuter, and when sense so indicates, words of the neuter gender may refer to any gender.

C. Definitions:

**ARCHITECTURAL, ENGINEERING AND LAND SURVEYING SERVICES:** Those professional services within the fields of architecture, professional engineering, structural engineering or land surveying as defined by the local government professional services selection act, 50 Illinois Compiled Statutes 510/1 et seq.

**BID SECURITY:** A guarantee that the bidder will enter into a contract, if an offer is presented within the specified period of time, otherwise failure on the bidder's part will result in forfeiture of the bid security.

**CHANGE ORDER:** Written authorization directing the contractor to modify or change an existing purchase order or contract.

**COMPETITIVE PROPOSALS:** Purchases over the simplified acquisition threshold (SAT). Formal solicitation required as well as fixed price cost reimbursement contracts and is used when sealed bids are not appropriate. The contract should be awarded to the responsible firm whose proposal is most advantageous to the program, with pricing being one of the factors.

**COMPETITIVE SELECTION:** A process whereby public solicitation is used to select the most qualified and responsible provider of materials, equipment, supplies, services, construction, and construction related services. Methods of competitive selection include invitation for bids, requests for proposals and requests for qualifications and multiple price quotations.

**CONFIDENTIAL INFORMATION:** Any information which is available to an individual, solely due to his/her status as a county employee, and which is not a matter of public knowledge or accessible to the public on request.

**CONSTRUCTION:** The process of building, altering, repairing, improving, or demolishing any structure or building, or other improvements of any kind to any real property.

**CONTRACT:** All types of county agreements, including purchase orders, whether oral or written and regardless of what they may be called, for the procurement of materials, services, equipment, supplies, or construction and construction related services that are legally binding promises enforceable by law.

**CONTRACT MODIFICATION:** Any written alteration in the terms or conditions of any contract accomplished by mutual action of the parties to the contract.

**CONTRACT RENEWAL:** Continuation of the contract for an additional period of time, under the original terms and conditions, when allowed by provisions for renewal, which were included in the original bid document. If the bid document does not include provisions for renewal, any continuation of the contract would be considered a new contract and therefore must be rebid.

**CONTRACT, REVENUE GENERATING:** Revenue generating contracts are agreements under which the county receives from a vendor either a commission or share in the profit generated from the sale of goods or services. Examples include vending machines, food service, and joint purchasing agreements.

**CONTRACTOR:** Any person or entity that is a party to a contract with the county or a using county agency thereof.

**COOPERATIVE JOINT PURCHASING:** Procurement conducted by or on behalf of more than one governmental unit.

**COUNTY AGENCY:** A county officer, employee, department, division, office, official, commission, board, or agency whose purchasing authority is subject to the provisions of this article.

**DEBARMENT:** Debarment is the process of determining that a contractor is ineligible to receive contract awards based upon a preponderance of evidence, usually a conviction. Debarment is usually three (3) years in length. The name of the debarred contractor may be published as ineligible on the system for award management (SAM), which is a website administered by the U.S. general services administration, or on the list of sanctioned providers maintained by the state of Illinois office of inspector general.

**DISCUSSIONS:** Oral or written negotiations between the county or its agencies and an offeror during which information is exchanged about specifications, scope of work, terms, conditions and price set forth in the initial proposal. Communication with an offeror for the sole purpose of clarification does not constitute discussions.

**ELECTED OFFICIAL:** For the purposes of this article, elected official includes: clerk of the circuit court, county auditor, county board chairman, county board members, county clerk, county coroner, county treasurer, county recorder of deeds, superintendent of the regional office of education, county sheriff and state's attorney. For purposes of this article, the chief judge of the 16th circuit is deemed an elected official.

**EMERGENCY PURCHASE:** Procurements obtained in circumstances which include, but are not limited to: situations threatening public health or safety, where immediate repairs are required to county property to protect or prevent against further loss or damage, where immediate action is needed to prevent or minimize disruption to county services, where immediate action is required to ensure integrity of county records, or where immediate action is necessary to avoid a lapse or loss of federal, state or donated funds.

**EQUIPMENT:** Goods that are purchased or used by a county agency that are not materials or supplies that are not expendable except through depreciation or wear and tear, and do not lose their identity or become integral parts of other items or installations.

**FULLY EXECUTED CONTRACT:** An agreement is fully executed when it bears the signatures of all parties obligated by the agreement, including the department head or county board chairman.

**GOVERNMENTAL UNIT:** The state of Illinois, any public authority which has the power to tax, or any other public entity created by federal or state statute.

**INVITATION FOR BIDS:** A formal request to prospective vendors soliciting price quotations or bids; contains, or incorporates by reference, the specifications or scope of work and all contractual terms and conditions.

**MATERIALS:** Items or supplies required in the performance of day to day operations.

**MICROPURCHASES:** Purchases that are less than ten thousand dollars (\$10,000.00) (\$2,000.00 for those construction projects subject to the Davis-Bacon act).

**MULTIPLE PRICE QUOTATION:** Where competitive selection is not required or cannot be utilized because of an emergency, a process of obtaining price information from at least three (3) sources or vendors prior to purchase.

**PARENT COMMITTEE:** A standing or ad hoc committee established by the Kane County board with specific using agency jurisdiction and responsibilities.

**PERSON:** Any individual or group of individuals, business, union, firm, corporation, trust, sole proprietorship, joint stock company, partnership, association, joint venture, committee, club, or any entity.

**PROCUREMENT:** The purchasing, renting, leasing or otherwise acquiring of materials, supplies, equipment, services, construction and construction related services. Includes all functions that pertain to obtaining any material, equipment, supplies, services, construction or construction related services, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. Procurement shall include, without limitation, the entering into of all contracts or agreements, whether the same are oral or written.

**PROFESSIONAL SERVICES:** Those services requiring special knowledge, education or skill whereby the qualifications of persons rendering the services are of primary importance. Professional services shall include, but not be limited to, appraisers, attorneys, architects, engineers, accountants, land surveying services, psychologists, physicians and other health professionals and clergy. An essential element distinguishing professional services from other services is confidence, trust, and belief in not only the ability, but also the judgment and talent, of the person performing the service.

**PURCHASE ORDER:** A written document signed and issued by the purchasing department to a vendor formalizing all terms and conditions of a proposed transaction, such as a description of requested item(s), delivery schedule, terms of payment, and transportation; and directing a business to provide materials, equipment, supplies, services, construction and construction related and professional services to the county.

**PURCHASING AGENT:** The director of purchasing or any staff member of the purchasing department authorized to act as a purchasing agent for the county and shall be responsible for the procurement of materials, supplies, equipment, services, construction, construction related services and professional services, and processing contract and purchase orders.

**REQUEST FOR INFORMATION:** All documents issued to vendors for the sole purpose of seeking information about the availability in the commercial marketplace of materials, equipment, supplies, services, construction, and construction related services.

**REQUEST FOR PROPOSALS:** A formal request to prospective vendors soliciting proposals for professional services contains, or incorporates by reference, the specifications or scope of work and all contractual terms and conditions.

**REQUEST FOR QUALIFICATIONS:** All documents, whether attached or incorporated by reference, which are used for soliciting qualifications in accordance with procedures defined herein.

**RESPONSIBLE BIDDER OR OFFEROR:** A person who has the capability, in all respects, to fully perform the contract requirements and who has the facilities, personnel, experience, integrity, reliability, equipment, acceptable past performance, financial strength, credit ranking which will assure good faith performance and is a responsive bidder.

**RESPONSIVE BIDDER:** A person who has submitted a bid that conforms, in all material respects, to the requirements set forth in the invitation for bid.

**REVERSE AUCTIONS:** A reverse auction is a real time bidding process taking place at a scheduled time and internet location, in which multiple suppliers, anonymous to each other, submit bids to provide the designated goods and services specified in the invitation to bid.

**SEALED BIDS:** Purchases over the simplified acquisition threshold (SAT). Formal solicitation required and the fixed price is awarded to the responsible bidder who conformed to all material terms and is the lowest in price.

**SERVICES:** The furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports, which are merely incidental to the required performance. This definition shall not apply to employment agreements, collective bargaining agreements or to the definition of "professional services" as provided in this section.

**SIMPLIFIED ACQUISITION THRESHOLD:** The acquisition of supplies and services including construction, research and development and commercial items, the aggregate amount of which does not exceed thirty thousand dollars (\$30,000.00) in any one year period.

**SMALL PURCHASE THRESHOLD:** The threshold established by the county at which public bids are not required.

**SMALL PURCHASES:** Purchases that are at least ten thousand dollars (\$10,000.00) (\$2,000.00 for those construction projects subject to the Davis-Bacon act) and less than thirty thousand dollars (\$30,000.00).

**SOLE SOURCE PROCUREMENT:** Award of contract when there is only one source for the required supply, service, or construction item as determined through a competitive selection process.

**SOLICITATION:** An invitation for bids or request for proposals to provide materials, services, equipment, supplies or construction and construction related services and professional services.

**SPECIFICATIONS:** Any description of the physical or functional characteristics or nature of materials, services, equipment, supplies or construction and construction related services. It may include a description of any requirement for inspecting, testing or preparing materials, services, supplies, equipment, construction and construction related services.

**STRINGING:** Dividing or fragmenting procurements in order to circumvent competitive selection processes and procedures. For purposes of this article, "stringing" is the practice of issuing multiple purchase orders or requisitions for purchasing like items or services, with the wilful intent to circumvent purchasing policies.

**SUBCONTRACTOR:** A person who contracts to perform work or render service to a contractor or to another subcontractor as a part of a contract with the county.

**SUPPLIES:** Materials or items used in day to day operations, which are usually stored and dispensed as required.

**SURPLUS PROPERTY:** Any tangible county owned property no longer having any use to the county. Surplus property includes obsolete supplies, scrap materials, vehicles, equipment and nonexpendable supplies that have completed their useful life cycle.

**SUSPENSION:** The process of determining that a contractor is ineligible to receive contract awards based upon adequate evidence, usually an indictment. Suspension is a temporary measure having a twelve (12) month limit. It is usually used pending completion of an investigation or legal proceedings. The name of the suspended contractor will be published as ineligible on the system for award management (SAM), which is a website administered by the U.S. general services administration, or on the list of sanctioned providers maintained by the state of Illinois office of inspector general.

**USING AGENCY:** Any county agency which utilizes any materials, services, supplies, equipment or construction and construction related services procured under this article. (Ord. 15-364, 12-8-2015; amd. Ord. 21-538, 12-14-2021)

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## **DIVISION 2. PROCUREMENT ORGANIZATION**

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### **2-208: OFFICIAL:**

A. Principal Public Purchasing Official: The director of purchasing shall serve as the purchasing agent for the county and shall be responsible for the procurement of materials, supplies, equipment, services, construction, construction related services and professional services in accordance with this article.

B. Duties: In accordance with this article and subject to the direction of the Kane County board, the finance committee, and the director of finance, the director of purchasing shall:

1. Procure or supervise the purchasing of materials, services, supplies, equipment, construction, construction related services and professional services required by the county.

2. Process contracts and purchase orders solicited through open competition for materials, equipment, services, supplies, construction, and construction related services and professional services required by the county.

3. Create and maintain programs for contract administration, specification preparation, inspection, testing and acceptance, in cooperation with the county agencies using the materials, supplies, services, equipment, construction, construction related services and professional services.

4. Make written determinations as required by this article, specifying the facts supporting the determination, for retention in the permanent contract file.

5. Sell, trade, transfer, or otherwise dispose of surplus county property. (Ord. 15-364, 12-8-2015)

**2-209: REGULATIONS AND OPERATIONAL PROCEDURES:**

Consistent with this article, in conjunction with the approval of the finance committee and director of finance, the director of purchasing may adopt purchasing regulations and procedures, which relate to the execution of his/her duties. All such regulations and procedures shall be made available for public inspection.

As a matter of accounting procedure to ensure the county has accurate real time accounting records, department heads are required to use the purchasing module of the county's finance system for requisitioning materials, supplies, equipment, services, construction, construction related services and professional services, in order for the purchasing department to issue purchase orders for these transactions. (Ord. 15-364, 12-8-2015)

**2-210: PUBLIC ACCESS TO PROCUREMENT INFORMATION:**

Procurement information is a public record but is subject to certain exemptions from disclosure under the Illinois freedom of information act. (Ord. 15-364, 12-8-2015)

**2-211: DELEGATION TO OTHER COUNTY OFFICIALS:**

A. Authority: Pursuant to this article, the director of purchasing may delegate authority to a using agency to purchase certain supplies, equipment, materials, services or construction and construction related services, if such delegation is determined to be the most effective means for procurement of these items.

B. Procurement Authority: When the director of purchasing has delegated procurement authority to a county agency, delegation of all duties and responsibilities of the director of purchasing under this article shall transfer to the county official to whom procurement authority has been delegated.

C. Specific Delegation; Elected Officials: Elected officials having "purchasing authority" pursuant to an internal control statute are encouraged to use the support services of the county's director of purchasing wherever possible. In all cases where the county's purchasing department is not a part of the purchasing transaction, and as a part of the county's duty to provide timely financial information, the duty to follow the provisions of section 2-209 of this chapter and all other provisions regarding the requisition of goods and services is hereby delegated to each and every such elected official.

As a matter of accounting procedure to ensure the county has accurate real time accounting records, elected officials are required to use the purchasing module of the county's finance system for requisitioning materials, supplies, equipment, services, construction, construction related services and professional services.

D. Department Of Transportation: The procurements as set forth below by the county's department of transportation need not be processed by the director of purchasing, but the department shall be subject to the requirements of this article and the regulations promulgated hereunder in making these procurements:

1. Road and bridge construction, construction related services, engineering services, land acquisition, appraisal services and technical services necessary to meet the operational requirements of the Kane County engineer.

E. Purchasing Records: All records relating to a purchase shall be maintained by the county agency to which procurement authority has been delegated and a copy of all such records shall be provided to the purchasing department upon selection of a vendor. (Ord. 15-364, 12-8-2015)

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## **DIVISION 3. SOURCE SELECTION AND CONTRACT FORMATION**

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**2-212: PURCHASES BELOW SIMPLIFIED ACQUISITION THRESHOLD:**

A. Simplified Acquisition Threshold (SAT): The simplified acquisition threshold (SAT) for the purpose of this article is established at the level of thirty thousand dollars (\$30,000.00).

1. Micropurchases: Procurement of materials, services, supplies, equipment, construction or construction related services that are less than ten thousand dollars (\$10,000.00) (\$2,000.00 for those construction projects subject to the Davis-Bacon act). There is no requirement to obtain competitive quotes but efforts should be made to distribute purchases equitably among qualified providers.

2. Small Purchases: Procurement of materials, services, supplies, equipment, construction or construction related services that are at least ten thousand dollars (\$10,000.00) (\$2,000.00 for those construction projects subject to the Davis-Bacon act) and less than the simplified acquisition threshold of thirty thousand dollars (\$30,000.00) may be awarded by department heads and/or the director of purchasing where there has been a competitive price quotation process and at least

three (3) quotations have been obtained prior to selection. (Ord. 15-364, 12-8-2015; amd. Ord. 21-538, 12-14-2021)

**2-213: ARTIFICIAL DIVISION OR FRAGMENTATION PROHIBITED:**

Procurements shall not be artificially divided or fragmented (stringing) so as to fall below the simplified acquisition threshold (SAT) in order to circumvent any bidding or competitive selection process and procedures described in this article. (Ord. 15-364, 12-8-2015)

**2-214: BIDDING:**

**A. Competitive Bidding:**

1. Conditions For Use: All procurements whose value equals or exceeds the simplified acquisition threshold (SAT) of thirty thousand dollars (\$30,000.00) shall be awarded either by competitive sealed bidding or electronic reverse auction in accordance with section 2-229, "Electronic Reverse Auction Bidding", of this chapter, except as otherwise provided in sections 2-215, "Request For Proposals", 2-216, "Professional Services Selection Process", 2-217, "Emergency Purchase", and 2-221, "Cooperative Joint Purchasing", of this chapter or as provided by state statute.
2. Invitation For Bids: An invitation for bids shall be issued and include all specifications, terms and conditions applicable to the procurement.
3. Public Notice: Reasonable time for the required public notice of the invitation for bids shall be given, not less than ten (10) calendar days, excluding county holidays, prior to the date set forth therein for the submittal and opening of bids. For bids requiring a mandatory prebid conference, the public notice must be published at least five (5) calendar days prior to the conference date. Such notice shall include publication in a newspaper of general circulation within Kane County. The public notice shall state the project, place, submittal date and time of bid opening.
4. Bid Opening: Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The name of each bidder, bid amount and the relevant information the director of purchasing deems appropriate shall be read aloud and recorded on an abstract. The abstract shall be available to public inspection in accordance with section 2-210, "Public Access To Procurement Information", of this chapter.
5. Late Bids: No bids received after the time specified in the invitation for bids will be considered, as it is the responsibility of the bidder to ensure the bid is delivered according to the requirements stated in the solicitation. All bids received after the specified time will be returned unopened to the bidder.
6. Acceptance And Evaluation Of Bids: Bids shall be unconditionally accepted without alteration or correction, except as authorized by this article. Bids shall be evaluated to determine which bidder offers the lowest cost to the county in accordance with the evaluation criteria set forth in the solicitation. Only objectively measurable criteria set forth in the invitation for bids shall be applied in determining the lowest responsive bidder. Examples of such criteria include, but are not limited to, quality of the product supplied, the product's conformity with the specifications, suitability of the product to the requirements of the county, availability of support services, uniqueness of the service, materials, equipment or supplies as it applies to networked integrated computer systems, compatibility to existing equipment, delivery terms, discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used and no other criteria, not stated in the specifications, shall be used. Alternative bids may be considered and accepted, only if provisions authorizing such offers are specifically stated in the invitation for bids and fulfill the required evaluation criteria set forth therein.
7. Award: Upon submittal and approval from the using agency's parent committee and executive committee or county board, whichever is appropriate, the contract shall be awarded by appropriate notice to the lowest responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids. All contractually required documentation will be required prior to any notice to proceed.

**B. Multistep Sealed Bids:**

1. Conditions For Use: The multistep sealed bid method may be used if the purchasing director determines:
  - a. Available specifications or purchase descriptions are not sufficiently complete to permit full competition without technical evaluations and discussions to ensure mutual understanding between the bidder and the county.
  - b. Definite criteria exists for evaluation of technical offers.
  - c. More than one technically qualified source is expected to be available.
  - d. A fixed price contract will be utilized.
2. Invitation To Submit Technical Offers: In phase one, multistep bidding shall be initiated by the issuance of an invitation to submit technical offers and shall be prepared in a format approved by the director of purchasing. The invitation to submit technical offers shall contain the following information:
  - a. Notice that the procurement will be conducted in two (2) phases and priced bids shall be considered only in the second phase from bidders whose unpriced technical offers are found acceptable in the first phase.
  - b. Instructions and information concerning submission requirements, due date and time, submittal address, time period the offer shall remain open and any other special information.
  - c. The best description of the materials, equipment or services requested.

d. The requirements of the technical offers, such as drawings, descriptive literature, samples, technical data and inspection or testing of a product before award.

3. Public Notice: Reasonable time for the required public notice of the invitation to submit technical offers shall be given, not less than ten (10) calendar days, excluding county holidays, prior to the date set forth therein for the submittal and opening of bids. For offers requiring a mandatory preproposal conference, the public notice must be published at least five (5) calendar days prior to the conference date. Such notice shall include publication in a newspaper of general circulation within Kane County. The public notice shall state the project, place, submittal date and time of bid opening.

4. Public Opening: The name of each offeror and other information deemed appropriate by the director of purchasing shall be read aloud and recorded on an abstract, which will be available for public inspection. The abstract and each technical offer shall be open to public inspection in accordance with section 2-210, "Public Access To Procurement Information", of this chapter.

5. Amendments To Technical Offers: The invitation to submit technical offers may be amended after the submission of the unpriced technical offers and shall only be distributed to bidders who submitted unpriced technical offers. These bidders will be permitted to submit new unpriced technical offers or to amend the offers previously submitted. If an amendment materially changes the procurement, the invitation to submit technical offers shall be canceled in accordance with subsection 2-224A of this chapter.

6. Acceptance And Evaluation Of Technical Offers: Unpriced technical offers shall be evaluated solely in accordance with the criteria set forth in the invitation to submit technical offers and shall be determined to be either acceptable or potentially acceptable for further consideration or unacceptable. A determination that an unpriced technical proposal is unacceptable shall be in writing, state the basis of the determination and be retained in the procurement file. If the director of purchasing determines a bidder's unpriced technical offer is unacceptable, the director of purchasing shall notify the bidder of this determination and that the bidder shall not be afforded an opportunity to amend its technical offer.

7. Discussions With Vendors: The director of purchasing may hold discussions with any bidder who submits an acceptable or potentially acceptable technical offer, before submission or at any time during the evaluation of the unpriced technical offers. During discussions, the director of purchasing shall not disclose any information derived from one unpriced technical offer to any other bidder. After discussions, the director of purchasing shall establish a closing date for receipt of final technical offers and shall notify, in writing, bidders submitting acceptable or potentially acceptable offers of the closing date. The director of purchasing shall keep a record of all discussions.

8. Receipt Of Final Technical Offers: After receipt of final technical offers, the director of purchasing shall determine whether the technical offers are acceptable for consideration in phase two or are unacceptable.

9. Withdrawal Of Offers In Phase One: At any time during phase one, offers may be withdrawn.

10. Public Access: Technical offers received shall be open to public inspection after the execution of a contract except to the extent set forth in section 2-210, "Public Access To Procurement Information", of this chapter.

11. Phase Two Of Multistep Sealed Bidding: Upon completion of phase one, the director of purchasing shall conduct phase two by issuing an invitation for bids under subsection A, "Competitive Bidding", of this section, except that the invitation for bids shall be issued only to bidders whose technical offers were determined to be acceptable in phase one. (Ord. 15-364, 12-8-2015)

## **2-215: REQUEST FOR PROPOSALS:**

A. Conditions For Use: In cases where the county seeks to contract for a project or service whose goals, tasks or results are known, but for which the procedure or method of accomplishing same either may not be specified or is otherwise undetermined, a contract may be entered into by use of the request for proposal procedure. Reasons for using the request for proposal procedure shall be approved by the director of purchasing prior to the commencement of this procedure and presented for informational review to the finance committee and the appropriate parent committee at their next scheduled meeting. Professional service contracts that equal or exceed thirty thousand dollars (\$30,000.00) shall be subject to a request for proposal according to the selection process set forth in section 2-216, "Professional Services Selection Process", of this chapter.

B. Request For Proposals: A request for proposals shall be issued and include all specifications, terms and conditions applicable to the procurement.

C. Public Notice: Reasonable time for the required public notice of the invitation to submit proposals shall be given, not less than ten (10) calendar days, excluding county holidays, prior to the date set forth therein for the submittal and opening of the proposals. For offers requiring a mandatory preproposal conference, the public notice must be published at least five (5) calendar days prior to the conference date. Such notice shall include publication in a newspaper of general circulation within Kane County. The public notice shall state the project, place, submittal date and time of bid opening.

D. Receipt Of Proposals: Names of offerors will be read aloud in the presence of one or more witnesses and recorded on an abstract. Contents of the sealed proposals shall not be disclosed to any of the competition or offerors during the negotiation process. The abstract shall be open for public inspection only after the contract is awarded in accordance with section 2-210, "Public Access To Procurement Information", of this chapter.

E. Evaluation Factors: The request for proposals shall state the relative importance of price and other evaluation factors.

F. Discussions With Responsible Offerors And Revisions To Proposals: As provided in the request for proposals,

discussions may be conducted with the responsible offerors, who submitted proposals determined to be susceptible of being selected for award, for the purpose of clarification to assure full understanding and responsiveness to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussions and revision of proposals and such revision may be permitted after submissions and prior to award for the purpose of obtaining best and final offers.

G. Award: After submission and approval by the using agency's parent committee and executive committee or county board, whichever is appropriate, award will be made to the responsible offeror whose proposal conforms to the solicitation and is determined, in writing, to be in the best interests of the county based on the evaluation factors set forth in the request for proposals. The contract file shall contain the basis on which the award is made. (Ord. 15-364, 12-8-2015)

## **2-216: PROFESSIONAL SERVICES SELECTION PROCESS:**

There will be circumstances where it will be necessary or advisable for Kane County to engage the services of independent professionals because of the county's requirement or need for such services determined on a project specific basis. In such cases, it shall be the goal of the county to negotiate the lowest reasonable fees consistent with obtaining the highest possible quality of service and professional expertise from the service providers. Independent professional service providers shall be selected on the basis of their demonstrated competence and expertise relative to the services to be rendered, the cost of the services, and their demonstrated or perceived ability to work with county staff, elected officials, and, where applicable, other units of government and members of the public.

The services may require mandatory or essential technical skills as well as, in some cases, professional licenses or certifications and are provided by accredited professionals in connection with defined assignments, which may result in the preparation of a report, the review and analysis of reports prepared by others, preparation of plans or specifications, recommendations of a particular course of action or policy, and include supervision of an activity (such as construction).

A. Requirements For Engagement Of Independent Professionals: The need or requirement of the county for the engagement of independent professional services shall be based on a determination that one or more of the following circumstances exist:

1. The project requires an independent professional as a condition of federal, state or local law or regulation, or as a condition of a federal, state or other grant or intergovernmental agreement;
2. The project requires specialized expertise or multiple areas of expertise not available from existing staff;
3. County staff is not available for the project due to present or anticipated workload or other time constraints;
4. The project requires a limited engagement where it is not cost effective to hire new full time staff to provide the necessary services or expertise;
5. An actual emergency exists where existing staff cannot effectively be deployed or mobilized due to the nature of the occurrence or time constraints.

B. Procedures For Selection Of Independent Professionals Not Subject To The Local Government Professional Services Selection Act: Contracts for professional services that are less than ten thousand dollars (\$10,000.00) may be awarded by department heads pursuant to rules promulgated by the Director of Purchasing.

Contracts for professional services that are at least ten thousand dollars (\$10,000.00) and less than thirty thousand dollars (\$30,000.00) may be awarded by department heads and/or the Director of Purchasing where there has been a competitive price quotation process and at least three (3) quotations for the services have been obtained prior to selection.

Contracts for professional services that equal or exceed thirty thousand dollars (\$30,000.00) shall be awarded after a competitive selection process that includes a request for proposal to provide the services, except in cases of actual emergency as set forth in section 2-217, "Emergency Purchase", of this division. The County may require a uniform request for proposal process to be employed in the case of all contracts subject to the jurisdiction of the Kane County Board and such other cases where it can be made applicable.

Contracts for professional services shall include or be accompanied by documentation from the appropriate department head or parent committee referencing the specific provision(s) of subsection A, "Requirements For Engagement Of Independent Professionals", of this section applicable to the particular project.

C. Procedures For Selection Of Independent Professionals Subject To The Local Government Professional Services Selection Act: Professional services of architects, engineers and land surveyors are governed by the requirements of the Local Government Professional Services Selection Act, 50 Illinois Compiled Statutes 510/1 et seq. (the "Act"), and by local policy, rules and regulations, including where applicable, the qualification based selection process of the Kane County Division of Transportation. All professional service contracts or agreements for professional services for architectural, engineering or land surveying purposes, which equal or exceed five thousand dollars (\$5,000.00), shall be subject to the Act.

D. Legal Services: Legal services are subject to the supervision and control of the Kane County State's Attorney.

E. Procedures For Purchase Of Items Not Suitable For Competitive Bid, 55 Illinois Compiled Statutes 5/5-1022(c): The purchase of used computer hardware, used computer hardware maintenance, and used computer hardware support services shall not be required to be competitively procured. Purchases over thirty thousand dollars (\$30,000.00) must be authorized for purchase by the County Board.



The purchase of computer software, computer hardware, and computer databases that have been competitively procured and that require additional proprietary licensing, software integrations, software development, software maintenance, computer hardware maintenance, database maintenance, software support services, database support services and computer hardware support services are not suitable for competitive procurement and may be authorized for purchase. Purchases over thirty thousand dollars (\$30,000.00) must be authorized by the County Board.

F. Sole Source Procurement: With the exception of micropurchases (subsection 2-212A1 of this division), no contract may be awarded without complying with the competitive selection process appropriate for the type of procurement as determined by one of the following sections of this division: subsection 2-212A2, "Small Purchases", subsection 2-214A, "Competitive Bidding", subsection 2-214B, "Multistep Sealed Bids", section 2-215, "Request For Proposals", this section, section 2-217, "Emergency Purchase", section 2-218, "Auction Purchases", or section 2-221, "Cooperative Joint Purchasing".

1. Purchases below the simplified acquisition threshold (\$30,000.00): If after conducting a good faith review of available sources, there is only one source for the required supply, service, or construction item, both the Purchasing Director and the department head must approve of the negotiated price, delivery and terms.

2. Purchases at or above the simplified acquisition threshold (\$30,000.00): If after complying with the appropriate competitive selection process only one responsive bid or offer is received, the procurement shall comply with the procedures stated in subsection 2-223F, "Only One Bid/Offer Is Received", of this division. (Ord. 15-364, 12-8-2015; Ord. 19-46, 2-11-2019; Ord. 21-538, 12-14-2021)

### **2-217: EMERGENCY PURCHASE:**

A. Conditions For Use: An emergency purchase equaling or exceeding thirty thousand dollars (\$30,000.00) may be authorized without bidding in certain situations including, but not limited to, situations threatening public health or safety, where immediate repairs are required to County property to protect or prevent against further loss or damage, where immediate action is needed to prevent or minimize disruption to County services, where immediate action is required to ensure integrity of County records and where immediate action is necessary to avoid the lapse or loss of Federal, State or donated funds. An emergency purchase shall be limited to those materials, supplies, equipment, services, construction and construction related services necessary to satisfy the emergency and these purchases shall be made with such competitive evaluation as is practicable under the circumstances.

B. Emergency Affidavit: A department seeking an emergency purchase shall prepare an emergency affidavit documenting both the existence of an emergency condition and the nature of the emergency. The department head shall sign the affidavit and submit to the County Board Chairman the emergency affidavit requesting authorization to make the emergency purchase. If the county board chairman is unavailable, then the signature authorizing approval shall be obtained from the board vice chairman. If the board vice chairman is unavailable, then the signature authorizing approval shall be obtained from the using agency's parent committee chairman and the finance committee chairman.

C. Cost Or Pricing Data: The director of purchasing may require from the requesting county agency the submission of cost or pricing data in connection with an award under this section.

D. Negotiations: The director of purchasing shall negotiate with the supplier, to the extent practical, a contract in the best interest of the county. The price being paid must be reasonable considering the circumstances.

E. Contract Documentation: The emergency affidavit must be submitted to the director of purchasing as soon as practicable and shall be included in the contract file.

F. Board Ratification: Any emergency purchase equaling or exceeding thirty thousand dollars (\$30,000.00) under this section shall be placed on the agenda for ratification at the next regularly scheduled parent committee, executive committee and county board meeting. (Ord. 15-364, 12-8-2015)

### **2-218: AUCTION PURCHASES:**

Purchases may be made at auction in accordance with the procedures and requirements applicable to that particular auction. Notice and competitive selection is not a requirement and the amount paid shall be the amount bid and accepted, plus any required buyer's premium. Prior to the auction, the county's finance director must authorize in writing an upper expenditure limit for the item(s) under consideration at auction. Auction purchases shall be treated as an emergency purchase and shall comply with the procedures stated in subsections 2-217B and C of this chapter. (Ord. 15-364, 12-8-2015)

### **2-219: REQUEST FOR INFORMATION:**

The director of purchasing may issue a request for information to obtain data about services, equipment, materials, supplies, or construction and construction related services to meet a specific county requirement. Sufficient public notice shall be provided in the same manner as stipulated in subsection 2-214A3, "Public Notice", of this chapter. (Ord. 15-364, 12-8-2015)

### **2-220: CHANGE ORDER(S):**

Change order(s) for a contract obtained pursuant to this article shall be processed under the following guidelines:

A. A change order(s) where the cost equals or exceeds thirty thousand dollars (\$30,000.00), either singularly or in the aggregate, requires approval from the authorized official of the using agency, the parent committee of the using agency and the county board.

B. In situations where the time required for processing approval of a change order necessitated by field conditions,

whose total purchase cost exceeds thirty thousand dollars (\$30,000.00), would unreasonably interrupt project schedules to the financial detriment of the county, the change order may be processed by an authorized official of the county's using agency after written notification to the using agency's parent committee chairman. Change orders made under these conditions shall be placed on the agenda for ratification at the next regularly scheduled executive committee or county board meeting, whichever is appropriate. (Ord. 15-364, 12-8-2015)

**2-221: COOPERATIVE JOINT PURCHASING:**

A. The director of purchasing may procure materials, services, supplies, equipment, construction or construction related services, through any governmental agency without complying with the requirements of subsection 2-214A, "Competitive Bidding", of this chapter, provided:

1. Such procurements are made pursuant to a written agreement between the governmental agency and the Kane County board.
2. Competitive selection procedures, similar to the requirements of subsection 2-214A, "Competitive Bidding", of this chapter, were used in the applicable procurement.
3. This type of procurement is not employed as a means for circumventing the general intent of this article.
4. The county is authorized by Illinois law or regulation to contract with such governmental agency, including, without limitation, authorization under the Governmental Joint Purchasing Act, 30 ILCS 525/01 et seq.

Prior to entering into any such written agreement, the director of purchasing shall obtain a written opinion from the Kane County state's attorney that such agreement is authorized by law.

B. The Director of Purchasing may, without violating any bidding requirements of Section 4.2, procure supplies and services under any contract let by the State pursuant to lawful procurement procedures in accordance with the Governmental Joint Purchase Act, 30 ILCS 525/4.2. (Ord. 15-364, 12-8-2015; amd. Ord. 22-144, 4-12-2022)

**2-222: SOLICITATION AMENDMENTS:**

A. Conditions For Use: If necessary, an amendment to a solicitation shall be issued to:

1. Make changes in the solicitation.
2. Correct defects or ambiguities.
3. Furnish other bidders information provided one bidder if the information will assist the other bidders in submitting bids or the lack of information will prejudice the other bidders.

B. Distribution: Amendments to solicitations will be identified as such and shall be sent to all persons to whom the solicitation was originally sent.

C. Receipt Acknowledgement: Amendments shall require the bidder to acknowledge receipt of the amendment by signing and returning the offer to contract page with their bid response on or before the scheduled date and time of the opening.

D. Time Frame For Vendor Evaluation: Amendments shall be issued a reasonable period before the due date to allow prospective bidders sufficient time to consider the amendment in preparing their bids. If the due date does not allow the bidder sufficient time to review the amendment, the due date may be extended. (Ord. 15-364, 12-8-2015)

**2-223: BIDS/OFFERS:**

A. Prebid Conferences: The county may conduct a prebid conference within a reasonable time, but not less than five (5) days before the scheduled bid opening date, to explain the procurement requirements. Verbal statements made at the prebid conference which are not consistent with the written solicitation shall not be binding upon the county unless a written amendment is issued.

B. Preopening Modification Or Withdrawal Of Bids/Offers:

1. Invitation For Bid Modification Or Withdrawal: A bidder may modify or withdraw its bid at any time before the bid opening, if the sealed modification or withdrawal is received in writing before the due date. A bidder or the bidder's authorized representative may withdraw the bid in person if, before the scheduled opening date, the identity of the individual requesting withdrawal is established and that person signs a receipt for the bid. A bid may not be withdrawn if the bid opening has begun.

2. Request For Proposal Withdrawal: A proposal may be withdrawn at any time before the scheduled opening date and time. An offeror or the offeror's authorized representative may withdraw the proposal in person if, before the scheduled opening date, the identity of the individual requesting withdrawal is established and that person signs a receipt for the proposal. A proposal may not be withdrawn if the offer opening has begun.

3. Document Retention: All documents concerning a modification or withdrawal of a bid/offer shall be retained in the appropriate procurement file.

C. Late Bids/Offers, Late Withdrawals And Late Modifications:

1. Definition Of Late Bid/Offer/Withdrawal/Modification: A bid, offer, withdrawal, or modification is considered late by the county if it is received after the date and time set for the submission of such bids/offers.

2. Conditions For Rejection: A late bid, late offer, late withdrawal, or late modification shall be rejected unless it would have been received on time but for the action or inaction of county personnel.

3. Vendor Notification: Bidders submitting late bids, late offers, late withdrawals, or late modifications shall be notified of the rejection as soon as practicable.

4. Document Retention: Documentation regarding a late bid, late offer, late withdrawal, or late modification shall be retained in the appropriate procurement file.

D. Unidentified Bids/Offers: An unmarked envelope that does not identify a bid or bidder may be opened for the purpose of identification. Record shall be made on the envelope regarding the reason for its opening, date and time it was opened, the solicitation to which the bid applies and the signature of the individual who opened the envelope. The envelope shall then be resealed and retained in the procurement file until the scheduled bid date.

E. Mistakes In Bids/Offers:

1. Mistake Discovered Prior To Bid/Offer Opening: A bidder/offeror may correct mistakes discovered before the scheduled date and time for the bid/offer opening by withdrawing or correcting the bid/offer as provided in subsection B, "Preopening Modification Or Withdrawal Of Bids/Offers", of this section.

2. Mistake Discovered After Bid/Offer Opening: After bid/offer opening, a bid/offer mistake may not be corrected or withdrawn except in the following situations:

a. In the case of a mathematical error, the unit cost shall prevail and any corrections required due to an error of this nature shall be done by the county.

b. The director of purchasing may waive any minor (nonprice) informalities in a bid/offer or allow the bidder/offeror to correct them if the revision is in the best interests of the county.

c. Corrections to a bid/offer shall be permitted only to the extent the bidder/offeror can show by clear and convincing evidence that a mistake of nonjudgmental character was made, the nature of the mistake and the bid/offer price actually intended. The director of purchasing shall consult with the using agency and parent committee chairman prior to allowing the correction.

d. In lieu of bid/offer correction, a bidder/offeror alleging a material mistake of fact may be permitted to withdraw its bid if:

(1) The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or

(2) The bidder submits evidence that clearly and convincingly demonstrates that a mistake was made.

(3) The director of purchasing consults with the using agency and parent committee chairman prior to allowing the bid withdrawal.

3. Mistake Discovered After Award: Mistakes shall not be corrected after award of a contract except in cases where the director of purchasing makes a written determination that it would be unconscionable in not allowing correction to the error and upon approval from the using agency, parent committee, and county board.

4. Written Determination: If a correction or withdrawal of a bid/offer after bid/offer opening is permitted or denied under this section, the director of purchasing shall prepare a written determination indicating the basis of the decision to approve or deny the correction or withdrawal.

This section shall not preclude any offer modifications requested or allowed as part of a request for proposal process.

F. Only One Bid/Offer Is Received: If only one responsive bid/offer is received to a solicitation, an award may be made to the single bidder/offeror if the director of purchasing determines in writing that the price submitted is fair and reasonable and that other prospective bidders/offerors had reasonable opportunity to respond or that there is not sufficient time for initiating another solicitation. Otherwise the director of purchasing may exercise the option to reject the bid/offer and seek bids/offers through a new solicitation.

G. Tie Bids:

1. Conditions For Tie Bids: Tie bids are the lowest cost bids from responsive and responsible bidders that are identical in price.

2. Award Determination: Award of tie bids will be determined as follows:

a. If the bids are equal in all respects, the award shall be made by a coin toss by the director of purchasing with one or more witnesses upon three (3) days' written notice to the bidders. Tie bidders will be afforded the opportunity to witness the coin toss, however, attendance is voluntary.

H. Confidential Information: If a person believes a bid, proposal, offer, specification or protest submitted to the county contains either trade secrets or proprietary property, a statement should be included in the submission, which describes and supports their claim. The trade secrets or proprietary property must be specifically identified as the information considered confidential. Entire bid submissions shall not be eligible for consideration as confidential material. Trade secrets or

proprietary property are exempt from inspection and copying under the Illinois freedom of information act (the "act").

The county does not represent, warrant or guarantee that any information designated as trade secrets or proprietary property will in fact be so deemed by any court, and all bidders assume the risk that any and all information contained in a bid or proposal may not be exempt from disclosure under the act. The county expressly disclaims all liability for such disclosure. (Ord. 15-364, 12-8-2015)

**2-224: SOLICITATION:**

A. Cancellation Of A Solicitation: A solicitation may be canceled or submitted bids or proposals may be rejected in whole or part as may be specified in the solicitation if it is in the best interests of the county. The reasons for such cancellation or rejection shall be included in the procurement file. Every solicitation issued by the county shall contain language stating the county's right to cancel the solicitation and to reject submitted bids or proposals.

B. Cancellation Of A Solicitation Before The Due Date And Time:

1. Authority For Determining Cancellation: The director of purchasing has the authority to cancel a solicitation, in whole or part, before the due date and time if a determination is made that cancellation is in the best interests of the county.

2. Notification Of Cancellation: If a solicitation is canceled before the required submittal date and time, notice of the cancellation shall be sent to all persons to whom the solicitation had been distributed. The notice shall identify the solicitation and the reason for cancellation.

3. Handling Of Received Bids/Proposals: Any received bids/proposals shall be returned unopened to the vendors.

C. Cancellation Of A Solicitation After Receipt Of Bids Or Proposals:

1. Authority For Determining Cancellation: The director of purchasing has the authority to cancel a solicitation after receipt of bids or proposals, but before award, if a determination is made that cancellation is in the best interests of the county.

2. Notification Of Cancellation: A notice of cancellation shall be sent to all bidders or offerors submitting bids or proposals.

3. Document Retention And Public Inspection: Bids or proposals received for the canceled solicitation shall be retained in the appropriate procurement file. If, within a reasonable time, the director of purchasing intends to issue a new solicitation for the same materials, services, equipment, supplies, construction or construction related services the proposals submitted under the canceled solicitation may be withheld from public inspection upon written determination that this action is in the county's best interest. After award of the second solicitation, bids or proposals submitted in response to both solicitations shall be open for public inspection to the extent set forth in section 2-210, "Public Access To Procurement Information", of this chapter. (Ord. 15-364, 12-8-2015)

**2-225: REJECTION OF INDIVIDUAL BIDS OR PROPOSALS:**

A. Conditions For Rejection: A bid or proposal may be rejected if:

1. The bidder is determined to be nonresponsive in accordance with section 2-226 of this chapter.
2. The bid is nonresponsive pursuant to subsection 2-207C, definition of "responsive bidder", of this chapter.
3. The proposed price is unreasonable.
4. The bid or proposal is not in the best interests of the county.

B. Notification Of Rejection: Bidders or offerors will be notified in writing of the rejection of their bids or proposals with a copy retained in the appropriate procurement file.

C. Document Retention And Public Inspection: The determination for rejection will be retained in the procurement file and shall be available for public inspection to the extent set forth in section 2-210, "Public Access To Procurement Information", of this chapter. (Ord. 15-364, 12-8-2015)

**2-226: RESPONSIBILITY OF BIDDERS AND OFFERORS:**

A. Determination Of Vendor Responsibility: Before awarding a contract to a bidder or offeror, the director of purchasing will determine whether that bidder or offeror is responsible. The signature of the appropriate official authorized to execute the contract award signifies the bidder or offeror is responsible.

1. Factors In Determining Responsibility: Factors considered in determining whether a bidder or offeror is responsible are:

- a. The bidder's or offeror's resources in terms of financial, physical and personnel.
- b. The bidder's or offeror's record in terms of past performance and integrity, such as a recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; a violation of the county's ethics ordinance; a debt owed by the contractor to the county; or suspension or debarment by another governmental entity.
- c. Whether the bidder or offeror is legally qualified to do business with the county.
- d. Whether the bidder or offeror complied with requirements for submitting information regarding their responsibility.

e. Whether the bidder or offeror met specific responsibility criteria established within the solicitation for a particular procurement.

f. Where a bidder or offeror fails to promptly supply information in connection with any inquiries concerning responsibility.

g. The qualities of the products supplied, their conformity with the specifications and their suitability to the requirements of the county.

h. Availability of support services.

i. Uniqueness of the services, materials, equipment or supplies as it applies to networked, integrated computer systems.

j. Compatibility to existing equipment.

k. Delivery terms.

2. Determination Of A Nonresponsible Bidder/Offeror: A determination of a nonresponsible bidder or offeror shall be in writing by the director of purchasing outlining the basis of the determination and a copy shall be included in the procurement file.

3. Notification To Nonresponsible Bidder/Offeror: A notice shall be sent to the nonresponsible bidder or offeror stating the basis of the determination. The decision may be appealed as provided in division 5 of this article.

4. Dissemination Of Bidder/Offeror Information: Information furnished by a bidder or offeror pursuant to this section shall not be disclosed outside of the purchasing department without the prior written consent by the bidder or offeror except in accordance with section 2-210, "Public Access To Procurement Information", of this chapter.

5. Bidder/Offeror Rights: A finding of nonresponsibility shall not be construed as a violation of the rights of any person.

B. Bid Security And Performance/Payment Bonds: Bid security may be required for contracts when provided by statute or when the director of purchasing determines it is in the best interests of the county.

Acceptable forms of security which may be submitted are: an executed surety bond issued by a firm licensed and registered to transact such business with the state of Illinois; cash, certified check or cashier's check payable to Kane County (personal or company checks are not acceptable); an irrevocable letter of credit; or any other form of deposit issued by a financial institution and acceptable to the county.

Bid security shall be in an amount not to exceed ten percent (10%) of the amount of the bid/offer.

When a contract is awarded the required performance bonds or payment bonds, in the amount stated in the bid document, shall be delivered to the county and shall become binding on the parties upon the execution of the contract. Bid security, performance bonds or payment bonds shall not serve as a substitute for determining bidder responsibility. (Ord. 15-364, 12-8-2015)

#### **2-227: MULTIYEAR CONTRACTS:**

The county's policy on multiyear contracts includes the following:

A. All multiyear contracts presented for approval shall contain the total value of the award for the multiyear period.

B. Multiyear contracts shall not be presented to a parent committee or county board where the terms of the contract exceeds two (2) years without prior approval by the director of purchasing and director of finance.

C. All multiyear contracts will include a nonappropriations clause stating that continuation of the contract is based on the appropriation of funding approved by the county board.

D. The resolution authorizing the chairman to execute the multiyear contract shall include the following, or substantially similar language:

*Whereas, the Contract calls for the use of funds beyond the present budget year and the County of Kane acknowledges the necessity of the appropriation of such funds.*

(Ord. 15-364, 12-8-2015)

#### **2-228: EXTENSION OF BID/OFFER ACCEPTANCE TIME:**

After opening of bids or offers, the director of purchasing may request, in writing, an extension of time during which the county may accept the bids or offers only from bidders or offerors meeting the stipulated submission date and time requirements of the solicitation.

Subsequent to receipt of the county's extension request the bidder or offeror may withdraw their bid or offer, without penalty, through written notification to the director of purchasing. No other modifications shall be allowed. (Ord. 15-364, 12-8-2015)

#### **2-229: ELECTRONIC REVERSE AUCTION BIDDING:**

The purchasing director may procure materials, services, supplies, equipment, construction, construction related services and professional services with an electronic reverse auction company, in accordance with the Illinois procurement code, when deemed to provide the best value or all purchasing methods provide equal value to the county.

A. Soliciting Reverse Auction Bids: Reverse auction bids will be solicited in the same manner as other invitation for bids in subsection 2-214A, "Competitive Bidding", of this chapter, with the exception that the bids will be done electronically with an internet company. During the auction, a bidder's price shall be disclosed to other bidders. Bidders shall have an opportunity to reduce their bid prices during the auction. At the conclusion of the auction, the record of bid prices received and the name of each bidder shall be open to public inspection. (Ord. 15-364, 12-8-2015)

**2-230: COMMUNICATION DURING THE PROCUREMENT PROCESS:**

In an effort to create a more competitive and unbiased procurement process, the county desires to establish a single point of contact throughout the solicitation process. Therefore, from the issue date of any solicitation, until the due date of the solicitation, all requests for clarification or additional information regarding the solicitation, or contact with county personnel concerning this solicitation or the evaluation process must only be through the purchasing department staff. Inquiries will be collected by purchasing department staff who will then submit the inquiries to the department head responsible for the procurement. Responses by the department head to the inquiries will be submitted to the purchasing department staff who will then distribute the responses to all vendors responding to the solicitation. In this way it will be assured that all vendors participating in the process will be receiving the same information. No contact regarding this solicitation with other county employees, agents of the county or elected officials is permitted unless expressly authorized by the purchasing director. A violation of this provision is cause for the county to reject the bidder's proposal. If it is later discovered that a violation has occurred, the county may reject any proposal or terminate any contract awarded pursuant to this solicitation. (Ord. 15-364, 12-8-2015)

**2-231: REVENUE GENERATING CONTRACTS:**

Revenue generating contracts are agreements under which the county receives a commission from a vendor or other public entity for goods or services sold, such as a joint purchasing agreement or vending contract. Departments should ensure that an agreement has been fully executed between the county and the vendor or public entity. The purchasing director and/or state's attorney's office is required to be notified of any revenue generating agreements that are executed by department heads or elected officials. (Ord. 15-364, 12-8-2015)

**2-231-1: RESPONSIBLE BIDDER REQUIREMENTS FOR PUBLIC WORKS PROJECTS:**

A. Public Works: For purposes of this section, the term "Public Works" shall mean construction projects advertised and awarded by Kane County, and financed, in whole or in part, with County public funds. Public Works projects shall only include those projects where Kane County is the awarding authority and that require County Board approval as designated by the Kane County Purchasing Ordinance. Additionally, Public Works projects shall only include cost share drainage projects that exceed One Hundred Thousand Dollars (\$100,000).

B. Bid Submission Requirements:

1. In determining whether a bidder is a "responsible bidder" for the award of a Public Works contract, the bidder must submit the following information and supporting documentation, as directed on corresponding forms designated by the purchasing department, which may include a notarization requirement and/or a requirement that the bidder submits a signed statement as to their compliance with the bid submission requirements supported by affidavit, in order for the bid to be accepted:

a. A copy of the Illinois Secretary of State's Department of Business Services online records evidencing that the bidder has a current corporate annual report on file. If the bidder is an individual, sole proprietor, or partnership, this subsection shall not apply.

b. Documents evidencing current registration with the Illinois Department of Revenue if bidder has employees (e.g. document with account number, Illinois Business Tax number).

c. Documents evidencing current registration with the Illinois Department of Employment Security if bidder has employees (e.g. document with UI account number).

d. Disclosure of any federal, state or local tax liens or tax delinquencies against the bidder or any officers of the bidder in the last five (5) years.

e. A statement that all employees are (i) covered under a current workers' compensation insurance policy and (ii) properly classified under such policy. If the bidder is insured with a carrier, the evidence of workers' compensation insurance shall be a copy of the "Information Page" of the bidder's workers' compensation policy and any continuation of that Information Page which include the name and address of the insured, as well as the class codes the compensation premium is based on and the total estimated remuneration per class code.

f. A statement of compliance with all provisions of the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) and all rules and regulations therein, for the past five (5) years. Such statement shall also provide that the bidder has reviewed the Prevailing Wage Act or federal Davis Bacon and Related Acts, has reviewed and agrees to pay the applicable prevailing wage rates attached to the bid specifications, and will strictly comply with the Prevailing Wage Act or federal Davis Bacon and Related Acts and related requirements. A bidder who has been found by the Illinois Department of Labor to be in violation of the Prevailing Wage Act twice within a three (3) year period shall be deemed not to be a Responsible Bidder for two (2) years from the date of the latest finding.

g. A copy of the written program for the prevention of substance abuse to be filed with a public body pursuant to the Substance Abuse Prevention on Public Works Projects Act (820 ILCS 265/1 et seq.).

h. A statement that individuals who will perform work on the Public Works project on behalf of the contractor are

properly classified as either (i) an employee or (ii) an independent contractor under all applicable state and federal laws and local ordinances.

i. Documents evidencing any professional or trade license required by law or local ordinance for any trade or specialty area in which the bidder is seeking a contract award. Additionally, the bidder must disclose any suspension or revocation of such license held by the company, or of any director, officer or manager of the company.

j. Evidence of participation in apprenticeship training programs applicable to the work to be performed on the project, which are approved by and registered with the United States Department of Labor's Office of Apprenticeship, or its successor organization; and evidence that any applicable apprenticeship program has graduated at least five (5) apprentices in each of the past five (5) years for each of the construction crafts the bidder will perform on the project. Evidence of graduation rates are not required for apprenticeable crafts dedicated exclusively to the transportation of material and equipment to and from the Public Works project.

The required evidence includes but is not limited to a copy of all applicable apprenticeship standards and Apprenticeship Agreement(s) for any apprentice(s) who will perform work on the Public Works project; and documentation from each applicable apprenticeship program certifying that it has graduated at least five (5) apprentices in each of the past five (5) years for each construction craft the bidder will perform on the project. Additional evidence of participation and graduation requirements may be requested by the purchasing department at its discretion.

k. Bidder shall certify that all employees expected to perform work on the project and who face hazards on the job have completed a 10 hour or greater OSHA safety program. Only workers that have satisfactorily completed a 10 hour or greater OSHA safety program will be allowed to participate on the project. The bidder must have copies of employee OSHA cards on file, and the purchasing department may request the bidder provide copies of employees OSHA cards; failure to produce an employee's OSHA card may result in a determination that the bidder is not a responsible bidder.

l. Disclosure of the name and address of each subcontractor from whom the bidder has accepted a bid and/or intends to hire on any part of the project.

Further, any subcontractor that will complete either (1) 10% or more of the work on a project, or (2) at least \$100,000 of the work on a project, shall be required to adhere to all of the requirements set forth herein as though it were bidding directly to Kane County. All other subcontractors shall only be required to adhere to the requirements of subsections (j), (k), and (o) as though it were bidding directly to Kane County. Each bidder shall submit all subcontractor information and supporting documentation to the purchasing department prior to the subcontractor commencing work on the project.

m. Statements as to past performance, which shall give an accurate and complete record of three (3) similar public works projects completed in the past three (3) years by the bidder. Such statements shall include the name of the public body and the project, original contract price, final contract price, the names of all subcontractors used, if applicable, and a statement as to compliance with completion deadlines.

n. Any determinations against the bidder by a court or governmental agency for violations of federal, state, or local laws, including but not limited to serious, willful or repeated violations of the Occupational Safety and Health Act (OSHA), violations of contracting or antitrust laws, tax or licensing laws, environmental laws, or the Federal Davis Bacon and Related Acts.

o. All bidders will be required to turn in certified payrolls as specified in Illinois Public Act 94-0515, and follow all provisions of the Employee Classification Act, 820 ILCS 185/1 et seq.

2. Any material changes to the bidder's status, at any time, must be reported in writing within fourteen (14) calendar days of its occurrence. Failure to comply with this requirement is grounds for the bidder to be deemed a non responsible bidder.

3. If a bidder submits proof of appropriate prequalification through the Illinois Capital Development Board or Illinois Department of Transportation, the bidder need only to submit documentation referenced in subsection (B)(1)(j), evidence of participation in apprenticeship training programs applicable to the work to be performed on the project.

#### C. Incomplete Submissions by Bidders and Subcontractors:

1. It is the sole responsibility of the bidder to comply with all submission requirements at the time it submits its bid to the purchasing department. Bidder submissions deemed incomplete shall result in a determination that the bidder is not a responsible bidder. A submission is deemed incomplete if the Bidder has not cured the deficiency in its submission within seven (7) calendar days after written notice given by the County.

2. The submission requirements also apply to all subcontractors, except that the successful bidder shall submit all applicable subcontractor submissions, as outlined in subsection B(1)(l) prior to the subcontractor commencing work on the project. Failure of a subcontractor to submit the required information shall not disqualify the successful bidder from performing work on the project and shall not constitute a contractual default and/or breach by the successful bidder. However, Kane County shall withhold all payments otherwise due for work performed by a subcontractor, until the subcontractor submits the required information and the director of purchasing approves such information. Where the director of purchasing deems there to be a non material error in the submission of the required information for a subcontractor, the director of purchasing can utilize limited discretion in implementing such withholding requirement. Further, where the director of purchasing deems necessary, Kane County may also require that the successful bidder remove the subcontractor from the project and replace it with a responsive and responsible subcontractor.



D. Validity of Pre Qualification Classification:

1. Upon designation by the director of purchasing that a bidder's or subcontractor's submission in anticipation of a bid is complete and timely, and upon any further consideration deemed necessary by the director of purchasing, the bidder or subcontractor may be pre qualified for future Kane County Public Works projects. A bidder's classification as "qualified" shall exempt the bidder or sub contractor from the comprehensive submission requirements contained herein for a total period of three (3) calendar years. However, Kane County may ask a bidder to submit additional documents during the time period in which a bidder is pre qualified. Thereafter, during the three (3) calendar year period, bidders or subcontractors who are pre qualified must submit a complete application for continuation of "pre qualified" standing, on a form provided by the purchasing department, (also referred to as the "short form") by December 31st for the upcoming calendar year. Failure by any pre qualified bidder or subcontractor to timely submit its complete application for continuation of "pre qualified" standing shall result in automatic removal of the designation, effective January 1 of the upcoming year. However, the "removed" bidder or subcontractor shall still be permitted to bid on Kane County Public Works projects. Kane County may establish rules permitting bidder's to be pre qualified outside of the bidding process.

2. Any material changes to the bidder's status, at any time, must be reported in writing within fourteen (14) calendar days of its occurrence to the purchasing department. The pre qualification designation is solely within the discretion of the director of purchasing and Kane County specifically reserves the right to change or revoke the designation for a stated written reason(s).

3. Denial of pre qualification shall be in writing and shall be forwarded to the bidder within seven (7) calendar days of such decision. Any bidder denied or losing pre qualification status may request reconsideration of the decision by submitting such request in writing to the director of purchasing within seven (7) calendar days of receipt of notice of denial.

E. Lowest Bidder Not Chosen:

1. When the award is not recommended to be given to the lowest bidder, a statement of the reason for such recommendation shall be prepared by the purchasing department.

2. In the event that there are no bidders pursuant to the Responsible Bidder Ordinance, Kane County may pursue bidders pursuant to the standard provisions otherwise set out by the Kane County Purchasing Ordinance.

F. Multiple Low Bids: When two or more responsible bidders submit the same low bid, the contract award shall be determined by drawing lots at a public meeting.

G. Public Records: All information submitted by a successful bidder pursuant to this Ordinance are public records subject to review pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.).

H. Materiality: The requirements of this Ordinance are a material part of the bid documents and the contract and the successful bidder shall insert this Ordinance in all subcontracts.

I. Severability: If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other portions or applications of this Ordinance which can be given effect without the invalid portions or applications and, to this end, the portions of this Ordinance are severable.

J. Other Ordinances: Any prior ordinance or portion thereof in conflict with this Ordinance is superseded by the requirements of this Ordinance. Where this Ordinance is silent, Kane County may adhere to the requirements laid out in the Kane County Purchasing Ordinance.

(Ord. 23-340, 8-8-2023)

## **DIVISION 4. SPECIFICATIONS**

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**2-232: RESPONSIBILITY FOR SPECIFICATIONS:**

The director of purchasing or delegated using agency shall prepare, revise, maintain and monitor specifications for materials, supplies, services, equipment and construction or construction related services required by the county. (Ord. 15-364, 12-8-2015)

**2-233: RELATIONSHIP WITH USING AGENCIES:**

The director of purchasing shall obtain expert advice and assistance from personnel of using agencies in the development of specifications and may delegate in writing to a using agency the authority to submit its own specifications. The director of purchasing shall retain authority to approve or disapprove all specifications. (Ord. 15-364, 12-8-2015)

**2-234: MAXIMUM PRACTICABLE COMPETITION:**

All specifications shall be drafted so as to promote overall economy for the purposes intended and encourage competition in satisfying the county's requirements and shall not be unduly restrictive. This policy applies to all specifications including, but not limited to, those prepared for the county by architects, engineers, designers, and draftsmen. (Ord. 15-364, 12-8-2015)

**2-235: CONTRACTORS ENGAGED FOR SPECIFICATION DEVELOPMENT:**

In order to ensure objective contractor performance and eliminate unfair competitive advantage, when procuring property and services under a federal award, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. (Ord. 15-364, 12-8-2015)

## **DIVISION 5. APPEALS AND REMEDIES**

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### **2-236: BID PROTESTS AND CLAIMS:**

A. Right To Protest: Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with any solicitation or award of a contract may protest to the director of purchasing. Any protest must be submitted in writing within seven (7) calendar days from the issuance of the solicitation, addendum, notice of award, or other decision by the director of purchasing or authorized official of the using agency.

1. Stay Of Procurement During Protest: In the event of a timely protest under this subsection A, the director of purchasing or the authorized official of the using agency or the using agency's parent committee, after consulting with the state's attorney, shall determine whether it is in the best interests of the county to proceed with the solicitation or award of the contract.

B. Claims By Contractor After Contract Is Awarded: Unless otherwise provided by the terms of the contract, all claims by a contractor against the county relating to a contract shall be submitted in writing to the director of purchasing. The contractor may request a conference with the director of purchasing on the claim. Claims include, without limitation, disputes arising under a contract and based upon breach of contract, mistake, or misrepresentation. In the case of a contract based dispute, the provisions of this article shall prevail over any inconsistent provision in the contract, unless the county board has expressly waived such protection.

C. Bid Protests And Contract Claims:

1. Authority: The director of purchasing is authorized to settle any procedural protest regarding the solicitation or award of a county contract prior to an appeal to the appropriate parent committee thereof so long as all affected or interested parties are in agreement. The director of purchasing, after consulting with the state's attorney, shall make recommendations on the resolution of any unresolved protest or claim to the appropriate parent committee of the Kane County board for their consideration.

2. Notice Of The Director Of Purchasing's Decision: If the protest or claim is not resolved by mutual agreement, the director of purchasing shall issue a decision in writing within seven (7) business days of receipt of the protest or claim, and such decision shall be mailed or otherwise furnished to the aggrieved party. The decision shall state the reasons for the decision reached and shall inform the aggrieved party of its appeal rights under section 2-237 of this chapter.

3. Finality Of The Director Of Purchasing's Decision And Right To Appeal: The director of purchasing's decision shall be final and conclusive unless, within seven (7) business days from the date of receipt of the decision, the chairman of the using agency's parent committee receives a written appeal from the aggrieved party.

4. Failure To Render Timely Decision: If the director of purchasing does not issue a written decision regarding any protest or claim within seven (7) business days of receipt of such protest or claim, or within such longer period as may be agreed upon between the parties, then the aggrieved party may proceed as if an adverse decision had been received. (Ord. 15-364, 12-8-2015)

### **2-237: APPEAL:**

A. Appeal Process: Any actual or prospective bidder, offeror, or contractor may appeal a decision by the director of purchasing regarding bid protests or contract claims to the chairman of the using agency's parent committee. Said appeal shall be made in writing within seven (7) business days from the date of receipt of the decision by the director of purchasing. The protestor shall be notified of the time and date when the appeal shall be considered and afforded a reasonable opportunity to state its position. Any party whose interests may be adversely affected by a protest or appeal shall also be notified and have the right to appear for the purpose of protecting those interests.

B. Decision: The using agency's parent committee shall issue a decision:

1. Prior to award, said decision shall be referred with the resolution for award of the contract for consideration by the county board.

2. After award, the decision of the using agency's parent committee shall be scheduled for discussion and decision at the next regularly scheduled executive committee or county board meeting, whichever is appropriate.

3. The decision of the county board is final.

C. Elected Officials: Decisions and determinations made under this section and subsection 2-236C, "Bid Protests And Contract Claims", of this chapter are subject to the review and prior approval of the appropriate elected county official as provided by the internal control statutes or as otherwise provided by law. (Ord. 15-364, 12-8-2015)

## **DIVISION 6. DEBARMENT AND SUSPENSION**

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### **2-238: PROHIBITION TO AWARD CONTRACTS TO PARTIES DEBARRED OR SUSPENDED:**

No contract may be awarded to parties listed on the federal government's excluded parties list system in the system for award management (SAM), on the state of Illinois' list of sanctioned persons maintained by the agency's office of inspector general, or on the county's own list of parties suspended or debarred from doing business with the county. (Ord. 15-364, 12-8-2015)

### **2-239: CERTIFICATION LANGUAGE TO BE INCLUDED IN SOLICITATIONS AND CONTRACTS:**

All solicitations and related contracts that may be paid in whole or in part by federal funds shall include the following, or substantially similar certification language:

*Vendor certifies that during the last five (5) years no order, judgment or decree of any Federal authority has been issued debaring, suspending or otherwise limiting its right to contract with any governmental entity, including school districts, or to engage in any business practice or activity. Vendor further certifies that it will include this certification within every subcontract related to performance of this contract.*

(Ord. 15-364, 12-8-2015)



March 14, 2023

## **WIOA POLICY 4.2**

### **CAREER PLANNING**

#### **I. POLICY**

##### **4.2 Career Planning**

Career planning is a customer-centered approach in delivering services to prepare and coordinate comprehensive career (employment) plans for participants that ensures access to workforce activities and supportive services during program participation and continuing for one (1) year after job placement. Career planning is a continual service provided to adults, dislocated workers, and youth to ensure their success in the Workforce Innovation and Opportunity Act (WIOA) services.

Successful career planning is a collaborative and ongoing process rather than a one-time activity. The process is individualized to the job seeker and prepares them to obtain employment leading to self-sufficiency and placing them on a lifelong learning path. Effective career planning includes assessment, career readiness activities, preparation, and training, along with appropriate job matching and placement ending with one (1) year of follow-up. Providing supportive services and conducting follow-up are essential to the success of the jobseeker.

Key components of career planning include building rapport, effectively communicating, identifying appropriate services, convening key service providers, connecting participants with services, creating a strong employment plan, motivating and encouraging, following up after an appointment(s), monitoring services, and follow-up after exit. Additionally, keeping accurate, timely, and descriptive records of career planning efforts through appropriate case management is essential.

##### **4.2.1 Customer Engagement**

1. Engaging customers via the Illinois workNet Center or designated Workforce Innovation and Opportunity Act (WIOA) Title IB service provider can occur through self-service or staff-assisted activities. Minimally, customer engagement must be through:
  - a. Program staff physically present at the center; or
  - b. Direct linkage via technology as defined within the Governor's Guidelines (See the Governor's Guidelines to State and Local Program Partners Negotiating Costs and Services Under the Workforce Innovation and Opportunity Act (WIOA) of 2014 link on the References tab.)

2. One-Stop Operators must ensure that staff, regardless of program, **request** identifying information to ensure tracking of WIOA self-service or informational services/activities.
  - a. Local methods for tracking the number of reportable individuals and activities can include a swipe card, Resource Room Sign-In Form, or other local check-in procedure.
    - 1) Local policy should indicate the information necessary to conduct the tracking of services.
    - 2) All Personally Identifiable Information (PII) must be protected following procedures outlined in the Personally Identifiable Information section of the policy manual.
  - b. Customers receiving self-service or informational services either in the resource room, virtually, or through partner referral are Reportable Individuals. WIOA Title IB self-service basic career services, also known as Local Services, received by Reportable Individuals are to be recorded in the appropriate case management system.
  - c. In the Illinois Workforce Development System (IWDS), these services must be captured under Local Services. Local Administrators are responsible for populating the list of services displayed on the Add Local Services screen.
  - d. It is imperative that local areas are accurately capturing in IWDS the local services being provided so that all services provided through the local Illinois workNet centers are being reported to the U.S. Department of Labor (USDOL).
  - e. It is also important to note they are not included in the performance measure calculations.
3. Once the services require staff assistance (defined as individualized career services for WIOA Title IB), the individual is required to be registered as a participant.
  - a. The individual must apply for services and be determined eligible as outlined in the Application for Services and Eligibility Determination section of this policy to register for the program.
  - b. WIOA Title IB Adults and Dislocated Worker reportable individuals who are determined eligible and receive staff-assisted career services would be considered participants and thus, be included in performance calculations.
  - c. WIOA Title IB Youth reportable individuals who are determined eligible, receive an assessment, and receive a program element (a staff-assisted individualized career service) would be considered participants and, thus, be included in performance calculations.
4. For further information regarding information collection for reportable individuals, see the General Eligibility Requirements section of the policy manual.
5. One-Stop Operators must ensure coordination of services, and therefore may consider creating an operation manual that outlines career planning best practices towards that requirement.

#### **4.2.2 Application for Services and Eligibility Determination**

1. Individuals seeking Workforce Innovation and Opportunity Act (WIOA) Title IB services beyond self-service that require registration into the program must complete a WIOA application.
2. The career planner:
  - a. Enters the application information into the appropriate case management system.
  - b. Determines eligibility for WIOA Title IB following the applicable Eligibility section of the policy manual using the appropriate case management system, which takes the responses put into the application and displays all titles for which the applicant might be eligible.
    - 1) The eligibility determination date must be within thirty (30) days of the application date.
  - c. Must securely collect the required documentation to support answers given to the application's questions and certify the applicant in any title (Adult, Dislocated Worker, and Youth).
    - 1) The list of acceptable documentation to support eligibility for each title is provided in the Eligibility section of the policy manual.
    - 2) Career Planners must document information to determine priority of service under WIOA as outlined in the Service Priorities section of the policy manual.
  - d. Must certify the applicant as eligible under WIOA Title IB before enrolling an individual in various activities and services within the appropriate case management system.
    - 1) An individual is still considered to be an applicant after having their eligibility certified until they have been enrolled in a WIOA Title IB service.
    - 2) The applicant must be enrolled in a WIOA Title IB service within forty-five (45) days from the date their eligibility was certified.
      - a) If more than forty-five (45) days have elapsed, the application will be locked and the career planners will have to establish a new eligibility certification date.
    - 3) Once an individual is enrolled in a WIOA Title IB service, they are considered to be a registrant.
3. An individual could meet WIOA Title IB Eligibility criteria under several different WIOA titles (Adult, Dislocated Worker, and Youth) but would only be required to have the eligibility certified under the title(s) that the client will be enrolled in services.
  - a. The applicant's eligibility certification date must be within thirty (30) days of the application date.
    - 1) If more than thirty (30) days have passed, career planners will have to update the application with current information and establish a new application date.

#### **4.2.3 Basic Skills Screening Tool**

1. The Workforce Innovation and Opportunity Act (WIOA) establishes a priority of service to provide individualized career services, training services, or both, to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

2. The Basic Skills Screening Tool (screening tool) found in the Basic Skills Screening Tool for Priority of Service and Referrals section of the policy manual was developed to provide another mechanism for determining basic skills deficiency by identifying youth or adults who are unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job which meets the second part of the WIOA definition of basic skills deficient.
3. The screening tool will help identify if an individual is basic skills deficient for the purposes of priority of service for Adults, referrals for Adults or Dislocated Workers, and eligibility for Youth. If a participant is referred to Title IB from Title II and already has Adult Basic Education (ABE) or English Language Learners (ELL) scores within six (6) months, then the Basic Skills Screening Tool would not be required with validated assessments.
  - a. The screening tool is to be given prior to conducting any assessment test;
  - b. The screening tool is not an assessment included as part of a career service for Adults or Dislocated Workers or a component of the objective assessment for Youth and may not be used as the sole method for assessing customer needs to achieve education and employment goals;
  - c. Adults and Dislocated Workers who answer “No” to the question regarding having a high school diploma, General Education Development (GED) certificate, or High School Equivalency Diploma (HSED) should automatically be referred to adult basic education services through Title II; and
  - d. If the screening tool identifies an individual as basic skills deficient, career planners as appropriate are to do one or more of the following:
    - 1) Provide Adults with priority of service;
    - 2) Document this as a basic skills deficiency for the purposes of eligibility for Youth;
    - 3) Refer Adults and Dislocated Workers to adult basic education services through Title II; or
    - 4) Facilitate referrals for participants with identified barriers to the appropriate WIOA partner or program within the community for service.
4. Basic skills deficiency assessments as outlined in the Assessment Process for Basic Skills Deficiency section of this policy are then completed to meet the portion of the legislatively mandated Youth assessment which includes an assessment of basic skills and to support an Adult and Dislocated Worker participant’s ability to do the level of work required for the training program they are attempting to enter.

#### **4.2.4 Assessments**

1. A thorough assessment is the foundation for understanding the participant’s employment goals, existing skills, career readiness, and determining all appropriate barriers to education or employment that may exist. It is not a one-time activity. Nor is it a one-size-fits all approach. Assessment is an ongoing extension of the intake process and guides the career planner’s development of the Individual Employment Plan (IEP) for Adults and Dislocated Workers or the Individual Service Strategy (ISS) for Youth.
  - a. For the Adult and Dislocated Worker programs, the assessment process is two (2) phases.

- 1) During intake, the assessment will determine a customer's interests, skills, and needs. This initial assessment provides preliminary information about the individual's skill levels, aptitudes, abilities and supportive service needs. It forms the basis for determining suitability as part of informed customer choice and the development of the IEP. At a minimum the following areas must be addressed:
    - a) Interest and skills inventory;
    - b) Essential employability skills;
    - c) Digital literacy assessment;
    - d) Financial literacy assessment;
    - e) Basic skills deficiency;
    - f) Barriers to employment;
    - g) Determination of referrals; and
    - h) Supportive services.
  - 2) After enrollment, the assessment builds off information gathered at intake and assists with informing the IEP development. As with the assessment during intake, career planners must address informed customer choice when determining suitability for training in a particular career pathway. At a minimum, the continuation of the assessment must address the following areas:
    - a) Employment goals;
    - b) Suitability for employment and/or training program;
    - c) Review of training options including work-based learning and/or traditional training provided through an Individual Training Account (ITA) by a training provider that is on the Eligible Training Provider List (ETPL) if training is needed to meet employment goals;
      - i. The training service must align with the participant's existing skills and career readiness using the results from the interest and skills inventory.
      - ii. The career planner must facilitate a process that provides the participant with an informed choice of training options.
    - d) Barriers to employment for the chosen career pathway (e.g., criminal history, substance abuse);
    - e) Determination of referrals (coordination with partner programs or community organizations that provide training and education resources);
    - f) Supportive services (as supportive service needs may change if attending training);
    - g) Progress Reporting; and
    - h) Follow-up.
- b. For the Youth program, career planners must follow a comprehensive and objective assessment process during intake that considers the youth's skills, interests, and service needs. Note that the assessment of the youth participant occurs prior to the certification of eligibility. At a minimum, the following areas must be covered as part of the comprehensive and objective assessment:
- 1) Interest and skills inventory;
  - 2) Prior work experience;
  - 3) Essential employability skills;
  - 4) Digital literacy assessment;
  - 5) Financial literacy assessment;
  - 6) Basic skills deficiency;
  - 7) Developmental needs;
  - 8) Career goals;



- 9) Suitability for employment and/or training program;
  - 10) Review of training options that align with interest and skills inventory;
  - 11) Barriers to education or employment;
  - 12) Determination of referrals;
  - 13) Supportive services;
  - 14) Progress Reporting; and
  - 15) Follow-up.
2. When conducting the assessment, the Career Planners must use the assessment tool(s) appropriate for the participant. For example, when assessing interests, what is suitable for adults may not be suitable for youth.
    - a. Several assessment types may be given, including interests, aptitudes, skills, assessing barriers, and others in addition to the required basic skills reading and math assessments to attend training.
      - 1) Career Planners must use an Illinois Community College Board (ICCB) approved assessment test appropriate for the participant to determine a potential need for remediation or if the reading, math, or language levels meet the enrollment requirements of a training program.
    - b. Local programs must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities.
  3. Assessments must evaluate and identify suitability of the participant when developing the employment goals, appropriate achievement objectives, and the needed combination of services to address barriers. Suitability includes working with the participant on:
    - a. Aligning career goals to interests, skills, and abilities;
    - b. Reviewing occupational profiles and employment outlooks for the selected occupation. This not only includes wage information and training needed but also includes what employees actually do in the job;
    - c. Researching the career services that are needed to achieve the participants' employment goals;
    - d. Researching the training services that are needed to achieve the participants' employment goal that includes, but is not limited to:
      - 1) Evaluating the participant's preferred training delivery method (traditional classroom, virtual, hands-on);
      - 2) Assessing the cost and the length of the training program; and
      - 3) Considering work-based learning opportunities including, but not limited to, Registered Apprenticeships, On-the-Job Training, Transitional Job, and/or work experience.
    - e. Researching the supportive services that are needed to achieve the participants' employment goals.

4. Discussions with the participant should always be grounded in informed customer choice to ensure sound career decisions and supporting the best use of Workforce Innovation and Opportunity Act (WIOA) funds. Career Planning staff must assist participants in making informed career decisions based on accurate information and knowledge and ensure they are prepared with the skills needed to fill hiring opportunities in in-demand sectors and career pathways in high wage occupations.
5. Formal assessments that occurred within the last six (6) months, provided by the participant or a WIOA partner program, are acceptable to use. However, they must address a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, and developmental needs.

**4.2.5 Individual Employment Plan (IEP) and Individual Service Strategy (ISS)**

1. Like the assessment, the Career Plan (Individual Employment Plan (IEP) or the Individual Service Strategy (ISS)) is a living document that identifies employment and education goals as part of a career pathway, objectives, and the appropriate combination of services for the participant to reach the goals. It is to be developed collaboratively between the career planner and the participant with mutually established goals.
2. The IEP or ISS must be developed after an objective assessment and reflect the expressed interests and needs of the participant. Once developed, it must be signed by the participant and properly documented in the approved case management systems. A copy should be provided to the participant, and a hard copy placed in the file. The development of the IEP must follow this policy as well as the Training section of the policy manual where applicable.
3. All active participants must have an IEP/ISS with at least one (1) open goal with at least one (1) open objective. The IEP/ISS should be written with a S.M.A.R.T.E.R objective:

<b>Specific</b>	Identify specific short/long-term goals. Specific objectives are the action steps that outline exactly what the participant should do to achieve their goal(s).
<b>Measurable</b>	Define how progress will be tracked. Goals are measurable by the completion of objectives. Measurable goals have benchmarks allowing the participant to see the progress towards successfully achieving goals.
<b>Attainable</b>	Goals and objectives are attainable if the participant can be realistically expected to complete the goal within the timeframe agreed upon.
<b>Relevant</b>	Goals and objectives must be relevant to what the participant is trying to achieve. An appropriate objective will be an action step toward completing the goal. The use of the comprehensive and specialized assessments will guide with creating relevant goals and objectives.
<b>Time-Driven</b>	There should be a target date of progress and completion. A goal without a commitment to a schedule or target dates tends to be forgotten or neglected. This will keep the participant on track and both parties accountable. Goals and defined as short, intermediate, or long-term.

<b>Evaluate</b>	Goals, objectives, activities/services, and case notes should be reviewed to assess the success or failure in achieving a participant's IEP/ISS completion.
<b>Reflection and Adjustment</b>	Reflection is a great way for a participant to increase confidence and be more proactive and excited to complete their plan. If any goal changes occur, the plan must be adjusted and mutually agreed upon with the participant.

4. The IEP, which is an individualized career service, is required to be one of the first services provided to a Workforce Innovation and Opportunity Act (WIOA) Title IB Adult or Dislocated Worker participant since it describes the ongoing strategy for the participant to achieve their goals.
5. At a minimum, the IEP must identify and document:
  - a. Goals and Objectives:
    - 1) Short-term (training or employment) goal(s);
    - 2) Long-term (employment) goal(s) that:
      - a) clearly documents the career pathway to attain the career objectives; and
      - b) includes a review of the demand occupations list.
    - 3) Intermediate objectives will be required to meet the goals listed and required training components (remedial, pre-requisites, skills, work-based training, etc.).
  - b. Justification as to why the short-term and long-term goals are appropriate for the participant and must be:
    - 1) Based on assessment information, an interview with the participant, and skills obtained from previous employment;
    - 2) Include an explanation of the skills gap that the IEP is designed to overcome. A skills gap is the significant gap between the skills required by the employer and the current capabilities of the applicant; and
    - 3) Include barriers to employment and/or participant needs, if applicable.
  - c. The appropriate sequence and mix of services to address the unique strengths, challenges, and needs of the participant to obtain the training or employment goal(s);
  - d. For participants that require training services, the IEP or ISS must include information on the eligible training programs and training providers that are researched on the State of Illinois Eligible Training Provider List to determine the training programs that are the most suitable to the participant's needs.
    - 1) The IEP and case notes must document the conversations between the career planner and the participant that assisted the participant in making an informed choice in selecting a training program if appropriate. Conversations must include discussions on local labor market conditions, including but not limited to the unemployment rate, local employer skill demands, hiring pre-requisites, and in-demand occupations in the area. Considerations must include if the training is suitable for the participant and if the targeted occupation and industry will lead to sustainable employment.

- e. Identification of all barriers and/or needs that may prevent the participant from obtaining employment or participating in training. The IEP must document the services that are provided to address the participant's barriers including, but not limited to Career Service, Supportive Services, Needs-Related Payments, and referrals to partner agencies for additional assistance such as childcare, counseling, or other applicable programs;
  - f. The direct link to one or more of the performance indicators (e.g., unsubsidized employment, median earnings, credential attainment – postsecondary training for youth, or measurable skills gain); and
  - g. A method for tracking progress and identifying next steps including, but not limited to follow-up on open goals, objectives, and services.
6. The ISS is required to be completed after the objective assessment prior to youth being enrolled in WIOA Title IB. The ISS must document and address the following:
- a. A summary of all goals and objectives established with additional information focusing on activities and tools used for achievement;
  - b. Identify an appropriate career pathway;
  - c. Documentation of the services provided to the participant including, but not limited to the fourteen (14) required WIOA Title IB Youth elements;
  - d. A summary of action steps to eliminate or minimize any barriers including, referrals to partner agencies for assistance with childcare, transportation, counseling, etc.;
  - e. The direct link to one or more of the WIOA Title IB performance indicators; and
  - f. A method for tracking progress and identifying next steps including, but not limited to follow-up on open goals, objectives, and services.
7. The IEP or the ISS is an ongoing process requiring routine review and updates as additional needs are identified or goals are achieved.
- a. A review of the IEP/ISS must occur on a regular basis, at least once every ninety (90) days, unless the IEP/ISS is updated sooner as a result of regular thirty (30) day contact;
  - b. Career planners must conduct two-way communication with the participant that can include phone, email, text, or other methods to address any successes such as the completion of a goal ahead of the established timeline as well as any problems, challenges, or difficulties the participant may be facing that would warrant changes to the IEP or ISS;
  - c. All evaluation and revisions to the IEP or ISS shall be made collaboratively with the participant's consent. Significant changes include such things as changing type of training, employment goal, or change in supportive service needs;

- d. The development and subsequent changes of the IEP or ISS must be documented in services according to the same-day services portion of the Service Documentation (Case Management) section of this policy under the applicable service of either Development of an IEP or Development of an ISS. Any associated case notes must be recorded in Case Notes as outlined in the Case Note section of this policy.
8. A copy of the completed (or updated) and signed IEP or ISS shall be provided to the participant, recorded in case notes, and updated on the hard copy in the participant file.

#### **4.2.6 Service Documentation (Case Management)**

1. Career Planners must maintain regular contact with participants to provide timely services to address the participant's specific needs to support the goals outlined in the IEP or ISS. For most participants and situations, regular contact is defined as two-way communication that occurs every thirty (30) days.
2. Participants should see the same Career Planner for check-ins and return visits/appointments until the participant exits the system. The participant should be notified if the Career Planner changes and should be offered an opportunity for an introductory meeting with the new career planner as soon as mutually convenient.
3. The career planner must utilize the WIOA Title IB Services Matrix with Definitions attachment that defines the WIOA Title IB services that should be tailored to address the participant's unique strengths, challenges, and needs.
4. Three pre-enrollment activities are required prior to "registering" WIOA Youth.
  - a. These activities must occur between staff and youth and be documented and entered in IWDS.
  - b. The following activities must be entered into IWDS before a Youth program element can be recorded:
    - 1) Youth Career Planning (Case Management)
    - 2) Youth Comprehensive and Specialized Assessments
    - 3) Development of an Individual Service Strategy (ISS)
  - c. No specific sequence or order is required.
  - d. Youth will not be a "Registrant" ("Participant") until all three pre-enrollment activities and at least one of the 14 program elements is provided.
  - e. The first enrolling Youth program element in IWDS must be:
    - 1) Completed within 45 days of the WIOA Youth eligibility certification date; and
    - 2) Dated on or after the end date of the latest of the three non-enrolling Youth activities.
5. The Department of Commerce and Economic Opportunity's Office of Employment and Training (OET) created same-day services in the Illinois Workforce Development System (IWDS) to more efficiently capture some of the applicable services.

- a. The services considered same-day services are listed as such in the WIOA Title IB Service Matrix with Definitions attached to this policy.
  - b. Those services are only to be recorded when first received. Any subsequent service provision is to be captured by adding an Additional Service Episode to the original service record with supporting case notes.
    - 1) *Example:* A participant receives job search services from the Career Planner on April 6, and the Career Planner records the service in IWDS the same day. The next time job search services are provided to the participant; it would be recorded as an Additional Service Episode with supporting case notes of the original service. In this example, the participant received additional job search services on April 10, and the Career Planner added an Additional Service Episode to the original Job Search service along with case notes with an April 10 date. This then changes the end date of the original Job Search service to April 10.
  - c. Adding an Additional Service Episode will update the participant's last service date even if no other services are provided. So, this mechanism should NOT be used when a participant is no longer actively participating in WIOA services.
5. Documentation of any completed assessment must follow policy, be recorded in the career planning system (IWDS or Career Connect), and documented on the IEP/ISS forms.
- a. The Narrative tools on the Assessment Summary in IWDS must be utilized to record information gleaned from the Career Planner related to the different assessment categories. The narrative should incorporate what the assessment results mean, not just documentation of the test outcomes.
  - b. The Employment Goals portion of the Assessment Summary provides an area to record items such as the participant's wage goal, ability to work different shifts, distance willing to travel, and other information from conversations between the participant and the Career Planner.
  - c. The Income and Expenses section is designed to assist the participant and Career Planner in evaluating the participant's ability to support him or herself and their family while they are in the WIOA funded training program.
6. All WIOA Title IB services provided to a participant must be entered into the appropriate case management system within ten (10) calendar days of the service delivery.
- a. The entry of services should be combined with case notes (whether a standard case note or a case note attached to an episode of a same-day service) to describe each service and provide any other notable information as detailed as outlined in the Case Notes section of the policy.
  - b. Services can only be recorded on or after the certification date. Therefore if any services such as an initial assessment for Adults or Dislocated Workers are provided prior to the certification date, they must be entered as being provided on the certification date under

- the Comprehensive and Specialized Assessment service, and a case note must be added to record the actual date of the service.
- c. The service screen must reflect all of the services that have been or are currently being provided to the participant.
  - d. Service records must be closed/ended with an indication of completion status (successful or unsuccessful) within ten (10) days of learning of the completion of the service.
  - e. Outcomes of education and training services such as credentials and/or Measurable Skill Gains attained must be entered within ten (10) days of learning of the attainment.
  - f. For Chicago Cook Workforce Partnership providers that use Career Connect as a case management system, guidance on data entry specific to Career Connect can be found at the link in the Resources tab.
    - 1) All data entry time requirements addressed in this policy must also be followed by career planners using Career Connect.
6. All documentation must be contained in the participant's physical case file and be available for review, as requested during compliance monitoring.
- a. Career planners are to upload all relevant documentation contained in the participant's physical case file into the appropriate case management system as directed by OET monitoring staff for remote monitoring and data validation purposes by the State and the U.S. Department of Labor (USDOL).

#### **4.2.7 Case Notes**

1. Case notes and file maintenance are vital to quality service and reporting. They reflect the results of continuous career planning in detail so that the participant's status is easily determined.
2. The case notes for an open active service must document ongoing two-way communication between the career planner and participant that describes how the service (career, training, supportive) or activity moves the participant toward their goals.
  - a. Case notes must be entered into the appropriate case management system within ten (10) calendar days of the service delivery and the regular contact (typically thirty (30) days).
3. Case notes should also indicate cross-program coordination of services and contacts with staff in other programs.
  - a. Career Planners must identify the partner programs from which the participant receives services on the Concurrent Programs screen in the Illinois Workforce Development System (IWDS).

4. Case notes and file maintenance are to reflect the results of continuous career planning in detail so that the participant's status is easily determined. The quality of the case notes is imperative to assist in monitoring efforts.
5. In addition to the case notes that are entered to describe the Workforce Innovation and Opportunity Act (WIOA) services and regular contact, the participant case note history must reflect the following information as appropriate:
  - a. Introduction: A complete description of the status of the individual at participation including an explanation of their overall need for services. This case note will elaborate on eligibility, intake, and assessment results to give a clear picture of the individual, their barriers, strengths and skills, training preferences, and possible support service needs.
  - b. Determination of Training Need: The career planner must document the suitability of the training/retraining program with participant's needs. In cases where training/retraining is required for a participant to enter or re-enter the workforce successfully, the training selected must be directly linked to employment opportunities in the local area or the planning region or in an area to which a participant is willing to commute or relocate.
  - c. Training Begin Date (if applicable): A case note must be entered when the participant enters training and is to include the date the training began, training program, training provider/school, approximate cost, and planned end date.
  - d. Training End Date (if applicable): A case note must be entered to reflect that the participant's training has ended and include the following – date training ended, the name of the program, whether the participant completed the training, and credential/license status.
  - e. Service Closure/Exit: A full description of the participant's status at exit must be case noted and include employment/non-employment, employer name, hire date, hours, and wage. Any exclusion must also be described; and
  - f. Follow-up: A full description of the follow-up services and information provided to WIOA Title IB participants.
6. In instances when a participant is no longer actively participating in WIOA Title IB services, case notes should be documented as standard case notes and NOT documented within a same-day service as an Additional Service Episode in IWDS so as not to extend participation in WIOA Title IB and/or the Exit date.
  - a. Similarly, participants that are only receiving Disaster Relief Employment Services through a National Dislocated Worker Grant (NDWG) and do not receive traditional career or training services must have case notes recorded as a standard case note since they can not be recorded under the Career Planning service due to it being a career service.
  - b. Career planners are advised to work with the Department of Commerce and Economic Opportunity's Office of Employment and Training (OET) program and grant managers



regarding the documentation of services that are associated with the administration of non-formula WIOA grants.

## II. INQUIRIES

Inquiries should be directed to the appropriate OET Regional Manager, Kelly Lapetino at [Kelly.Lapetino@Illinois.gov](mailto:Kelly.Lapetino@Illinois.gov) for the Northern Region, Annamarie Dorr at [AnnaMarie.Dorr@Illinois.gov](mailto:AnnaMarie.Dorr@Illinois.gov) for the Central Region, or Bryan Ellis at [Bryan.Ellis@Illinois.gov](mailto:Bryan.Ellis@Illinois.gov) for the Southern Region.

## III. ATTACHMENTS

WIOA Title IB Service Matrix with Definitions  
IEP/ISS Template (TBD)  
WIOA Barriers and Potential Solutions Chart

Sincerely,

A handwritten signature in black ink, appearing to read "Julio Rodriguez", with a stylized flourish at the end.

Julio Rodriguez, Deputy Director  
Office of Employment and Training

JR:ld

## WIOA FOLLOW-UP

Policy No.	<u>2018-08-FOL</u>
Date Adopted	<u>August 8, 2018</u>
Effective Date	<u>August 8, 2018</u>
Last Amended	<u>September 14, 2022</u>

### INTRODUCTION

This policy seeks to define what activities/services are appropriate and allowable under follow-up programming for Adults, Dislocated Workers, and Youth participants, as well as when they should be provided. Guidelines for Youth are provided as a separate section within this policy, as they differ from those prescribed for Adults and Dislocated Workers.

### ADULTS

Adults and Dislocated Workers become eligible for twelve (12) months of follow-up services after the first day of unsubsidized employment. Examples of appropriate follow-up services to be made available include:

- Additional career planning
- Soft skills counseling for the workplace
- Information about additional education opportunities
- Referral to community resources

Note that WIOA-funded supportive services are **not** an eligible follow-up service for Adults and Dislocated Workers, due to the fact that these supportive services require active enrollment in career services or training activities to qualify. Because follow-up services are only permitted in the Illinois Workforce Development System (IWDS) after exit, a participant may not concurrently receive supportive services and follow-up services.

Adult and Dislocated Workers must be informed of the follow-up services available before exiting the program, and documentation must be included in the case file as such. Follow-up services may begin after the last date of service if the participant does not receive any other future services and must occur based on the need and level of intensity required by the individual participant. Follow-up should be as often as necessary throughout the required twelve (12) month period with:

- A minimum contact occurrence at least every thirty (30) days for the first three (3) months, then once a quarter for the remainder of the twelve (12) month period.
- Contact that requires interactive two-way communication by telephone conversation, in-person or via email.
- Case notes that must contain documentation addressing the need and type of service provided.
- The Individual Employment Plan (IEP) must identify the service the participant will receive.
- If after ninety (90) days following the first day of unsubsidized employment, a participant is unreachable or refuses the provision of follow-up services, follow-up contact attempts may cease and the corresponding service can be closed with documented attempts recorded in case notes.

### YOUTH

Follow-up services are a requirement for youth programming. Youth become eligible for and are required to participate in twelve (12) months of follow-up services beginning at the time of exit. Once a youth is enrolled in follow-up services, he or she is no longer eligible for any WIOA work-based learning or ITA-funded activity.

Follow-up services may include the following elements, which must be offered every thirty (30) days:

- Supportive services
- Adult mentoring
- Financial literacy education
- 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 exploration.
- Activities that help youth prepare for and transition to postsecondary education and training
- Regular contact with a youth participant's employer, including assistance in addressing work-related problems that arise.
- Incentives may be awarded for benchmarks achieved during follow-up if they were previously incorporated into the participant's Individual Service Strategy prior to exit (i.e. employment retention, unsubsidized employment, etc.) See Youth Incentives policy for more information.

Youth must be informed of the follow-up services available to them at the time of enrollment. Youth may elect to opt out of follow-up services at any point during program participation or after exit. Documentation must be included in each case file that:

- a) the participant was informed of the services available, and
- b) whether he or she chose to opt out of those services.

Circumstances in which it is permissible to close a youth out of follow up are listed below. Documentation is required for each of the following:

- Incarceration
- A health issue that negatively impacts the youth's ability to participate in the program
- Relocation out of the area
- The youth is deceased

In the event that a Youth participant does not opt out of follow-up services but becomes unreachable during the 12-month follow-up period, Career Specialists must evidence all attempts to contact the participant in the Illinois Workforce Development System (IWDS). Examples of such contact attempts include:

- Phone calls – record a case note if the number has been changed or disconnected
- Email – provide a copy of the undeliverable message returned, if applicable
- Communication attempts made to additional contacts listed on the application
- Return to sender – copies of returned mailings

Career Specialists must attempt to locate and contact the Youth participant for a minimum of the first two (2) quarters after exit and all efforts must be clearly documented in case notes. Unreciprocated attempts to engage the Youth participant in follow-up activities thereafter may result in the closure of the client's follow-up activity in IWDS with the approval of Office of Community Reinvestment staff.

**REFERENCES:**

TEGL 16-16

TEGL 19-16

TEGL 21-16

WIOA Final Rule 20 CFR 678.430(c); 680.150(c); 681.580

IL WIOA Policy Chapter 4, Section 3

**Modifications:**

9.14.2022 – Expands participant contact requirements per State policy.

## WIOA ENROLLMENT

Policy No.	2017-02-ENR
Date Adopted	February 8, 2017
Effective Date	February 8, 2017
Last Amended	August 26, 2021

### INTRODUCTION

Individuals seeking individualized career and/or training services must be locally enrolled following an eligibility determination for the applicable WIOA program; Adult, Dislocated Worker or Youth. Priority of service shall be given to certain targeted populations as applicable under WIOA.

### ELIGIBILITY REQUIREMENTS

A. To receive individualized career and/or training services, individuals must meet the following eligibility criteria:

1. Be authorized to work in the United States;
2. Meet Military [Selective Service Registration Requirements](#) as defined by Illinois WIOA Policy guidance; and
3. Meet WIOA [Adult, Dislocated Worker or Youth Program Eligibility](#) requirements as defined by Illinois WIOA Policy guidance.

Eligible Adults, Dislocated Workers and Youth who receive individualized career and/or training services (other than self-service or information activities) must be enrolled in the Illinois Workforce Development System (IWDS) and eligibility documentation must be collected prior to enrollment and maintained in the participant file.

B. Additionally, and for training service enrollment specifically, Adults and Dislocated Workers must meet the following requirements (among other criteria defined in separate training policies):

- Unlikely or unable to obtain or retain employment which pays at or above economic self-sufficiency or wages comparable to or higher than wages from dislocation employment through career services, and
- In need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from dislocation employment.

For Adults and Dislocated Workers, self-sufficiency is locally defined as 1.) having a family income equal to or exceeding 200% of the Lower Living Standard Income Level (LLSIL) (based on the [100% Lower Living Standard Income Level \(LLSIL\)](#) as released annually by the Department of Commerce and Economic Opportunity) or 2.) at least 95% of an individual's dislocation wage/income (applicable for Dislocated Workers only).

### PRIORITY OF SERVICE REQUIREMENT

Under WIOA, [veterans and eligible spouses](#) continue to receive priority of service for all USDOL-funded job training programs, which includes Adult, Dislocated Worker and Youth services. WIOA also prescribes a priority of service when providing individualized career and training services using WIOA Adult funds (not applicable to dislocated worker and youth population). This Adult priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient as defined through Illinois Policy guidance.

Dependent on the type of service being provided to these priority groups, applying precedence may include:

1. Receiving access to the service earlier in time than the non-priority individual; or

2. If the service or resources are limited, priority populations receive access to the service instead of or before other population groups.

Individualized career and/or training services will be provided to Adults on a priority basis under the following method. Each participant's priority status will be determined at the point of entry and will be applicable regardless of funding levels. Priority shall be documented and will not change during the period of participation. Upon identification, the individual shall be notified of their entitlement to priority of service; array of programs and services available to them; and any applicable eligibility requirements for those programs and services.

1. First Priority: Veterans and eligible spouses who are low-income, to include recipients of public assistance, or who are basic skills deficient.
2. Second Priority: Individuals who are low-income, to include recipients of public assistance, or who are basic skills deficient.
3. Third Priority: Veterans and eligible spouses who are not low-income, or are not recipients of public assistance, and are not basic skills deficient.
4. Last Priority: For all other persons not listed above; those who do not qualify as veterans, eligible spouses, recipients of public assistance, low-income individuals, or basic skills deficient individuals.

**REFERENCES:**

WIOA Part 680  
WIOA Part 681, Subpart B  
Military Selective Service Act (32 CFR Part 1605)  
USDOL TEGL No. 11-11, Change 2  
WIOA Section 123  
WIOA Section 134  
WIOA Section 188

**Modifications:**

8.26.2021 – Increasing self-sufficiency standard to 200% of LLSIL.  
3.07.2018 – Regarding residency requirement.



## INDIVIDUAL TRAINING ACCOUNTS

<b>Policy No.</b>	<b>2017-02-ITA</b>
<b>Date Adopted</b>	<b>February 8, 2017</b>
<b>Effective Date</b>	<b>February 8, 2017</b>
<b>Last Amended</b>	<b>August 26, 2021</b>

### INTRODUCTION

This policy addresses the use of Workforce Innovation and Opportunity Act (WIOA) funds for Individual Training Accounts (ITAs), which are scholarships provided in the form of a voucher that is redeemed for training. ITAs are awarded to eligible participants enrolled in WIOA Adult, Dislocated Worker and Youth programs to enable them to afford a training program made available through the statewide list of eligible training providers that leads to attainment of a credential.

### GUIDELINES

ITAs are not entitlements and shall be provided to eligible participants on the basis of an individualized assessment of the individual’s job readiness, employment and training needs, financial, social and supportive needs, labor market demand and potential for successful completion, as documented on the participant’s Individual Service Strategy (ISS)/Individual Employment Plan (IEP) and subject to the availability of funds. In order to ultimately secure self-sufficient employment, WIOA enrolled Adults, Dislocated Workers, and Out-of-School Youth (ages 16-24) may qualify for an ITA when all of the following conditions are met:

- 1) The participant’s ISS/IEP indicates that he/she will be unlikely or unable to obtain or retain employment that leads to self-sufficiency through career services alone;
- 2) The participant has selected a career pathway that is outlined in the ISS/IEP, and the ISS/IEP identifies the selected training course that will lead to self-sufficiency as defined by the local area;
- 3) The participant has the skills and qualifications to successfully participate in and complete the selected training program (as determined by the assessment, by program staff and in accordance with the training provider admission policy);
- 4) The participant is likely to secure employment in an in-demand sector or occupation;
- 5) The participant has made every effort to coordinate with alternate grant sources (such as MAP or Pell), and grant assistance beyond available funding resources is required to complete training goals; and
- 6) In the event that the training program’s costs exceed the amount of grant funds available, the participant has provided evidence that he or she is able to secure additional funding to pay of the balance of the training costs.

### TRAINING

ITAs are authorized only for training programs listed on the Eligible Training Provider List (ETPL) and awarded on an individual basis taking into account the total costs of the selected training program and other financial assistance available to the participant. The ITA is issued directly to the training vendor/provider.

An ITA may fund one (1) training program when a participant meets the program’s requirements, unless the career pathway indicates that stackable training programs are in the best interest of the participant in order to secure self-sufficient employment.

Online training is permitted when the platform for the course provides an adequate system for tracking attendance and/or online participation. Programs that are largely self-taught are not permitted.

## **COSTS**

Costs allowable under ITAs include tuition, fees, books, the usual and customary tools, equipment and supplies and uniforms required for the program of study and must be documented as a requirement for all students in the training program. Any other required costs incidental to training must be approved by staff in accordance with local, state and federal policy.

## **LIMITATIONS**

ITAs issued may not exceed \$10,000 for in-district participants and \$5,000 for out-of-district participants. In-district participants are those residing within or dislocated from an employer located within the boundaries of Kane, Kendall and DeKalb Counties at the time of enrollment. Participants accepted into a Department of Labor (DOL) Registered Apprenticeship program located within the same three-County workforce area will also be considered in-district. Excluded from this limit are costs pertaining to Basic Skills upgrading, ESL, certain remedial and prevocational courses if required in order to complete a program in which the participant is actively enrolled.

Exceptions to the ITA funding limit per participant may be made on a case-by-case basis at the approval of the Director if evidence can be shown that the lack of additional funds will negatively impact the participant's ability to complete the training program. In no case will an ITA be approved for an increase in excess of \$2,000 of the appropriate cap without Board approval.

## **DENIAL**

Reasons for denial of an ITA, or discontinuation of funding, may include:

- The participant is unable to satisfy the ITA approval conditions;
- The participant has previously accessed ITA funded training and is unable to demonstrate the need for an additional or new credential;
- The participant did not successfully earn a credential through their previous ITA training funded and is un-able to provide information to substantiate extenuating circumstances that prevented successful credential attainment;
- The participant has failed to maintain regular contact with program staff;
- The participant has had repeated absences, tardiness or had failed to participate/complete training requirements;
- The participant has failed to maintain a minimum GPA as defined by the provider; or
- The participant has to repeat courses previously funded under WIOA.

## **REFERENCES:**

*WIOA Section 134(c)(3)(G)*

*WIOA Section 129(c)(2)(D)*

*WIOA Final Rule 20 CFR 680.300, 320-330*

*WIOA Final Rule 20 CFR 681.550*

## **Modifications:**

8.26.2021 – Expands in-district definition.

3.07.2018 – Includes two-tier funding cap.

## ON-THE-JOB TRAINING

<b>Policy No.</b>	<b>2017-02-OJT</b>
<b>Date Adopted</b>	<b>February 8, 2017</b>
<b>Effective Date</b>	<b>July 1, 2022</b>
<b>Last Amended</b>	<b>September 14, 2022</b>

### INTRODUCTION

On-the-Job Training provides funding to partially reimburse businesses for the costs of training a newly hired employee on the specialized skills necessary to perform his or her job effectively. Up to 75% of an eligible employee's base wage rate is reimbursable. Employers in the private non-profit or private sectors may qualify to participate in the OJT program.

### DEFINITION

The term "On-the-Job Training" means training by an employer that is provided to a paid participant while engaged in productive work in a job that – (A) provides knowledge or skills essential to the full and adequate performance of the job; (B) is made available through a program that provides reimbursement to the employer of up to 75 percent of the wage rate of the participant [except as provided in section 134(c)(3)(H) of the Workforce Innovation and Opportunity Act], for the extraordinary cost of providing the training and additional supervision related to the training; and (C) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate. (*Section 3 (44) of WIOA*)

### GENERAL REQUIREMENTS

OJT is provided under a contract with an eligible employer in the private non-profit or private sectors. The participant must be an employee during the OJT contract period and the employer must agree to the contract prior to the participant's start date. The intent of OJT is to provide full-time paid employment for the WIOA participant that leads to self-sufficiency according to the current self-sufficiency level as defined by the Local Workforce Development Board of Kane, Kendall and DeKalb Counties. OJT positions must be full-time as defined by the employer, but may be no less than 32 hours per week.

### ELIGIBILITY

Employers located within Kane, Kendall or DeKalb County may train any individual enrolled in LWIA 5 WIOA services. Individuals enrolled in LWIA 5 may qualify for placements with employers throughout the broader Economic Development Region (EDR) 4 as defined by the State, as well as those counties contiguous to LWIA 5. This includes any employer within the counties of Boone, Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, La Salle, Lake, Lee, McHenry, Ogle, Will, and Winnebago. Please note that, while employers may identify and refer an individual for an OJT opportunity (known as a "reverse referral"), an assessment will be required to ensure that the individual is eligible.

Individuals enrolled in LWIA 5 (including Adult and Dislocated Workers, Youth) may qualify for OJT opportunities based on an assessment and identified career pathway. Employed individuals may also participate in OJT contracts when the employee is not earning a self-sufficient wage (as defined in the Wages section below) or is earning wages that are not comparable to, or more than, previous earnings. For employed individuals to qualify, the OJT must equip him or her with skills related to new technologies, production or service procedures, workplace literacy, or other skills upgrades. In determining the length of the OJT placement, consideration will be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan.



An employer must have been in operation for a minimum of one year. If the employer has similar positions currently on layoff or open due to a hiring freeze, the position is ineligible for OJT. Similarly, if the OJT will infringe upon the promotion of, or cause the displacement of currently employed workers or will reduce current employees' hours, then the position is ineligible. Employers may not terminate an employee with the intention of filling the vacancy with OJT participants. Business owners or direct supervisors may not be immediate family members of the participant.

Employers that have completed a relocation that resulted in an employee losing his or her job may not qualify for OJT until operating at the new site for 120 days. Employers that have entered in OJT contracts in under WIOA or WIA the past and have failed to provide participants with long-term, equitable employment are not eligible for future OJT contracts. A pre-award survey will be required as part of the application process to verify eligibility.

## **WAGES**

Employers must pay participants the same wage paid to any entry level employee performing the same type of work. This includes full wages, benefits, holiday and all overtime costs. Independent contract positions or seasonal positions are not allowable under OJT. No position will be approved that does not meet the local area's definition for a minimum self-sufficient wage for a household of one. The maximum wage for OJT reimbursement shall not exceed the State wage cap as published by the Department of Labor Education and Training Administration ([TEGL 13-15 Attachment II](#)).

## **CONTRACTING**

Kane County Office of Community Reinvestment (OCR) staff and authorized subrecipients are responsible for negotiating OJT contracts. Training may not commence until the employer has signed the OJT contract. OJT placements may not exceed 1040 hours, or approximately six months of employment. In determining the appropriate length of the training time for an OJT placement, an OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of training time, SVP codes & corresponding training times within the Dictionary of Occupational Titles shall be used as a guide. The employer will also be required to assist in developing a Training Plan for the participant, which will be incorporated into the OJT contract.

## **REIMBURSEMENTS**

The "standard" wage reimbursement rate for an OJT placement is 50% of the participant's approved base wage rate. The State of Illinois has the statutory authority to increase the wage reimbursement rate from 50% to up to 75% under WIOA when taking into account specific locally-approved factors, such as the size of the employer, the characteristics of the participant (i.e. individual with barriers to employment) requiring more intensive training, or the employer-provided training resulting in an industry-recognized credential. An OJT placement meeting the following priority criteria may qualify for higher reimbursement rate not to exceed 75% (or the maximum rate permitted under an approved State waiver) at the Director's approval when at least one of the following criteria is appropriately documented by OCR staff or authorized subrecipients:

- The employer is a small or mid-sized business (based on the U.S. Small Business Administration's definition) with less than 200 full-time employees (based on the total number of full-time employees at the location where the OJT will occur).
- The characteristics of the participant taking into consideration whether they are "individuals with barriers to employment" (as defined by State policy and verified through local assessment) thus, requiring more intensive training than individuals without barriers. Identified barriers may include, but are not limited to, an individual that: is an English language learner, is Basic Skills Deficient, has a disability, is an ex-offender, or is homeless.
- The quality of employer-provided training and advancement opportunities.
- The proposed training will result in the attainment of an industry-recognized credential.

Please note that overtime is not eligible for reimbursement through the OJT program. Reimbursements under contracts for eligible participants who are referred by the employer (a "reverse referral") will not be processed until the participant has retained the position for a minimum of 90 days.

## **EMPLOYER COMMITMENT**

The employer will be required to assist in developing a Training Plan for the participant as part of the contract process, submit regular invoices, and report on Training Plan progress in order to receive reimbursements over the course of the program. Employers must also:

- Carry and provide proof of Worker' Compensation insurance
- Provide an employer FEIN (Federal Employer Identification Number)
- Agree to all Assurances/Certifications/Warranties
- Sign a Contract for Services
- Obtain concurrence from the appropriate collective bargaining unit/agent, if applicable

Periodic reviews will be conducted with the employer to evaluate the participant's progress in OJT. Reimbursement requests, hours worked and the rate of pay will be reviewed (i.e. timesheets, payroll, or other documentation) to ensure compliance. Monitoring will also be carried out to ensure OJT outcomes are achieved, including whether the OJT resulted in long-term employment or, if applicable, an industry-recognized credential.

## **ADDITIONAL CONSIDERATIONS**

OJT may be used in combination with other training opportunities such as occupational training or other work based learning opportunities when the career planner determines that the investment is necessary for the participant to achieve permanent, self-sufficient employment.

## **REFERENCES:**

WIOA Section 3(44)

WIOA Section 134(c)(H)

WIOA Section 188(a)(2) and (3)

WIOA Final Rule 20 CFR 680.700-730; 680.850; 683.260-275

IL WIOA Policy Chapter 7, Section 2.2.1

## **Modifications:**

8.26.2021 – Includes State waiver provision.

9.14.2022 – Expands higher reimbursement priority criteria definition based on revised State policy guidance.

## INCUMBENT WORKER TRAINING

Policy No.	<u>2017-02-IWT</u>
Date Adopted	<u>February 8, 2017</u>
Effective Date	<u>February 8, 2017</u>

### INTRODUCTION

Incumbent Worker Training (IWT) is a Work-based Training strategy designed to develop a highly skilled workforce which will result in an increased ability for employers to compete, expand, and retain workers. Workers participating in IWT will benefit by enhancing existing skills, learning new skills, earning employer or industry-recognized credentials, retaining employment and/or increasing earnings potential. IWT can be used to help avert potential layoffs of employees, or to increase the skill levels of employees so they can be promoted within the company and create backfill opportunities.

Under the Workforce Innovation and Opportunity Act (WIOA), the Local Workforce Development Board of Kane, Kendall and DeKalb Counties may dedicate up to 20% of Adult and Dislocated Worker formula funds to provide for the Federal share of the cost of training through IWT programs administered by Kane County Office of Community Reinvestment (OCR) staff.

### EMPLOYER ELIGIBILITY

An employer must meet the following qualifying criteria to apply for local IWT funding:

1. Must be located within Kane, Kendall, or DeKalb Counties;
2. Must be a private for-profit employer or a private non-profit organization. Public entities such as cities, counties, library, park and school districts, or other taxing bodies may not participate in the local IWT program;
3. Must be in operation in the local area for a minimum of one (1) year prior to application date;
4. Must have at least one (1) full-time, permanent employee (as defined by the company), other than the owner.
5. Must demonstrate financial viability and must be current on all local, state and federal tax obligations, including Unemployment Insurance and Workers' Compensation taxes, penalties, and/or interest or related payment plan.
6. Must not be presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from participating in transactions by USDOL or the State of Illinois.
7. Shall not have had one or more layoffs and/or relocated operations within 120 days of the date of application;
8. Must not be receiving duplicative funding for similar economic development activities from the State.

There are also businesses that will not be allowed to participate in this activity due to violations of local, state, or federal laws; unfair labor practices. Other conditions (such as failure to meet OSHA requirements) will be identified during the course of conducting initial employer assessments and reviewing contract requirements, assurances, and certifications with local OCR staff.

### EMPLOYEE ELIGIBILITY

An eligible incumbent worker is defined as an individual, or group of individuals, with an employer-employee relationship (as defined by the Fair Labor Standards Act) who is receiving training to increase his or her skills in a current position or to prepare for entry into a new occupation within the industry-related workforce. Participants must be 18 or older and must either be a U.S. Citizen or a non-citizen whose status permits employment in the U.S.

Employees must have an established, 6-month work history with the employer. Exceptions to this rule may be granted for groups of employees when a majority of the employees have a 6-month work history.

## **AWARD CRITERIA**

The following factors will be considered when awarding local IWT funding to an eligible employer:

1. The number of employees participating in the training;
2. The characteristics of the incumbent workers to be trained and how they would benefit from retention or advancement;
3. The wage and benefit levels of the participants (before and after training);
4. The quality of the training, including the relationship of the training to the competitiveness of the employer and employees in the context of regional, national, and/or international market and industry trends. Whenever possible, the training should allow the participant to gain industry-recognized training experience and/or lead to industry-recognized credentials and/or an increase in wages; and
5. Availability of other employer-provided training and advancement opportunities evidencing long-term investment in the employee work base.
6. Commitment to engage in a long-term relationship with OCR by posting new positions or employment opportunities (such as backfill positions) on the locally published job board.

## **TRAINING REQUIREMENTS**

Training should be closely linked to high growth jobs in an in-demand industry, and career/job advancement or retention is desired. Training can be provided through Illinois public or private educational institutions, in-state or out-of-state private training organizations, professional trainers hired by the employer, in-house trainers, or a combination of training providers. It may be conducted at the employer's facility, at the training provider facility, or at a combination of sites. Information must be provided from the employer on the training providers considered, cost and price analysis conducted in selecting the training provider, and whether training will result in a credential, certification or licensure for the worker.

The employer applying for grant funds must identify outcomes to be achieved by the incumbent worker training that occur. At least one noted outcome should directly benefit the employer and be easily measured. An explanation should be provided as to how each outcome is important to the employer and its employees and how the proposed training project will produce the outcomes stated in the application. A description of how the outcome will be measured and verified is also needed and results reported with the submission of cost reimbursement claims under this grant.

Training that is only loosely related, or is unrelated to specific jobs, is not eligible. Examples of training that are not directly job-linked include, but are not limited to:

- Stand-alone adult basic education (ABE);
- Stand-alone English as a Second Language (ESL);
- Team building or motivational training;
- Basic computer literacy skills;
- Training/continuing education required by federal, state or industry guidelines, i.e., OSHA, FDA requirements; or
- Industry certification or licenses issued by a government entity, such as insurance adjustors, real estate agents/brokers, etc.

Please note that ABE and ESL training that is fully integrated with specific job-linked skills training may be allowable.

## **FUNDING**

IWT projects are funded on a competitive basis as funding is available. The maximum funding award is **\$15,000** per year by employer. Training costs contributed by the employer above and beyond this maximum may count as a matching contribution towards the project.

Costs that are reasonable and necessary for the conduct of the training are allowable. Below are the costs that may be reimbursed through the grant:

- Training development
- Instructor wages
- Tuition and fees
- Training materials and supplies
- Off-site training facility costs
- Fees for technical or professional certifications and/or licensures

Following training completion and attainment of the program outcome benchmarks established in the training plan, the employer may submit verification of costs in accordance with the line items approved in the contract budget.

### **EMPLOYER COMMITMENT**

A written training plan must be submitted by the employer. The training plan must include a description and explanation of the training for which funds are being requested, a training program outline with course and cost information, line-item budget, employer match contribution information, cost analysis used by the employer in making training program provider selection, and employee data forms.

A minimum of three quotes is required as part of a bidding process for training; however, the employer is not required to select the lowest bid. Information must be provided from the employer on the training providers considered, as well as the cost and price analysis conducted in selecting the training provider, and whether training will result in a credential, certification or licensure for the worker.

IWT programs must include a contract/written agreement that outlines who is providing the training, the type and location of the training to be provided, the length and cost of the training, and the amount of employer-matching support and manner in which the match will be contributed to the project.

Employers are required to submit specific information for employees/trainees participating in training activities, which includes, but is not limited to: trainees' names, social security numbers, training start dates, training-related occupational titles, training progress/completion reports, documentation of training outcomes for each trainee, wages prior to training, wages after training completion, etc. Social security numbers and other personally identifiable information is encrypted and used by secure systems to measure job retention and wage changes as required by federal reporting standards. Employers will keep accurate records for a period of three (3) years of training implementation and certify that all information provided for the purpose of requesting reimbursements and reporting training activity is accurate and true.

### **MATCHING CONTRIBUTIONS**

Employers must demonstrate and/or provide an in-kind or direct matching contribution to the training project. All matching contributions must be necessary for the provision of the training and must be verifiable. In addition to the costs listed under the Funding section of this policy, the wages of trainees while in training, while not reimbursable, can serve as eligible match.

The amount of the match required is based on size of the company and is in the amount equivalent to the relative percentage of the total of the grant request, detailed in the chart below.

<b>Number of Employees</b>	<b>Minimum Company Match Requirement</b>
50 or fewer full-time employees	10%
51-100 full-time employees	25%

101+ full-time employees	50%
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**REIMBURSEMENTS**

Following training completion and attainment of the program outcome benchmarks, the employer may submit verification of costs in accordance with the line items approved in the budget of the grant application. Approved budget items are reimbursed upon presentation of adequate documentation of the training and evidence that the training expense incurred has been paid, and outcomes have been achieved and verified.

Should a trainee fail to successfully complete the training program for any reason, his or her costs will not be reimbursed to the employer.

**REFERENCES:**

**DCEO WIOA Notice No. 16-NOT-01** *Interim Guidance to Local Workforce Innovation Boards (LWIBs) for Implementing Incumbent Worker Training*

**WIA Policy Letter No. 07-PL-33, Change 4** – *Incumbent Worker Training*

WIOA Final Rule 20 CFR 680.780-840

## YOUTH WORK EXPERIENCE

<b>Policy No.</b>	<u>2017-06-YWE</u>
<b>Date Adopted</b>	<u>June 14, 2017</u>
<b>Effective Date</b>	<u>July 1, 2017</u>

### INTRODUCTION

A work experience is a planned, structured learning opportunity for youth that takes place in a workplace for a limited period of time. Work experiences may be paid or unpaid and may take the form of internships, job shadowing, apprenticeships, or On-the-Job Training (see separate OJT policy). The purpose of a work experience is to provide youth with opportunities for career exploration, skill development and work ethic reinforcement. Work experiences are designed to enable youth to gain exposure to the world of work and acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment.

### GENERAL REQUIREMENTS

Local youth programs must expend at least 20 percent of funding allocated to provide in- and out-of-school youth with paid and/or unpaid work experiences. Suitable workplaces may be arranged within the private for-profit, non-profit, and public sectors. Youth work experiences must include both an educational and an occupational component. The educational component may occur either concurrently or sequentially with the work experience and may take place on or off the worksite.

The work experience should align with the goals outlined in the Individual Service Strategy (ISS), and the participant's job description must clearly identify areas of training and duties to be performed. All components of the work experience must be determined prior to the participant's start date, including: the duration of the work experience, job description, hours per week and employee schedule. A worksite agreement compliant with all local, state and federal policies must be executed between the subcontractor and the employer prior to commencing a paid work experience.

### PARTICIPANT SUITABILITY

A youth participant must be determined to be both WIOA eligible and a suitable candidate for work experience through an assessment documented in the ISS. The participant's occupational area of interest and selected career pathway must be taken into account when selecting a suitable worksite. Youth suitable for work experiences may benefit from exposure to different sectors, have limited or no past work experience, demonstrated job hopping, or have experienced loss of jobs/terminations/firings.

### WORKSITE CRITERIA

Worksites must be able to provide meaningful and adequate oversight, with provisions made for supervision when the regular supervisor may not be available. A participant's employment cannot unfavorably impact current employees, such as a youth participant displacing all or a portion of current employee's hours, including: overtime, wages, benefits or promotional opportunities. Similarly, a participant's employment at a worksite may not impair existing contracts for services or collective bargaining agreements. Worksites must comply with all applicable state and federal laws, including but not limited to Occupational Safety and Health Act (OSHA) and the Fair Labor Standards Act child labor laws and regulations. Subcontractors are responsible for ensuring that these measures are met and maintained throughout the duration of the worksite agreement.

### HOURS & DURATION

A work experience should be a pre-determined, fixed duration based upon the assessment of the individuals' abilities. Participants are not authorized to work overtime or in excess of 40 hours per workweek. When determining the

duration of a work experience, the length of time necessary for the participant to learn the skills identified in the learning plan, subcontractor budget, and employer having sufficient quantity of meaningful work activities for the participant should be considered.

Paid work experiences should provide a consistent learning opportunity lasting for a minimum of 4 consecutive weeks, not to exceed the following:

- 8 weeks for participants working 21-40 hours per week, or
- 12 weeks for those participants working 20 hours or less per week.

Paid placements exceeding these limits require approval from the Youth Program Manager. Youth with disabilities that may benefit from an extended paid work experience are not subject to the duration limits identified within this section but must include justification as outlined in the ISS.

## **WAGES**

Individuals participating in a paid work experience opportunity must be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. The Fair Labor Standards Act must be observed in determining how much to pay a work experience participant. Wage rates may not be lower than the higher of the federal or state minimum wages.

Participants shall not be paid for:

- Sick leave,
- Vacation breaks,
- Lunch breaks,
- Overtime; or,
- A holiday recognized by the employer as a “paid holiday”.

## **FILE DOCUMENTATION**

All documentation pertinent to the work experience must be maintained for each employer and participant, including but not limited to:

- Documentation supporting the suitability of the work experience for the employer and the participant (Individual Service Strategy),
- Worksite Agreement (executed prior to the participant’s start date),
- Schedule of the participant’s work hours/schedule,
- Wages, benefits (FICA, Worker's Comp),
- Assurances of compliance with Labor Laws; and,
- Identification of the worksite supervisor and supervisor work hours (matching participant’s work hours).

## **MONITORING**

Subcontractors must ensure regular and on-going monitoring and oversight of work experiences through a combination of on-site visits and phone/email communication with the employer and participant. All worksites must be monitored on-site by the subcontractor to ensure compliance with established worksite criteria. Any deviations from the Worksite Agreement should be remediated promptly.

Subcontractor oversight of the participant’s training and payroll records may be reviewed by Federal, State and local fiscal and program monitors. These entities will have the right to access, examine and inspect any site where any phase of the program is being conducted. The subcontractor will maintain its records and accounts in such a way as to facilitate the audit and in accordance with State and Federal policy.

**REFERENCES:** WIOA Regulations for Youth 681.590, 600





April 20, 2016

## **WIOA POLICY 15-WIOA-5.3**

### **WIOA TRAINING PROVIDER AND TRAINING PROGRAM ELIGIBILITY**

*This WIOA policy is issued to provide guidance to all training providers (including new providers and those previously provided transitional eligibility) and the Local Workforce Innovation Boards (LWIB) and local workforce innovation areas (LWIA) on the process for determining eligibility of providers and training programs. It is intended that this policy letter is interim until further guidance is received by USDOL and final changes are made to the Illinois Workforce Development System (IWDS).*

#### **I. POLICY**

##### **A. General Eligibility of Training Providers**

The following outlines the general criteria for a training provider to be considered for initial eligibility by a Local Workforce Innovation Board (LWIB), as well as for its training programs.

1. The Workforce Innovation and Opportunity Act (WIOA) requires all states to establish a procedure for Local Workforce Innovation Boards (LWIBs) to determine eligibility for training programs. Only eligible training providers and their eligible training programs will be included in the state's Eligible Training Provider List (ETPL). The requirements of this policy letter apply to all organizations providing training services to WIOA adults and dislocated workers.
2. Providers of on-the-job training, customized training, incumbent worker training, internships, and paid or unpaid work experience opportunities, or transitional employment shall not be subject to the requirements of this policy letter.
3. Training providers and training programs previously approved for transitional eligibility on July 1, 2015 under WIOA Transitional Policy Letter #7 must apply and be approved for continued eligibility prior to July 1, 2016 following the process outlined in Section E.
  - a. Transitional providers and programs that are not provided such determination by July 1, 2016 must follow the process for initial eligibility as outlined in Section C.
  - b. New providers or programs that were not approved for transitional eligibility must follow the process for initial eligibility as outlined in Section C.
  - c. WIOA participants enrolled in training programs that are not approved for continued eligibility prior to July 1, 2016 shall be allowed to complete the training program.

- 1) The only exception is if a training provider and/or its programs are determined to have intentionally supplied inaccurate information or to have substantially violated any provision of the WIOA regulations or of Title IB of the Workforce Investment Act (WIA), or substantially violated any other requirements as outlined in local policy.
    - i. Customers of such programs shall be provided assistance in enrolling in a similar training program to complete the intended training outcome, or if not available, a new training program.
  - 2) A provider of training services whose eligibility is terminated under subparagraph A.3.c.1 may be liable for the repayment of funds received under WIOA or WIA.
4. To be eligible to receive funds for the provision of training services, the provider shall be:
- a. an institution of higher education that provides a program that leads to a recognized postsecondary credential;
    - 1) This may include programs receiving approval or accreditation by the U.S. Department of Education, Illinois Board of Higher Education, Illinois Community College Board, or Illinois State Board of Education;
  - b. an entity that carries out programs registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) as recognized in Illinois by the U.S. Department of Labor (USDOL), Office of Apprenticeship; or
  - c. another public or private provider of a program of training services, which may include joint labor-management organizations; eligible providers of adult education and literacy activities under Title II if such activities are provided in combination with occupational skills training; or programs that have been recognized by the industry as meeting the standards necessary for approval or accreditation, when such standards exist.
- B. All Registered Apprenticeship (RA) programs registered with USDOL, Office of Apprenticeship or a recognized state apprenticeship agency are automatically eligible to be included as an eligible training provider so long as they show interest in being added to the Eligible Training Provider List (ETPL) and the following process is completed:
1. Registered Apprenticeships must indicate their interest in being included on the ETPL.
  2. Local Workforce Innovation Areas (LWIAs) should inform the RAs in their local area via mass email, phone call, or other method of these requirements.
  3. An RA may contact its LWIA or State of Illinois, Office of Employment and Training to indicate its interest in being included on the ETPL.
  4. LWIAs must notify Department of Commerce, Office of Employment and Training (OET) in writing of all registered apprenticeship programs that have shown interest in being included on the ETPL.

5. Notification to OET should be made to:

Illinois Department of Commerce and Economic Opportunity  
Office of Employment and Training  
Neely Schlosser  
500 East Monroe Street, 9th Floor  
Springfield, IL 62701-1643

ATTN: Ms. Paula Barry

or

Submitted electronically to paula.barry@illinois.gov with a copy to  
neely.schlosser@illinois.gov.

6. The following information is required for inclusion on the ETPL and should be provided for all programs of the RA:

- a. Occupations included within the RA program(s);
  - b. Name and address of the program(s) sponsor;
  - c. Name and address of the Related Technical Instruction Provider(s), and the location(s) of instruction, if different from the program sponsor's address;
  - d. Cost of the program(s);
  - e. Method and length of instruction; and
  - f. Number of active apprentices in each program.
  - g. Registered Apprenticeship program sponsors that do not provide the Related Technical Instruction portion of the apprenticeship program (as outlined above) may be required to provide additional information about their education provider.
7. A Registered Apprenticeship program expressing interest in being included on the ETPL will be added on a statewide basis; thus, if it has multiple locations, the RA would only need to show interest once, but must still provide information on every program it is providing.

C. Initial Eligibility, except those providers and programs previously provided Transitional Eligibility (see Section A.3.) or Registered Apprenticeships (See Section B)

New training providers must apply for Initial Eligibility in accordance with the following guidance:

1. Applications for Initial Eligibility of Training Providers and Training Programs

- a. Applications for initial eligibility must be submitted according to the geographical location of the training program. The LWIA should instruct the training provider as to where they should apply for each training program, as follows:
  - 1) Training programs located in a single LWIA must initially apply with the LWIA where its program is geographically located.

- 2) Training programs offered in multiple LWIAs and identical across each of the LWIAs must initially apply to the LWIA in which the training provider has identified as its headquarters and/or primary location.
  - 3) Training programs offered in multiple LWIAs - but the program is not substantially the same across the various LWIAs - must initially apply to each LWIA in which the training program is offered.
  - 4) Training programs located out-of-state or not offered at a physical location (e.g., distance learning) must initially apply to the LWIA from which it anticipates receiving the most students.
- b. A training provider is prohibited from applying for training program eligibility in LWIAs where the program site is not geographically located, unless the LWIA in which the program is located denies eligibility or fails to act on the application within 30 days of the date of application.
2. General Eligibility - LWIBs must verify that all training programs (except those programs of out-of-state training providers) for which a training provider is seeking eligibility have met the following guidelines:
- a. The training provider has gathered all of the mandatory information found in Attachment A - Requirements for Training Program Eligibility and the information has been entered into IWDS.
    - 1) Once the LWIA has verified eligibility of a training provider, they must set up a Training Provider record in the Illinois Workforce Development System (IWDS) as outlined in Attachment A.
    - 2) After the LWIA has entered the training provider on IWDS, the LWIA must supply the training provider with the following:
      - a) The user ID for the primary contact that is generated by IWDS to be used by the training provider when they log into the system to request eligibility of training programs or need to update information on a training program;
      - b) The temporary password for the primary contact that is generated by IWDS to be used by the training provider to log into the system the first time (the primary contact for the training provider should then change the password to a personally selected unique password); and
      - c) The web address (<https://iwds.dceo.illinois.gov/iwds/iwdshome.html>) to the IWDS system that will direct the training provider to the appropriate system screen.
    - 3) The training provider should begin adding training programs into IWDS to be determined eligible and add contacts for each training program.
  - b. The specific training provider and training program performance data as outlined in Section J has been provided, when available.
  - c. The training provider has provided all other information required by the LWIA for which it is seeking eligibility.
    - 1) LWIBs reserve the right to impose additional criteria through local policy that is unique to conditions within a particular LWIA so long as they meet, at a minimum, federal and state requirements.

- 2) Conditions that should be considered include economic, geographic and demographic conditions in the area and characteristics of the population served by the provider may be considered.
- d. The training provider's program is intended to lead to placement in a Demand Occupation as identified on the Demand Occupation Training List for the Economic Development Region in which they are geographically located.
- 1) Exceptions to this requirement include:
    - a) The training program, as identified on the Demand Occupation Training List (DOTL), is intended to be a beginning step in a Career Pathway or Bridge Program that would lead to placement in a Demand Occupation.
    - b) The training provider's program provides **only** basic skills and/or remedial training.
  - 2) Occupations associated with eligible training programs can only be selected from those available on the demand occupation list.
  - 3) LWIAs may choose to accept applications for training in occupations from any of the Demand Occupation Training Lists in which they are geographically located.
  - 4) Once a customer has begun a qualified training program, he or she shall be allowed to complete the program regardless of whether the occupation still qualifies as a demand occupation.
  - 5) LWIBs may request additional occupations be added to their Regional list. Such conditions as a new plant opening, facility expansion, addition to the state or federal key sector initiatives or other reasons that might indicate multiple job openings will be available.
    - a) Requests may also be made to add an occupation when it is the beginning step in a Career Pathway or Bridge Program and is intended to be followed by further training in post-secondary education.
    - b) Requests must be made utilizing Attachment B - Demand Occupation Request Form and include at a minimum:
      - i) Annual average job opening data for the region, state, and surrounding areas that would support a significant number of employment opportunities;
      - ii) Entry level wage data;
      - iii) Information indicating the occupation is on a Career Pathway;
      - iv) Completion rates of the training program for both WIOA participants and all students; and
      - v) Entered employment rates in the occupation for both WIOA participants and all students.
        - (a) The data to be provided for WIOA participants under Section b)iv. and Section b)v. above can be through a report generated from the Illinois Workforce Development System (IWDS).
      - vi) All student data required under Section b)iv. and Section b)v. above should be for all students enrolled in the program of study for which the local board wishes to add to the Demand Occupation Training List and shall include WIOA participants.
    - c) A separate request form must be completed for each occupation the local area would like considered for inclusion on the list.

d) Requests should be made to:

Illinois Department of Commerce and Economic Opportunity  
Office of Employment and Training  
Neely Schlosser  
500 East Monroe Street, 9<sup>th</sup> Floor  
Springfield, IL 62701-1643

ATTN: Ms. Paula Barry

or

Submitted electronically to [paula.barry@illinois.gov](mailto:paula.barry@illinois.gov) with a copy to [neely.schlosser@illinois.gov](mailto:neely.schlosser@illinois.gov).

- e. The training provider has provided the following assurances that it will comply fully with all non-discrimination and equal opportunity provisions of the laws listed below:
- 1) WIA Section 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially-assisted program or activity;
  - 2) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
  - 3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
  - 4) The Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination against qualified people with disabilities;
  - 5) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
  - 6) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
  - 7) 29 CFR Part 37 and all other regulations implementing the laws listed above; and
  - 8) This assurance applies to the grant applicant's operation of the WIOA Title I financially-assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I financially-assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.
- f. The LWIB has assured that the training provider has provided:
- 1) all of the information required above;
  - 2) any additional information provided by the training provider; and
  - 3) any additional information requested by the LWIB.
- g. An agreement between all parties involved, including the training provider and local area(s), on provisions for monitoring in accordance with Section K of this policy letter.

- 1) If the program occurs in another local area, arrangements must be made to ensure either the local area determining eligibility of the program or the local area in which the program is provided (or both) will conduct monitoring.
  - 2) If the program occurs in another state, arrangements should be made to ensure monitoring will be conducted by the state in which the training is determined eligible or provided.
    - a) Local areas should make every effort to ensure adequate monitoring is provided by the out-of-state local area; and
    - b) Local areas should limit the amount of travel necessary to conduct out-of-state monitoring; and
- h. The LWIB has reviewed the information and approved it as an eligible training program to add to the Eligible Training Provider List in IWDS.

### 3. Eligibility Timeline

- a. The LWIB must determine a program is eligible within 30 days of the application to the LWIA.
  - 1) One exception to this requirement may exist if the LWIB has provided authority to the LWIA to allow a committee of no less than two (2) individuals to conditionally approve programs in lieu of waiting for the LWIB determination of eligibility.
    - a) Where this exception has been granted, the program may be deemed eligible until such time as the LWIB can review and approve the determination of eligibility.
    - b) Conditionally approved programs must complete the application process as outlined in Section C.1 above.
  - 2) A second exception to the requirement to determine a program eligible within 30 days of application is being extended through June 30, 2016. This exception will provide up to 90 days, but no later than June 30, 2016, from application date for the LWIB to determine a program eligible. This is being extended to allow local boards ample time to meet and review the applications as this policy is phased in. After September 30, 2016, this exception expires.
- b. If the LWIB (or committee designated by the LWIB) fails to make a determination (or denies eligibility) of the program within 30 days of the application to the LWIA, the following actions will occur:
  - 1) The program is placed in a "capture list" on IWDS unless it was denied "for cause".
  - 2) Training programs that are placed on the capture list are available for 120 days to be selected by another LWIA and determined eligible by their LWIB. Once the 120-day period passes, the training program will be removed from the capture list.
  - 3) Training programs that did not meet the state performance criteria (as outlined in Section J) or were denied "for cause" will not be placed on the "capture list" and cannot be determined eligible as an approved training program for a period of two (2) years.
  - 4) The LWIA should notify the training provide that if a program does not meet all of the mandatory criteria for initial eligibility or is not accepted by the LWIB within 30 days for some other reason, the training provider can:

- a) appeal its acceptance status in accordance with Section I and if accepted, the program will be registered on IWDS and given full eligibility status, as long as the application process has been completed; or
- b) wait 30 days from denial of acceptance by the LWIB and reapply with another LWIA.

#### 4. Initial Eligibility Date

- a. Once a training program has been determined eligible, the LWIA must enter the date the LWIB approved the program in the "Eligibility/Certification Date" field of the Training Program Basic Information screen on IWDS.
- b. The LWIA must also enter the date for continued eligibility of the training program in the "Next Elig./Cert. Date" field of the same screen. (Note: If the LWIA fails to enter a date in this field, the system will automatically generate a date that is one year from the eligibility/certification date.)
  - 1) The next eligibility (next certification) date must be within 1 year of the initial eligibility date.
  - 2) The next eligibility date (next certification) may be selected based on local or training provider needs and agreements. For example:
    - a) The LWIA would like to coordinate training program continued eligibility dates so that they have them coincide with regularly scheduled LWIB meetings;
    - b) An LWIB may instruct the LWIA to select continued eligibility dates that are distributed throughout the year so as to allow local boards to spread out their eligibility determination workload, thus avoiding the potential bottleneck of review and approval actions once per year; or
    - c) A training provider may wish to have all or some of their training program determinations of continued eligibility as a group to streamline the process.

#### D. Out-of-State Eligible Training Programs

Training programs that have been determined eligible by an out-of-state agency must meet the following requirements for eligibility determination in Illinois:

1. Illinois training provider programs:
  - a. If the training program offered in Illinois is identical (i.e., program description, program length, credits earned, licensure, award of certificate, etc.) to the training program offered in another state:
    - 1) The LWIB may choose to accept a training program which has been determined eligible in another state; or
    - 2) The LWIB may choose to require the training provider to seek eligibility of its training program through the procedures outlined in section C.1. of this policy letter.
2. If the training program offered in Illinois is not identical to the training program offered in another state, the LWIB must require the training provider to seek eligibility through the procedures outlined in section C.1. of this policy letter.



3. Out-of-state training provider programs
  - a. The LWIB may choose to accept the eligibility of an out-of-state training program that has been developed and determined eligible in accordance with guidelines of a local workforce area in another state; or
  - b. The LWIB may choose to require the training provider to seek eligibility of its training program through the procedures outlined in Section C.1. of this policy letter.
  - c. LWIBs should enter into reciprocity agreements with the LWIBs under which providers of training services may enroll customers into programs provided in states other than Illinois.
    - 1) Such agreement would provide the conditions by which the out-of-state provider of training services would not be subject to Illinois' eligibility procedures if the provider has been determined eligible by the other state with such an agreement.
    - 2) This reciprocity agreement is intended to diminish the burden on states and training providers to be subject to duplicative procedures and expands the array of training options available by additional training providers.

#### E. Continued Eligibility Process

This section provides the requirements for continued eligibility and continued inclusion on the Eligible Training Provider List (ETPL) for training providers and programs previously approved for initial eligibility and those training providers and programs that were approved for transitional eligibility (as provided under WIOA Transition Policy Letter #7).

1. LWIAs must ensure all training providers have their eligible training programs determined for continued eligibility on at least a biennial (at least every two years) basis to maintain their status as an eligible training program.
  - a. LWIAs may want to inform each training provider of any upcoming continued eligibility dates (i.e., a notice sent to the training provider 90 days prior to the continued eligibility date).
  - b. Continued eligibility is based on the date entered during the initial eligibility or most recent continued eligibility determination of the training program (as outlined in Section E.4. of this policy letter).
2. The LWIA must receive the training provider's intent to apply for continued eligibility of a training program or programs in sufficient time to meet the following continued eligibility timeline requirements.
  - a. The training provider expresses intent for continued eligibility of a training program by resubmitting the Training Program Basic Information application in IWDS.
    - 1) If a training program has had only changes in information that are not significant information (as outlined in Section F.2.a.), the training provider must make such changes in IWDS and save the Training Program Basic Information record.

- 2) If a training program has had no changes in information, the training provider must still save the Training Program Basic Information record.
  - 3) Once the Training Program Basic Information record has been saved, the Initial Criteria Status record will change to "Pending Continued Eligibility (recertification)".
  - 4) The change to "Pending Continued Eligibility (recertification)" status will prompt the LWIA that they must send the training program to the LWIB for review and determination.
- b. A report will be available for the local area to identify any training programs with a "Pending Continued Eligibility" status.
- 1) The frequency of producing these reports will be a local decision.
  - 2) The LWIA should utilize due diligence in producing this report routinely throughout the year keeping in mind training programs may be jeopardized if they are not approved for continued eligibility promptly.
  - 3) The report is titled "Training Programs Nearing Continued Eligibility (recertification) Date" in IWDS.
3. The LWIA should continue to make available and enroll customers in any training program with a "Pending" status.
4. The LWIA has 90 days to submit the application(s) to the LWIB for review and approval. The submission to the LWIB should include the following items:
- a. A current copy of the Training Program Basic Information record from IWDS;
  - b. Identification of items that have changed since the initial eligibility or most recent continued eligibility determination;
  - c. Performance data (as outlined in Section J of this policy letter) for the training program; and
  - d. Any additional information the training provider has submitted for review or the LWIB determines pertinent to the review.
5. The LWIB should grant continued eligibility to a training program based on the following:
- a. State and local eligibility criteria are still being met;
  - b. State and local performance criteria have been met;
  - c. One or more O\*Net codes associated with the training program remain on the current Demand Occupation Training List;
  - d. The training provider has maintained timely updates in the Illinois Workforce Development System of information on the training program; and
  - e. Other conditions for which the LWIB considers necessary for continued eligibility.

6. The LWIB must make a determination of eligibility of the training program within 30 days of receiving the application from the LWIA.
  - a. An exception to the requirement to approve subsequent eligibility of transitionally eligible providers and programs within 30 days of application is being extended through June 30, 2016. This exception will provide up to 90 days from application date for the LWIB to determine a program eligible. This is being extended to allow local boards ample time to meet and review the applications as this policy is phased in. After June 30, 2016, this exception expires. The 90-day period shall NOT extend past June 30, 2016 as these providers and programs must receive a determination no later than June 30, 2016 or they will be removed from the Eligible Training Provider List (ETPL) as their transitional eligibility period expires.
  - b. LWIBs must notify the LWIA within five (5) business days of their decision to approve continued eligibility as a training program.
  - c. The LWIA must update the Training Program Basic Information record in IWDS within ten (10) business days of notification by the LWIB. The update should include the following:
    - 1) The Status must be changed from "Pending Continued Eligibility (Recertification)" to "Accept" to indicate an accepted continued eligibility application.
    - 2) The Program Status must be listed as "Approved".
    - 3) The Last Elig./Cert. Date must be listed as the date the LWIB approved the continued eligibility, not the date the entry is made into IWDS.
    - 4) The Next Elig./Cert. Date should be listed as the date for which the next continued eligibility should take place (and should take into consideration the same factors for initial eligibility as outlined in Section C.3. of this policy letter).
7. Training programs that are not determined eligible by the LWIB within 30 days of receipt of the application from the LWIA will be removed from the approved program list and may reapply after one year.
8. Training programs that are not determined eligible within 120 days of their continued eligibility date will be removed from the approved program list in IWDS.

*(Note: The intent of this provision is to automatically clear training programs from IWDS when they have not been approved for continued eligibility in a timely fashion. Such programs will not be available for selection and thus are removed.)*
9. LWIAs shall cease to enroll customers in any training program that has been moved to the capture list. Customers who have already been enrolled in training programs that are removed from the capture list shall be allowed to complete such training programs.
10. A training provider may reapply for eligibility for any training program that was not determined eligible for any reason other than "for cause" reasons.

F. Training Provider or Training Program Change in Information

1. Training programs shall be subject to renewal of eligibility status by the LWIB or a committee designated by the LWIB of no less than two (2) LWIA staff whenever significant information for the training provider or training program has changed.
  - a. Significant information includes all of the "mandatory" fields on the Training Program Basic Information record in IWDS. (These items are identified by a \*\* on Attachment A - Requirements for Training Program Initial Eligibility and Continued Eligibility.)
  - b. Change(s) in any significant information must be entered in IWDS within ten (10) business days.
  - c. Submission of a change in significant information indicates a training provider's intent to renew eligibility and prompts the same requirements as under the current eligibility determination.
  - d. A decision under this provision that is made by a designated committee is deemed eligible until such time as the LWIB can review and approve the determination for renewal of eligibility-
2. Training programs should be subject to renewal of eligibility status by the LWIB or a committee designated by the LWIB of no less than two (2) LWIA staff whenever non-significant information on the training program changes prior to the continued eligibility date.
  - a. Non-significant information is any information that is a "mandatory" field (but not considered "significant", as outlined in Section F.1.a.) above) on the Training Program Basic Information application in IWDS, including O\*Net codes associated with the training program. (These items are identified by a \* on Attachment A - Requirements for Training Program Initial Eligibility and Continued Eligibility.)
  - b. The LWIB or committee should review the training program and all of the changes to determine if the changes have affected the conditions of the initial eligibility or continued eligibility determinations.
  - c. If the changes have significantly altered the training program, the committee should send the training program to the LWIB for renewal of the current eligibility approval.
  - d. If the changes have not significantly altered the training program, the committee should provide "Approval" of the program to continue its eligibility until its next scheduled continued eligibility date.

G. Denial or Revocation of Eligibility

A Local Workforce Innovation Board (LWIB) has the authority to deny approval of initial or continued eligibility or revoke the status of eligibility, and remove it from the eligible training provider list for a training provider or for a training program.

1. In accordance with WIOA, the eligibility of a training provider or its program(s) may be revoked and the training program removed from the approved list of training programs under the following circumstances:
  - a. Its annual performance fails to meet the minimum standards set by the State of Illinois or the LWIB for the WIOA performance measures;  
  
(Note: At the time of issuance of this policy letter, the State of Illinois has not set minimum performance measures other than the requirement to provide performance data, if available.)
  - b. If it is determined at any time that the training provider intentionally supplied inaccurate information in its application for eligibility or continued eligibility;
  - c. The training provider substantially violated any requirement under WIOA or WIA; or
  - d. The training provider voluntarily chooses to cease being an eligible training provider or goes out of business.
2. Training programs that are removed from the eligible training provider list (ETPL) because of a failure in performance shall remain off the list for a period of not less than one year at which time the training provider may re-apply for continued eligibility of the program.
3. In accordance with WIOA, training programs that have been removed from the list of approved training programs based on the reasons found in Section G.1.b. or Section G.1.c. above:
  - a. Shall remain off the ETPL for a period of not less than two years at which time the training provider may reapply for continued eligibility of the training program;
  - b. May prompt the revocation and removal of all other training programs of the training provider for a period of no less than two years as determined by the LWIB; and
  - c. May result in the following actions being taken against the training provider:
    - 1) The eligibility of the training provider may be revoked;
    - 2) The eligibility of the training provider to receive funds for the program in question may be terminated;
    - 3) Any disallowed costs may be recovered; and
    - 4) The State of Illinois or LWIB may take any other action it deems appropriate.
4. LWIAs shall cease to enroll customers in a training program that has had its eligibility revoked.
  - a. Customers who have already been enrolled in such training programs shall be allowed to remain through completion.

- b. If it is deemed necessary to immediately close a training program (for such reasons as the training provider committed egregious violations or went out of business) the customers of such program(s) should be provided the opportunity to enroll in a similar program.

#### H. Notification and Appeal Procedures for Training Providers Denied or Revocation of Eligibility

1. An LWIB that denies or revokes initial or continued eligibility of a training provider and/or any of its training programs for which it has sought approval must notify the affected provider in writing of its decision. The notice shall include the following information:
  - a. The training program(s) that are being denied or revoked eligibility;
  - b. The reason(s) for the denial or revocation; and
  - c. Information about the opportunities the provider has to appeal the decision.
2. The notice must be sent within seven (7) days of the decision to the training provider via registered mail with a copy sent to Department of Commerce, Office of Employment and Training (OET).
3. The training provider has twenty-one (21) days, from the date of receipt of the notice of denial or revocation of eligibility in which to file an appeal to the local workforce investment board (LWIB). The appeal must include the following information:
  - a. A statement that the training provider is appealing the denial or revocation of its eligibility;
  - b. The reason(s) the eligibility should be granted;
  - c. Contact information for additional information; and
  - d. The signature of the chief executive of the training provider.
4. The appeal must be submitted formally, in writing, and must be sent by registered mail no later than the 21st day from the date of receipt of the notice of denial or revocation.
5. The LWIB, or a committee designated by the LWIB, will review the request for appeal within twenty-one (21) days of its receipt.
  - a. If an administrative error was made or if additional information submitted by the training provider changes the basis upon which the original decision to deny or revoke eligibility was issued, the decision may be reversed and the training program(s) granted the appropriate initial or continued eligibility for inclusion on the eligible training provider list (ETPL).
  - b. If the LWIB reverses its decision, it will notify the training entity of its action in writing within seven (7) days. The LWIB will also forward a request to OET for inclusion on the ETPL.

- c. If the LWIB does not reverse its decision to deny or revoke eligibility and inclusion on the ETPL, it shall notify the provider within twenty-one (21) days from the receipt of the request that the program(s) was not determined eligible.
    - d. The notice shall be sent in writing by registered mail. The notice will include information about the opportunities for the provider to appeal its denial of eligibility with OET. A copy of the letter will be forwarded to OET.
  6. A provider shall have twenty-one (21) days from the receipt of the final decision by the LWIB to appeal the denial or revocation to OET.
    - a. OET will have thirty (30) days to complete its investigation into the matter, gather additional information from the affected LWIB(s) file and from the provider (such as the completed local appeal), and issue a final determination of eligibility.
    - b. During this time period, OET will convene a meeting with the affected parties, if requested.
    - c. This final determination will be forwarded to the training provider and the LWIB(s) in writing.
    - d. If OET overturns the decision of the LWIB, the program(s) will be included on the statewide list within seven (7) days.
    - e. OET will not make a final decision to overturn the decision of an LWIB without convening a meeting with all of the affected parties.
  7. OET has the ability to ask an LWIB to deny or revoke a training provider or its program(s) eligibility and have it removed from the list "for cause".
    - a. If such decision is made, OET must send a formal written notice of its concerns to the affected LWIB(s). The notice will require local action on the matter.
    - b. The LWIB(s) will have the option of providing OET with additional information that would clarify and substantiate the provider's eligibility status or of initiating removal of the provider or its program(s) from the ETPL.
    - c. Both the notice from OET to the affected LWIB(s) and the board's response to the notice must be sent by registered mail.
    - d. The LWIB(s) has twenty-one (21) days to respond in writing to the OET notice.

I. Reinstatement on the Statewide List

1. Since it is possible for a training provider, which was not provided eligibility due to failure in performance, to improve upon its overall performance and otherwise rectify any other conditions of their denial or revocation as an eligible training provider, a provider may re-reply for eligibility after one year from its removal.
  - a. The training provider must comply with the requirements for initial eligibility;

- b. The training provider must demonstrate it has corrected all performance and other deficiencies which resulted in their removal from the ETPL; and
    - c. The local board must determine eligibility of the program and submit it for reinstatement on the ETPL.
  2. Since it is possible for a training program that was denied continued eligibility to undergo significant improvement, a provider may re-apply for initial eligibility of the training program when it can demonstrate its program quality with at least one year of performance information.
    - a. A provider whose training program is removed from the statewide list can therefore re-apply for program eligibility no sooner than one year from the date of the denial of program eligibility.
    - b. The provider must re-apply for program eligibility subject to the policies and procedures for continued eligibility found in Section C.3.
    - c. If the program meets the minimum state or local performance standards (if established), along with any other eligibility criteria in place at the time of re-application, the local board must determine the program eligible and submit it for reinstatement on the statewide list of eligible training programs.
  3. The local workforce innovation board must reaffirm that a program previously accredited by the North Central Association, the Illinois Community College Board, or the Illinois State Board of Education is still accredited or the accreditation has been renewed.

J. Performance Measures

All eligible training providers are required to provide basic performance data, when available, on their training programs in order to be approved for initial eligibility or continued eligibility.

*(NOTE: The State of Illinois understands the current concerns with the ability of training providers to provide the required performance data. All training providers are encouraged to begin development of a process to comply with this policy that would include a plan for identifying all students enrolled in a program of study and capable data system to track the performance of such enrollees. Further guidance is needed from the Departments of Labor and Education in order to develop a concise policy. It is anticipated that this guidance will be available in calendar year 2016. Training providers should plan for the ability to provide this data no later than July 1, 2018. After this date, training providers may not be eligible to be added to the Eligible Training Provider List. Further guidance by the State will provide more detail as it becomes available.)*

1. The specific training provider and training program performance information for ALL students of the program shall be provided, when available. The following ALL student performance data should include both WIOA and non-WIOA students:
  - a. Total number of students for this training program;



- b. Total number of exiters (defined as those students who completed, withdrew or otherwise are no longer enrolled in the program of study or equivalent and have no planned gap in service and no future services planned, excluding follow-up) in this training program;
  - c. Number of exiters who are employed during the second quarter after exit quarter;
  - d. Number of exiters who are employed during the fourth quarter after exit;
  - e. For all exiters in a program of study where a wage match occurred, the median wage earned in the second quarter after exit;
  - f. Credential Rate for exiters for this training program;
  - g. Employment Rate Q2 – completers (defined as a student who successfully completed the program of study in which they were enrolled);
  - h. Employment Rate Q4 – completers;
  - i. Median Wage Q2 – completers; and
  - j. Number of students who began the program of study compared to those who completed the program of study.
2. The WIOA student performance information for each of the data elements outlined in a.-j. above can be extracted from Illinois Workforce Development System (IWDS).
  3. The performance data required by J.1. above should be entered into the IWDS for the most current program year, as well as the previous three program years.
    - a. An example of this would be, during PY16, a CDL training program concluded in January 2016, the outcomes of those students should be reported for PY16, if they are available. Also, this CDL training program has been an ongoing training program since 2000. Data for those programs concluded during PY13, PY14, and PY15 should also be entered, if available.

#### K. Monitoring and Oversight

All programs approved for either initial or continued eligibility status will be subject to routine monitoring by the Local Workforce Innovation Board (LWIB) and OET.

1. The LWIB is required to conduct annual monitoring of all eligible training providers and their eligible training programs. The LWIB, at a minimum, should:
  - a. Ensure all eligible training providers have maintained all criteria for which they were determined eligible;
  - b. Reaffirm that a training program is still accredited or the accreditation has been renewed;
  - c. Ensure all eligible training program basic information in IWDS has been updated to reflect current information;

- d. Conduct routine visits at each location for which eligible training programs are conducted to ensure all assurances outlined in Section C.2.e.) of this policy letter continue to be met
    - 1) In determining the frequency of visits, the LWIB should prioritize as follows those locations:
      - a) With training programs approved for initial eligibility;
      - b) For eligible training programs exhibiting poor performance;
      - c) That have had the longest period since the last visit; and
      - d) That warrant a visit based on local criteria.
    - 2) Providers that coordinate and conduct e-learning programs must have visits conducted on their locations consistent with ensuring compliance with this section; and
    - 3) Routine monitoring visits to eligible training providers located outside of the local area (including in another LWIA or out-of-state) may be a coordinated effort so long as the monitoring is consistent with this section; and
  - e. Ensure that all eligible training programs have met the required performance measures as outlined in section J. of this policy letter.
2. The LWIB is required to cooperate with the OET during any monitoring and oversight activities.

## II. INQUIRIES

Inquiries related to the requirements of this policy may be directed to:

Illinois Department of Commerce and Economic Opportunity  
Office of Employment and Training  
Neely Schlosser  
(217) 524-5497  
[neely.schlosser@illinois.gov](mailto:neely.schlosser@illinois.gov)

## III. ATTACHMENTS

- A. Requirements for Initial Eligibility and Continued Eligibility of Training Providers and Training Programs under WIOA Title I
- B. Demand Occupation Request Form

Sincerely,



Julio Rodriguez, Deputy Director  
Office of Employment and Training

JR:mb

## Requirements for Initial Eligibility and Continued Eligibility of Training Providers and Training Programs under WIOA Title I

A Training Provider must utilize the following guidance when applying for initial eligibility or continued eligibility of a training program. Only eligible training providers may submit an application for training programs. It is the local workforce innovation area's (LWIA) responsibility to inform and assist training providers in completing these steps to ensure they properly complete the application for eligibility.

- A. Once the LWIA has provided the training provider with the web address to the Illinois Workforce Development System (IWDS) (<http://iwds.state.il.us>), a user ID for the primary contact of the training provider and a temporary password will be emailed to the contact listed on the training provider. The training provider must then log into the system to begin adding additional locations, additional contacts, and/or training programs.
- B. The LWIA must verify that the training provider has entered all of the required data elements for each training program for which they are applying. Data elements are entered on the "Training Program Basic Information" record in IWDS. The following data elements must be verified:

**(Note: Items with \* are mandatory items, items with \*\* are mandatory items that prompt an automatic eligibility determination if changed.)**

- \*\* Program Name (should match the name found in a course catalog for the training provider, if published).
  - a. \*\* Program Description (detail should be provided to assist the LWIA in determining the proper classification of Instruction Program Code (CIP));
  - b. \*\* 6-digit CIP code;
  - c. \*\*O\*Net code(s) that identifies the occupation the eligible training program leads to;  
(Generally, the LWIA must complete **b & c** as the Training Provider does not know the proper code); and
  - d. \* Website link to additional program information.
- Is this a credit hour program? If yes, how many credit hours for program completion? What is the curriculum code for this program (if one exists)?
- \* How many weeks does it typically take to complete the program?
- \* What are the total hours of instruction/classroom/lab time?
- \* Other than employment, what is the primary goal of the program? (i.e., Associates Degree, Bachelors Degree, etc.) If other than listed, specify.

If Certification, License, or Registration, what is the name of the certifying, licensing, or registering body?

- \* Identify up to three occupations for which the individual will be qualified to immediately hold after completing this program.
- What are the program offerings? (check all that apply)

Full-Time Enrollment	Part-Time Enrollment	Internships
Non-English Instruction	Classroom Instruction	Labs
Weekend Classes	Night Classes	Day Classes
Internet Instruction	Open Entry/Exit	Other (Specify)
- What are the entry level requirements of the program? (check all that apply)

Drug/Alcohol Screening	Language (Specify)
HS Diploma/GED	Writing (Specify)
Physical Exam	Prerequisites (Specify)
Math (Specify)	Other (Specify)
Other (Specify)	
- \*\* What is the total cost of this program? (round to the nearest dollar amount)

Tuition
Books
Fees
Tests
Other Expenses (Materials, Supplies, Tools, Uniforms, etc.)
TOTAL COST

Ensure the "Calculate Totals" field is selected to update the total cost of the training program.
- Types of financial aid available (check all that apply)

Pell Grants	Illinois Monetary Award Program
Federal Loans (Stafford, PLUS, etc.)	Institutional Scholarships
Other (Specify)	
- \* What year was the program established?
- \* Please put a check in the box of each location where this training program is offered.

If all locations for which the training program are not listed, use the "Add Location" field to add additional locations.

**Note: Before adding a new location, the LWIA must ensure the location does not currently exist in IWDS. The LWIA should check variations of the location name when verifying this.**

- \* Has the provider given assurance and certification that their agency fully complied with the nondiscrimination, equal opportunity, and disability provisions of the Workforce Innovation and Opportunity Act?  
(This must be answered with a Yes to be determined eligible.)
- \* Is this facility and programs accessible to all people with a disability? (29 CFR 32.3)  
(This must be answered with a Yes to be determined eligible.)
- Please describe the application procedure for this program. Include in this description any documents or materials that the customer should bring when applying for this program.

**"Submit" should then be selected to submit the application for approval. "Save, but don't submit" should be selected if additional information needs to be entered before the application is sent for approval.**

- C. The LWIA must verify that the training provider has entered all of the locally required data elements for each training program for which they are applying. Data elements are entered on the "Training Program Local Information" record in IWDS. Local workforce innovation boards (LWIB) have the discretion of requesting additional information on training programs in addition to the required information found in Section B. above.
- D. Once all information has been verified by the LWIA, they must submit it to the LWIB for review and approval.
- E. Once approval has been given by the LWIB, the LWIA must return to the Training Program Basic Information record and complete the following fields:
- *Initial Criteria Status* - Should be changed to "Accept".
  - *Program Status* - Should be changed from "Pending" to "Approved".
  - *Initial Eligibility Date* - Should be the date the LWIB approved the program.
  - *Last Eligibility Date* - This is a system generated field and will be the date the program was provided continued eligibility by the LWIB (for new programs, same as Initial Eligibility Date).
  - *Next Eligibility Date* - Should be the next date for continued eligibility in agreement with LWIB, LWIA, and training provider, but in no case more than one (1) year from the initial eligibility date or two (2) years from the continued eligibility date recorded for the training program.  
NOTE: Under the Transition Policy, the expiration date was extended until June 30, 2016 for all current training providers and training programs that were determined eligible or certified under WIA.
- F. The LWIA must produce a periodic report of eligible training programs and check their status. If any training programs' status is listed as "Pending Continued

Eligibility", the training program must be reviewed and sent for continued eligibility. This may occur because the training provider changed information within the "Training Program Basic Information" record that prompts a new eligibility determination (as outlined in Section B above) or the training program's eligibility date has passed.

- The LWIA should produce the report frequently enough to:
    - a. Ensure they identify ALL programs needing continued eligibility prior to their continued eligibility date;
    - b. Provide the training provider with a notice of any upcoming training programs requiring continued eligibility (and update of information, if necessary); and
    - c. Ensure they provide sufficient time to:
      - Review the training program information to ensure it is current;
      - Send the training program to the LWIB for review and approval; and
      - The LWIA can update the "Training Program Basic Information" record prior to the system automatically removing it from the list of approved training programs.
- G. The LWIA must send ALL training programs with a "Pending Continued Eligibility" status to the LWIB (or the committee of two (2) or more individuals as designated by the LWIB) for review and approval.

## Demand Occupation Request Form

1. Date of Request: \_\_/\_\_/\_\_\_\_

### Local Workforce Innovation Area Information

2. LWIA #: \_\_\_\_\_ 3. EDR #: \_\_\_\_\_ 4. Grantee Name: \_\_\_\_\_  
5. Contact Name: \_\_\_\_\_ 6. Contact Title: \_\_\_\_\_  
7. Contact Telephone #: (\_\_\_\_) \_\_\_\_-\_\_\_\_ 8. Contact Email: \_\_\_\_\_

### Training and Occupation Information

9. Training Program Title: \_\_\_\_\_ 10. Primary CIP Code: \_\_\_\_\_  
11. List any additional CIP Codes for this title: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
(Use the O\*Net website for information <http://online.onetcenter.org/>.)  
12. Occupation Title: \_\_\_\_\_  
13. Primary O\*Net Code: \_\_\_\_-\_\_\_\_.\_\_\_\_ 14. Additional O\*Net Codes: \_\_\_\_-\_\_\_\_.\_\_\_\_, \_\_\_\_-\_\_\_\_.\_\_\_\_  
15. Key Sector/Program of Study: \_\_\_\_\_

### Supporting Justification

(This section will be used to provide a description of the justification for adding a particular title and code to the Demand Occupation Training List. Provide as much detail as possible to assist in the review process to determine the need for inclusion on the list.)

#### **Employer Need**

(List the employer(s) that will contribute to an increase in the total number of job openings specific to the O\*Net codes listed above. Provide documentation from the employer(s) to verify their intent for the increase in opportunities over the next five years. Provide additional employer(s) on a separate sheet.)

16a. Employer Name: _____	17a. # of Openings: _____
16b. Employer Name: _____	17b. # of Openings: _____
16c. Employer Name: _____	17c. # of Openings: _____

#### **Supporting Information**

18. (Provide a narrative description of the labor market information utilized to determine the need for job openings above the threshold in the Economic Development Region. This need should generate job openings over the next five to ten years. Include information on the Career Cluster and Key Sectors for which the job openings will exist. Attach any additional information and supporting documentation to the information provided.)

### Approval

19. LWIB Chairperson (printed): \_\_\_\_\_ 20. Date: \_\_/\_\_/\_\_\_\_  
21. LWIB Chairperson Signature: \_\_\_\_\_

### DCEO Review

Name of Reviewer (printed): \_\_\_\_\_ Date: \_\_/\_\_/\_\_\_\_  
Signature: \_\_\_\_\_

## SUPPORTIVE SERVICES

Policy No.	<u>2017-06-SS</u>
Date Adopted	<u>June 14, 2017</u>
Effective Date	<u>July 1, 2017</u>

### INTRODUCTION

This policy addresses the use of Workforce Innovation and Opportunity Act (WIOA) funds for supportive services to eligible Adult, Dislocated Worker and Youth participants. Supportive services include financial or non-financial services such as transportation, child care, dependent care, and housing that is necessary to enable an individual to participate and be actively engaged in activities authorized by WIOA. These services must be unattainable through other programs or community resources.

### ELIGIBILITY

WIOA-enrolled Adult, Dislocated Worker and Youth participating in career, training, or follow-up services may qualify for supportive services when an assessment determines that the following factors are met:

- (1) A financial need is demonstrated,
- (2) the service is necessary in order for the participant to achieve employment and/or training goals, and
- (3) the service cannot be obtained through any other resource or program.

Participants meeting the above criteria and who are determined to be low-income according to [Lower Level Standard Income Level \(LLSIL\) guidelines](#) are automatically deemed eligible to receive financial supportive services. Participants above the LLSIL or whose eligibility was not determined using income as a factor will require a financial needs assessment to establish eligibility for supportive services.

### EXAMPLES OF SUPPORTIVE SERVICES

The following list provides examples of supportive services and is not intended to be an exhaustive list of allowable services:

1. Transportation costs, including but not limited to: bus passes, gas cards or mileage reimbursement, or minor car repair.
2. Child care and dependent care costs.
3. Uniforms or other appropriate work attire, eyeglasses, and work or training related material costs not covered by the employer.
4. Work and training related exams, background checks, certifications, credentials, licenses and permits.
5. Emergency services for food, housing, health/medical or other temporary assistance that is time-sensitive and necessary for the participant's health and/or safety. Such services are determined on a case-by-case basis and typically are a one-time occurrence.
6. Training or employment-related medical testing.
7. Driver's license or state identification (excluding any fines or fees resulting from revocation or suspension, etc.)

### PROHIBITED SERVICES

Supportive services may not be utilized to pay for expenses incurred prior to the participant's enrollment into the WIOA program. Additionally, below is a list of prohibited services that are not eligible under supportive services. More detailed information on unallowable costs is articulated in the Uniform Guidance at 2 CFR 200.421-469.



1. Fines and penalties, such as: traffic violations, late finance charges, and interest payments
2. Entertainment, including tips
3. Contributions or donations
4. Interest on borrowed capital (including credit card, mortgage or car payments)
5. Refundable deposits
6. Alcoholic beverages

#### **LIMITATIONS**

Total payments for services based on demonstrated need cannot exceed \$1,200 per participant within 12 months from the date of enrollment in supportive services.

Eligibility for continued supportive services is contingent upon active participation in training/education activities. Failure to abide by agreed-upon program expectations may result in loss of supportive services.

#### **EXCEPTIONS**

Exceptions to the funding limitation require approval of the Director and must be reported to the Executive Committee of the Board at its next regular meeting. Exceptions to the annual \$1,200 limit per participant may not exceed \$2,500; funding requests beyond \$2,500 require Executive Committee approval. Exceptions may be granted in circumstances when a participant's health or safety is at risk, or the individual is experiencing significant barriers outside of his or her control that are preventing successful participation in, or completion of, the program.

#### **REFERENCES:**

*WIOA Section 3(59)*

*WIOA Section 134(d)(2) and (3) – Adults and Dislocated Workers*

*20 CFR 680.330; 680.900-920 – Adults and Dislocated Workers*

*WIOA Section 129(c)(2)(G) – Youth*

*20 CFR 681.570 – Youth*

*2 CFR 200 Subpart E – Cost Principles*

**KANE COUNTY OFFICE OF COMMUNITY REINVESTMENT  
WORKFORCE DEVELOPMENT DIVISION**

POLICY AND PROCEDURES MANUAL RELEASE

To:	WIA Title 1 Staff and SubRecipients	Subject Area:	Protection of Personally Identifiable Information (PII)
From:	Administration		
Date:	3/1/2015	Effective Date	3/1/2015

**SUBJECT:** Protection of Personally Identifiable Information

**PURPOSE:** To ensure that Protected PII is properly protected by WIA/WIOA staff and subrecipients.

**REFERENCE:** The requirements for handling and protecting Personally Identifiable Information (PII) is referenced in Training and Employment Guidance Letter No.39-11.

**PROCEDURES:** WIA/WIOA staff and subrecipients need to properly protect, handle, and destroy all Personally Identifiable Information (PII) obtained from participants or individuals to reduce the possibility of the data being inappropriately used. Department of Labor has defined PII in two categories Protected PII and non-sensitive PII. Protected PII is data if disclosed could result in harm to the individual whose name or identity is linked to the information and must be protected at all times. ***Examples of protected PII are social security numbers (SSNs), credit card numbers, bank account numbers, home telephone numbers, ages, birthdates, marital status, spouses names, educational history, biometric identifiers, medical history, financial information and computer passwords.*** Whenever possible non-sensitive PII should be utilized in place of protected PII. Non-sensitive PII is information that if disclosed will not cause any personal harm to the individual that the PII is attached to. Examples of non-sensitive PII information include first and last names, e-mail addresses, business addresses, business telephone numbers, general education credentials, gender, or race.

**Procedures for handling and storing Documents and Reports that contain Protected PII**

1. Documents or reports that contain protected PII such as completed WIA applications, wage data from MONDET, UI data, public aid printouts, customer files, medical information or documents verifying disability status, and reports from IWDS or Crystal that contains any protected PII must be kept in locked filing cabinets or secure location when not in use.
2. Documents or reports that contain Protected PII should not be left unattended on the desks of WIA/WIOA staff or subrecipients or left in fax machines or printers.
3. Reports that are created for tracking purposes should be created or modified to always use non-sensitive PII whenever possible so that the information cannot be attributed to a particular individual. Reports that use SSNs should be modified to delete all the SSNs out of the report or only use truncated SSNs.
4. WIA/WIOA staff or subrecipients will not share any documents that contain protected PII with any other agencies or individuals except by written permission from the individual that is attached to the PII.
5. WIA /WIOA staff and subrecipients that handle protected PII will be advised of the confidential nature of the information, and that there are civil and criminal sanctions for noncompliance with safeguards that are contained in Federal and state laws.

### **Procedures for Handling Protected PII in Electronic Format**

1. Protected PII is not allowed to be transmitted by email unless it is encrypted using Federal Information Processing Standards 104-2 compliant and National Institute of Standards and Technology validated cryptographic module.
2. All protected PII must be stored, downloaded, or processed on IT managed equipment that is purchased or owned from the grant. Protected PII is not allowed to be saved or downloaded to any portable media such as CDs, DVDs, flash drives, cell phones, or laptop computers.
3. Back-up tapes that contain protected PII must be kept in a locked cabinet.

### **Procedures for the destruction of protected PII data**

1. All reports and documents that contain protected PII should be destroyed immediately after the data is no longer useful. Performance reports that contain SSNs, WIA/WIOA applications of customers that do not follow through, wage data, public aid data, or any other documents with protected PII should be destroyed by shredding immediately after they are no longer useful.
2. Documents that are being stored such as exited files, financial records, supporting documents, and other records pertinent to the grants should be destroyed by shredding the documents four years after the date of the final expenditure report for the grant per OMB Circular A-110.
3. Retired back-up tapes that contain protected PII will be destroyed to eliminate any possibility of data being recovered from the tapes.

### **Procedures if there is a breach of protected PII**

1. Immediately report any breach or suspected breach to the Performance Manager at Kane County Office of Community Reinvestment Workforce Development Division
2. Performance Manager will report any breach or suspected breach of PII to the Federal Project Officer at (312)596-5522, and to the ETA Information Security at [ETA.CSIRT@dol.gov](mailto:ETA.CSIRT@dol.gov), (202)693-3444, and follow any instructions received from officials of the Department of Labor.
3. Performance Manager will report breach to the affected individual whose protected PII has been comprised.
4. Performance Manager will report to DCEO that a breach of protected PII occurred.

# Inventory Control

**Chapter: 8 Section: 3.6.2**

**Effective Date:** 9/1/2020

**Expiration Date:** Continuing

**Published Date:** 8/17/2021 4:46:18 PM

**Status:** Current

**Version:** 2

**Tags:** Property Control, Grants, Administration, Fiscal

1. The *Office of Employment and Training* shall be responsible for inventory units of *Equipment* with an *Acquisition Cost* of \$5,000 or more via an inventory tracking system. Subrecipients shall comply with the property standards in the Uniform Guidance for all inventory units of equipment with an acquisition cost which equals or exceeds the lesser of the capitalization level established by the subrecipient for financial statement purposes or \$5,000.
  - a. These property standards require, among other things, property records that include all of the items in 2 CFR 200.313(d)(1); a physical inventory taken and results reconciled with the property records every two (2) years; a control system to ensure adequate safeguards to prevent loss, damage, or theft; and adequate maintenance procedures to keep the property in good condition.
2. Subrecipients shall provide inventory information to the Department on the WIOA Equipment Inventory Control Form within thirty (30) days of the acquisition of the property. Send the WIOA Equipment Inventory Control Form to the *OET* staff listed on the Contacts tab.
3. Subrecipients shall inform the Department of any property location changes for all equipment with an acquisition cost of \$5,000 or more.
  - a. The WIOA Equipment Relocation Form should be used to document the relocation with a copy provided to OET within thirty (30) days of the relocation. (See the Forms & Instructions tab.)
4. Grantees shall be responsible for inventory units of other tangible assets with an acquisition cost up to \$4,999 in accordance with the *Grantee's* fiscal policy and procedures.
5. Records shall be maintained in accordance with the federal property standards in the Uniform Guidance at 2 CFR 200.310-316.
  - a. Additionally, where applicable, the provisions of 20 CFR 683.200 and 20 CFR 683.220 shall apply.

# WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) COMPLAINT PROCEDURES

Equal Opportunity Employer/Program - Auxiliary Aids and Services Are Available Upon Request To Individuals With Disabilities.

**WHO CAN FILE** - Any applicant/registrant for aid, benefits, services or training, eligible applicants/registrants, participants, employees, applicants for employment, service providers or eligible service providers who believes that he or she, or any specific class of individuals, has been or is being subjected to discrimination prohibited under the Workforce Innovation And Opportunity Act has the option to file with the County of Kane, Kane County Office of Community Reinvestment-Workforce Development Division or the Civil Rights Center of the U.S. Department of Labor.

**RETALIATION/INTIMIDATION OR REPRISAL** - Sections 188 of the Workforce Innovation And Opportunity Act and Civil Rights laws prohibit retaliation; intimidation or reprisal against any individual because they filed a complaint, opposed a practice, or furnished information on any prohibited basis.

**TYPES OF COMPLAINTS** – If someone is alleging a discriminatory practice has occurred, the complaint falls into one of three categories, depending on its source:

- Individual complaint – a complaint alleging that the person filing the complaint has been or is being subjected to discrimination.
- Class Action complaint – A complaint filed by one or more individuals alleging discrimination, not only against themselves, but also against a group of similarly situated individuals.
  - must have the signed consent of all individuals in the complaint in order to process the complaint.
- Third Party complaint – A complaint filed by a group or individual alleging discrimination against another group or individual.

Discrimination complaints will be processed according to the rules outlined in this document. Program complaints will be processed according to U.S. Department of Labor Employment and Training Administration regulations as specified in 20 CFR Subpart F, Sec. 667.600 and the policy of the local workforce board.

## WHO GETS THE COMPLAINT

A written complaint may be submitted to:

Steve Placek (Local level)  
Performance Manager  
Office of Community Reinvestment  
Workforce Development Division  
143 First Street  
Batavia, IL 60510  
630-9661435 x40088  
TTY 630-264-6593

Illinois Equal Opportunity Officer  
500 E. Monroe Street, 8<sup>th</sup> Floor  
Springfield, IL 62701

The Director (Federal level)  
Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW  
Room N-4123  
Washington, DC 20210

**FILING A COMPLAINT** - A complaint must be filed in writing and contain the following information:

- Complainant's name/address or other means of contacting the complaint;
- Identify of the respondent (including the individual or entity alleged to have discriminated);
- The complaint is signed by the complainant or an authorized representative;
- The allegations, described in sufficient detail to determine whether:
  - complaint is covered as applicable under the jurisdiction of the County of Kane, Kane County Office of Community Reinvestment-Workforce Development Division or the Civil Rights Center;
  - complaint was filed within specified time;
  - complaint has apparent merit (means the allegation of discrimination or complaint, if proven to be true, would violated Workforce Innovation And Opportunity Act regulations)

**WHAT FORM MAY BE USED FOR FILING A COMPLAINT** - The complainant may:

- Complete a form that has been developed by the State of Illinois for this purpose, or
- Complete and submit the Civil Rights Center's Complaint Information Form

- Submit a written complaint without using a form as long as the complaint includes all the required information. See section entitled Filing a Complaint.

**TIME FRAME FOR FILING A COMPLAINT** - The filing time period for a complaint is:

- 180 days from the date of the alleged discrimination
  - An extension of the 180-day filing period may be granted for good cause shown by the complainant
    - Only the Director of the Civil Rights Center of the U.S. Department of Labor can grant this extension
- if an ADR agreement is breached, either party has the right to file a complaint with the Director of the Civil Rights Center of the U.S. Department of Labor
  - the non-breaching party may file a complaint within 30 days of the date on which the non-breaching party learns of the alleged breach

**PROCESSING THE COMPLAINT** - Upon receipt of a written complaint, the EO Officer will provide:

- an initial written notice to the complainant that acknowledges receipt of the written complaint
  - the written notice will provide a list of the issues raised in the complaint
    - for each issue, the EO Officer will state whether the EO Officer accepts the issue for investigation or rejects the issue
    - the reason for rejection shall be given
- notice to the complainant of his or her right to be represented in the complaint process by an attorney or other individual of their choice and at their expense
- notice that the complainant has a choice to use the customer process or to use alternative dispute resolution (ADR)

**ALTERNATIVE DISPUTE RESOLUTION** - Within 30 days of receiving the written complaint, the EO Officer will review and investigate the allegation and attempt to resolve the complaint with the involved individual or entity alleged to have discriminated. If the complainant is not satisfied with the resolution offered by the individual or entity alleged to have discriminated, the EO Officer shall present the complaint to the Executive Director of the Kane County Office of Community Reinvestment-Workforce Development Division within 10 days of rejection of the proposed resolution by the complainant.

The Executive Director shall review the complaint, the results of the investigation, the proposed resolution and the recommendation of the EO Officer and propose a new resolution. If the complainant accepts the resolution proposed by the Executive Director, the resolution shall be reduced to writing by the EO Officer and signed by the complainant, the Executive Director and the EO Officer.

**FAILURE OF ALTERNATIVE DISPUTE RESOLUTION OR REQUEST FOR FORMAL HEARING** - If alternative dispute resolution fails or if the complainant requests a formal hearing, the Chief Local Elected Official shall appoint an impartial Hearing Officer to hear the complaint within 30 days. The Hearing Officer shall schedule a hearing of the Grievance Committee. The Grievance Committee shall consist of the Director of Human Resources for Kane County, one member of the Kane County Human Services Committee and the EO Officer. The Hearing Officer shall provide notice to all parties who have a legitimate interest in the complaint of the date, time and place of the formal hearing and the issues to be heard. The Hearing Officer shall notify the complainant by certified mail of his or her rights, including the right to be accompanied by an attorney or other duly authorized representative, to present evidence, to question others who present evidence and to file with the Civil Rights Centers of the U.S. Department of Labor when the complainant is not satisfied with the Grievance Committee's decision. The complainant shall be permitted access to local workforce investment area files that would be germane to the complainant's allegations.

**CONDUCT OF HEARING** - Complainants and respondents shall make every effort possible to be present at the hearing. However, if they are unable to be present, a 48-hour prior written notice must be given to the Hearing Officer. In the event circumstances arise prior to the hearing that, in the opinion of the Hearing Officer, are such as to be beyond the reasonable control of the complainant or respondents to prevent their attendance at the hearing, the Hearing Officer shall reschedule the proceedings. If the Hearing Officer determines that the complainant's or respondent's failure to attend the hearing is not beyond their reasonable control, the hearing shall be held in his/her absence.

The rules of evidence will apply. Both the complainant and the respondent may present relevant testimony and documentary evidence. All testimony shall be given under oath. The complainant and respondent, personally or through their representatives, shall have the right to cross-examine all witnesses who testify.

A tape recording or other verbatim record of the hearing shall be made.

**NOTICE OF FINAL ACTION** - The decision of the Grievance Committee shall be made strictly on the basis of the evidence gathered.

The recipient of Workforce Innovation And Opportunity Act funds must provide to the complainant a notice of final action within 90 days from the date when the complaint was filed. The notice must contain the following information:

- The recipient's decision on each issue and an explanation of the reason behind the decision (if used investigation or fact-finding process) or a description of the way the parties resolved the issues (if ADR process is used).
- A notice that if the complainant is dissatisfied with the recipient's resolution of the complaint, he or she has the right to file a complaint with the Civil Rights Center of the U.S. Department of Labor within 30 days from the date of issuance of the notice of final action.

**PROCESSING TIMEFRAME REQUIREMENTS** - Below is a summary of the timeframes established by Section 188 of the Workforce Innovation And Opportunity Act Act and 29 CFR 37 for the processing of discrimination complaints:

Recipient's 90-Day processing Timeframe: The agency receiving the complaint must perform one of the following actions within 90 days from the date the complaint is received:

- Issue a Written Notice of Lack of Jurisdiction
- Refer the complaint to another federal grant-making agency for investigation where there is dual jurisdiction
- Issue a Written Notice of Final Action

Complainant's 30-Day Timeframe for Appeals. The complainant has 30 days to file with the Civil Rights Center of the U.S. Department of Labor when any of the following occurs:

- The recipient issues a Written Notice of Lack of Jurisdiction. In this case, the 30 days is counted from the date of receipt of the notice
- The complainant is not satisfied with the decision in the Written Notice of Final Action. In this case, the 30 days is counted from the date of receipt of the notice.
- The recipient fails to issue either a Written Notice of Lack of Jurisdiction, a Written Notice of Final Action, or a referral to another federal grant-making agency for investigation in case of dual jurisdiction by the end of 90 days after receipt of the complaint. In this case, the 30 days is counted at the end of the initial 90-day period.
- A party to an agreement breaches the agreement. In this case, the 30 days is counted from the date the complainant learns of the alleged breach
- An ADR process fails to produce an agreement. In this case the 30 days is counted from the date on which the process terminates.

Extension of Complainant's 30-Day Timeframe. The Director of the Civil Rights Center of the U.S. Department of Labor may extend the complainant's 30-day timeframe to file with the CRC if the complainant can show good cause.



# Complaint Information Form

# U.S. Department of Labor

## Civil Rights Center

1. Complainant Information:  
 State your name and address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Your telephone number(s):  
 Home Number: ( ) -  
 Work Number: ( ) -  
 Social Security Number \_\_\_\_\_  
 (disclosure of Social Security Number is voluntary)

2. Respondent Information:  
 Provide name and address of agency involved \_\_\_\_\_  
 \_\_\_\_\_  
 Telephone Number: ( ) -  
 \_\_\_\_\_

3. What is the most convenient time and place for us to contact you about this complaint?  
 \_\_\_\_\_

4. To your best recollection on what date(s) did the discrimination take place?  
 Date of first occurrence: \_\_\_\_\_  
 Date of most recent occurrence: \_\_\_\_\_

5. Have you ever attempted to resolve this complaint at the local Level?  No  Yes

a. Have you been provided with a final decision at the local level regarding your complaint?  No  Yes  
 Date of final decision (if any) \_\_\_\_\_

b. Have 90 days elapsed since you filed or attempted to file this complaint at the local level?  No  Yes  
 Date you filed or attempted to file your complaint at the local level. \_\_\_\_\_

6. Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

7. To the best of your knowledge, which of the following Department of Labor programs were involved? (Check one)\*  
 Workforce Innovation And Opportunity Act (WIOA)  
 MSHA  
 Displaced Worker  OSHA  
 Unemployment Insurance  WIN  
 Youth  
 Job Corps  
 Apprenticeship  
 Older Americans  
 New Directions  
 Other: Specify \_\_\_\_\_  
 \*At the local level, these programs may be known by a different name.

8. Basis of Complaint: Which of the following best describes why you believe you were discriminated against: (Check)  
 Race: Specify \_\_\_\_\_  
 Color: Specify \_\_\_\_\_  
 Religion: Specify \_\_\_\_\_  
 National Origin: Specify \_\_\_\_\_  
 Sex: Specify [ ] Male [ ] Female  
 Age: Specify Date of Birth: \_\_\_\_\_  
 Disability: Specify \_\_\_\_\_  
 Political Affiliation: Specify \_\_\_\_\_  
 Citizenship: Specify \_\_\_\_\_  
 Reprisal/Retaliation  
 Other: Specify \_\_\_\_\_

9. Do you think the discrimination against you involved: (Check one)  
 Your job or seeking employment? Or  
 You're using facilities or someone providing/not providing you with services or benefits?  
 If so, which of the following are involved?  
 Harassment  Hiring  
 Access/Accommodation  Transition  
 Job Classification  Wages  
 Union Representation  Application  
 Union Activity  Enrollment  
 Discharge/Termination  Referral  
 Promotion  Exclusion  
 Training  Placement  
 Transfer  Benefits  
 Qualification/Testing  
 Grievance Procedure  
 Layoff/Furlough  
 Performance Appraisal  
 Recall (From Layoff-Furlough)  
 Discipline/Reprimand  
 Seniority  
 Intimidation/Reprisal  
 Other Specify \_\_\_\_\_



10. Why do you believe these events occurred?

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11. What other Information do you think is relevant to our investigation?

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12. If this complaint is resolved to your satisfaction, what remedies do you seek?

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13. Please list below any persons (witnesses, fellow employees, supervisors, or others) that we may contact for additional information to support or clarify your complaint:

Name	Address	Telephone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

14. Do you have an attorney?  Yes  No  
If yes, please provide name, address and phone:

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Telephone Number

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15. Have you filed a case or complaint with any of the following?

- Civil Rights Division, U.S. Dept. of Justice
- U.S. Equal Employment Opportunity Commission
- Federal or State court
- Your State or local Human Relations/Rights Commission

16. For each item checked in #15 above, please provide the following information:

Agency: \_\_\_\_\_

Data Filed: \_\_\_\_\_

Case or Docket Number \_\_\_\_\_

Date of Trial or Hearing: \_\_\_\_\_

Location of agency or court \_\_\_\_\_

Name of Investigator: \_\_\_\_\_

Status of Case: \_\_\_\_\_

Comments: \_\_\_\_\_

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Sign (Complaint NOT VALID unless signed)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

**U.S. Department of Labor, Civil Rights Center  
NOTICE ABOUT INVESTIGATORY USES OF PERSONAL INFORMATION**

Two Federal laws govern personal information to Federal agencies, including the Civil Rights Center (CRC), the Privacy Act of 1974 (5 U.S.C. 552) and the Freedom of Information Act (5 U.S.C. 552) or "FOIA". Please read the description of how these laws apply to information connected with your complaint. After reading this notice, please sign and return the consent agreement printed on the back of this notice, along with your complaint form.

The PRIVACY ACT protects individuals from misuse of personal information held by the Federal Government. The law applies to records that are kept and can be located by the individual's name, social security number, or other personal identification system. Anyone who submits information to CRC in connection with a discrimination complaint should know the following:

- CRC has been authorized to investigate complaints of discrimination on the basis of race, color, national origin, age, and handicap and in some programs on the basis of sex, religion, citizenship, and political affiliation or belief, in programs that receive Federal funds through the Department of Labor. CRC is also authorized to conduct reviews of federally funded programs to assess their compliance with civil rights laws.
- Information that CRC collects is analyzed by authorized personnel within CRC. This information may include personnel or program participant records, and other personal information. CRC staff may want to reveal some of the personal information to individuals outside the office in order to verify facts related to the complaint, or to discover new facts which will help CRC determine whether the law has been violated. Such information could include, for example, the physical condition or age of a complainant. CRC may also have to reveal personal information to a person who submits a request for disclosure authorized by the Freedom of Information Act.
- Information submitted to CRC may also be revealed to persons outside of CRC because it is necessary in order to complete enforcement proceedings against a program that CRC finds to have violated the law or regulations. Such information could include, for example, the name, income, age, marital status or physical condition of the complainant.
- Any personal information you provide may be used only for the specific purpose for which it was requested. CRC requests personal information only for the purpose of carrying out authorized activities to enforce, and determine compliance with, civil rights laws and regulations. CRC will not release personal information to any person or organization unless the person who submitted the information gives written consent, or unless release is required by the Freedom of Information Act.
- No law requires that a complainant reveal personal information to CRC, and no action will be taken against a person who denies CRC's request for personal information. However, if CRC cannot obtain the information needed to fully investigate the allegations in the complaint, CRC may close the case.
- Any person may ask for, and receive, copies of all personal materials CRC keeps in his or her file for investigatory use.

AS A POLICY, CRC DOES NOT REVEAL NAMES AND OTHER IDENTIFYING INFORMATION ABOUT INDIVIDUALS UNLESS IT IS NECESSARY TO COMPLETE INVESTIGATION OR ENFORCEMENT ACTIVITIES AGAINST A PROGRAM WHICH HAS VIOLATED THE LAW. CRC never reveals to the program under investigation the identity of the person who filed the complaint, unless the complainant first gave CRC written permission to do so.

The FREEDOM OF INFORMATION ACT (FOIA) gives the public maximum access to Federal government files and records. Persons can request and receive information from many types of records kept by the government - not just materials that apply to them personally. The Civil Rights Center must honor most requests for information submitted under FOIA, but there are exceptions.

- CRC is usually not required to release information during an investigation or an enforcement proceeding if that release would limit CRC's ability to do its job effectively; and
- CRC can refuse to disclose information if release would result in a "clearly unwarranted invasion" of a person's privacy.

PLEASE READ AND SIGN SECTION A OR SECTION B OF THE CONSENT FORM PRINTED ON THE BACK OF THIS NOTICE, AND RETURN IT TO THE CIVIL RIGHTS CENTER WITH YOUR SIGNED, COMPLETED COMPLAINT INFORMATION FORM.

**CONSENT FORM**

I have read the Notice about Investigatory Uses of Personal Information, printed on the front of this form. I understand the following provisions of the Privacy Act and Freedom of Information Act, which apply to personal information I reveal to the Civil Rights Center in connection with my complaint:

In the course of investigating my complaint, CRC may have to reveal my identity to staff of the program named in my complaint in order to obtain facts and evidence regarding my complaint;

I do not have to reveal any personal information to CRC, but CRC may close my complaint if I refuse to reveal information needed to fully investigate my complaint;

I may request and receive a copy of any personal information CRC keeps in my complaint file for investigatory uses; and

Under certain conditions, CRC may be required by the Freedom of Information Act to reveal to others personal information I have provided in connection with my complaint.

**SECTION A**

YES CRC MAY DISCLOSE MY IDENTITY IF NECESSARY TO INVESTIGATE MY COMPLAINT. I have read and understand the notice, and I consent for CRC to process my complaint.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**SECTION B**

NO CRC MAY NOT DISCLOSE MY IDENTITY, EVEN IF NECESSARY TO PROCESS MY COMPLAINT. I have read and understand the notice, and I do not consent for CRC to disclose my identity during investigation on of my complaint. I request that CRC process my complaint, however, I understand that CRC may cancel my complaint if it cannot fully investigate without disclosing my identity. I also understand that the CRC may close my complaint if it cannot begin an investigation because I have not consented for the CRC to reveal my identity.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

LWIA 5 LOCAL PLAN

# Appendix C

PY2022 WIOA Title I Performance Assessment

# WIOA Title I Performance Assessment for LWIA 5, Program Year 2022

## Performance Overview

Indicator of Performance & Program	Numerator	Denominator	PY22 Actual	Negotiated Target	Score
<b>Second Quarter Employment Rate</b>					
Adult	157	215	73.0%	75.5%	96.7%
Dislocated Worker	187	259	72.2%	81.0%	89.1%
Youth	187	227	82.4%	79.0%	104.3%
<b>Fourth Quarter Employment Rate</b>					
Adult	169	225	75.1%	75.0%	100.1%
Dislocated Worker	228	303	75.3%	80.0%	94.1%
Youth	144	176	81.8%	77.5%	105.6%
<b>Second Quarter Median Earnings</b>					
Adult		157	\$9,835	\$8,000	122.9%
Dislocated Worker		187	\$12,968	\$11,700	110.8%
Youth		185	\$5,818	\$4,700	123.8%
<b>Credential Attainment Rate</b>					
Adult	116	157	73.9%	76.0%	97.2%
Dislocated Worker	191	229	83.4%	83.0%	100.5%
Youth	68	93	73.1%	65.0%	112.5%
<b>Measurable Skill Gains</b>					
Adult	191	290	65.9%	59.0%	111.6%
Dislocated Worker	108	178	60.7%	56.0%	108.3%
Youth	81	119	68.1%	52.0%	130.9%

The DCEO Office of Employment and Training defines individual indicators as successful when actual performance is at least 70% of the target. It is the state's assessment that LWIA 5 met or exceeded negotiated targets for all 15 indicators of performance assessed in PY22.

For PY24 and PY25, a Statistical Adjustment Model (SAM) will be formally implemented in performance negotiations and performance assessment. Prior to negotiations, each LWIA will be provided information that will inform and guide them on negotiated outcomes based on the SAM'S predictive regression model. It will include narrative context for factors anticipated to affect trends in performance outcomes. The same model will be utilized for adjusted outcomes at year end. The model will remain static and in effect for the two-year reporting period. The model will be reviewed and has potential to be revised prior to each negotiation period.