



Full Board Virtual

Monday, June 21, 2021

1:30 pm

809 Copper Ave. NW, Albuquerque, NM 87102

Jerry Schalow, Chair

John Mierzwa Chair-Elect

AGENDA

- ☐ **Call to Order**
- ☐ **Roll Call – Determination of Quorum**

- ☐ **Marvis Aragon** – American Indian Chamber of Commerce New Mexico
- ☐ **Odes Armijo-Caster** – Luz Energy Corp
- ☐ **Beth Barela, Treasurer** – Manpower of New Mexico
- ☐ **Joseph Bizzell** – Elite Power and Recovery Inc.
- ☐ **Deborah L. Breitfeld** – New Mexico Technology Council
- ☐ **Celina Bussey** – Deloitte
- ☐ **Doug Calderwood** - NM Aging & Long Term Services Department
- ☐ **Theresa Carson** – African American Greater Albuquerque Chamber of Commerce
- ☐ **Herb Crosby** – AVTEC, Inc.
- ☐ **Johnna Chapman** – Facebook
- ☐ **Marni Goodrich** - Yearout Mechanical Inc.
- ☐ **Tracy Hartzler** – Central New Mexico Community College
- ☐ **Victoria Hernandez** - New Mexico Human Services
- ☐ **Gregg Hull** – City of Rio Rancho
- ☐ **Synthia Jaramillo** – City of Albuquerque, Economic Development
- ☐ **Krista Kelley** – Motiva Corporation
- ☐ **Joe LiRosi** - Toni & Guy Academy & Salon
- ☐ **Vaadra Martinez** – RiskSense
- ☐ **John Mierzwa, Chair-Elect** – Ingenuity Software Labs, Inc
- ☐ **Laura Musselwhite** - University of New Mexico Valencia Campus
- ☐ **Debbie Ortiz**, RDO Enterprises
- ☐ **Stacy Sacco** – SACCO Connections
- ☐ **Melodee Saiz** – Albuquerque Job Corps
- ☐ **James Salas** – New Mexico Commission for the Blind
- ☐ **Waldy Salazar** – New Mexico Department of Workforce Solutions
- ☐ **Leslie Sanchez** – Dual Language Education of New Mexico
- ☐ **Diane Saya** – Bottom Line Funding NM, LLC
- ☐ **Jerry Schalow, Chair**– Rio Rancho Regional Chamber of Commerce
- ☐ **Raymond Trujillo** – UA Local 412 Plumbers & Pipefitters Training Center
- ☐ **Gina Urias- Sandoval** – UNM Anderson School of Management
- ☐ **David Valdes** – Central New Mexico Community College
- ☐ **Carolyn VanderGiesen** - New Mexico Association of Community Partners
- ☐ **Bob Walton** - Albuquerque Economic Development
- ☐ **Bobbie Williams** – NM Energy Manufacturing, Consortium and Institute
- ☐ **Vacant** - NM Department of Vocational Rehabilitation

Approval of Monday, June 21, 2021 Agenda

Motion
Second
Action

Tab 1 Approval of Minutes, Full Board, February 22, 2021

Motion
Second
Action

ACTION ITEMS

Tab 2 Approval of Approval of WFCP-01-20, PY21 Budget

Motion
Second
Action

Tab 3 Approval of R-01-21, Open Meetings Act Resolution

Motion
Second
Action

Tab 4 Approval of WFCP-02-21, WCCNM Meeting Dates

Motion
Second
Action

Tab 5 Approval of Second Year Term for Chair, Chair-Elect and Treasurer

Motion
Second
Action

Tab 6 Approval to Reconfirm WCCNM County Representatives

Motion
Second
Action

Tab 7 Approval of Amendment to PY21 Mid-Region Council of Governments - Administrative Entity and Fiscal Agent Contract

Motion
Second
Action

Tab 8 Approval of WCCNM Legal Services Contract Amendment

Motion
Second
Action

Tab 9 Approval of WCCNM Policy Updates

- a. Customized Training Policy, OP-411, Change 5**
- b. Incumbent Worker Training Policy, OP-433, Change 2**
- c. On-the-Job Training Policy, OP-412, Change 6**

Motion
Second
Action

Tab 10 Approval of Operational Policies OP-440, Firewall Policy (New)

Motion
Second
Action

Tab 11 Approval of Revisions of Tier 1 and Tier 2 Industries

Motion
Second
Action

- Tab 12 **Approval of Approval of WCCNM R-02-20 Disposition of WCCNM Property**
Motion
Second
Action

INFORMATION & DISCUSSION ITEMS

- Tab 13 **Additional Performance Measures for Service Providers**
Tab 14 **WIOA Monthly Expenditure Report for May 31, 2021**
Tab 15 **Updates**
- Workforce Connection Center(s) Update

REPORTS/UPDATES

Committee Reports

- Disability Standing Committee
- Economic Development Ad-Hoc Committee
- Performance and Monitoring Committee
- Training and Service Provider Committee
- Youth Standing Committee

WIOA Status Updates

- NMDWS/WCCNM Grant Agreement
- Adult/Dislocated Worker Transition, Three Month contract extension
- General Questions

PUBLIC COMMENTS/ADJOURNMENT

Public Comments – Anyone who wishes to address the Board must register with the Program Coordinator of the Board

Adjournment

NOTES

Next Meeting:

Date: Monday, August 16, 2021
Time: 1:30 p.m.
Location: Mid-Region Council of Governments

Anyone requiring special accommodations please notify the MRCOG office at 247-1750 seven (7) days prior to the meeting

“Equal Opportunity Program”



MINUTES

Workforce Connection of Central New Mexico Full Board Meeting Virtual Meeting

Monday, February 22, 2021

809 Copper Ave. NW, Albuquerque, NM 87102
1:30 pm

Before the meeting started Art Martinez explained that when voting takes place. We will ask for a roll call for those who don't approve and then identify the names of the members that did not respond to the don't approve as an affirmative vote. Additionally, prior to the affirmative roll call members that abstain from voting will respond via voice confirmation to the Board Chair and describe the reason. After the names are called for the affirmative vote the chair will pause and ask those that do not concur with the affirmative roll call vote to voice a different vote. To ensure that a quorum remains, Ms. Nicole Giddings monitors the participants to ensure quorum is present and note if a member is not available.

Roll Call - Determination of Quorum 1:32 pm - by Art Martinez

- ✓ **Marvis Aragon** – American Indian Chamber of Commerce New Mexico
- ✓ **Odes Armijo-Caster** – Luz Energy Corp
- ✓ **Beth Barela, Treasurer** – Manpower of New Mexico
- ✓ **Joseph Bizzell** – Elite Power and Recovery Inc.
- ✓ **Deborah L. Breitfeld** – New Mexico Technology Council
- ✓ **Celina Bussey** – Deloitte
- ✓ **Doug Calderwood** – NM Aging & Long Term Services Department
- ✓ **Theresa Carson** – African American Greater Albuquerque Chamber of Commerce
- ✓ **Herb Crosby** – AVTEC, Inc.
- ✓ **Johnna Chapman** – Facebook
- ✓ **Reyes Gonzales** - NM Department of Vocational Rehabilitation
- ✓ **Marni Goodrich** - Yearout Mechanical Inc.
- ✓ **Tracy Hartzler** – Central New Mexico Community College
- ✓ **Victoria Hernandez** - New Mexico Human Services
- ✓ **Gregg Hull** – City of Rio Rancho
- ✓ **Krista Kelley** – Motiva Corporation
- ✓ **Joe LiRosi** - Toni & Guy Academy & Salon
- ✓ **Valarie Lopez** - Presbyterian Healthcare Service
- ✓ **Vaadra Martinez** – RiskSense
- ✓ **John Mierzwa, Chair-Elect** – Ingenuity Software Labs, Inc
- ✓ **Laura Musselwhite** - University of New Mexico Valencia Campus
- ✓ **Nora Nixon** – Central New Mexico Community College
- ✓ **Debbie Ortiz**, RDO Enterprises
- ✓ **Stacy Sacco** – SACCO Connections
- ✓ **Melodee Saiz** – Albuquerque Job Corps
- ✓ **James Salas** – New Mexico Commission for the Blind
- ✓ **Waldy Salazar** – New Mexico Department of Workforce Solutions
- ✓ **Leslie Sanchez** – Dual Language Education of New Mexico
- ✓ **Diane Saya** – Bottom Line Funding NM, LLC
- ✓ **Jerry Schalow, Chair**– Rio Rancho Regional Chamber of Commerce
- ✓ **Raymond Trujillo** – UA Local 412 Plumbers & Pipefitters Training Center
- ✓ **Carolyn VanderGiesen** - New Mexico Association of Community Partners
- ✓ **Bob Walton** - Albuquerque Economic Development
- ✓ **Bobbie Williams** – NM Energy Manufacturing, Consortium and Institute

Mr. Schalow introduced new Board Member Joseph Bizzell.

Approval of Monday, October 19, 2020 Agenda

Motion: Celina Bussey

Second: Theresa Carson

No Discussion

Action: Passed unanimously by Roll Call Vote.

	Yes	No	Abstain	No Vote
Marvis Aragon	X			
Odes Armijo-Caster	X			
Joseph Bizzell	X			
Celina Bussey	X			
Doug Calderwood	X			
Theresa Carson	X			
Reyes Gonzales	X			
Marni Goodrich	X			
Tracy Hartzler	X			
Victoria Hernandez	X			
Gregg Hull	X			
Krista Kelley	X			
Joseph LiRosi	X			
Vaadra Martinez	X			
John Mierzwa	X			
Laura Musselwhite	X			
Nora Nixon	X			
Stacey Sacco	X			
Melodee Saiz	X			
James Salas	X			
Waldy Salazar	X			
Leslie Sanchez	X			
Diane Saya	X			
Jerry Schalow	X			
Raymond Trujillo	X			
Carolyn VanderGiesen	X			
Bob Walton	X			

Tab 1 Approval of Minutes, Full Board, October 19, 2020

Motion: Carolyn VanderGiesen

Second: Krista Kelley

No Discussion

Action: Passed unanimously by Roll Call Vote.

	Yes	No	Abstain	No Vote
Marvis Aragon	X			
Odes Armijo-Caster	X			
Joseph Bizzell	X			
Celina Bussey	X			
Doug Calderwood	X			
Theresa Carson	X			
Reyes Gonzales	X			
Marni Goodrich	X			
Tracy Hartzler	X			
Victoria Hernandez	X			
Gregg Hull	X			

Krista Kelley	X			
Joseph LiRosi	X			
Vaadra Martinez	X			
John Mierzwa	X			
Laura Musselwhite	X			
Nora Nixon	X			
Stacey Sacco	X			
Melodee Saiz	X			
James Salas	X			
Waldy Salazar	X			
Leslie Sanchez	X			
Diane Saya	X			
Jerry Schalow	X			
Raymond Trujillo	X			
Carolyn VanderGiesen	X			
Bob Walton	X			

ACTION ITEMS

Tab 2 **Approval of WFCP-05-20, PY20 BAR #2**

by Jesse Turley, WCCNM Accounting Manager

- Mr. Turley presented BAR #2 for PY20
- This is based on a mid-year funding change with NMDWS for projects and additional monies granted.
- BAR# 1 had trued up the carry in in August with a total operating budget of \$13,329,337. Bar# 2 increases the Budget to \$15,243,726.
- BAR# 2 trues up the NMDWS Apprenticeship project to \$227,300, removes the canceled NMDWS Project Grad ABQ of \$63,755 Administrative monies, adds the NMDWS additional Youth Redistribution to the Central Board in the amount of \$71,892 and adds the NMDWS Dislocated Worker NEG grant of \$1,905,00.
- Formula carry-in from PY19 to PY20 in the amount \$2,652,596 of the prelims estimated \$2,665,000. It is \$993,171 Adult, \$317,428 Dislocated Worker, \$913,076 Youth and \$428,921 Administrative dollars.
- PY20 budget total is \$15,243,726.

Questions

Motion: John Mierzwa

Second: Raymond Trujillo

No Discussion

Action: Passed unanimously by Roll Call Vote.

Passed unanimously by Roll Call Vote

	Yes	No	Abstain	No Vote
Marvis Aragon	X			
Odes Armijo-Caster	X			
Joseph Bizzell	X			
Celina Bussey	X			
Doug Calderwood	X			
Theresa Carson	X			
Reyes Gonzales	X			

Marni Goodrich	X			
Tracy Hartzler	X			
Victoria Hernandez	X			
Gregg Hull	X			
Krista Kelley	X			
Joseph LiRosi	X			
Vaadra Martinez	X			
John Mierzwa	X			
Laura Musselwhite	X			
Nora Nixon	X			
Stacey Sacco	X			
Melodee Saiz	X			
James Salas	X			
Waldy Salazar	X			
Leslie Sanchez	X			
Diane Saya	X			
Jerry Schalow	X			
Raymond Trujillo	X			
Carolyn VanderGiesen	X			
Bob Walton	X			

Tab 3 Approval of Workforce Connection Policies related to Proposed Federal Economic Recovery

- On-the-Job Training Policy, NO. OP – 412, Change 5
- Individual Career Services Policy, NO. OP – 424, Change 2
- Incumbent Worker Training, NO. OP – 433, Change 1
- Work Experience – Transitional Jobs Policy, NO. OP – 438, Change 1

by Lloyd Aragon, Operation Manager

- Mr. Aragon presented four policies that will fall in line with any updated directives from NMDWS.
- On-the-Job-Training, change #5 changes to include the language that WCCNN may immediately implement any such waivers and other flexibilities as approved or defined by NMDWS to raise the amount for employers.
- Individual Career Service, change #2 changes to include the language that WCCNN may immediately implement any such waivers and other flexibilities as approved or defined by NMDWS to expand eligibility. If implemented specific NMDWS Guidance and affiliated references will be included in the Operational Procedures as approve by the AE. Current policy will take out the cap amount of \$2500.
- Incumbent Worker Training, change #1 change to include the language that WCCNN may immediately implement any such waivers and other flexibilities as approved or defined by NMDWS to expand eligibility. If implemented specific NMDWS Guidance and affiliated references will be included in the Operational Procedures as approve by the AE.
- Work Experience – Transitional Jobs, change #1 changes to include the language that WCCNN may immediately implement any such waivers and other flexibilities as approved or defined by NMDWS to expand eligibility. If implemented specific NMDWS Guidance and affiliated references will be included in the Operational Procedures as approve by the AE. Current policy we can pay 10% if policy passes, we can pay up to 40%.

- Mr. Walton made a suggestion with either the OJT and Incumbent Worker Policy to change the restriction from 10 to 20. It will be taken to the Full Board Meeting in April for recommendation.

Questions & Comments

Motion: Ray Trujillo

Second: Reyes Gonzales

Comments

Action: Passed unanimously by Roll Call Vote.

	Yes	No	Abstain	No Vote
Marvis Aragon			X	
Odes Armijo-Caster	X			
Joseph Bizzell	X			
Celina Bussey	X			
Doug Calderwood	X			
Theresa Carson	X			
Reyes Gonzales	X			
Marni Goodrich			X	
Tracy Hartzler	X			
Victoria Hernandez	X			
Gregg Hull	X			
Krista Kelley	X			
Joseph LiRosi	X			
Vaadra Martinez	X			
John Mierzwa	X			
Laura Musselwhite	X			
Nora Nixon	X			
Stacey Sacco	X			
Melodee Saiz	X			
James Salas	X			
Waldy Salazar	X			
Leslie Sanchez	X			
Diane Saya	X			
Jerry Schalow	X			
Raymond Trujillo	X			
Carolyn VanderGiesen	X			
Bob Walton	X			

Tab 4 **Approval of modification for Operational Policy NO. OP- 427 Subject: Parameters for Utilization of “Unrestricted”, Non-WIOA Funds**

by Art Martinez, WCCNM Administrator

- Mr. Martinez presented policy Parameter for Utilization of “Unrestricted”, Non-WIOA Funds, change #1.
- The change will provide additional efficiency in the utilization of non-WIOA funds. The current policy dictates that the WCCNM Full Board/Executive Committee approval is required prior to expenditure for funds to exceed \$1,500. New recommendation will acquire WCCNM Board Chair prior approval for expenditures to exceed \$1,500 and are less than \$10,000 and additionally expenditures of non-WIOA funds that exceed \$10,000 must have prior approval of the WCCNM Full Board or Executive Committee

Motion: Odes Armijo-Caster
Second: Celina Bussey
Comments
Action: Passed unanimously by Roll Call Vote

	Yes	No	Abstain	No Vote
Marvis Aragon	X			
Odes Armijo-Caster	X			
Joseph Bizzell	X			
Celina Bussey	X			
Doug Calderwood	X			
Theresa Carson	X			
Reyes Gonzales	X			
Marni Goodrich	X			
Tracy Hartzler	X			
Victoria Hernandez	X			
Gregg Hull	X			
Krista Kelley	X			
Joseph LiRosi	X			
Vaadra Martinez	X			
John Mierzwa	X			
Laura Musselwhite	X			
Nora Nixon	X			
Stacey Sacco	X			
Melodee Saiz	X			
James Salas	X			
Waldy Salazar	X			
Leslie Sanchez	X			
Diane Saya	X			
Jerry Schalow	X			
Raymond Trujillo	X			
Carolyn VanderGiesen	X			
Bob Walton	X			

INFORMATION & DISCUSSION ITEMS

Tab 5 Local Board Redesignation/Transformation

by Art Martinez, WCCNM Administrator

- Jerry Schalow, stated at the Workforce State Board Meeting it was discussed that New Mexico Workforce Connection areas will be re-designated. The current regions within the Central Region will not be the same. The state will be reaching out to the Chief Elected Officials to get their input.
- Bob Grassberger who was on the State Workforce Board presented the Workforce Connection of Central New Mexico potential scenarios of re-designation.
- At the CEO meeting it was requested that Arthur Martinez request from the State Workforce Development Board an opportunity for the CEOs to provide input and potentially additional options for the re-designation.
- The Board discussed the given scenarios and voted on their recommendation. Mr. Schalow noted that this was not a binding vote just recommendation:
- First vote preference was 1 - 4
Scenario 1 - 11
Scenario 2 - 2

- Scenario 3 - 9
- Scenario 4 - 4
- Second vote preference 1-7 (4a) which include the three that the central region made
 - Scenario 1 - 0
 - Scenario 2 - 0
 - Scenario 3 - 2
 - Scenario 4 - 0
 - Scenario 5 - 11
 - Scenario 6 - 1
 - Scenario 4a - 6

Tab 6 **WIOA Monthly Expenditure Report for December 31, 2020**

Due to time constraints report was given and no discussion.

Tab 7 **Updates**
Workforce Operations and Workforce Connection Center(s) Update – TechHire NM - Performance -

by Joy Forehand, Operation Manager

- Ms. Forehand gave an update on the Business & Career Centers for January 31, 2021.
- She also gave a brief overview of the economic outlook for the region and how the centers are handling services due to COVID-19

REPORTS/UPDATES

Committee Reports

- **Training and Service Provider Committee**
 - No Report.
- **Performance and Monitoring Committee**
 - Mr. Doug Calderwood stated that this committee met.
 - Performance Measures are being met and others measures that are still be implemented.
 - We still need board member on this committee.
- **Youth Council Committee**
 - No Report.
- **Economic Development**
 - No Report.
- **Disability Standing Committee**
 - Mr. Reyes stated there was a meeting in December and the Governor's Commission on Disabilities provided a presentation and shared their resources. We will be meeting again in March.

WIOA Status Updates

By Art Martinez, WCCNM Administrator

- Thanked the Board for their patience.

PUBLIC COMMENT/ADJOURNMENT

- **Public Comment** – None
- **Adjournment** – 3:49 p.m

NOTES

Next Meeting:

Date: April 19, 2021

Time: 1:30 p.m.

Location: Mid-Region Council of Governments – Board Room

Approved at the April 19, 2021 WCCNM Full Board Meeting:

Jerry Schalow, WCCNM Chair

ATTEST:

Secretary

"Equal Opportunity Program"

**Workforce Connection of Central New Mexico
(R-01-21)
Open Meetings Act Resolution**

Action Requested:

Approval of R-01-21 Open Meetings Act Resolution, to remain in compliance with statutory regulations.

Background:

NMSA 1978, Section 10-15-1B (194 as Amended), of the Open Meetings Act states that, except as otherwise provided in the Constitution of New Mexico of the Provisions of the Open Meetings Act, all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, any agency or authority of formulation public policy, discussion public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings.

Policy Ramifications:

Section 10-15-1D of the Open Meetings Act requires WCCNM to determine annually what constitutes reasonable notice of its public meetings.

Financial Impact:

None

Do Pass: _____

Do not Pass: _____

RESOLUTION
of the
Full Board
of the
Workforce Connection of Central New Mexico
R-01-201

OPEN MEETINGS RESOLUTION

WHEREAS, Section 10-15-1 B NMSA 1978, of the Open Meetings Act states that, except as otherwise provided in the Constitution of New Mexico or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussion public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed policy, resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, NMSA § 10-15-1, the Open Meetings Act requires WCCNM to determine annually what constitutes reasonable notice of its public meetings;

WHEREAS, WCCNM complies with all the requirements set forth in NMSA § 10-15-1 et. seq, the Open Meetings Act.

NOW THEREFORE BE IT RESOLVED by the WCNNM Full Board that:

1. Regular meetings of the WCCNM Board shall be held at least once each quarter on the third (3rd) Monday of the month at 1:30 pm at 809 Copper Ave. NW, Albuquerque, New Mexico or as indicated on the meeting notice.
2. As required, an Executive Committee of the WCCNM board may schedule meetings which will occur the first Thursday of the month at 809 Copper Ave. NW.

3. For the purposes of regular meetings, notice requirements are met if notice of the date, time, place, and information on how the public may obtain an agenda, is placed as a legal notice in newspapers of general circulation in the state at least ten (10) days in advance of the meeting date. Written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request of the WCCNM for notice of public meetings. A proposed agenda will be posted in the offices of the WCCNM one (1) week before the meeting, located at 809 Copper Ave. NW, Albuquerque, New Mexico; and will be available on the MRCOG website at www.mrcog-nm.gov one week before the meeting; and

4. The final agenda will be posted in the offices of the WCCNM not less than seventy-two (72) hours prior to the meeting; and will be available on the MRCOG website at www.mrcog-nm.gov not less than seventy-two (72) hours before the meeting.

5. Special meetings may be called by the Chairman or a majority of the members upon three (3) days notice.

6. Emergency meetings will be called only under circumstances which demand immediate action to protect the health, safety and property of citizen. WCCNM will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hours notice, unless threat of personal injury or property damage requires less notice.

7. For the purposes of special meetings and emergency meetings described in paragraphs 6 and 7 of this Policy, notice requirements shall be met by posting notices in the offices of WCCNM and on the WCCNM website. The WCCNM secretary shall also provide facsimile notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

8. The WCCNM Board may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meetings requirement pursuant to Section 10-15-1(H) of the Open Meetings Act.

- a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the WCCNM Board taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual board member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting; and
- b. If the decision to hold a closed meeting is made when WCCNM is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances and stating the specific provision of law authorizing the closed

meeting and the subjects to be discussed, is given to the Board members and to the general public; and

- c. Except as provided in Section 10-15-1(I), any final action taken as a result of discussions in a closed meeting shall be made by vote of the WCCNM Board in an open meeting.

PASSED, APPROVED, AND ADOPTED this ~~21st~~^{15th} day of **June, 2020**²¹ by the Workforce Connection of Central New Mexico Full Board.

WCCNM Chair

~~Debbie Ortiz~~ Jerry Schalow,

ATTEST:

Secretary

**Workforce Connection of Central New Mexico
(WFCP-02-21)
Executive and Full Board Meeting Dates
Through June 30, 2022**

Action Requested:

Approval of WCCNM Meeting dates July 1, 2020 through June 30, 2022

Background:

This schedule follows the meeting schedule established in August 2003. Full Board meetings will be scheduled to meet the third Monday of every other month. As unplanned actions, may be required, an Executive Committee meeting may be scheduled to occur on the first Thursday of the month, when needed.

Financial Impact:

None

Do Pass: _____

Do not Pass: _____

New Mexico Workforce Connection

Central Region



PY17 WCCNM Meeting Schedule

July 1, 2020 – June 30, 2021

<u>MEETING</u>	<u>DATE</u>	<u>TIME</u>
Full Board	August 16, 2021	1:30 pm
Full Board	October 18, 2021	1:30 pm
Full Board	December 20, 2021	1:30 pm
Full Board	February 21, 2022	1:30 pm
Full Board	April 18, 2022	1:30 pm
Full Board	June 20, 2022	1:30 pm

*** Executive Committee will be scheduled as needed**

Disability Committee – 4th Monday of every other month – 3:30 pm

Economic Development Committee – Meets Monthly

Performance & Monitoring Committee- 2nd Wednesday of every other month- 2:30 pm

Training and Service Provider Committee– 3rd Thursday of every other month–1:00 pm

Youth Standing Committee – quarterly 2nd Tuesday of the month at 2:00 pm

*All meetings subject to change. Special or Emergency meetings may be scheduled at any time

Workforce Connection of Central New Mexico Second Year Term for Chair, Chair Elect & Treasurer

Action Requested:

Approval for Chair, Chair Elect and Treasurer to serve a second term.

Jerry Schalow – Chair
John Mierzwa –Chair Elect
Beth Barela – Treasurer

Background:

Based on Article 6 – Officers, the Workforce Connection of Central New Mexico's (WCCNM) Bylaws, Section 6.06 requires officers to serve a term of one year. The bylaw further states, the officers may serve two consecutive terms in the same position. Recommendation is to approve these officers for an additional term beginning July 1, 2021 to June 30, 2022

Financial Impact:

None

Do Pass: _____

Do not Pass: _____

Reconfirm WCCNM County Representatives for Executive Committee

County Representative

Bernalillo- Diane Saya

Sandoval- Krista Kelley

Torrance- Debbie Ortiz

Valencia- Laura Musslewhite

Workforce Connection of Central New Mexico WCCNM Legal Contract

Action Requested:

Approval to extend WCCNM's Legal Counsel Contract with German, Burnette and Associates LLC for another year beginning July 1, 2021 June 30, 2022 pursuant to **Section 15. Termination** of their Professional Services Agreement.

Background:

The law firm of German, Burnette and Associates LLC has been providing the Workforce Connection of Central New Mexico with legal services since 2020 and was selected through an RFP process on August of 2020

Through RFP 2020-02 and per Board approval, German, Burnette and Associates LLC are to deliver Legal Services under the Workforce Investment Act for the Central Region.

Per Section 6, Option to Extend Term, the contract may be extended for three (3) additional one (1) year terms based on need, performance and availability of funds. Extension of the German, Burnette and Associates contract for PY21 is recommended.

Financial Impact:

\$20,000.00

Do Pass: _____

Do not Pass: _____

Approved: June 21, 2021 Full Board Meeting

Approval of WCCNM Policy Updates

- a. Customized Training**
- b. Incumbent Worker Training Policy**

Action Requested

Request for WCCNM Board approval of the updated Customized Training NO. OP-411, Change 5 and Incumbent Worker Training Policy - Operational Policy, NO. OP- 433, Change 2 as required under the Workforce Innovation and Opportunity Act (WIOA), of 2014 for the purpose of providing direction to Central Region's Service Provider regarding the permissible use of adult and dislocated worker funds for training activities associated with incumbent workers.

BACKGROUND

WIOA explicitly allows for and encourages the use of customized training and incumbent worker training as a workforce strategy. This training strategy is designed to meet the special requirements of an employer (including groups of employers) to train and retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment. In addition, customized training and incumbent worker training must be focused on increasing the competitiveness of the employee or employer, and be conducted with a commitment by the employer to retain or avert the layoffs of the worker(s) trained.

The Training and Service Provider Committee has suggested and recommends the updates to the "Limitations" sections on both policies during their committee meeting on May 15, 2021.

- c. On-the-Job Training Policy**

Action Requested

Request for WCCNM Board approval for the updated On-the-Job Training Policy - NO. OP-412, Change 6, to reflect recent changes in the Workforce Guidance Letter: DWS 18-006, Subject: On the Job Training – Change 2, as received on May 26, 2021. As required under the Workforce Innovation and Opportunity Act (WIOA), of 2014 for the continued purpose of providing direction to Central Region's Service Provider regarding the permissible use of adult, dislocated worker and youth funds for training activities associated with On-the-Job Training.

BACKGROUND

On-the-Job Training (OJT) is a critical training service for adults, dislocated workers and eligible youth who want to develop the knowledge and necessary skills in the highest skill occupation appropriate for the participant and for employers who need a pipeline of skilled workers to remain competitive. It also provides an incentive for businesses who agree to train WIOA Eligible and suitable individuals. The financial assistance is compensation for the extraordinary costs associated with training participants, the costs associated with lower productivity of new employee and investing in their skill developments. OJT is not an employer subsidy.

Financial Impact: None

Do Pass _____

Do Not Pass _____



Operational Policy NO. OP- 411, Change [54](#)

Subject: Customized Training

Effective: [PY20, 6/21/2021](#)~~PY18-10/22/2018~~

PURPOSE. The purpose of this policy is to provide direction to Central Region's Service Provider regarding the permissible use of adult and dislocated worker funds for customized training activities.

REFERENCES.

- Workforce Innovation and Opportunity Act (WIOA), July 22, 2014, 108, 122, *134, 5181 and *194.
- WIOA Final Rules - U.S. Department of Labor (Title 1): 20 CFR *680.760, }680.830, and *680.840.
- Office of Management and Budget (OMB), Uniform Guidance at 2 CFR *200, et al., Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- Training and Employment Guidance Letter WIOA No. 19-16 Operating Guidance for the Workforce Innovation and Opportunity Act. • Fair Labor Standards Act (FLSA) *203.

BACKGROUND.

The Workforce Innovation and Opportunity Act (WIOA) of 2014 explicitly allows for the use of customized training contracts as a workforce strategy. This training strategy is designed to meet the special requirements of an employer (including groups of employers) with the commitment that the employer(s) hire an individual upon successful completion of the training.

DEFINITIONS.

- Appropriate Commitment to hire an individual means to maintain an ~~employer~~~~employee~~~~employer~~ [employee](#) relationship meeting the requirements of the Fair Labor Standards Act for a minimum of one (1) year.
- Customized Training is a training by an employer or group of employers generally for the hiring of new or recent employees and not for retraining existing employees.

- High-Priority Occupation (HPO) is an in-demand occupation that has higher skill needs and is likely to provide a self-sufficient wage. Statistical data, regional expertise, and local workforce development area inputs are combined to determine whether or not an occupation meets the high-priority criteria.
- Incumbent Worker is an individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for six (6) months or more.
- Incumbent Worker Training (IWT) is training provided to an incumbent worker that is designed to meet the needs of an employer(s) to retain a skilled workforce or avert the need to lay off employees; increase the competitiveness of the employer or employee; and be conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker trained. Such training may also include the upskilling of an employer's current workforce, which may lead to additional opportunities for potential jobseekers.
- In-Demand Industry Sector is an industry sector that has a substantial current or potential impact (including jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors.
- In-Demand Occupation is an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the state, regional, or local economy, as appropriate.

Note: The determination of whether an industry sector or occupation is in-demand in a local area is made by the local board, as appropriate, using business and labor market projections and statistics. Customized Training must lead to an [in-demand](#) occupation, but does not necessarily have to lead to an HPO. However, all HPOs are considered in-demand occupations, and therefore, eligible for customized training.

- Recent Employee is an individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for six (6) months or less.

EMPLOYER PAYMENT OF SIGNIFICANT COST OF TRAINING.

Employers receiving funds for customized training are required to pay a significant cost of the customized training. This can be done through both cash and fairly evaluated in-kind contributions. Rules for matching funds can be found in the Uniform Guidance at 2CFR 200.306 and 2 CFR 2900.8.

The share of the cost of training can include elements such as the expenses related to the:

- Instruction or the instructor ● Curriculum development
- Course materials or books

Expenses that are not permissible under the match and are not reimbursable through a customized training contract include:

- Equipment purchases
- Administration
- Facility upgrades/ renovations
- Travel and incidentals

The employer share is based on the size of the workforce as follows: ●

At least 10 percent of the cost for employers with 50 or fewer employees:

- At least 25 percent of the cost for employers with 51 to 100 employees; and
- At least 50 percent of the cost for employers with more than 100 employees.

WCCNM Service Providers will track and document employer cost share contributions.

The employer size means the number of employees currently employed at the local operation where the customized training placement will be made. Employer size is determined by the number of employees at the time of the execution of the customized training contract. This applies at all employers, including employers with seasonal or intermittent employee size fluctuations.

RESTRICTIONS.

WCCNM will comply with the limitations and prohibitions on the use of funds allocated to the local area under WIOA title I-B 5181 and Part 680 of federal regulations, as follows.

- WIOA funds cannot be used to pay the wages of employees during their participation in an economic development activity provided through a statewide workforce development system.
- When a relocation of a business results in the loss of employment of any employee of such business, no funds provided for employment training can be used for customized training until after 120 days has passed since the relocation that caused the loss of employment at an original business location in the United States.
- WIOA work-based training funds must not be used to directly or indirectly assist, promote, or deter union organizing.
- WIOA work-based training funds may not be used to directly or indirectly aid in the filling of a job opening which is vacant because the former occupant is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.
- WIOA work-based training funds must not be used to directly or indirectly provide supportive services described in *680.900 or *681.570.

ELIGIBILITY CRITERIA.

Customized Training Agreement

WCCNM will address the following factors when developing a customized training agreement:

- Special training requirements of the employer (or group of employers);
- Agreement that the employer will pay for the significant cost of the training;
- Agreement that an appropriate commitment is made by the employer to employ the individual upon successful completion of the training; • Curriculum;
- Performance and;
- A clearly stated goal.

WCCNM Service Providers will document the factors that were considered in approving a customized training agreement with an employer (or group of employers).

Employer Eligibility

WCCNM will consider the following factors when determining the eligibility of employers to receive the WIOA customized training funds.

1. The strategy of the LWDB in fulfilling the vision and goals established for the local area (i.e., the local plan)
2. The characteristics of the workers to be trained (i.e., the extent to which these individuals historically represent individuals with barriers to employment as defined in WIOA Section 3(24), and how such individuals would benefit from a skill gain that results in retention or advancement).
3. The quality of the training (e.g., industry-recognized credentials, advancement opportunities, etc.).
4. The number of participants the employer plans to train.
5. The wage and benefit levels of participants (before and after training).
6. The occupation(s) for which customized training is being provided must be in-demand as defined by WIOA Section 3(23) and as determined by workforce development area specific labor market information.
7. Employer's industry status. Is the employer in:
 1. An in-demand industry as defined by WIOA Section 3(23) and determined by labor market information; or
 2. A stable industry as determined by labor market information; or
 3. A declining industry, but there are compelling reasons (e.g., evidence of ~~longterm~~long-term viability of the employer) justifying investment in customized training?
8. Recent lay-offs and relocations. The employer must not have laid off workers within 120 days to relocate from another state.
9. Employer's unemployment insurance and workers' compensation status. The employer must be current on unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan (including timely Quarterly Reports).
10. Be located in and have operations in the Central Workforce Region.
11. Employ at least one full-time employee.
12. Keep accurate records of the project's implementation process for audit purposes for a minimum of five years.

WCCNM will document the factors that were considered in approving a customized training contract with an employer (or group of employers).

Employed Worker Eligibility

Customized Training funds may be used to provide training to eligible employed workers for an employer (or group of employers) when the following conditions are met:

- Employee is not earning a self-sufficient wage;
- All other provisions of Customized Training are met; and
- Customized Training relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills or workplace literacy.

Exception: Customized training is generally for hiring new or recent employees (less than six months) and not for retraining existing employees which is reserved for incumbent worker training, although there may be instances where customized training is appropriate in that circumstance. In those instances, customized training may be used for individuals making more than self-sufficient wages if all appropriate criteria are met and it leads to comparable or higher than previous employment.

PERFORMANCE ACCOUNTABILITY.

Due to the unique eligibility requirements in WIOA sec. 134, individuals who receive only customized training are reportable individuals, but not participants required for inclusion in the WIOA performance accountability calculations. As a result, an individual who only receives customized training and does not become a core program participant will not be included in the calculation of the primary indicators of performance for negotiations and accountability purposes. However, LWDBs are required to collect and report the outcomes of individuals in receipt of customized training on the primary indicators of performance, among other required elements.

CONFLICT OF INTEREST.

State and local board members and members of standing committees may not vote or nor participate in any decisions regarding the provision of services by such members or any organization they directly represent, nor on any matter that would provide any direct financial benefit to that member or the member's immediate family. For example, a Central Region Board member who is also an employer who wants to use services on a fee-for-service basis would be prohibited from voting to approve the use of local area services, facilities, or equipment for employment and training activities to such board member's workers. Neither membership on the state board, local board, or standing committee, nor receipt of WIOA funds to provide training and related services, by itself, violates these ~~conflict of interest~~conflict-of-interest provisions. In accordance with *200.112 of the Uniform Guidance, recipients of federal awards must disclose in writing any potential conflicts of interest. Sub-recipients must disclose in writing any potential conflict of interest to the recipient of grant funds.

PROCESS FOR CONTRACTING

Process

While customized training is a service that focuses on the needs of business, it shall still follow all the regular requirements for providing individual participant training. All required customized

training documentation shall be kept on file with the service provider, business and Workforce Connection Online System (WCOS). Service providers shall make all files and documentation available for monitoring, audits and data validation as required.

1. Eligibility shall be determined and eligibility documents shall be compiled and kept on file with the service provider and business.
2. An individual employment plan shall be completed for each participant identifying the need for customized training and kept on file with the service provider and business.
3. Customized training processes can include the following.
 - a. Service providers may work with an employer to provide the eligibility documentation on potential trainees (staff-assisted service without significant staff involvement). Special attention shall be paid to eligibility documentation requirements to ensure all data validation requirements are met.
 - b. Once eligibility is determined, the service provider may work with the employer to complete an individual employment plan for each participant, identifying the need for customized training. For purposes of the customized training activity, an individual employment plan may consist of the employment goal, achievement objective and services to achieve the employment goals.
 - c. Service providers do not have to maintain individual file folders for each participant as long as all required information and documentation is kept on file collectively for each customized training contract by the service provider and business.

Customized training agreement provisions

Customized training agreements shall at a minimum include the following elements:

1. The occupation for which training will be provided; the skills and competencies to be achieved and the length of time for the training.
2. The name of each employee to be trained, social security number, date of birth, gender, selective service registration, 1-9 on file with employer, hourly pay, hours per week, and employee start date.
3. The employer's assurance that customized training is needed based upon the individual skill sets of trainees.
4. Training outline.
5. Method and maximum amount of reimbursement.
6. The cost and documented description of any ancillary items or supportive services that may be needed.
7. Other appropriate training outcomes related to the training (includes obtainment of veteran status, highest grade completed, household/family size and increases in earnings after training if applicable).
8. Appropriate assurances and certifications as defined in the agreement:
 - a. Employer shall provide worker's compensation coverage for the participants on the same basis as the compensation is provided to other individuals in the same employment. 20 CFR 680.700 (b).

- b. Employer shall verify that the training will relate to the introduction of new technologies, introduction to new production or service procedures, or is an upgrade to a new job that requires additional skills, work place literacy, or other appropriate identified by the local WDB. 20 CFR 680.710 (C).
- c. Employer certifies that the company is financially solvent on the date of the contract, and the employer's best projection is that they will remain financially able to meet contract obligations at the end of the training period, including training participant retention.
- d. Employer agrees that wage and labor standards will be adhered to and to pay the participants at the same rates, including increases, and benefits as trainees or employees who are situated in similar jobs. Such rates shall be in accordance with applicable law, but in no event less than the higher rate specified in section 6(a) (1) of the Fair Labor Standards Act of 1938 (and as amended in 1996) or the applicable state or local minimum wage law and WIOA 20 CFR Part 683.275.
- e. Conditions of employment and training will be in full accordance with all applicable federal, state, and local laws and ordinances (including but not limited to anti-discrimination, labor and employment laws, environmental laws or health and safety laws), 29 CFR part 38.
- f. Employer certifies that the training will not impair existing agreements for services or collective bargaining agreements and that either it has the concurrence of the appropriate labor organization as to the design and conduct of training, or it has no collective bargaining agreement with a labor organization that covers the participants' position.
- g. Employer assures that they are not debarred or suspended in regard to federal funding. 29CFR 180 Sub Part H, (Verifiable at <https://www.sam.gov/portal/SAM/#1#1>).
- h. Employer further assures that federal funds will not be used to assist, promote or deter union organizing, 20 CFR 663.730.
- i. Employer certifies that no member of the training participant's immediate family will directly supervise the participant. For the purpose of this contract, immediate family is defined as spouse, children, parents, grandparents, grandchildren, brothers, sisters or person bearing the same relationship to the participant's spouse, 20 CFR 683.200 (a).
- j. Employer assures that the participants will not be employed to carry out the construction, operation or maintenance of any part of a facility that is used or to be used for sectarian instruction or as a place for religious worship, 29 CFR part 2, Subpart D.
- k. Employer assures that the participant(s) has not been hired into or will remain working in any position when any other person is on layoff from the same or a substantially equivalent job within the same organizational unit or has been bumped and has recall rights to that position, nor if the training is created in a

promotional line that infringes on opportunities of current employees, 20 CFR 680.710.

1. Employer is committed to employ and/or retain the individual upon successful completion of the training for a minimum of twelve months as specified in section 680.760 (b), WIOA July 22, 2014.

Customized training documentation.

The Customized Training Agreement and its related information and documentation may be kept by the service provider and business. The local board and service provider are responsible for ensuring the information and documentation is available for monitoring and review as required:

1. Customized Training Agreement and supporting documentation.
2. Customized Training Plan.
3. Customized Training Modification(s), if applicable.
4. Customized Training Progress Report and Invoice.
5. All Provider and Participant Files required documentation submitted in the Workforce Connection Online System (WCOS).

ACTIONS REQUIRED

LWDBs must establish a local customized training policy that outlines the following;

1. Criteria for determining employer eligibility.
2. How the significant cost of the training' will be established;
3. Define what constitutes an appropriate commitment to hire the individual on behalf of the employer.
4. The process for collecting, from the employer, performance information and data entry into the Workforce Connection Online System.
5. Contracting process with employers providing customized training.

LIMITATIONS:

For employers identified as being a first-tier industry, funding per program for any first-year project may not exceed \$75,000~~\$150,000. Subsequent year(s) funding may not exceed an additional \$75,000 per year with a maximum funding amount of \$300,000.~~ However, the WCCNM's Training & Service Committee, on a case-by-case basis, may review employer's letter of request and approve subsequent contracts which exceed the \$75,000 up to a \$150,000~~\$300,000~~ maximum. Following the Committee's \$150,000~~\$300,000~~ maximum, should the employer request an amount that exceeds the maximum, they will be required to make a presentation to the WCCNM's Executive Board for consideration of such request.

For employers identified as being a second-tier industry, funding per program for any first-year project may not exceed \$50,000~~\$75,000. Subsequent year(s) funding may not exceed an additional \$25,000 per year with a maximum funding amount of \$125,000.~~ However, the WCCNM's Training & Service Provider Committee, on a case-by-case basis, may review employer's letter of request and approve subsequent contracts which exceed the \$50,000 up to \$100,000~~\$125,000~~ maximum. ~~The company will be required to make a presentation to the WCCNM. Following the \$125,000 maximum, ss~~ should the employer request an amount that exceeds the maximum, they will

be required to make a presentation to the WCCNM's [Executive Board](#) for consideration of such request.

APPLICABILITY:

All WCCNM —initiated customized training contracts and all service provider-initiated customized training contracts.

INOUIRIES:

WIOA Manager 505-~~724-3629~~[247-1750](#)

This Policy has received approval by the Workforce Connection of Central New Mexico Board and rescinds any policy previously in effect.

A handwritten signature in black ink, appearing to read "Debbie Dely", is written over a horizontal line. The signature is fluid and cursive.

WCCNM Board Chair



Operational Policy NO. OP- 433, Change [24](#)

Subject: Incumbent Worker Training

Effective: PY20, effective date

[6/21/2021](#)~~2/22/2021~~

PURPOSE

The purpose of this policy is to provide direction to Central Region's Service Provider regarding the permissible use of adult and dislocated worker funds for training activities associated with incumbent workers.

REFERENCES

Workforce Innovation and Opportunity Act (WIOA), July 22, 2014, 108, 122, §134, §5181 and §5194.

WIOA Final Rules - U.S. Department of Labor (Title 1): 20 CFR §680.760, §680.830, and §680.840.

Office of Management and Budget (OMB), Uniform Guidance at 2 CFR §200, et al., Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Training and Employment Guidance Letter WIOA No. 19-16 Operating Guidance for the Workforce Innovation and Opportunity Act. • Fair Labor Standards Act (FLSA) §203.

BACKGROUND

The Workforce Investment Act (WIA) of 1998 did not promote the use of local funds for incumbent worker training, but did allow the use of statewide funds for such training. Under WIA a LWDB was only permitted to conduct incumbent worker training if a waiver had been granted. Unlike WIA, the Workforce Innovation and Opportunity Act (WIOA) of 2014 explicitly allows for and encourages the use of incumbent worker training as a workforce strategy. This training strategy is designed to meet the special requirements of an employer (including groups of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to

retain employment. In addition, incumbent worker training must be focused on increasing the competitiveness of the employee or employer, and be conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained.

DEFINITIONS

- High-Priority Occupation (HPO) is an in-demand occupation that has higher skill needs and is likely to provide a self-sufficient wage. Statistical data, regional expert and local area inputs are combined to determine whether or not an occupation meets the high-priority criteria.
- Incumbent Worker is an individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for six (6) months or more.
- Incumbent Worker Training (IWT) is training provided to an incumbent worker that is designed to meet the needs of an employer(s) to retain a skilled workforce or avert the need to lay off employees; increase the competitiveness of the employer or employee; and be conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker trained.
- Such training may also include the upskilling of an employer's current workforce, which may lead to additional opportunities for potential jobseekers.
- In-Demand Industry Sector is an industry sector that has a substantial current or potential impact (including jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors.
- In-Demand Occupation is an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the state, regional, or local economy, as appropriate.
- Note: The determination of whether an industry sector or occupation is in-demand in a local area is made by the local board, as appropriate, using business and labor market projections and statistics. Incumbent Worker Training must lead to an in-demand occupation, but does not necessarily have to lead to an HPO. However, all HPOs are considered in-demand occupations, and therefore, eligible for incumbent worker training.

RESERVATION AND USE OF FUNDS

Local workforce development boards may reserve and use not more than 20 percent of the overall adult and dislocated workforce funds allocated to the LWDB for the federal share of the cost of an incumbent worker training program. For example, if a Local WDB receives \$1.5 million in Adult funds and \$1.0 million in DW funds; it may use up to \$500,000 (20 percent of the total) for Incumbent Worker Training. This 20 percent can be used for incumbent worker training activities that are programmatic in nature, as administrative activities must be paid out of the board's administrative funds. Neither USDOL, nor the SAE places any additional requirements on the use of such funds; however, LWDBs are encouraged to exercise caution as this will reduce the funds available for other jobseekers, especially those experiencing barriers to employment.

WCCNM may immediately implement any such Waivers and Other Flexibilities* as approved or defined by NMDW to expand the allowable amount of funds used on incumbent workers.

If implemented, specific NMDWS Guidance and affiliated references will be included in the Operational Procedures as approved by the AE.

EMPLOYER PAYMENT OF NON-FEDERAL SHARE

Employers receiving funds for incumbent worker training are required to pay for the non-federal share of the cost of providing such training. WCCNM will comply with the requirement to establish the non-federal share of such cost in accordance with WIOA Sec. 134(d)(4)(C-D) prior to the delivery of services.

The employer share is based on the size of the workforce (wages paid to the participant while in training can be included as part of that share and the share can be provided as cash or in-kind that is fairly evaluated) as follows:

- At least 10 percent of the cost for employers with 50 or fewer employees;
- At least 25 percent of the cost for employers with 51 to 100 employees; and
- At least 50 percent of the cost for employers with more than 100 employees.

Employer contributions may be done through both cash payments and fairly evaluated in-kind contributions. The employer contribution may include the wages the employer pays to the incumbent worker trainee while the worker is attending training. Official payroll records documenting the worker's hours and wages must be used to determine the amount of the employer's share of cost. LWDBs must track and document employer cost share contributions. Official payroll records documenting the worker's hours and wages must be utilized to determine the amount of the employer's share of cost.

The employer size means the number of employees currently employed at the local operation where the incumbent worker training placements will be made. Employer size is determined by the number of employees at the time of the execution of the incumbent

worker training contract. This applies to all employers, including employers with seasonal or intermittent employee size fluctuations.

RESTRICTIONS

WCCNM will comply with the limitations and prohibitions on the use of funds allocated to the local area under WIOA title I-B *181 and Part 680 of federal regulations, as follows.

- WIOA funds cannot be used to pay the wages of employees during their participation in an economic development activity provided through a statewide workforce development system.
- When a relocation of a business results in the loss of employment of any employee of such business, no funds provided for employment training can be used for customized training until after 120 days has passed since the relocation that caused the loss of employment at an original business location in the United States.
- WIOA work-based training funds must not be used to directly or indirectly assist, promote, or deter union organizing.
- WIOA work-based training funds may not be used to directly or indirectly aid in the filling of a job opening which is vacant because the former occupant is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.

ELIGIBILITY CRITERIA

Incumbent Worker Eligibility

WCCNM Service Provider must consider the following factors when determining incumbent worker eligibility. An Incumbent worker must be:

1. Employed;
2. Meet Fair Labor Standards Act requirements for an employer-employee relationship; and
3. Have an established employment history with the employer for six (6) months or more. In the event that the incumbent worker training is being provided to a group of employees, only a majority of the employees in the group being trained must establish such employment history.

Incumbent worker training can also be used for underemployed workers, such as for workers who would prefer full-time work but are working part-time for economic reasons. While these workers are employed, they may have accepted reduced hours to gain or maintain employment or a previous dislocation has led them to accept reduced employment and often lower wages that may have a permanent effect on their careers. The use of these strategies may focus on increasing skills for underemployed frontline workers in an effort to advance these workers to more skilled positions with the same

employer or industry sector leading to an increase in earnings through more work hours or an increase in pay.

An incumbent worker does not have to meet the eligibility requirements for career and training services for adults and dislocated workers under WIOA, unless they are also enrolled as a participant in the WIOA adult or dislocated worker program.

Employer Eligibility

WCCNM will consider the following factors when determining the eligibility of employers to receive the WIOA incumbent worker funds;

1. The strategy of the WCCNM in fulfilling the vision and goals established for the local area (i.e., the local plan)
2. The characteristics of the incumbent workers to be trained (i.e., the extent to which these individuals historically represent individuals with barriers to employment as defined in WIOA Section 3(24), and how such individuals would benefit from a skill gain that results in retention or advancement).
3. The quality of the training (e.g., industry-recognized credentials, advancement opportunities, etc.).
4. The number of participants the employer plans to train or retrain.
5. The wage and benefit levels of participants (before and after training).
6. The occupation(s) for which incumbent worker training is being provided must be in-demand as defined by WIOA Section 3(23) and as determined by workforce development area-specific labor market information.
7. Employer's industry status. Is the employer in:
 1. An in-demand industry as defined by WIOA Section 3(23) and determined by labor market information; or
 2. A stable industry as determined by labor market information; or
 3. A declining industry, but there are compelling reasons (e.g., evidence of long-term viability of the employer) justifying investment in customized training?
8. Recent lay-offs and relocations. The employer must not have laid off workers within 120 days to relocate from another state.
9. Employer's unemployment insurance and workers' compensation status. The employer must be current on unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan (including timely Quarterly Reports).
10. Be located in and have operations in the Central Workforce Region.
11. Employ at least one full-time employee.
12. Keep accurate records of the project's implementation process for audit purposes for a minimum of five years.

WCCNM will document the factors that were considered in approving an incumbent worker training contract with an employer (or group of employers).

PERFORMANCE ACCOUNTABILITY

Due to WIOA sec. 134's unique eligibility requirements, individuals who receive only incumbent worker training are reportable individuals and not participants required for inclusion in the WIOA performance accountability calculations. As a result, an individual who only receives incumbent worker training and does not become a core program participant will not be included in the calculation of the primary indicators of performance for negotiations and accountability purposes. However, Local WDBs are required to collect and report the outcomes of individuals in receipt of incumbent worker training on the primary indicators of performance, among other required elements.

CONFLICT OF INTEREST

State and local board members and members of standing committees may not vote or nor participate in any decisions regarding the provision of services by such members or any organization they directly represent, nor on any matter that would provide any direct financial benefit to that member or the member's immediate family. For example, a Central Region Board member who is also an employer who wants to use services on a fee-for-service basis would be prohibited from voting to approve the use of local area services, facilities, or equipment for employment and training activities to such board member's incumbent workers. Neither membership on the state board, local board, or standing committee, nor receipt of WIOA funds to provide training and related services, by itself, violates these conflict-of-interest provisions. In accordance with *200.112 of the Uniform Guidance, recipients of federal awards must disclose in writing any potential conflicts of interest. Sub-recipients must disclose in writing any potential conflict of interest to the recipient of grant funds.

PROCESS FOR CONTRACTING

PROCESS

While incumbent worker training is a service that focuses on the needs of business, it shall still follow all the regular requirements for providing individual participant training. All required incumbent worker training documentation shall be kept on file with the service provider, business and Workforce Connection Online System (WCOS). Service providers shall make all files and documentation available for monitoring, audits and data validation as required.

1. Eligibility shall be determined and eligibility documents shall be compiled and kept on file with the service provider and business.
2. An individual employment plan shall be completed for each participant identifying the need for incumbent worker training and kept on file with the service provider and business.
3. Incumbent worker training processes can include the following:

- a. Service providers may work with an employer to provide the eligibility documentation on potential trainees (staff-assisted service without significant staff involvement). Special attention shall be paid to eligibility documentation requirements to ensure all data validation requirements are met.
- b. Once eligibility is determined, the service provider may work with the employer to complete an individual employment plan for each participant, identifying the need for incumbent worker training. For purposes of the incumbent worker training activity, an individual employment plan may consist of the employment goal, achievement objective and services to achieve the employment goals.
- c. Service providers do not have to maintain individual file folders for each participant as long as all required information and documentation is kept on file collectively for each incumbent worker training contract by the service provider and business.

INCUMBENT WORKER TRAINING AGREEMENT PROVISIONS

Incumbent worker training agreements shall at a minimum include the following elements:

1. The occupation for which training will be provided; the skills and competencies to be achieved and the length of time for the training.
2. The name of each employee to be trained, social security number, date of birth, gender, selective service registration, 1-9 on file with employer, hourly pay, hours per week, and employee start date.
3. The employer's assurance that incumbent worker training is needed based upon the individual skill sets of trainees.
4. Training outline.
5. Method and maximum amount of reimbursement.
6. The cost and documented description of any ancillary items or supportive services that may be needed.
7. Other appropriate training outcomes related to the training (includes obtainment of veteran status, highest grade completed, household/family size and increases in earnings after training if applicable).
8. Appropriate assurances and certifications as defined in the agreement:
 - a. Employer shall provide worker's compensation coverage for the participants on the same basis as the compensation is provided to other individuals in the same employment. 20 CFR 680.700 (b).
 - b. Employer shall verify that the training will relate to the introduction of new technologies, introduction to new production or service procedures, or is an upgrade to a new job that requires additional skills, work place literacy, or other appropriate identified by the local WDB. 20 CFR 680.710 (C).

- c. Employer certifies that the company is financially solvent on the date of the contract, and the employer's best projection is that they will remain financially able to meet contract obligations at the end of the training period, including training participant retention.
- d. Employer agrees that wage and labor standards will be adhered to and to pay the participants at the same rates, including increases, and benefits as trainees or employees who are situated in similar jobs. Such rates shall be in accordance with applicable law, but in no event less than the higher rate specified in section 6(a) (1) of the Fair Labor Standards Act of 1938 (and as amended in 1996) or the applicable state or local minimum wage law and WIOA 20 CFR Part 683.275.
- e. Conditions of employment and training will be in full accordance with all applicable federal, state, and local laws and ordinances (including but not limited to anti-discrimination, labor and employment laws, environmental laws or health and safety laws), 29 CFR part 38.
- f. Employer certifies that the training will not impair existing agreements for services or collective bargaining agreements and that either it has the concurrence of the appropriate labor organization as to the design and conduct of training, or it has no collective bargaining agreement with a labor organization that covers the participants' position.
- g. Employer assures that they are not debarred or suspended in regard to federal funding. 29CFR 180 Sub Part H, (Verifiable at <https://www.sam.gov/portal/SAM/#1#1>).
- h. Employer further assures that federal funds will not be used to assist, promote or deter union organizing, 20 CFR 663.730.
- i. Employer certifies that no member of the training participant's immediate family will directly supervise the participant. For the purpose of this contract, immediate family is defined as spouse, children, parents, grandparents, grandchildren, brothers, sisters or person bearing the same relationship to the participant's spouse, 20 CFR 683.200 (a).
- j. Employer assures that the participants will not be employed to carry out the construction, operation or maintenance of any part of a facility that is used or to be used for sectarian instruction or as a place for religious worship, 29 CFR part 2, Subpart D.
- k. Employer assures that the participant(s) has not been hired into or will remain working in any position when any other person is on layoff from the same or a substantially equivalent job within the same organizational unit or has been bumped and has recall rights to that position, nor if the training is created in a promotional line that infringes on opportunities of current employees, 20 CFR 680.710.

1. Employer is committed to employ and/or retain the individual upon successful completion of the training for a minimum of twelve months as specified in section 680.760 (b), WIOA July 22, 2014.

INCUMBENT WORKER TRAINING DOCUMENTATION

The Incumbent Worker Training Agreement and its related information and documentation may be kept by the service provider and business. The local board and service provider are responsible for ensuring the information and documentation is available for monitoring and review as required:

1. Incumbent Worker Training Agreement and supporting documentation.
2. Incumbent Worker Training Plan.
3. Incumbent Worker Training Modification(s), if applicable.
4. Incumbent Worker Training Progress Report and Invoice.
5. All Provider and Participant Files required documentation submitted in the Workforce Connection Online System (WCOS).

ACTIONS REQUIRED

LWDBs must establish a local customized training policy that outlines the following;

1. Criteria for determining employer eligibility.
2. How the employers' share of incumbent worker training cost will be established;
3. Define what constitutes an appropriate commitment to hire the individual on behalf of the employer.
4. The process for collecting, from the employer, performance information and data entry into the Workforce Connection Online System.
5. Contracting process with employers providing incumbent worker training.

LIMITATIONS

For employers identified as being a first-tier industry, funding per program for any first-year project may not exceed \$75,000.~~\$150,000. Subsequent year(s) funding may not exceed an additional \$75,000 per year with a maximum funding amount of \$300,000.~~ However, the WCCNM's Training & Service Provider Committee, on a case-by-case basis, may review employer's letter of request and approve subsequent contracts which exceed the \$75,000~~300,000~~ up to a \$150,000 maximum. Following the Committee's \$150,000~~\$300,000~~ maximum, should the employer request an amount that exceeds the maximum, they will be required to make a presentation to the WCCNM's Executive Board for consideration of such request.

For employers identified as being a second-tier industry, funding per program for any first-year project may not exceed \$50,000~~75,000. Subsequent year(s) funding may not exceed~~

~~an additional \$25,000 per year with a maximum funding amount of \$125,000.~~ However, the WCCNM' [Training & Service Provider Committee](#), on a case-by-case basis, may review [employer's letter of request](#) and approve subsequent contracts which exceed the ~~\$50,000 up to \$100,000~~ [\\$125,000](#) maximum. ~~The company will be required to make a presentation to the WCCNM.~~ Following the ~~\$100,000~~[\\$125,000](#) maximum, should the employer request an amount that exceeds the maximum, they will be required to make a presentation to the WCCNM's [Executive Board](#) for consideration of such request.

APPLICABILITY:

All WCCNM — initiated incumbent worker training contracts and all service provider-initiated incumbent worker training contracts.

INQUIRIES:

WIOA Manager 505-~~724-3629~~[247-1750](#)

This Policy has received approval by the Workforce Connection of Central New Mexico Board and rescinds any policy previously in effect.

WCCNM Board Chair



Operational Policy No. OP-412, Change [65](#) (Employer Assurances)

Subject: On-the-Job Training Policy

Effective: PY20, effective date ~~6/21/22~~ [6/21/22](#)/2021

PURPOSE:

To provide guidance to Workforce Connection of Central New Mexico (WCCNM) on the development of local policies and procedures to administer On-the-Job-Training (OJT) contracts under the WIOA Title 1 Adult, Dislocated Worker and Youth programs.

REFERENCE(S):

Workforce Innovation and Opportunity Act (WIOA), July 22, 2014, 5181, §188(a)(3)

WIOA Final Rules-U.S. Department of Labor (Title I): 20 CFR 683.255 Subpart F 680. [20 CFR 681.540 \(a\)](#)

WIOA Section 3(44)

Office of Management and Budget (OMB), Uniform Guidance at 2 CFR 200 et al., Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Training and Employment Guidance Letter WIOA No 19-16 Operating Guidance for the Workforce Innovation Opportunity Act.

Fair Labor Standards ACT (FLSA) [5203](#)

[US Bureau of Labor Statistics](#)

BACKGROUND:

On-the-Job Training (OJT) is a critical training service [for adults, dislocated workers and eligible youth who want to develop the knowledge and necessary skills in the highest skill occupation appropriate for the participant for workers who want to develop the knowledge and necessary skills for a good job](#) and for employers who need a pipeline of skilled workers to remain competitive. It also provides an incentive for businesses who agree to train WIOA Eligible and suitable individuals. The

financial assistance is compensation for the extraordinary costs associated with training participants, the costs associated with lower productivity of new employee and investing in their skill developments. [OJT is not an employer subsidy.](#)

DEFINITION:

1. On-the -Job Training means training by an employer that is provided to a paid participant while engaged in productive work in [an occupation which 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% of the wage rate of the participant for the extraordinary costs 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.
2. Appropriate Commitment to hire an individual means to maintain an employer employee relationship meeting the requirements of the Fair Labor Standards Act for a minimum of one (1) year.
3. High-priority Occupation (HPO) is an in-demand occupation that has higher skill needs and is likely to provide a self-sufficient wage. Statistical data, regional expertise, and local workforce development area inputs are combined to determine whether or not an occupation meets the high-priority criteria.
4. Incumbent Worker is an individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has established employment history with the employer for six (6) months or more.
5. Incumbent Worker Training (IWT) is training provided to an incumbent worker that is designed to meet the needs of an employer(s) to retain a skilled workforce or avert the need to lay off employees; increase the competitiveness of the employer or employee; and be conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker trained. Such training may also include the upskilling of an employer's current workforce, which may lead to additional opportunities for potential jobseekers.
6. In-Demand Industry Sector is an industry sector that has a substantial current or potential impact (including jobs that lead to economic self —sufficiency and opportunities for advancement) in the state, regional or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors.

Note: The determination of whether an industry sector or occupation is in-demand in a local area is made by the WCCNM, as appropriate, using business and labor market projections and statistics. However, all HPOs are considered in-demand occupations, and therefore, eligible for on-the-job training.

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7. Occupational Skills Training: As stated in 20 CFR 681.540 (a), occupational skills training is defined as an **organized program of study** that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels.

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8. Recent Employee is an individual who is an employee, meets Fair Labor Standards Act Requirements for an employer-employee relationship and has an established employment history with the employer for six (6) months or less.

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7.9. Part-Time; Part time workers are those who usually work fewer than 30 hours per week.

Eligible Training Provider Exception

New Mexico Local Boards are not required to procure employers for OJT. However, if a Local

Board chooses to offer OJT, it must establish local policies for identifying employers for OJT. WIOA specifies that OJT is exempt from ITA and eligible training provider certification requirements. Local Boards must administer OJT pursuant to a contract instead of using an ITA.

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EMPLOYER ELIGIBILITY

WCCNM may engage in OJT opportunities with existing employers in the workforce area or new or relocating businesses as appropriate. Any public, private non-profit, private sector employer or registered sponsor may utilize OJT, with the following exceptions. OJT may not be utilized by any of the following:

1. An employer who has been convicted of violating federal laws and regulations within the last two years of requesting an OJT regarding: submission of worker adjustment and retraining notification (WARN) notices, occupational safety and health administration (OSHA) and Americans with Disabilities Act (ADA) standards, equal employment opportunity (EEO) and wage and hour requirements, state unemployment insurance (UI) laws, and fair labor standards and collective bargaining agreements.
2. An establishment which is presently suspended or barred from doing procurement business with any branch of government.
3. An employer providing workers on a temporary basis to employers for which they receive compensation from the employer.
4. An employer who has exhibited a pattern of failing to provide OJT participants with continued long-term employment with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.
5. An establishment that plans to use the WIOA to relocate from another area, or locate new branches, subsidiaries, or affiliates.

RESTRICTIONS:

WCCNM must be familiar with the limitations and prohibitions on the use of funds allocated to the local area under WIOA title I-B 181 and Part 680 of federal regulations as follows.

1. WIOA funds cannot be used to pay the wages of employees during their participation in an economic development activity provided through a statewide workforce development system.
2. When relocation of a business results in the loss of employment of any employee of such business, no funds provided for employment training can be used for on-the-job training until after 120 days have passed since the relocation that caused the loss of employment at an original business location in the United States.
3. WIOA work-based training funds may not be used to directly or indirectly assist, promote or deter union organizing.
4. WIOA work-based training funds may not be used to directly or indirectly aid in the filling of a job opening which is vacant because the former occupant is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.
5. WIOA work-based training funds must not be used to directly or indirectly provided supportive services described in 5680.900 or 5681.570.
6. Business in which the participants will be employed to carry out the construction, operation or maintenance of any part of a facility that is used or to be used for sectarian instruction or as a place for religious worship.
7. WIOA funds may not be used to help employers to fill positions that promote or support the use, possession or distribution of marijuana.

DETERMINING FACTORS

When considering the appropriateness of an OJT the WCCNM should consider the following:

1. The strategy of the WCCNM in fulfilling the vision and goals established for the local area (i.e., the local plan)
2. The characteristics of the workers to be trained (i.e., the extent to which these individuals historically represent individuals with barriers to employment as defined in WIOA Section 3 (24), and how such individuals would benefit from ~~aa~~-skills gain that results in retention or advancement).
3. The quality of trainings, (i.e., industry-recognized credentials advancement opportunities, etc.)
4. The number of participants the employer plans to train.
5. The wage and benefit levels of participants (before and after training)
6. The occupation (s) for which OJT is being provided must be in-demand as defined by WIOA Section 3(23) and as determined by workforce development area-specific labor market information. (As defined in OP — 418 Demand Occupations, [Latest version](#)~~Change-3~~)
7. Employer's industry status: Is the employer in:
 - An in-demand industry as defined by WIOA Section 3(23) and determined by labor market information; or

- A stable industry as determined by labor market information; or
- A declining industry, but there are compelling reasons (e.g., evidence of long-term viability of the employer) justifying investment in OJT.

8. Employer's unemployment insurance and workers' compensation status.
The employer must be current on unemployment insurance and workers' compensation taxes, reporting, penalties, and /or interest or related payment plan.

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OCCUPATIONAL ELIGIBILITY

OJT may not be utilized for any of the following:

1. Occupations dependent on commission or draw as a primary source of income.
2. Intermittent seasonal occupations.
3. Part-time occupations, except as noted when in conjunction with Apprenticeships or Occupational Skills training.
4. Occupations temporary in design.
5. Occupations which have not traditionally required specific occupational training as a prerequisite for performance, such as porters, janitors, stackers, laborers, etc.
6. Occupations whose prior training and/or certification make the individuals fully qualified to perform the occupation, such as school teacher, cosmetologist, LPN, RN, etc., unless they are unable to enter employment or remain employed without additional on-the-job training due to occupational skill gaps.
7. Any occupation whose training time is less than 160 hours.
8. When there is a layoff or hiring freeze in the same or any substantially equivalent job within the same organizational unit.
9. When an employer has laid off workers in substantially equivalent positions or where the OJT will impair any existing labor agreements, contracts for services or promotional opportunities for current employees. For the purposes of the OJT, "substantially equivalent position" is one in which the job responsibilities and skill, experience, and performance requirements have remained unchanged since the time of the layoff.
 - a. To provide evidence that the position has "substantially changed," there should be a new and different job description for the position.

EMPLOYER ORIENTATION

1. An official employer orientation must be provided and documented before the OJT contract period begins. Orientation should begin at recruitment when the potential employer is informed about the responsibilities of providing structured on-the-job training at the worksite as described in this section under "employer recruitment".
2. A pre-award review must be completed to determine employer eligibility. This provides an additional opportunity to share information about OJT and learn about the needs of the employer.

3. The orientation must include a review of the OJT Contract, OJT Training Plan, OJT Progress Report and Invoice Forms and contact information for the case manager and administration of the WIOA programs.
4. Employers will be informed about the role they play in developing a structured training plan based on the skill gaps possessed by the OJT participant. Employers are informed of the importance of having experienced employees act as trainers for optimum results with predictable training outcomes.
5. Benefits of OJT are explained including OJT provider assurances, contract terms and conditions including terms and conditions of employer reimbursement.
6. Employers are informed about the requirements for local, state and possibly federal monitoring of the program and records maintenance requirements.
7. Employers are informed about records maintenance requirements.

PARTICIPANT ELIGIBILITY

On-the-Job Training is available to Adults and Dislocated Workers and Youth as defined by the WIOA, who are unemployed or underemployed and additionally meet ALL of the following requirements:

1. Participant meets all eligibility requirements for WIOA and Training services.
2. Participant is enrolled into WIOA prior to beginning training under an OJT contract.
3. Participant was determined to be in need of training in order to become employed in a job which leads to a self-sufficient level of income.
4. Participant was determined to be a good candidate for the particular vocation and position for which they are to receive OJT as evidenced in their individual employment plan or comparable document.
5. OJT contracts may be written for an employed worker as long as they meet all the requirements above and are not earning a self-sufficient wage at time of enrollment as defined by state and local board policy.
6. If the OJT is with the individual's current employer, employer must verify that the on-the-job training will relate to the introduction of new technologies, introduction to new production or service procedures, or is an upgrade to a new job that requires additional skills.
7. OJT is an allowable activity for youth.
8. Priority of service must be given as defined in federal and state policy.

Any individual referred to a WCCNM by an employer (commonly referred to as a "reverse referral") must go through the eligibility process in the same manner as other job seekers and be determined to be in need of training in order to participate in OJT. This process must be completed prior to the beginning date of the OJT training. A referral by an employer for an OJT position does not disqualify an individual, but neither shall it be considered to give higher priority to the individuals over other eligible candidates. The final selection of an eligible individual for OJT should be a joint decision of the employer and the local service provider.

The following are indicators that can be used to identify participants likely to benefit from OJT. Participant has:

- Less than two years total work experience.
- Five or more jobs in the last two years.
- No work experience in the last two years.
- Classroom training, but no work experience.
- Review participant' employment history and educational background in the New Mexico Workforce Connection Online System.

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PARTICIPANT ORIENTATION

An official participant orientation must be provided and documented before the OJT contract period begins. At a minimum the orientation should include the following:

1. OJT Training Plan review.
2. Participation requirements including workplace safety.
3. Timesheet tracking and payroll verification requirements including the OJT Progress Report and Invoice Form.
4. Provision of information regarding additional services and/or activities, including support services, available through the workforce system.

NUMBER OF OJT TRAINEES ALLOWED WITH AN EMPLOYER

No more than 50% of the number of the employer's full-time work force at the location where training is to take place may be trained under OJT at any one time. Once a participant has been trained and retained by the employer, he/she is counted in the regular full-time work force number and additional individuals may be trained. An employer having a regular full-time work force of one (1) may train one (1) individual under OJT.

To ensure equitable funding distribution among multiple industries and employers within the

Central Region: any one employer shall not exceed ten WIOA OJT enrolled employees (maximum) in any given fiscal year. Of the ten (10) participants, no more than five (5) may be placed in a contract providing a skill upgrade.

On the Job Training contracts within the City of Albuquerque and the City of Rio Rancho must have a minimum hourly requirement of \$13.30 per hour. Exceptions may be made when co-enrolling youth participants in OJT contracts (in the same municipalities). A minimum of \$10.50 per hour is required.

A projected work force number may be used for new or expanding business. The projected number must be attained within twelve months. If the projected number is not attained, appropriate adjustments in the number of OJT trainees allowed in further training should be made.

OJT WAGES AND GENERAL WORKING CONDITIONS

Wage Reimbursement — New employees hired under OJT must at a minimum be paid the employer's usual entrance wage rate for the occupation in which they are to be trained and employed, which must not be lower than the federal, state, or local minimum wage

rate. Trainees must be paid the same entry wage rate as non-WIOA funded employees in the same occupation. The reimbursement for training cost will be based on the employer's normal fulltime work week, which must be at least 30 hours per week. When provided in conjunction with Apprenticeship or Occupational Skills training, hours may be lower than 30 hours but not less than 10 hours. Reimbursement and will not include non-regular wages such as; premium pay, shift differential and Reimbursement must not be claimed for time which the OJT trainee is absent from training, including illness, holiday, plant downtime, or other events during which no training occurs.

Workers' Compensation — In New Mexico, state workers' compensation law is applicable, workers' compensation benefits in accordance with such law shall be available to all participants on the same basis as the compensation is provided to other individuals in the same employment.

Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees are equally applicable to OJT participants.

OJT TRAINING CONTRACT

The OJT Pre-Award, OJT Contract, and Training Plan must be signed by all required parties prior to any individual's training beginning date.

All OJTs are accompanied with job order in NMWCOS.

OJT TRAINING PLAN

The OJT training plan shall be included in the OJT training contract. An OJT training plan shall be modified if a change is needed in any part of the original OJT training plan.

1. The OJT training plan will be developed with the employer to establish training outcomes.
2. The gap between the skills of a participant and the skills needed for the job will determine the number of training hours for which an employer will be reimbursed.
3. An analysis of the OJT position will be conducted based on information from the employer combined with occupational information network (ONET) details or comparable information regarding specific qualifications and skill required for the OJT position.
4. The training plan shall reflect the results of individual skill assessment and an analysis of employer job performance requirements to determine what training is needed.
5. The training plan shall be maintained and updated as needed.

OJT TRAINING DURATION

The basis for contract training duration shall clearly be documented. The maximum duration for an OJT contracts is 1040 training hours. Determining length of training should include the following;

1. Skill gap is defined as the gap between the skills of an individual participant and the skills needed for a job.
2. The skill gap will determine the number of training hours for which an employer will be reimbursed.

3. The skill gap shall be clearly defined and incorporate the use of recognized skill assessment tools and occupational evaluation tools.
4. An individual training plan shall be developed consistent with the duration of the contract. ~~For example,~~ a contract written for six months shall include a training plan that outlines six months of specific training to be provided by the employer which in turn should be consistent with the documented skill gap for the individual.

~~5.~~

5. The number of hours is determined by using the Specific Vocational Preparation Estimates (SVP) information coded in the O*Net, Dictionary of Occupational Titles. Specific vocational preparation (SVP) is defined as the amount of time required by a typical worker to learn the techniques, acquire the information, and develop the expertise needed for average performance in a specific job. A table reflecting SVP levels is included in the state technical assistance guide to assist in determining the maximum contract duration.

Exception: Training can exceed 1040 hours based on the need for individuals with a documented disability to obtain the skills necessary for the job.

SVP	Number of Training
2	160
3	480
4	640
5	800
6	960
7	1040

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The OJT Training Plan must be attached to the OJT Training Contract. An OJT Training Plan Modification must be completed if a change is needed in any part of the original OJT Training Plan. An OJT Training Plan must trigger obligating funds identified in the Plan.

The Following factors will be used to modify the length of an OJT should specific circumstances exists:

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1. If the pre-award employer's request for OJT indicates a shorter training length is appropriate then the shorter training length will be used.
2. If a client has previous work experience or classroom training in the job title, the actual length of an OJT contract may be reduced.
3. If the participant has received classroom training or has previous work experience specifically relevant to the OJT occupation the OJT should be shortened by the amount of time the employer assigns to that specific skill in the training plan unless there is additional justification as to why the skill requires additional employer specific training. If the relevant training or experience is not recent or if there have been substantial changes to the training for the associated skills then the previous training and experience may be disregarded and training for those skills may be included in the training plan.
4. Under normal conditions, an OJT contract may not exceed 1040 hours.
5. Additional training time above the actual length of an OJT contract can be allowed when extenuating circumstances exit, such as a client who is disabled. Documentation must be

provided. (Reference Workforce Guidance Letter DWS 20-001 Adult Dislocated Worker Program Eligibility.)

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6. OJT's can be written in conjunction with Apprenticeship and Occupational Skills trainings lower than 30 hours but no less than 10 hours.

OJT REIMBURSEMENT RATE

Participants must be paid the higher of federal, state, or local minimum wage, or the prevailing rate of pay, including periodic increases, as other trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. Provisions for wages under the amendments to the Fair Labor Standards Act (FLSA) apply to all participants employed.

Participants may work overtime (subject to regulations of the Fair Labor Standards Act with respect to the level of compensation), provided that this is part of the design of the project and regular employees of the employer in question are also working overtime, subject to the limit on duration and level of compensation for workers under this project. Although overtime hours worked can be used to determine the reimbursement for a given period, an overtime wage rate cannot be used to calculate the reimbursement amount. To calculate the reimbursement, the provider would apply the standard wage rate to both the regular and the overtime hours.

REIMBURSEMENT PERCENTAGE

For all WIOA OJTs, WCCNM may reimburse employers for the extraordinary cost of training OJT participants at a rate of up to 75% of the applicable wage level using a sliding scale based on employer size and can be uniformly applied.

Employer size: WCCNM may use the following sliding scale for employer reimbursement based on employer size: 1) up to 75 percent for employers with 50 or fewer employees; and 2) up to 50 percent for employers with 51 or more employees. Payroll records shall be used to document employer size or a penalty of law statement on the Pre-Award Checklist assisting to the number of current employees.

WCCNM will reimburse employers for the extraordinary cost of training OJT participants consistent with this section, related State and Federal guidance and any waivers granted by USDOL.

WCCNM may immediately implement any such "Waivers and Other Flexibilities" as approved or defined by NMDWS to raise the allowable OJT employer reimbursement rate for employers that serve to fill unmet areas of opportunity.

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If implemented, specific NMDWS Guidance and affiliated references will be included in the Operational Procedures as approved by the AE.

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PROGRESS REPORT AND INVOICE FORM

A Progress Report and Invoice Form must be completed at least monthly throughout the life of the OJT training. This provides a trainee evaluation of progress and documents hours and skills developed.

An invoice system is in place to reimburse the employer the cost of providing the training and any additional supervision related to the training.

SUPPORTING DOCUMENTATION

1. OJT Pre-Award Checklist
2. OJT Employer Contract
3. OJT Training Plan
4. OJT Training Plan Modification
5. OJT Progress Report and Invoice Forms
6. Case Notes (recorded in the Workforce Connection On-Line System to track customer activity and interactions)

COORDINATION WITH REGISTERED APPRENTICESHIPS

An OJT contract may be developed with an Apprenticeship [Pathway or model](#), Pre-Apprenticeship and

Registered Apprenticeship program for training participants. OJT contracts are made with the employer and apprenticeships generally involve both classroom and on-the-job instruction. The OJT contract may be made to support some or all of the OJT portions of the apprenticeship is allowed, [hours per week may be lower than 30 hours but no less than 10 hours](#). If the apprentice is employed at the time of the program enrollment, the requirements for employed workers must be followed.

CONFLICT OF INTEREST

State and WCCNM members and WCCNM members of standing committees may not vote or nor participate in any decisions regarding the provision of services by such members or any organization they directly represent, nor on any matter that would provide any direct financial benefits to that member or the member's immediate family. For example, a WCCNM member who is also an employer who wants to use services on a fee-for-service basis would be prohibited from voting to approve the use of local area services, facilities, or equipment for employment and training activities to such board member's workers. Neither membership on the state board, WCCNM or WCCNM standing committee, nor recipient of WIOA funds to provided training and related services, by itself, violates these conflict-of-interest provisions. In accordance with 200.112 of the Uniform Guidance, recipients of the federal awards must disclose in writing any potential conflicts of interest. Sub-recipients must disclose in writing any potential conflict of interest to the recipient of grant funds.

LOCAL PROCEDURES

Local Procedures will be developed separate of this policy and maintained with the WCCNM Administrative Entity.

Local procedures must include the "Pattern of Failure" process to remove a work site that has exhibited a pattern of failure or has not met their agreed upon requirements for the OJT participant. These procedures should include the local process to determine the following:

- Deficiencies in the quality of training or the training environment;
- Corrective action interventions to be used; and
- Circumstances under which immediate termination of an agreement will occur.

Local Procedures will include OJT Outreach Strategies**OUTREACH**

WCCNM must demonstrate that a variety of employer outreach strategies were utilized to ensure that area employers are aware of OJT opportunities, selected equitably and that a variety of employers were given sufficient opportunity to participate in OJTs.

Americas Job Center staff should ensure that both the Business Services function and the Job Seeker Services functions include information about OJT with objectives for outreach defined regionally and suited to the area employment conditions with the main focus being on the jobs in high-growth/in-demand sectors or occupations.

OJT can be done directly or indirectly to both employers and job seekers. Integrating OJT outreach in to Business Services activities minimizes the chance of multiple staff contacting one employer.

Outreach strategies may include:

- Researching business thoroughly before contacting them and noting previous labor needs utilizing the Customer Relationship Management tool;
- Newsletters, forums, outreach materials, hard copy mail outs, involvement with organizations like Chamber of Commerce and organizations representing industry sectors, partnerships with local economic development, press releases and speaking at civic organizations;
- Working with other agencies to target high growth industries for regional outreach; • Work with State Apprenticeship Agency staff who interact with business as part of their primary functions;
- Educating employers about how the OJT model can enhance their business, cut waste, help train employees, reduce turnover and increase profits; • Educating job seekers about how to "sell" OJT to potential employers; • Ensuring required paperwork is minimal.

INQUIRIES:

WIOA Manager 505-[724-3629247](tel:724-3629247) [1750](tel:724-3629247)

This Policy has received approval by the Workforce Connection of Central New Mexico Board and rescinds any policy previously in effect.

WCCNM Board Chair

[Attachment: Employer Assurances](#)

ATTACHMENT: Employer Assurances

EMPLOYER ASSURANCES

1. Employer shall provide worker's compensation coverage for the OJT Trainee.
2. If the OJT is provided to one of the Employer's current employees, the Employer verifies that the OJT will relate to the introduction of new technologies, introduction to new production or service procedures, or is an upgrade to a new job that requires additional skills, and that the OJT position will provide the OJT Trainee with additional wages, hours or benefits.
3. Employer certifies that the company is financially solvent on the date of this contract, and the Employer's best projection is that they will remain financially able to meet contract obligations at the end of the training period, including OJT Trainee's retention.
4. Employer agrees that wage and labor standards will be adhered to and to pay the OJT Trainee at the same rates, including increases, and benefits as trainees or employees who are situated in similar jobs. Such rates shall be in accordance with applicable law, but in no event less than the higher rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 or the applicable state or local minimum wage law.
5. Conditions of employment and training will be in full accordance with all applicable Federal, State, and local laws and ordinances (including but not limited to anti-discrimination, labor and employment laws, environmental laws or health and safety laws).
6. Employer certifies that the OJT will not impair existing agreements for services or collective bargaining agreements and that either it has the concurrence of the appropriate labor organization as to the design and conduct of an OJT, or it has no collective bargaining agreement with a labor organization that covers the OJT position.
7. Employer assures that they have not been debarred or suspended in regard to federal funding.
8. Employer further assures that OJT funds will not be used to assist, promote or deter union organizing.
9. Employer certifies that no member of the OJT Trainee's immediate family is engaged in an administrative capacity for the Employer or will directly supervise the OJT Trainee. For the purpose of this contract, immediate family is defined as spouse, children, parents, grandparents, grandchildren, brothers, sisters or person bearing the same relationship to the OJT Trainee's spouse.
10. Employer assures that the OJT Trainee(s) will not be employed to carry out the construction, operation or maintenance of any part of a facility that is used or to be used for sectarian instruction or as a place for religious worship.
11. Employer assures that the OJT Trainee has not been hired into or will remain working in any position when any other person is on layoff from the same or a substantially equivalent job within the same organizational unit or has been bumped and has recall rights to that position, nor if the OJT is created in a promotional line that infringes on opportunities of current employees.
12. Employer must provide comprehensive general liability insurance protection to Trainee.
13. OJT contract is subject to modification or termination due to actions taken by the Federal, State, or Local governments that result in a frustration of contract purpose. Such actions include but are not limited to withdrawal of WIOA funding by the United States Congress, or the failure by the United States Congress to authorize WIOA program activities.

Workforce Connection of Central New Mexico Tier 1 and Tier 2 Industries

Action Requested:

Approval of updated WCCNM Tier 1 and Tier 2 Industries for the Central Region.

Background:

According to the “Job Opening by Industry for all Sectors in the Central Region’ and “Industry Projection (Long-term) for Multiple Industries in Central Region in 2014 -2024”, from the New Mexico Department of Workforce Solution’s (NMDWS) Economic Research Analysis Bureau updates were needed for the WCCNM defining Tier 1 and Tier 2 Industries. The policy change is to ensure that WCCNM is in line with the State’s information and will be effective in June 21, 2021.

The following policy has been updated to reflect any changes in the projected number of job openings by industry and projected (long term) employment growth; these updates are applicable for the Central Region. This policy will be used by all WCCNM Service Providers, as required.

These industries were reviewed and approved by the Training & Service Provider Committee on April 15, 2021.

Financial Impact:

None

Do Pass: _____

Do not Pass: _____

Effective on June 21, 2021

The Workforce Connection of Central New Mexico has developed Tier 1 and Tier 2 Industries based on “Job Opening by Industry for all Sectors in the Central Region’ and “Industry Projection (Long-term) for Multiple Industries in Central Region in 2014 -2024” to address employer needs in Bernalillo, Sandoval, Torrance and Valencia counties. Based on this data and antecedent factors, first and second tier for priority industries have been identified. Businesses identified as being first tier industries include industries in “Construction” ~~(Commercial)~~, “Healthcare/Social Services” and “Professional, Scientific, and Technical Services”. Second tier industries are identified in the table below:

2ND TIER INDUSTRIES
Accommodations/Hospitality & Tourism/Arts, Entertainment, and Recreation
Agriculture, Forestry, Fishing and Hunting
Call Center
Educational Services
Government
Green Energy
Manufacturing
Retail Trade/Service

Workforce Connection of Central New Mexico R-02-20 Disposition of WCCNM Property

Actions Requested:

1. Appointment of a three-member committee of officials of the WCCNM Executive Committee to oversee and approve the disposition of WIOA office equipment and computers.
2. Approval of Resolution of R-02-20.

Action Summary: Sections 13-6-1 and 13-6-2 NMSA 1978 govern the disposition of obsolete, worn-out or unusable tangible personal property owned by local public bodies.

Background: The office and computer equipment specified on the attached list were purchased with WIOA funds, and have been fully depreciated. The staff recommends surplusing the office and computer equipment

Note: there is no obligation to the federal awarding agency on equipment having a value of less than \$5,000

Policy Ramifications: None

Financial Impact: None

Pass: _____

Do not Pass: _____

RESOLUTION

of the

Full Board

of the

WORKFORCE CONNECTION OF CENTRAL NEW MEXICO

(R-02-20)

DISPOSITION OF WCCNM PROPERTY

WHEREAS, the Workforce Connection of Central New Mexico (WCCNM) has (Attachment A) office and computer equipment that are obsolete;

WHEREAS, Section 13-6-1 and 13-6-2 NMSA 1978 govern the disposition of obsolete, worn-out or unusable tangible personal property owned by local public bodies;

WHEREAS, the Workforce Connection of Central New Mexico has appointed and approved three members to approve the disposition;

NOW, THEREFORE, the WCCNM Full Board hereby finds the attached list of office and computer equipment to be worn-out, unusable or obsolete to the degree that it is no longer economical for further use and has a current resale value of less than \$5,000.

FURTHER, the WCCNM authorizes the Full Board to dispose of the office and computer equipment and delete it from the public inventory; and further directs the Full Board to send a copy of the official finding and proposed disposition to the State Auditor and the Local Government Division of the Department of Finance and Administration 30 days before the deletion of the office and computer equipment from the WCCNM public inventory. The copy of the board's official finding and proposed disposition shall be duly sworn and subscribed under oath by each member of the WIOA board appointed to approve the action.

THEREFORE, BE IT RESOLVED BY THE FULL BOARD OF THE GOVERNING BOARD OF THE WORKFORCE CONNECTION OF CENTRAL NEW MEXICO that the office and computer equipment on Attachment A be disposed of as outlines herein.

PASSED, APPROVED, AND ADOPTED this 21st day of May, 2021 by the Full Board of the Workforce Connection of Central New Mexico.

Jerry Schalow, Chair
WCCNM Board of Directors

ATTEST:

Dewey V. Cave, Executive Director
Mid-Region Council of Government

- Inventory List -

	Description	Location	Serial Number	Sticker Number	Service Tag	Windows Edition
1	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0040-A00	7713	H13DL02	Windows 8 Pro
2	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41O-0900-A00	7701	H133L02	Windows 8 Pro
3	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41O-0018-A00	7711	H139L02	Windows 8 Pro
4	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-831-0029-A00	6187	DXRBB21	Windows 8 Pro
5	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0038-A00	7709	H144L02	Windows 8 Pro
6	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0945-A00	6204	DXTDB21	Windows 8 Pro
7	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0956-A00	6198	DXWDB21	Windows 8 Pro
8	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0226-A00	7667	JLFSFX1	Windows 8 Pro
9	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0243-A00	7664	JLFRFX1	Windows 8 Pro
10	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0062-A00	7706	H150L02	Windows 8 Pro
11	Dell Computer	WCCNM SKY/OLE	N/A	7665	JLGBGX1	Windows 8 Pro
12	Dell Computer	WCCNM SKY/OLE	CN-016CNC-74431-45Q-0029-A00	7738	G3BCX12	Windows 8 Pro
13	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41O-0008-A00	7708	H138L02	Windows 8 Pro
14	Dell Computer	WCCNM SKY/OLE	N/A	7666	JLG9GX1	Windows 8 Pro
15	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41N-0839-A00	7707	H154L02	Windows 8 Pro
16	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0770-A00	6191	DXGDB21	Windows 8 Pro
17	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0149-A00	7659	JLFTFX1	Windows 8 Pro
18	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0621-A00	7671	JLCCGX1	Windows 8 Pro
19	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-1184-A00	7730	DXVDB21	Windows 8 Pro
20	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0030-A00	7703	H14CL02	Windows 8 Pro
21	Dell Computer	WCCNM SKY/OLE	N/A	7661	JLH1GX1	Windows 8 Pro
22	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0026-A00	6201	DXPCB21	Windows 8 Pro
23	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0017-A00	7632	H14DL02	Windows 8 Pro
24	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0042-A00	7716	H143L02	Windows 8 Pro
25	Dell Computer	WCCNM SKY/OLE	N/A	7663	JLG6GX1	Windows 8 Pro
26	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41N-0843-A00	7705	H148L02	Windows 8 Pro
27	Dell Computer	WCCNM SKY/OLE	N/A	7679	JLGRFX1	Windows 8 Pro
28	Dell Computer	WCCNM SKY/OLE	N/A	7670	JLGDGX1	Windows 8 Pro
29	Dell Computer	WCCNM SKY/OLE	N/A	7662	JLGZFX1	Windows 8 Pro
30	Dell Computer	WCCNM SKY/OLE	N/A	7668	JLGIGX1	Windows 8 Pro
31	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41O-0904-A00	7704	H137L02	Windows 8 Pro
32	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41N-0816-A00	7714	H13CL02	Windows 8 Pro

- Inventory List -

	Description	Location	Serial Number	Sticker Number	Service Tag	Windows Edition
33	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-42C-0011-A00	7715	H140L02	Windows 8 Pro
34	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41O-0896-A00	7702	H132L02	Windows 8 Pro
35	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-41N-0826-A00	7694	H141L02	Windows 8 Pro
36	Dell Computer	WCCNM SKY/OLE	N/A	7678	JLG3GX1	Windows 8 Pro
37	Dell Computer	WCCNM SKY/OLE	N/A	7677	JLG5GX1	Windows 8 Pro
38	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0626-A00	7658	JLG8GX1	Windows 8 Pro
39	Dell Computer	WCCNM SKY/OLE	N/A	7680	JLGPFX1	Windows 8 Pro
40	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0401-A00	6197	DXTBBZ1	Windows 8 Pro
41	Dell Computer	WCCNM SKY/OLE	N/A	7682	JLGTFX1	Windows 8 Pro
42	Dell Computer	WCCNM SKY/OLE	N/A	7660	JLFZFX1	Windows 8 Pro
43	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0976-A00	6199	DXNCBZ1	Windows 8 Pro
44	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0097-A00	7669	JLG4GX1	Windows 8 Pro
45	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0031-A00	6200	DXPBZ1	Windows 8 Pro
46	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0381-A00	7675	JLGQFX1	Windows 8 Pro
47	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0981-A00	6196	DXRDBZ1	Windows 8 Pro
48	Dell Computer	WCCNM SKY/OLE	CN-0689H5-74431-34C-0223-A00	7681	JLG2GX1	Windows 8 Pro
49	Dell Computer	WCCNM SKY/OLE	CN-0GF22C-PE200-87A-0545-A00	7848	7WYIMR2	Windows 8 Pro
50	Dell Computer	WCCNM SKY/OLE	CN-016CNC-74431-45M-0416-A00	7759	G3QBX12	Windows 8 Pro
51	Dell Computer	WCCNM SKY/OLE	CN-0GF22C-PE200-87A-0405-A00	7820	N/A	Windows 8 Pro
52	Dell Computer	WCCNM SKY/OLE	CN-0GF22C-PE200-87A-0430-A00	7811	N/A	Windows 8 Pro
53	Dell Computer	WCCNM SKY/OLE	CN-0GF22C-PE200-87A-0550-A00	7825	N/A	Windows 8 Pro
54	Dell Computer	WCCNM SKY/OLE	CN-0XJ9KV-74431-381-0979-A00	6203	N/A	Windows 8 Pro
55	Dell Computer	WCCNM SKY/OLE	CN-04JCCP-74261-17B-0DGM	N/A	N/A	Windows 8 Pro
56	January 1995 (TV)	WCCNM SKY/OLE	6013386	N/A	N/A	N/A
57	Dell Monitor	WCCNM SKY/OLE	CN-0F8NDP-74261-14L-1W70	7012	N/A	N/A
58	Dell Monitor	WCCNM SKY/OLE	CN-0F8NDP-74261-14L-1W80	7017	N/A	N/A
59	Dell Monitor	WCCNM SKY/OLE	CN-0F8NDP-74261-155-0GUU	7010	N/A	N/A
60	HP Scanner	WCCNM SKY/OLE	9CG5CQ1243	N/A	N/A	N/A
61	HP Scanner	WCCNM SKY/OLE	CN55ME9210	7793	N/A	N/A
62	HP Scanner	WCCNM SKY/OLE	CN55ME9055	7787	N/A	N/A
63	Dell Laser MFP1815dn	WCCNM SKY/OLE	CN-DNF565-72211-6BS-0777	N/A	97CXD91	N/A
64	Buisness Class Laser FaxSup	WCCNM SKY/OLE	U61639J3J4618	7689	N/A	N/A

- Inventory List -

	Description	Location	Serial Number	Sticker Number	Service Tag	Windows Edition
65	LaserFaxSuperG3 Intelli Fax	WCCNM SKY/OLE	U63315H5J123496	7782	N/A	N/A
66	Buisness Class Laser FaxSup	WCCNM SKY/OLE	U61639H7J64944	N/A	N/A	N/A
67	HITACHI Led Projector	WCCNM SKY/OLE	N/A	N/A	G8C003599	N/A
68	Tripp-Lite	WCCNM SKY/OLE	9951CY00M808200553	N/A	N/A	N/A
69	CANON CanoScan Lide 200	WCCNM SKY/OLE	N/A	N/A	N/A	N/A
70	Dell Printer	WCCNM SKY/OLE	CN-0YP876-72211-061-0207	6145	85M7FG1	N/A
71	Dell Printer	WCCNM SKY/OLE	CN-0YP876-72211-96G-0109	6098	CMQ5FG1	N/A
72	Dell Printer	WCCNM SKY/OLE	CN-0YP876-72211-04Q-0090	6119	BPF7FG1	N/A
73	Dell Printer	WCCNM SKY/OLE	CN-0XC528-71971-67L-A146	6036	6VH8B91	N/A
74	HITACHI Led Projector	WCCNM SKY/OLE	N/A	6001	G8C003599	N/A
75	HITACHI Led Projector	WCCNM SKY/OLE	N/A	6117	F0A015383	N/A
76	HITACHI Led Projector	WCCNM SKY/OLE	N/A	6033	G8C003591	N/A
77	HITACHI Led Projector	WCCNM SKY/OLE	N/A	6007	G8C003593	N/A
78	Tripp-Lite	WCCNM SKY/OLE	2107DV05M743400038	6130	N/A	N/A
79	DLINK	WCCNM SKY/OLE	00179A8A6400	5815	N/A	N/A
80	NetGear	WCCNM SKY/OLE	23R3023V000B2	6135	N/A	N/A
81	NetGear	WCCNM SKY/OLE	23R30238333BE	6133	N/A	N/A
82	NetGear	WCCNM SKY/OLE	23R30239000BF	6132	N/A	N/A

As members of the committee appointed by the WCCNM Executive Committee to act on its behalf for purposes of disposition of the attached listing of IT Equipment:

- 1) The presented office and computer equipment is no longer usable by the WIOA program;
- 2) The presented office, and computer equipment has a current resale value less than \$5,000;
- 3) The WCCNM Executive Committee is instructed to dispose of the equipment in the following manner:
 - a) Donating to any member local government or school district or
 - b) Salvaging equipment through the City of Albuquerque for auction, or
 - c) Destroying equipment in accordance with applicable regulations or laws.

MY SIGNATURE CERTIFIES APPROVAL OF THE ABOVE WRITTEN DETERMINATIONS:

Bob Walton
Print

R.F. Walton
Signature

6/7/21
Date

DIANE GAYTA
Print

[Signature]
Signature

6-7-21
Date

Debbie Ortiz
Print

[Signature]
Signature

6-7-21
Date

CERTIFICATION OF AUTHENTICITY

STATE OF NEW MEXICO)
 SS.
COUNTY OF BERNALILLO)

The undersigned members of the Executive Committee of Workforce Connection of Central New Mexico, being first duly sworn upon their oath, depose and say that:

1. The undersigned approved the action taken by the WCCNM Executive Committee in Resolution 02-20.
2. The attached copy of Resolution 02-20 is a true and correct copy of Resolution 02-20.

SIGNED on June _____, 2021

Jerry Schalow, WCCNM Chair

ATTEST:

Secretary

The foregoing Certification was duly sworn and subscribed to before me by the above persons on June _____, 2021.

Notary Public

My commission expires:
