

**Kings County
Workforce Development Board**

Multi-Purpose Room, Administrative Building
1400 W. Lacey Blvd
Hanford, CA 93230

May 5, 2022

10:00 a.m.

MEETING AGENDA

10:00 **Call to Order/ Introduction**

Approval of Minutes – February 2, 2022 (Special Meeting)

ACTION

Public Comment and Unscheduled Appearances

Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, which is within the jurisdiction of the Board. Five (5) minutes are allowed for each item.

Reports

- **Career Center Usage Report**
- **Youth Services Report**
- **Adult/DW Report**
- **Grants Report**

DISCUSSION

Adventist Health-Project Update

DISCUSSION

Recovery of WIOA Tuition and Training Refunds-Policy Update

ACTION

Developer Request-Viability of Project (Workforce Based)

ACTION

Application for Appointment to the Board

ACTION

Unemployment Rate

Member Roundtable

Adjournment

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First Thursday of every other month at 10:00 a.m.**

July 7	Sept 1	Nov 3
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If reasonable accommodations due to a disability are needed, please contact Malisa Simon at (559) 852-4937

No less than 3 days prior to the scheduled meeting date

Information relating to open session items is available for review at 124 N. Irwin St, Hanford, CA 93230



Workforce Development Board

ZOOM Meeting

<https://us02web.zoom.us/j/81481945858?pwd=cFVOR1o5YzVnYjZyd0hDVFE1Q2hoZz09>

February 2, 2022

10:00 a.m.

Meeting called to order at: 10:00 a.m. via Zoom

Meeting adjourned at: 10:36 a.m.

Members Present

Nancy Silva, Chair, Silva Dental
Dan Ramirez, Proteus
Ronnie Jungk, IBEW Local 100
Yvette Quevedo, EDD
Jey Lace, SCE
Kristin Robinson, COS
Tony Martin, Aqua Azul
Joanne Doerter, Hanford Mall

Staff Present

Lance Lippincott, Director
Malisa Simon, Executive Secretary
Vince Velo, Program Manager

Guests Present

None

Call to Order/Introduction

The Chair called the meeting to order at 10:01 am and introductions were made.

Approval of Minutes

M/S/C Dan Ramirez/Jey Lacey to approve the minutes of the prior Workforce Development Board meeting.

Public Comment and Unscheduled Appearances

None

Transfer of Funds from Workforce Innovation and Opportunity Act Dislocated Worker Allocations to Adult Allocations

Lance provided background on the request to transfer \$200,000 or more from the dislocated worker allocations to adult allocations due to under utilization. The Workforce Innovation and Opportunity Act

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allows for funding to be transferred to where it can be most readily utilized. With current allocations terminating on June 30th, the request will keep the funding in the local area and allow it to be expended.

Joanne asked for an explanation of the utilization of transferred funds. Lance explained the transferred funds will be used primarily for training, work experience, childcare, and transportation.

Approval of Motion

M/S/C Dan Ramirez/Joanne Doerter

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SUMMARY OF AGENDA ITEMS AND REPORTS

Reports

- Career Center Usage Report:** The VOS Greeter is back in full utilization as the last of the COVID-19 mitigation measures have been lifted. However, return to the center has been slow. A full breakdown of center visits over the last 30 days is as follows:

Parent Reason	Visit Reason	Individuals	Percent	Average Wait Time
I am here to see a specific staff member	I am here to see a specific staff member	97	35.79%	3 hours, 4 minutes
		97		
N/A	SBDC Small Businesses - Amy Ward	1	0.37%	5 hours, 25 minutes
		1		
State - Dept. of Rehabilitation	Dept. of Rehabilitation/Goodwill	3	1.11%	6 hours, 57 minutes
		3		
State - EDD: Veterans Assistance	Veteran Service Navigator	5	1.85%	11 hours, 49 minutes
		5		
State - Employer Services: Business Services	I am an Employer	1	0.37%	5 hours, 25 minutes
		1		
State - Other	JTO - Orientation	7	2.58%	3 hours, 58 minutes
		7		
State - Resource Room: Self Service	Resource Center	25	9.23%	0 Minutes
		25		
State - Unemployment Insurance Assistance	Disability and Paid Family Leave Assistance	16	5.90%	12 hours, 57 minutes
	EDD - CalJOBS & Job Services	108	39.85%	13 hours, 14 minutes
		124		
State - Workshop	RESEA Workshop	3	1.11%	11 hours, 29 minutes
		3		
State - Youth Services	YEOP	5	1.85%	11 hours, 4 minutes
		5		
Parent Reason	Visit Reason	Individuals	Percent	Average Wait Time
	Total Visit Reason Count:	271	100.00%	8 hours, 43 minutes
	Grand Total Number of Individuals:	239		
Total Rows: 11				

- Youth/Adult/DW Reports:** Provided by Laura Magana and Vince Velo

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• **Grants Report**

Grant Name	Grant # of Participants to be Served	Actual # of Participants Served to Date	Original Amount Awarded	Additional Funding Awarded or Available
Micro-Business Assistance Program	67 Business	63 Business Pending Verification	\$192,000	N/A
CDBG-Microbusiness Assistance Program	App. 16	0	\$500,000	Discussions currently on additional app. \$140,000
Prison 2 Employment	12	18	\$145,926	N/A
Additional Assistance-Mini Grants for Businesses	15 Businesses	20 Businesses Awarded	\$250,000 ¹	N/A
COVID-19 NDWG	38	19	\$150,000	N/A
Employment Development Department Equity and Special Populations Grant	15	Finalizing Contracting to Initiate	\$89,777	N/A
EDA Better Jobs Grant		Grant application submitted, pending notice of award/non-award.		
Community Economic Resiliency Fund (CERF)		In discussions to submit with region.		
Regional Equity and Recovery Partnerships Grant		In discussions to submit with region.		

Adventist Health-Project Update

In coordination and conjunction with the Kings County Job Training Office, Adventist Health recently launched a program that is intended to upskill hospitality and janitorial staff into certified medical assistants. The first cohort is in training now, and all members of the training

¹ Kings County is the fiscal lead for a Kings/Tulare grant application. Amount apportioned per capita.

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cohort will be hired full time by Adventist Health in their new positions at the completion of the training.

Recovery of WIOA Tuition and Training Refunds-Policy Update (ACTION)

Pursuant to Employment Development Department Workforce Services Directive WSD19-10, “all subrecipients of WIOA funds must produce and maintain a written policy/procedure at the local level to ensure the recovery of unused WIOA training monies.” In the regular process of updating local policies and procedures to properly maintain compliance, it was found that this particular policy was out of date with regard to our current operations. A track-changes version of the updated policy is included in this packet for Board consideration.

Developer Request-Viability of Project (Workforce Based-ACTION)

During the course of regular workforce and economic activities with regard to a project located in the County unincorporated zone off of I-5, a request was received from the developer on the project for the Job Training Office to put together a summary study on the viability of the project from a workforce perspective due to the rural nature of the proposal. Workforce has been, and continues to be, the number one concern for new projects that are looking to locate in Kings County. The proposal would include re-purposing staff time for the project.

Application for Appointment to the Workforce Development Board

An application has been received from Miguel Ramirez, Public Affairs Manager for the SoCal Gas Company, for appointment to the Kings County Workforce Development Board. Mr. Ramirez represents a private sector entity, in the high-demand industry surrounding the production and distribution of energy in California. Mr. Ramirez concurrently serves on the Tulare Economic Development Corporation-Board, Kings County Economic Development Corporation-Board, and the Tulare-Kings Hispanic Chamber of Commerce. This is an action item for a recommendation to the Kings County Board of Supervisors for appointment of Mr. Ramirez.

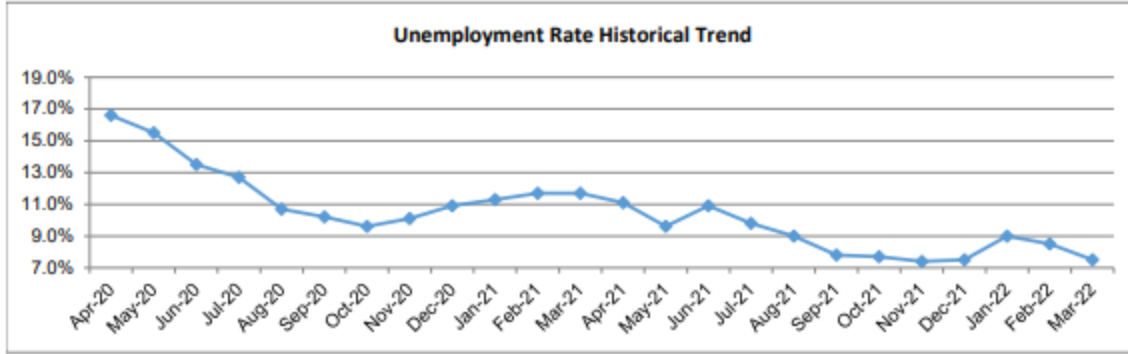
Unemployment Rate

The unemployment rate in Kings County was 7.5 percent in March 2022, down from a revised 8.5 percent in February 2022, and below the year-ago estimate of 11.7 percent. This compares with an unadjusted employment rate of 4.2 percent for California, and 3.8 percent for the nation during the same time period.

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Policy Number: 2002-02
Revised: July 6, 2017
Revised: May 1, 2022

Debt Collection Policy

Purpose:

To set forth the policy and procedures for debt collection associated with the recovering inappropriate expenditure and/or tuition and training funds of Workforce Innovation and Opportunity Act (WIOA).

BACKGROUND:

The Workforce Innovation and Opportunity Act (WIOA) requires that all recipients and each subrecipient expending WIOA funds shall comply and establish fiscal controls that meet federal and State debt collection requirements. Including regular oversight and monitoring of its WIOA activities and those of its subrecipients and contractors in order to determine whether expenditures have been made against the cost categories and within the cost limitations specified in WIOA and the regulations. Among the required controls are those specified in Title 20 Code of Federal Regulations (CFR) Section 667.500 (a)(2).

REFERENCES:

- WIOA Sections 184; 134(c)(3)(F)(i) – (iv); and 185(c)(3)
- Title 20 Code of Federal Regulations (CFR) Sections 667.410 (a); 667.500 (a)(2); 683.730 – 683.750
- Title 20 CFR, WIOA Final Rule, Sections 680.230, 680.300, and Section 683.410(a)(1)

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- Title 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance); 200.338; 200.345; 200.428
- Title 2 CFR Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor Exceptions)
- One-Stop Comprehensive Financial Management Technical Assistance Guide (TAG), Department of Labor (DOL), July 2002, Section II-6-10, WIA Individual Training Accounts

Definitions:

Final determination is the awarding agency’s decision to allow or disallow questioned costs and resolve non-monetary findings.

Final debt is the amount owed based upon the awarding agency’s final determination if an appeal is not filed; or the decision issued in response to an appeal. Included in final debts are funds due from, but not limited to, incidents of fraud, malfeasance, misapplication of funds or other serious violations or illegal acts.

Policy:

The Kings County Workforce Development Board (WDB) is responsible for Subrecipient audit resolution and aggressive debt collection action. At the State level, audit resolution and debt collection are the responsibility of the Employment Development Department’s (EDD) Compliance Review Division (CRD).

Any funds paid to the non-Federal entity in excess of the amount to which the non-Federal entity is finally determined to be entitled under the terms of the Federal award constitute a debt to the Federal Government. If not paid within 90 calendar days after demand, the Federal awarding agency may reduce the debt by: (1) Making an administrative offset against other requests for reimbursement; (2) Withholding advance payments otherwise due to the non-Federal entity; or (3) Other action permitted by Federal Statute. Except where otherwise provided by statutes or regulations, the Federal awarding agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (31CFR parts 900-999). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.

The settlement of all debts resulting from fraud, malfeasance, misapplication of funds or other serious violations or illegal acts must be cash from non-federal sources. **Funds collected by the Kings County Workforce Development Board in settlement of final debts must be returned to CRD immediately on their receipt.** The mailing address for CRD is:

Employment Development Department
Compliance Review Division, MIC 22M
P. O. Box 826880
Sacramento, CA 94280-0001

NOTIFICATION PROCESS:

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Once it has been determined that a debt is owed the WDB by any subrecipient, that subrecipient shall be notified of the existence and the basis of the debt. If the subrecipient is entitled to file an appeal, they shall be notified of the availability of the WDB appeal procedures. The subrecipient shall be informed as to the possible sanctions, which may include but is not limited to debarment if the debt is not paid, and the date the debt will be considered delinquent. The subrecipient will also be advised as to the interest rate charged, if any, on the balance due.

STATE WAIVER IN EVENT OF BANKRUPTCY:

The Kings County Workforce Development Board shall request from CRD a waiver of possible sanctions against the WDB in the event a subrecipient has filed a petition for bankruptcy. This request for waiver shall demonstrate that the Workforce Development Board satisfied the following four criteria:

1. It has established and adhered to an appropriate system for the award and monitoring of contracts with Subrecipients that contains acceptable standards for ensuring accountability.
2. It has entered into a written contract with such Subrecipients which contains established goals and obligations in unambiguous terms.
3. It has acted with due diligence to monitor the implementation of the Subrecipient’s contract, including carrying out audits and other appropriate monitoring activities at reasonable intervals.
4. It has taken prompt and appropriate corrective action upon becoming aware of any evidence of a violation of the WIOA or the Regulations under the WIOA by such Subrecipient.

COMPROMISE OF DEBT:

In the event a subrecipient desires to compromise a debt, the Workforce Development Board shall make a determination as to whether or not the compromise is in the best interest of the WDB. In making the determination, WDB shall consider the following factors:

1. The amount of the debt.
2. Proposed methods of repayment.
3. The cost of further debt collection.
4. The amount collected to date.
5. The probable success of any debt recovery litigation.
6. The ability of a debtor to satisfy any judgment.

In the event it is determined to be in the best interest of the Workforce Development Board to compromise a debt, the WDB shall request a waiver from the CRD of the amount to be compromised. In addition to the information forwarded to CRD to request a waiver, the WDB shall include the factors considered in the compromise decision.

In the event a determination is made that is not in the best interest of the Workforce Development Board to compromise a debt, or if the subrecipient offers no compromise, a decision shall be made as to

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whether or not to litigate the claim. In making this determination, the WDB shall consider the following factors:

1. The amount of the debt.
2. The cost of further debt collection.
3. The amount collected to date.
4. The probable success of litigation.
5. The ability of a debtor to satisfy any judgment.

LITIGATION OF DEBT:

If the amount of the claim is within the jurisdiction of the small claims court, the litigation shall be instituted in small claims court. If the amount in controversy exceeds the jurisdiction of the small claims court, the Workforce Development Board shall seek legal counsel with respect to the collection of the debt.

If, after consultation with legal counsel, it is determined that litigation is not in the best interest of WDB, the procedures for a waiver set out above shall be followed. The opinion of counsel shall be in writing and shall be among the documents forwarded to the State in the request for waiver.

DEBT COLLECTION:

The WDB must send three debt collection letters to the Subrecipient at no less than 30 calendar day intervals. The debt collection letters must be sent Certified Mail-Return Receipt Requested.

DEBT REPAYMENT:

Unless other arrangements have been documented and approved by CRD, the Workforce Development Board, (and when appropriate, the subrecipient), all WIOA debts must be paid within 30 calendar days of the date on which the debt was established as final. If the debtor is unable to make restitution in full, an installment repayment agreement may be negotiated. Installment repayment agreements shall be of short duration, from three (3) to twelve (12) months, with a maximum of thirty-six (36) months. The length of the repayment agreement will be negotiated based on the size of the debt and the debtor’s ability to pay. The CRD must approve all installment repayment agreements.

RECORD OF DEBT COLLECTION CASES:

An outstanding debt category will be established in the Kings County Workforce Development Board accounts receivable system that will detail the amount of the debt, the date the debt was to become due, any payment received against the debt and any interest to be charged. The WDB must maintain records that document the actions taken with respect to debt collections, restoration, or other debt resolution activities. The WDB must also document why the actions taken support their decision. A

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permanent record of all debt collections cases and their status will be maintained by the Workforce Development Board.

DISPOSITION OF DEBT SETTLEMENT:

The settlement of all debts resulting from fraud, malfeasance, misapplication of funds or other serious violations or illegal acts must be cash from nonfederal sources. The Kings County Workforce Development Board will return funds collected in settlement of these debts to the Employment Development Department, Compliance Review Division (CRD) immediately upon their receipt.

If a debt is not a result of fraud, malfeasance, misapplication of funds or other serious violation or illegal act, the cash repayment of the disallowance shall become a credit to the title and year to which it was originally charged. The credit shall reduce the expenditures of the period of which the debt was refunded. If the year of allocation is still open, the WDB may expend the funds within appropriate cost limitations. Cash payments received after the fund availability period must be remitted to CRD.

RECOVERY OF WIOA TUITION AND TRAINING REFUNDS

Recovery of WIOA Tuition and Training funds shall adhere to the protocol set forth in the “DEBT COLLECTION,” “DEBT REPAYMENT,” and “RECORD OF DEBT COLLECTION CASES” sections of this Debt Collection Policy.

The Kings County Job Training Office, the Kings County WDB Career Services Provider, contracts with providers for participant’s vocational training services.

Payment for tuition and training is granted to a training provider with submission of a KCJTO Invoice and verification of attendance matching the time period of the invoice. The invoice must detail the items for requested payment. Payments will not be made to training providers in advance of training or receipt of services.

In circumstances where a training provider will not accept a KCJTO contract for training services, the participant will be reimbursed for tuition and training services. Payment will be provided with proof of attendance and an invoice or proof of completion of a course or program.

Participant’s training progress and services will be tracked on a monthly basis. If it is discovered that a participant has ceased training prior to certification, JTO will take immediate action to ensure prompt return of any unused training funds.

In any circumstance where it is identified there is a recovery of unused WIOA training monies due from a training provider, the KCJTO shall determine the amount of refund begin the collection process immediately.

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The KCJTO Fiscal Department is responsible for the collection and processes involved for any outstanding training and/or tuition refund. Procedures will comply with those set forth and outlined in this Debt Collection Policy.

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