



San Benito County Workforce Development Board

Special Executive Committee

1161 San Felipe Road, Hollister, CA 95023

October 26, 2021 @ 3:00 P.M.

Agenda

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 DATED MARCH 17, 2020, WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT.

At this time, the Workforce Development Board (WDB) is continuing to hold board meetings to conduct essential business. Members of the public are encouraged to participate electronically. Based on guidance from the California Department of Public Health, the Governor's Executive Order and Office, and the San Benito County Public Health Officer

Join Zoom Meeting

https://us06web.zoom.us/j/83132065819?pwd=VFIRNFRKEm1zL3JZMwYzOHVDdFZCZz09

Meeting ID: 831 3206 5819 Passcode: 875424

One tap mobile

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Table with 2 columns: Representing the Private Sector (PR) and Representing the Public. Rows include Richard Bianchi, Chair; Chuck Frowein, Vice Chair; Karen Para, Secretary; Kristina Chavez-Wyatt; Kendra Bobsin, Treasurer; Nelson Leonor; Lupe Rubalcava.

I. GENERAL INFORMATION:

A. Public Comment Period: Select the "Participants Tab" and click "Raise Hand" icon, the zoom facilitator will unmute you when your turn arrives. Guests may introduce themselves and request to comment on any non-agenda items. Time is limited to three (3) minutes per guest unless the board determines that more time is needed.

II. REGULAR AGENDA:

A. Roll Call: Roll will be taken to determine excused absences for attendance requirements.

III. DISCUSSION/ACTION ITEMS:

A. AJCC Comprehensive and Affiliate/Specialized Certification: Staff will present to the board the AJCC Comprehensive Certification conducted on October 20, 2021. The State Workforce Services Directive WSD20-08, AJCC Comprehensive and Affiliate/Specialized Certification



requires that all Workforce Development Boards complete the Comprehensive AJCC Certification Baseline Matrix to determine compliance as a comprehensive AJCC. Staff requests that the Executive Committee review the Directive WSD20-08 (**attached**) and approve the recommendation on the AJCC Comprehensive Certification, which is due to the State by November 1, 2021. *Action Required.*

IV. **ADDITIONAL INFORMATION:**

V. **ADJOURNMENT:**

The next Executive Committee meeting is scheduled for December 14, 2021 at 3 PM

The full WDB meeting is scheduled for January 11, 2022 at 3 PM

AJCC COMPREHENSIVE AND AFFILIATE/SPECIALIZED CERTIFICATION

EXECUTIVE SUMMARY

This policy provides the guidance and establishes the procedures regarding certification of comprehensive and affiliate/specialized America's Job Center of CaliforniaSM (AJCC) locations. This policy applies to all Local Workforce Development Boards (Local Board), and is effective immediately.

This policy contains all state-imposed requirements.

This Directive finalizes Workforce Services Draft Directive *AJCC Comprehensive and Affiliate/Specialized Certification* (WSD20-218), issued for comment on December 7, 2020. The Workforce Development Community submitted three comments during the draft comment period. A summary of comments, including all changes, is provided as Attachment 4.

This policy supersedes Workforce Services Directive *Certification Process for Comprehensive AJCCs* (WSD16-20), dated June 9, 2017 and Workforce Services Directive *Certification Process for Affiliate and Specialized AJCCs* (WSD18-11), dated March 14, 2019.

REFERENCES

- *Workforce Innovation and Opportunity Act* (WIOA) (Public Law 113-128) Sections 121(g) and 188
- *Americans with Disability Act Amendments Act of 2008* (ADA) (Public Law 110-325)
- Title 20 *Code of Federal Regulations* (CFR) Sections 678.800 and 679.370(q)
- Title 29 CFR Part 38 *Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA*
- Title 34 CFR WIOA, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions (WIOA Joint Final Rule)
- Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 16-16, *One-Stop Operations Guidance for the American Job Center Network* (January 18, 2017)

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

- DOL TEGL [4-15 \(PDF\)](#), *Vision for the One-Stop Delivery System Under the WIOA* (August 13, 2015)
- *California's Unified Strategic Workforce Development Plan 2020-2023* (State Plan)
- WSD19-13, *Selection of AJCC Operators and Career Services Providers* (June 8, 2020)
- WSD18-12, *WIOA Memorandums of Understanding* (April 30, 2019)
- Workforce Services Information Notice WSIN12-43, *New One-Stop Branding – America's Job Center of California Network* (March 15, 2013)

BACKGROUND

The WIOA establishes a framework under which Local Boards are responsible for maintaining a network of high-quality, effective AJCCs. To assist in these efforts, the California Workforce Development Board (CWDB), in consultation with an AJCC Certification Workgroup comprised of state-level partners and Local Board representatives, developed objective criteria and procedures for Local Boards to use when certifying the AJCCs within their Local Workforce Development Areas (Local Area).

The WIOA Joint Final Rule outlines three key requirements for AJCC certification: 1) effectiveness of the AJCC, 2) physical and programmatic accessibility for individuals with disabilities, and 3) continuous improvement. California's certification process is centered on these key requirements and sets a statewide standard of service delivery that ensures all customers consistently receive a high-quality level of service.

To ensure that AJCCs deliver a better experience and continuously improve services for job seekers, workers, and employers, the CWDB in partnership with a workgroup from the Employment Development Department (EDD) developed a streamlined process with this Directive with easier objective criteria and procedures for AJCC certification. The initial certification process was designed with two separate Directives, one for comprehensive AJCCs outlined in [WSD16-20 \(PDF\)](#) and the other for affiliate/specialized AJCCs outlined in [WSD18-11 \(PDF\)](#).

Comprehensive AJCC and affiliate/specialized certifications are due by **November 1, 2021**.

POLICY AND PROCEDURES

In accordance with WIOA Section 121(g), Local Boards must select an evaluation panel(s) to perform an independent and objective evaluation of the AJCCs in their Local Areas once every three years using criteria and procedures established by the CWDB. The Local Board can choose to add additional certification criteria tailored to the needs of their Local Area, but they may not remove or replace any of the federal or state criteria.

Local Boards have maximum flexibility to conduct an AJCC Certification through an on-site, remote/virtual, or desk review evaluation due to COVID-19 and must meet the requirements of this Directive.

The certification process for comprehensive and affiliate/specialized AJCCs will be conducted during Program Year (PY) 2021-22 and take effect January 1, 2022.

Baseline Certification

The Baseline AJCC Certification is intended to ensure that every comprehensive, specialized and affiliate AJCC is in compliance with key WIOA statutory and regulatory requirements. It is important to note that certification is an individualized process; it will not be used to compare or rank one AJCC or Local Board against another AJCC or Local Board.

AJCC Comprehensive

The following requirements must be met in order for a comprehensive AJCC to receive Baseline AJCC Certification (Attachment 1):

1. Each Local Board and partner within the affiliate/specialized AJCC has a signed and implemented Memorandum of Understanding (MOU) with the Local Board meeting the requirements in [WSD18-12 \(PDF\)](#).
2. The AJCC has implemented the board-defined roles and responsibilities of the AJCC Operator and Title I Adult and Dislocated Worker Career Services Provider (i.e., an AJCC Operator and Career Services Provider is in place and functioning within the AJCC).
3. The AJCC complies with equal opportunity for individuals with disabilities in accordance with the ADA, WIOA Section 188, Title 29 CFR Part 38, and all other applicable federal and state guidance.
4. The AJCC meets all regulatory requirements to be considered a comprehensive AJCC as identified in the WIOA Joint Final Rule Section 678.305.

Affiliate/Specialized Baseline AJCC Certification

The following requirements must be met in order for an affiliate/specialized AJCC to receive Baseline AJCC Certification (Attachment 2):

1. Each Local Board and partner within the affiliate/specialized AJCC has a signed and implemented MOU with the Local Board meeting the requirements in [WSD18-12 \(PDF\)](#).
2. The affiliate/specialized AJCC complies with equal opportunity for individuals with disabilities in accordance with the ADA, WIOA Section 188, Title 29 CFR Part 38, and all other applicable federal and state guidance.

AJCC Certification Indicator Assessment

In order to highlight areas where AJCCs can continuously improve their service delivery, the AJCC Certification Workgroup identified seven AJCC Certification Indicators to measure continuous improvement for all AJCCs.

The AJCC Certification Indicators are as follows:

1. The AJCC ensures universal access, with an emphasis on individuals with barriers to employment.
2. The AJCC actively supports the One-Stop system through effective partnerships.
3. The AJCC provides integrated, customer-centered services.
4. The AJCC is an on-ramp for skill development and the attainment of industry-recognized credentials which meet the needs of targeted regional sectors and pathway.
5. The AJCC actively engages industry and labor and supports regional sector strategies through an integrated business service strategy that focuses on quality jobs.
6. The AJCC has high-quality, well-informed, and cross-trained staff.
7. The AJCC achieves business results through data-driven continuous improvement.

The AJCC Certification Indicator Assessment provides a description of each Certification Indicator along with examples of criteria. The assessment requires a full rationale for each Certification Indicator provided.

The Local Board may establish additional criteria, or set higher standards for continuous improvement than those suggested by the state criteria above.

Local Boards must submit a completed AJCC Certification Indicator Assessment to their [Regional Advisor](#) by November 1, 2021.

Continuous Improvement Plan

Once the AJCC Certification Indicator Assessment is completed, the Local Board must use the recommendations and evaluations from the assessment to create a continuous improvement plan for the AJCC.

Since Local Boards oversee the AJCC system within the Local Workforce Development Area, the AJCC Continuous Improvement Plan should be developed locally in coordination with the Local Board, AJCC Operator, and in alignment with the agreed upon goals and objectives within the established Regional and Local Plans and MOUs to drive continuous improvement for the AJCC system. The continuous improvement plan does not need to be submitted with the Baseline Criteria Matrix and the AJCC Certification Indicator Assessment.

Since the goal is for Local Boards to work with each of their comprehensive and affiliate/specialized AJCCs to continually improve and progress within each AJCC Certification

Indicator, all Local Boards must attest to developing the Continuous Improvement Plan with target dates with the AJCC. The Continuous Improvement Plan must be completed by **December 31, 2021**.

Local Boards are encouraged to note the changes that have taken place in the form of virtual services due to COVID-19. Additionally, Local Boards may use the Continuous Improvement Plan to highlight key procedural changes that have occurred as a result of the pandemic and how those changes have been beneficial toward the AJCC's continuous improvement.

Local Board Certification Process

Local Boards may choose to use staff, the AJCC Operator (unless it's the Local Board), a subcommittee, or a neutral third-party to conduct the open, independent evaluation of each comprehensive and affiliate/specialized AJCC. Based on those evaluations, the individual(s) or entity that conducted the independent review can provide recommendations to the Local Board regarding certification status and continuous improvement strategies. It is the Local Board, however, that must officially decide and submit the Baseline Criteria Matrix and accompanying AJCC Certification Indicator Assessment for each of the comprehensive and specialized/affiliate AJCCs in the Local Area.

To avoid potential conflicts of interest, the entity that conducts the evaluations cannot be an AJCC program partner staff or the Title I Adult and Dislocated Worker Career Services Provider. If a Local Board contracts out with a provider to serve as both the AJCC Operator and the Title I Adult and Dislocated Worker Career Services provider, that entity is also not allowed to conduct the evaluation.

However, if a Local Board has been approved by the Governor to also act as the Title I Adult and Dislocated Worker Career Services Provider, Local Board staff may conduct the evaluation so long as there are clear and strong firewalls in place that separate the Local Board staff who work in the AJCCs from the Local Board staff who would be conducting the evaluations of those AJCCs. In this case, the CWDB may request additional information and documentation from the Local Board to verify that the firewalls are substantive enough to remove any potential conflicts or biases.

The Local Board must also retain adequate supporting documentation of their certification determination for each AJCC. This includes, but is not limited to, ADA compliance monitoring reports, MOUs, procedure manuals, questionnaires, surveys, interview notes from customers, partners, or staff, and performance information that was used during the certification process.

Certification documentation may be requested by the DOL, the CWDB, or the EDD in order to substantiate a certification decision.

Although not required, AJCC staff may want to conduct an initial self-assessment prior to the Local Board's evaluation. A self-assessment is a helpful tool that can assist the AJCC in

addressing potential compliance issues or areas of improvement prior to the Local Board's certification decision. As a self-assessment is not an independent and objective evaluation it cannot be used in lieu of the Local Board's (or official designee's) evaluation.

CWDB Certification Process

As required by the WIOA Joint Final Rule Section 678.800, when a Local Board is approved by the Governor to also serve as the AJCC Operator, the CWDB must certify the AJCC(s) where the Local Board is the AJCC's Operator. Prior to the CWDB's certification process, the Local Board must conduct an initial self-assessment for certification for all of its comprehensive and affiliate/specialized AJCCs using the Baseline Criteria Matrix and complete an AJCC Certification Indicator Assessment.

The Local Board must submit the Baseline Criteria Matrix, and the AJCC Certification Indicator Assessment by November 1, 2021. The CWDB will review certification packets for the certification status of each comprehensive and affiliate/specialized AJCC by December 17, 2021.

Submissions

Local Boards must electronically submit their Baseline Criteria Matrix and AJCC Certification Indicator Assessment via email to their Regional Advisor.

The Local Board Director must sign both the Baseline Criteria Matrix and AJCC Certification Indicator Assessment to attest to the Local Board's approval of each comprehensive and affiliate/specialized AJCC's certification level and agreement to develop a Continuous Improvement Plan with target dates with the AJCCs.

ACTION

Bring this Directive to the attention of all relevant parties.

INQUIRIES

If you have any questions, contact your assigned [Regional Advisor](#).

/s/ JAIME L. GUTIERREZ, Chief
Central Office Workforce Services Division

Attachments:

1. [Comprehensive AJCC Certification Baseline Criteria Matrix \(DOCX\)](#)
2. [Affiliate/Specialized AJCC Certification Baseline Criteria Matrix \(DOCX\)](#)
3. [AJCC Certification Indicator Assessment \(DOCX\)](#)
4. [Summary of Comments \(DOCX\)](#)



SAN BENITO COUNTY

**TRACEY BELTON
DIRECTOR**

HEALTH & HUMAN SERVICES AGENCY

**1111 San Felipe Road, #206
Hollister, California 95023**

October 14, 2021

Mr. Enrique Arreola
Deputy Director
San Benito County Health and Human Services Agency
Community Services and Workforce Development
1161 San Felipe Rd.
Hollister, CA. 95023

RE: San Benito County America's Job Center of California (AJCC) Comprehensive Certification Matrix

Dear Mr. Arreola,

I am pleased to present you with a completed Comprehensive AJCC Certification Matrix for Program Year (PY) 2021-22. Based on my independent research of applicable rules and requirements, the San Benito County AJCC meets and or exceeds all the requirements to be certified as a Comprehensive AJCC.

Included is backup information utilized to confirm compliance for the certification.

Please feel free to reach out with any questions or concerns you may have via my email or direct line.

Thank you and thank your staff for this valuable service they provide to the residents of the County of San Benito.

Sincerely,

Ryan Bell
Administrative Services Manager
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Fiscal Division
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Hollister, CA., 95023
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831-636-4932

PUBLIC HEALTH SERVICES
351 Tres Pinos A202
Hollister, CA 95023
831-637-5367

COMMUNITY SERVICE & WORKFORCE DEVELOPMENT
1111 San Felipe Road, Ste.107
Hollister, CA 95023
831-637-9293

ENVIRONMENTAL HEALTH SERVICES
351 Tres Pinos C2
Hollister, CA 95023
831-636-4035

MIGRANT CENTER
3235 Southside Road
Hollister, CA 95023
831-637-7913

HOME RESOURCE CENTER
1161 SAN FELIPE RD.
Hollister, CA 95023
831-638-3383

Comprehensive AJCC Certification Matrix Baseline Criteria

The baseline America's Job Center of CaliforniaSM (AJCC) Certification is intended to ensure that every comprehensive AJCC is in compliance with key *Workforce Innovation and Opportunity Act* (WIOA) statutory and regulatory requirements.

Local Boards must submit a completed matrix to their Regional Advisor for each comprehensive AJCC by November 1, 2021.

Name of Local Board ~~San Benito County Workforce Development Board~~ _____

Name of AJCC America's Job Center of California: ~~San Benito County~~ _____

Implements the signed Memorandums of Understanding (MOU)	Yes	No
A Memorandum of Understanding (meeting the requirements in Workforce Services Directive WSD18-12) has been signed by all the required AJCC partners.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The signed MOU identifies the AJCC as a comprehensive.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The AJCC is implementing the MOU specifications applicable to comprehensive centers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Implements the Local Board defined roles and responsibilities of the AJCC Operator and Career Services Provider	Yes	No
AJCC Operator selected in compliance with WSD19-13.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roles and responsibilities of AJCC Operator are clearly identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Career Services Provider selected in compliance with WSD19-13.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roles and responsibilities of the Career Services Provider within the AJCC are clearly identified.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Meets all regulatory requirements to be a comprehensive AJCC (WIOA Joint Final Rule Section 678.305)	Yes	No
AJCC has least one Title I staff person physically present. (Note: Consideration may be given for remote/virtual services implemented due to the COVID-19 pandemic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AJCC provides access to all basic and individualized career services identified in WIOA Joint Final Rule Section 678.430 .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
AJCC provides access to training services for adult and dislocated workers identified in WIOA Joint Final Rule Section 680.200 .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
AJCC provides access to any employment and training activities carried out under WIOA Section 134(d).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
AJCC provides access to programs, services, and activities of all required AJCC partners by having partner staff physically co-located at the AJCC, having a staff person at the AJCC who has been cross-trained to provide information about partner programs, or having direct linkage through technology to staff who can provide meaningful information or services.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
AJCC provides workforce and labor market information.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
AJCC provides customers with access programs, services, and activities during regular business hours.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ensures Equal Opportunity for Individuals With Disabilities	Yes	No
<p>The AJCC is physically and programmatically accessible to individuals with disabilities, as described in WIOA Section 188 and Title 29 <i>Code of Federal Regulations</i> Part 38.</p> <p>The <i>Americans with Disabilities Act</i> (ADA) Title V provides that state requirements may supersede the ADA when state requirements provide greater or equal protection for the rights of individuals with disabilities. Therefore, the AJCC must also be in compliance with following California guidance related to equal access for individuals with disabilities:</p> <ul style="list-style-type: none"> • <i>Fair Employment and Housing Act</i> (California Government Code Section 12900-12996) • <i>Unruh Civil Rights Act</i> (California Civil Code Section 51-52) • <i>Disabled Persons Act</i> (California Civil Code Section 54-55) • <i>California Building Code</i> Title 24 Chapter 11B • <i>California Government Code</i> 7405 • <i>California Government Code</i> 11135 <p>Such requirements include, but are limited to, the following:</p> <ul style="list-style-type: none"> • Providing reasonable accommodations for individuals with disabilities. • Making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination against persons with disabilities. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> • Administering programs in the most integrated setting appropriate. • Communicating with persons with disabilities as effectively as with others. • Providing appropriate auxiliary aids and services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity. • Providing for the physical accessibility of the AJCC to individuals with disabilities. 		
Was WIOA Section 188 compliance monitoring completed for PY 2019-20?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did the AJCCs have any findings when WIOA Section 188 compliance monitoring was completed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, briefly describe the findings:		
Was a corrective action plan submitted?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the status of the findings open or closed?: N/A		
If closed, as of what date: N/A		
The AJCC meets all Baseline Criteria for Baseline AJCC Certification	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The Local Board Chair must attest the Local Board's certification decision by signing below.

Signature

Richard Bianchi

Name

Chair, San Benito County Workforce Development Board

Title