

Section III. Integrated Workforce Plan Assurances and Attachments

By checking each assurance, attaching the proper documentation or links, and signing the certification at the end of the document, the state is certifying it has met each of the legal planning requirements outlined in WIA law and regulations and in corresponding Departmental guidance. By checking each box and signing the certification, the state is also indicating that its supporting documentation meets all applicable Federal and state laws and regulations and is available for review. Any deficiencies in the documentation attached to each assurance identified during the state plan review process may result in additional technical assistance and a written corrective action as part of the Department’s conditional approval of the state’s Integrated Workforce Plan. Assurances that are part of the state’s grant agreement are not duplicated here.

ASSURANCES AND ATTACHMENTS – PLANNING PROCESS AND PUBLIC COMMENT

	STATEMENT	REFERENCE	DOCUMENTATION AND COMMENTS
1.	The state established processes and timelines, consistent with WIA Section 111(g) – and, where appropriate, 20 CFR 641.325 (g) – to obtain input into the development of the Integrated Workforce Plan and to give opportunity for comment by representatives of local elected officials, local workforce investment boards, businesses, labor organizations, other primary stakeholders, and the general public.	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d) 20 CFR 641.325(f), (g), (h), 20 CFR 641.335	Public Notice was published in local mayor newspapers. No comments were received <u>Attachment 1, Public announcement</u>
2.	The state afforded opportunities to those responsible for planning or administering programs and activities covered in the Integrated Workforce Plan to review and comment on the draft plan	WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20 CFR 661.220(d)	Same as above
3.	The final Integrated Workforce Plan and State Operational Plan are available and accessible to the general public.		Same as above

4.	<p>The state afforded the State Monitor Advocate an opportunity to approve and comment on the Agricultural Outreach Plan. The state solicited information and suggestions from WIA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. At least 45 days before submitting its final outreach, the State provided a proposed plan to the organizations listed above and allowed at least 30 days for review and comment. The State considered any comments received in formulating its final proposed plan, informed all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore, and included the comments and recommendations received and its responses with the submission of the plan</p>	<p>WIA Sections 112(b)(9), 111(g) 20 CFR 661.207 20CFR 661.220(d) 20 CFR 653.107 (d) 20 CFR 653.108(f)</p>	<p>State Monitor Advocate and personnel of the WIA 167 National Farm worker Jobs Program were part of the team work in charge of compliance with strategic plan guidance and content.</p> <p>Please refer to <u>Attachment 1</u></p>
5.	<p>In the development of the plan, the state considered the recommendations submitted by the State Monitor Advocate in the annual summary of services to Migrant and Seasonal Farm workers.</p>	<p>20CFR 653.108(t)</p>	<p>Same as above</p>
6.	<p>The state established a written policy and procedure to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes.</p>	<p>WIA Sections 111(g), 112(b)(9), 117(e) 20 CFR 661.207</p>	<p>The State Workforce Investment Board established open access to board meetings and other board activities thru its Internal Rules. Please refer to Reglamento Interno, Part IV: <i>Acceso a la información</i>, Page 20 <u>Attachment 6</u></p>
7.	<p>Where SCSEP is included in the Integrated Workforce Plan, the state established a written policy and procedure to obtain advice and recommendations on the State Plan from representatives of the State and</p>	<p>20 CFR 641.315(a)(1-10), 641.325 (f), (g), (h)</p>	<p>SCSEP program representatives were part of the team work in charge of compliance with strategic plan guidance and content.</p>

area agencies on aging; State and local boards under the WIA; public and private nonprofit agencies and organizations providing employment services, including each grantee operating a SCSEP project within the state, except as provided under section 506 (a)(3) of OAA and 20 CFR 641.320(b); Social service organizations providing services to older individuals; Grantees under Title III of OAA, Affected Communities, Unemployed older individuals, Community based organizations serving older individuals; business organizations and labor organizations.

As part of the State MOU, the SCSEP Program is represented in Local Boards for policy and guidance on services to older individuals and other target populations.

It also has representation in the State Board by the appointment of the Secretary of Labor as a Mandatory partner

Attachment - MOU / 7

ASSURANCES AND ATTACHMENTS – REQUIRED POLICIES AND PROCEDURES

DOCUMENTATION AND COMMENTS

STATEMENT	REFERENCE	DOCUMENTATION AND COMMENTS
<p>8. The state made available to the public state-imposed requirements, such as state-wide policies or guidance, for the statewide public workforce system, including policy for the use of WIA title I statewide funds.</p>	<p>WIA Sections 112(b)(2), 129, 134 20 CFR 665.100</p>	<p>The WIA State agency has procedures, guides and policy regarding various areas of compliance. This provides uniformity for the provision of services among all workforce system. Policy link: http://adl.pr.gov/content.asp?cn_id=1168</p> <p>Links for guides are not currently available due to reconstruction of the state website and programming difficulties. Enclosed are hard copy of guides ; <u>Attachment 8</u> <u>Planning (8.1)</u> <u>Monitoring (8.2)</u> <u>Proposal for funds(8.3)</u> <u>Finance (8.4)</u></p>

Attachment 8.5 WIA 9-2001

<p>9. The state established a written policy and procedure that identifies circumstances that might present a conflict of interest for any state or local workforce investment board member or the entity that s/he represents, and provides for the resolution of conflicts. The policy meets the requirements of WIA Sections 111(f) and 117(g).</p>	<p>WIA Sections 112(b)(13), 111(f), 117(g)</p>	<p>The State Workforce Investment Board has written policy that identifies circumstances that might present a conflict of interest for any board member. Refer to <u>Attachment 6</u>, Internal Rules, <i>Articulo VI</i>, and Page 14.</p> <p>Local boards also comply with policy regarding conflicts of interest according to Section 117(g).</p>
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<p>10. The state has established a written policy and procedure that describes the state’s appeals process available to units of local government or grant recipients that request, but are not granted, designation of an area as a local area under WIA Section 116</p>	<p>WIA Sections 112(b)(15), 116(a)(5) 20 CFR 661.280 20 CFR 667.700</p>	<p>State Board Policy CDORH 3-2008 for Designation of WIA Local Area sets the policy for designation of an area as a local area under WIA. Although it contains language regarding an appeal process, PR DOL will advise the State Board to establish a specific appeal process <u>Attachment 10- CDORH 3-2008</u></p>
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Same as above

<p>11. The state established written policy and procedures that describe the state’s appeal process for requests not granted for automatic or temporary and subsequent designation as a local workforce investment area.</p>	<p>20 CFR 667.640 20 CFR 662.280</p>
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<p>12. The state established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local</p>	<p>WIA Sections 112(b)(6), 117(b) 20 CFR 661.300(a), 20 CFR 661.325</p>	<p>State WIA Agency, Policy CDORH 01-2003 “<i>Procedimiento para la certificación y re Certificación de las Juntas Locales de Inversión en la Fuerza trabajadora (JLI) bajo WIA</i>”</p>
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workforce investment board members.

establishes the procedure set for appointment of local boards.
Attachment 12. CDORH-04-2002 was amended by CDORH 01-2003.

Same as above

13. The state established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years. WIA Sec 117(c)
20 CFR 661.325

14. Where an alternative entity takes the place of an SWIB, the state has written policy and procedures to ensure the alternative entity meets the definition under section 111(e) and the legal requirements for membership. WIA Sections 111(e), (b)
20 CFR 661.210 Not Applicable

15. Where the alternative entity does not provide representative membership of the categories of required SWIB membership, the state has a written policy or procedure to ensure an ongoing role for any unrepresented membership group in the workforce investment system. (Only applicable in cases where a state uses an alternative entity as its SWIB, and that entity does not provide for representative membership by individuals in WIA Sections 111(b), (e)
20 CFR 661.210(c) Not Applicable

	the categories required by WIA sec. 111(b).)		
16.	When applicable, the state takes any action necessary to assist local areas in developing and implementing the One-Stop system.	WIA Sections 112(b)(14), 134(c) W-P Section 8(c)	Local WIBS receive TA regarding continued development and improvement of the One Stop system. Efforts to comply with fully integrated system is a priority for PRDOL
17.	The state established procedures for determining initial and subsequent eligibility of training providers.	WIA Sections 112(b)(17)(A)(iii) 122, 134(d)(4) 20 CFR 663.515, 663.535	http://selep.wiapr.org/ http://selep.wiapr.org/HelpContents.aspx
18.	All partners in the workforce and education system described in this plan will ensure the physical, programmatic, and communications accessibility of facilities, programs, services, technology, and materials for individuals with disabilities in One-Stop Career Centers.	WIA Section 188 W-P Section 8(b) 29 CFR part 37 20 CFR 652.8(j)	An umbrella MOU is currently in placed between all local Workforce Investment Boards (LWIB) and all Workforce Investment Act (WIA) Title II partners. The purpose of the MOU is to describe how resources will be coordinated to provide services, describe the services , and describe methods for referral of individuals among other. All partners are under an integrated were physical, programmatic, and communications accessibility of facilities are available to all customers, including individuals with disabilities. ATTCH. MOU
19.	The state ensures that outreach is provided to populations and sub-populations who can benefit from One-Stop Career Center services.	WIA Section 188 29 CFR 37	Same as above
20.	The state implements universal access to programs and activities to all individuals	WIA Section 188 29 CFR 37.42	Same as above

	through recruitment outreach assessments, delivery, development, and goals.	reasonable targeting, efforts, services partnership and numeric	
21.	The state complies with the nondiscrimination provisions of section 188, including that Methods of Administration was developed and implemented.	WIA Section 188 29 CFR 37.20	The state has developed and implemented the Methods of Administration (MOA) required by section 188. Currently we are working on a new MOA that will be submitted to the Civil Right Center the last week of September 2012.
22.	The state collects and maintains data necessary to show compliance with nondiscrimination provisions of section 188.	WIA Section 185	As required by WIA section 185, the states collects and maintains data related to the provisions of section 188 and the Element 6 of the MOA. This is obtained through the software of the agency and local areas, called "Sistema Integrado de Administración al Cliente" section 6.2.14.2. of the manual.
23.	For WIA Single-Area States only, the state has memorandums of understanding between the local workforce investment board and each of the One-Stop partners concerning the operation of the One-Stop delivery system in the local area.	WIA Sections 112(b)(5), 116(b), 118(b)(2)(B), 20 CFR 661.350(a)(3)(ii)	Not Applicable
24.	The state established written policy and procedures that outline the methods and factors used in distributing	WIA Sections 111(d)(5), 112(b)(12)(A), (C), 128 (b)(3)(B),	The WIA State agency complies with requirements regarding the distribution of funds including WIA Adult, Dislocated Worker, and Youth Programs.

funds, including WIA Adult, Dislocated Worker, and Youth formula and rapid response funds. The policy establishes a process for funds distribution to local areas for youth activities under WIA Section 128(b)(3)(B), and for adult and training activities under WIA Section 133(b), to the level of detail required by Section 112(b)(12)(a). In addition, the policy establishes a formula, prescribed by the governor under Section 133(b)(2)(B), for the allocation of funds to local areas for dislocated worker employment and training activities.

133(b)(2)(B),
133(b)(3)(B)
20 CFR 661.205(e)

For the distribution of funds under the adult, dislocated and youth programs, Puerto Rico use the Sections of the workforce investment act law that establish the percentages for funds distribution. Puerto Rico has not implemented a separate written procedure other than the law itself. Updated census information, as well as, information regarding insured unemployment, declining industries, among others, is used for the calculations.

Same as above

24a For Dislocated Worker funding formulas, the state's policy and procedure includes the data used and weights assigned. If the state uses other information or chooses to omit any of the information sources set forth in WIA when determining the Dislocated Worker formula, the state assures that written rationale exists to explain the decision. WIA Section

133(b)(2)(B)
20 CFR
667.130(e)(2)(i)-(ii)

25. The state established a written policy and procedure for how the individuals and entities represented on the

WIA Sections
111(d)(5),
112(b)(12)(A),
128(b)(3)(B),

Same as above

	SWIB help to determine the methods and factors of distribution, and how the state consults with chief elected officials in local workforce investment areas throughout the state in determining the distributions.	133(b)(3)(B), 20 CFR 661.205(e)	
			Same as above
26.	The state established written policy and procedures for any distribution of funds to local workforce investment areas reserved for rapid response activities, including the timing and process for determining whether a distribution will take place.	WIA Sections 133(a)(2), 134(a)(2)(A) 20 CFR 667.130(b)(2), (e)(4), 665.340	
27.	The state established written policy and procedures to competitively award grants and contracts for WIA Title I activities.	WIA Section 112(b)(16)	<u>Attachment # 8.3</u>
28.	The state established written criteria to be used by local workforce investment boards in awarding grants for youth activities, including criteria that the governor and local workforce investment boards will use to identify effective and ineffective youth activities and providers of such activities.	WIA Sections 112(b)(18)(B), 123, 129	Planning Guidelines PY 2012-13 (page 29) State Policy for Youth Program Design <u>Attachment 8.3</u>
29.	The state established written criteria for a process to award a grant or contract on a competitive basis for Summer Youth Employment Opportunities element of the	WIA Sections 123, 129(c)(2)(C) 20 CFR 664.610.	

<p>local youth program, where a provider is other than the grant recipient/fiscal agent.</p>		
<p>30. The state distributes adult and youth funds received under WIA equitably throughout the state, and no local areas suffer significant shifts in funding from year-to-year during the period covered by this plan.</p>	<p>WIA Section 112(b)(12)(B)</p>	
<p>31. The state established written fiscal-controls and fund accounting procedures and ensures such procedures are followed to ensure the proper disbursement and accounting of funds paid to the state through funding allotments made for WIA Adult, Dislocated Worker, and Youth programs, and the Wagner-Peyser Act.</p>	<p>WIA Sections 112(b)(11), 127, 132, 184 W-P Sections 9(a), (c) 20 CFR 652.8(b), (c)</p>	<p><u>Attachment 8.4</u></p>
<p>32. The state ensures compliance with the uniform administrative requirements in WIA through annual, onsite monitoring of each local area.</p>	<p>WIA Sections 184(a)(3), (4) 20 CFR 667.200, .400(c)(2), 667.410</p>	<p>State Monitoring Process , <u>Attachment 8.2</u></p>
<p>33. The state follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIA, and applicable Departmental regulations.</p>	<p>WIA Sections 136(f)(2), (f)(3), 122, 185(a)(4)(B) 20 USC 1232g 20 CFR 666.150 20 CFR part 603</p>	<p>n/a</p>

34.	The state will not use funds received under WIA to assist, promote, or deter union organizing.	WIA Section 181(b)(7) 20 CFR 663.730 35	The State does not use WIA funds to assist, promote , or deter union organizing.
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ASSURANCE AND ATTACHMENTS-ELIGIBILITY

STATEMENT	REFERENCE	DOCUMENTATION AND COMMENTS
35. Where the SWIB chooses to establish them, the state established definitions and eligibility documentation requirements regarding “requires additional assistance to complete and educational program, or to secure and hold employment” criterion.	WIA Sections 101(13)(C)(iv) 20 CFR 664. 200(c)(6), 664.210	Planning Guidelines PY 2012-13 (page 18) Deficient in Basis Literacy Skill Criterion <u>Attachment 8.1</u>
36. Where the SWIB chooses to establish them, the state establish definitions and eligibility documentation requirements regarding “recourse additional assistance to complete and education program, or to secure and hold employment” criterion.	WIA Sections 101(13)(C)(iv) 20 CFR 664. 200(c)(6),664.210	Planning Guidelines PY 2012-13 (page 17) Programmatic Activities Description <u>Attachment 8.1</u>
37. The state established policies, procedures, and criteria for prioritizing adult title I employment and training funds for use by recipients of public assistance and other low-income individuals in the local area when funds are limited.	WIA Section 134(d)(4)(E) 20 CFR 663.600	Planning Guidelines PY 2012-13 (page 18) Low Income Policy to be Establish by Local Board <u>Attachment 8.1</u>
38. The state established policies for the delivery of priority of service for veterans and eligible spouses by the state workforce agency or agencies, local workforce investment boards, and One-Stop Career Centers for all qualified job training programs delivered through the state's workforce system. The state	WIA Sections 112(b)(17)(B), 322 38 USC Chapter 41 20 CFR 1001.120-.125 Jobs for Veterans Act, P.L. 107-288 38 USC 4215	Planning Guidelines PY 2012-13 (page 67) Priority of Services for Veterans <u>Attachment 8.1</u>

- policies: 20 CFR 1010.230,
1010.300-.310
1. Ensure that covered persons are identified at the point of entry and given an opportunity to take full advantage of priority of service; and
 2. Ensure that covered persons are aware of:
 - a. Their entitlement to priority of service;
 - b. The full array of employment, training, and placement services available under priority of service; and
 - c. Any applicable eligibility requirements for those programs and/ or services.
 3. Require local workforce investment boards to develop and include policies in their local plan to implement priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers.

ASSURANCES AND ATTACHMENTS –PERSONNEL AND REPRESENTATION

STATEMENT	REFERENCE	DOCUMENTATION AND COMMENTS
<p>39. The state assures that Migrant and Seasonal Farmworker (MSFW) significant office requirements are met.</p> <p>Note: The five states with the highest estimated year-round MSFW activities must assign full-time, year-round staff to outreach activities. The Employment and Training Administration designates these states each year. The remainder of the top 20 significant MSFW states must make</p>	<p>WIA Section 112(b)(8)(A)(iii), 112(b)(17)(A)(iv) W-P Sections 3(a), (c)(1)-(2) 20 CFR 653.107(a), 107(i), 653.112(a), 653.108(d)(1)</p>	<p>PRDOL complies with all MSFW requirements and regulations</p>

maximum efforts to hire outreach staff with MSFW experience for year-round positions and shall assign outreach staff to work full-time during the period of highest activity.

If a state proposes that its State Monitor Advocate work less than full-time, the state must submit, for approval by the Department, a plan for less than full-time work, demonstrating that the state MSFW Monitor Advocate function can be effectively performed with part-time staffing.

<p>40. Merit-based public employees provide Wagner-Peyser Act funded labor exchange activities in accordance with Departmental regulations.</p>	<p>W-P Sections 3(a), 5(b) 20 CFR 652.215 Intergovernmental Personnel Act, 42 USC 4728(b)</p>	<p>PRDOL complies with all WP regulations, including the provision of exchange activities by Merit-based public employees.</p>
<p>41. The state has designated at least one person in each state or Federal employment office to promote and develop employment opportunities, job counseling, and placement for individuals with disabilities.</p>	<p>W-P Section 8(b) 20 CFR 652.211</p>	<p>PRDOL complies with requirements and do have personnel in each state office to promote and develop employment opportunities, job counseling, and placement for individuals with disabilities.</p>
<p>42. If a SWIB, department, or agency administers state laws for Vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services.</p>	<p>W-P Section 8(b) 20 CFR 652.211</p>	<p>The Vocational Rehabilitation Administration, an agency under the umbrella of the PRDOL is the state agency responsible for the implementation and compliance with all matters related to persons with disabilities. As such , it holds a chair in the State Board as a mandatory partner</p>