

DOL

Q. What is WIOA? How much workforce funding \$ is related to federal funding associated with WIOA?

A. "WIOA" is an acronym for the Workforce Innovation and Opportunity Act. It is the federal legislation that pertains to the workforce development system and governs the actions of parts of the New York State Department of Labor and the State Education Department. It is new legislation that became effective on July 1, 2015. The \$5 million that the New York State Department of Labor has available in this year's Consolidated Funding Application comes from WIOA funding.

Q. Do the employees have to be W-2 workers? Or can they be 1099 (independent contractors) as well? What is the reasoning behind that?

A. In order to be eligible to be trained under the Existing Employee Training Program, workers must be employees ("W-2 workers") of the applicant business. Independent contractors are legally separate entities and would have to apply for funding for their business, if they meet the eligibility requirements.

Q. When will the workforce reimbursements be paid?

A. Once a contract has been developed and formally executed, funds will be released to the business on a cost reimbursement basis, meaning that a grantee must first pay the trainee's wages and then submit a voucher to NYSDOL for reimbursement. There is no set schedule, but most businesses submit vouchers monthly.

Q. Do municipalities need to register with Grants Gateway?

A. Municipalities are not eligible applicants under the New York State Department of Labor's programs

Q. Please provide clarification regarding employment status. Is the overall goal of the program for the trainees to work full time only?

A. For the New Hire, Special Populations, and Unemployed Worker training programs, the trainees are dislocated (unemployed) workers. Those programs require that the positions for which they are trained be full time (35 hours or more per week). For the Existing Employee Training Program, part-time employees are eligible for training if they have a permanent, year-round attachment to the business. Temporary employees, seasonal employees, public employees and volunteers are not eligible

Q. Unemployed Worker Training funds cannot be used for hardware. Can they be used for expendable materials?

A. Allowable costs under the Unemployed Worker Training Program include:

- The costs of training providers to provide classroom-based occupational skills training to dislocated workers;
- The cost of credentialing exam fees;
- The costs of textbooks or training materials directly associated with the training; and
- The cost of software that is required to deliver the program of training.

Q. How are occupational skills defined?

A. Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with, or upgrade them in, the skills required to perform a specific job or group of jobs needed by the business.

Q. Is there any preference to having a specific type of employment available or a particular employee?

A. No preference is given for a specific type of employment. However, under the New Hire, Special Populations, and Unemployed Worker training programs, additional points are given to applicants who will be training long-term (20 or more weeks) unemployed workers.

Q. Empire State Development had previsions training. Is this the same program as the training in the DOL Program?

A. No. Each state agency participating in the Consolidated Funding Application has its own program(s) and funding available to applicants and will make awards based on the applications that it receives. If you are interested in the programs of more than one agency, you are encouraged to apply for multiple programs through the Consolidated Funding Application. However, please note that you may not receive funding for a single project from multiple agencies (double funding).

Q. Do any of the New York State Department of Labor training programs fund the development of the training program itself?

A. No. Curriculum development is not an eligible cost.

Q. Can the New York State Department of Labor training programs involve distance learning?

A. Yes, the Existing Employee Training Program will pay for distance learning fees (i.e., the fee for the training slot and software that is required to deliver the program of training) for occupational skills training. However, please note that it will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.

Q. Do the New York State Department of Labor training programs require the programs to have professional credentials to be funded?

A. No, but for all four programs, additional points are given for those applications that result in the trainees receiving an industry-recognized credential upon completion of the training. Examples of credentials include:

- Educational diplomas and certificates (typically for one academic year or less of study);
- Educational degrees, such as an associate's (2-year) or bachelor's (4-year) degree;
- Occupational licenses (typically, but not always, awarded by state government agencies; and
- Industry-recognized or professional association certifications.

Q. For the Existing Employee Training program: does the employee have to be at risk of layoff?

A. No. That is not a requirement this year.

Q. Is the PowerPoint presentation about the programs going to be available online?

A. Yes. PowerPoint presentations on all of this year's programs are available on the Regional Councils web site at <http://regionalcouncils.ny.gov/genericcfa/2015-cfa-materials>.

Q. Are there additional agencies that have different requirements?

A. Yes. This year, there are over 20 programs available through 11 state agencies. Each program has its own focus, funding, and eligibility requirements. A resource guide for 2015 is available on the Regional Councils web site at https://www.ny.gov/sites/ny.gov/files/atoms/files/RESOURCES_AVAILABLE_GUIDE_FINAL_V3.pdf.

Q. Where can I go to read more about the programs that are available?

A. A resource guide for 2015 is available on the Regional Councils web site at https://www.ny.gov/sites/ny.gov/files/atoms/files/RESOURCES_AVAILABLE_GUIDE_FINAL_V3.pdf, and PowerPoint presentations on all of this year's programs are available at <http://regionalcouncils.ny.gov/genericcfa/2015-cfa-materials>.

Q. What are the occupations that are being covered?

A. No specific occupations are being targeted by the four programs offered by the New York State Department of Labor.

Q. What kind of programs have been funded in the past?

A. Each year, Governor Cuomo's office releases a booklet that identifies the awardees, the programs under which they were awarded, project locations, project descriptions, and funding agencies. The award booklets for the four previous rounds are available at the following links: <http://regionalcouncils.ny.gov/sites/default/files/regions/westernny/REDCAwardsBooklet2014.pdf>, <http://regionalcouncils.ny.gov/assets/documents/2013REDCBooklet.pdf>, <http://regionalcouncils.ny.gov/assets/documents/2012REDCBooklet.pdf>, and <http://www.governor.ny.gov/sites/governor.ny.gov/files/archive/assets/documents/CFAAWARDSBooklet.pdf>.

Q. Pertaining to Special Populations; does it include individuals recovering from substance abuse?

A. They may be considered a person with a disability under certain circumstances. A person who is an alcoholic is an "individual with a disability" under the Americans with Disabilities Act (ADA). Addicts who are currently using drugs illegally are not covered. However, recovering addicts generally are. Persons "regarded as" addicts and illegal drug users are protected. For additional information on this topic, please go to the Job Accommodation Network's Technical Assistance Manual for Title I of the ADA at: <https://askjan.org/links/ADAtam1.html#VIII>.

Q. Can a training provider work with 2 or more employers? Is it the same for Empire State Development?

A. Training providers applying under the Unemployed Worker and Special Populations training programs are required to provide a listing of the names and addresses of the local businesses that have committed to interview program graduates, job titles of the open positions with these local businesses, the number of openings for each title, and the projected number of dislocated workers who will complete the

proposed training and be interviewed for the open positions. There is no set number of businesses with which they must work – it may be 1, or more than 1. The requirements of Empire State Development’s programs can be found in the 2015 Resource Guide at https://www.ny.gov/sites/ny.gov/files/atoms/files/RESOURCES_AVAILABLE_GUIDE_FINAL_V3.pdf.

Q. For workforce training programs, will the cost of software be covered, but not the cost of hardware?

A. The Existing Employee Training Program will provide funds to cover the fee for a distance learning training slot and software that is required to deliver the program of training. It will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.

Q. What is considered an older special population?

A. The Workforce Innovation and Opportunity Act defines “older individual” as an individual age 55 or older.

Q. Does the Special Population Training Program require a job commitment?

A. There must be a commitment by businesses in the region to interview individuals who complete the training. For businesses applying for Special Populations funding for themselves, they must provide information in the application that includes the titles of positions for which they have had difficulty finding qualified workers in the local labor pool, the number of openings the applicant business currently has in those titles and the projected number of dislocated workers in special populations who will complete the proposed training and be interviewed for the open positions. Training providers that are applying must provide a listing of the names and addresses of the local businesses that have committed to interview program graduates, job titles of the open positions with these local businesses, the number of openings for each title, and the projected number of dislocated workers in special populations who will complete the proposed training.

Q. What if a worker is not a Dislocated Worker?

A. Under the New Hire, Unemployed Worker, and Special Populations training programs, dislocated workers are the only ones who are eligible to be trained. The Existing Employee Training Program does not have that requirement.

Q. Can you apply for On-the-Job Training (OJT) and Equipment funding through the CFA?

A. The four programs being offered by the New York State Department of Labor do not offer funding for equipment. If other participating agencies have made funding available for such purchases under the Consolidated Funding Application, you may apply for both and may do so on the same application.

Q. Would virtual learning be eligible?

A. Yes, the Existing Employee Training Program will pay for distance learning fees (i.e., the fee for the training slot and software that is required to deliver the program of training) for occupational skills training. However, please note that it will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.

Q. What is the definition of a dislocated worker?

A. In general, a “Dislocated Worker” is defined as an individual who:

- Has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- Has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- Was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters;
- Is a displaced homemaker; **or**
- Is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member.

Q. Does the Special Populations Program apply only to full time workers?

A. Yes. The Special Populations Training Program will only fund the training of dislocated workers in special populations who require classroom-based occupational skills training in order to be qualified to be hired for full-time employment (35 or more hours per week) in the region.

Q. Does the definition of dislocated worker in the Special Populations Program include returning veterans and displaced homemakers?

A. The Workforce Innovation and Opportunity Act includes displaced homemakers in the definition of dislocated worker and in the list of individuals with barriers to employment. It does not include returning veterans in the definition of dislocated worker.

Q. How does this work in regards to migrant and seasonal workers?

A. Migrant and seasonal farmworkers are classified by the Workforce Innovation and Opportunity Act as individuals with barriers to employment, and would potentially be eligible for training under the Special Populations Training Program (or the New Hire and Unemployed Worker programs) if they are dislocated workers.

Q. Under the Special Populations Program, would part time work apply for youth and foster care?

A. No. The Special Populations Training Program will only fund the training of dislocated workers in special populations who require classroom-based occupational skills training in order to be qualified to be hired for full-time employment (35 or more hours per week) in the region.

Q. Is the 5 million split evenly amongst the 4 programs?

A. No. The Existing Employee Training Program has \$2 million available, the New Hire Training Program has \$1 million available, and the Unemployed Worker and Special Populations training program have a combined \$2 million available.

Q. Is the money split evenly amongst the regions?

A. No. There is no specific allocation for each region. How the money is awarded is based on the number and quality of the proposed training projects.

Q. What is the minimum wage to receive reimbursement under the New Hire Training Program's On-the-Job Training (OJT)?

A. The New Hire Training must apply to a job opportunity for full-time employment (defined as 35 hours or more per week) in New York State paying a minimum of \$10.00/hour.

Q. Does the training have to be from a provider?

A. New Hire training must be done on-the-job by the hiring business. Existing Employee training may be done by a training provider or the business itself. Unemployed Worker and Special Populations training may be done by the business that has unfilled openings, or by a training provider.

Q. Can we apply for funding under the Special Populations Training program if we are also receiving funding through the NYS Commission for the Visually Impaired?

A. The receipt of funding through another agency does not preclude you from applying or being awarded under one or more of the New York State Department of Labor's programs. However, please note that you may not receive funding for a single project from multiple agencies (double funding).

Q. Some funding (Unemployed Worker training, On-the-Job Training) is available through our local workforce investment board. If we apply through the Consolidated Funding Application, would that put us in competition with the local workforce investment board?

A. Not necessarily. The receipt of funding through another entity does not preclude you from applying or being awarded under one or more of the New York State Department of Labor's programs. However, please note that you may not receive funding for a single project from multiple agencies (double funding).

Q. How does the hiring of veterans fit into Consolidated Funding Application?

A. Serving veterans is a priority for the governor and the New York State Department of Labor. Veterans can be trained under the Existing Employee Training Program, and other the other three programs if the veteran is a dislocated worker.

Q. There is funding available to provide training for dislocated workers. Do they have to be long-term unemployed to be covered as a dislocated worker?

A. No, but additional points can be awarded to applicants that are training long-term (20 or more weeks) unemployed dislocated workers.

Q. If I'm going to apply for training funds, does it have to be training for an occupation identified in the priority economic cluster?

A. No. Applications may target occupations in any industry.

Q. I'm interested in New Hire Training funds. If someone is a dislocated worker/laid off, and not likely to return to previous occupation, will they qualify?

A. Yes. The definition of dislocated worker includes individuals who have:

- Been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation; and
- Been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise.

Q. Who pays for Workers Compensation coverage under the New Hire Training Program?

A. The newly hired worker would be an employee of the applicant business. Payment of Workers Compensation coverage would be the responsibility of the hiring business.

Q. Can you use both a state and local On-the-Job Training on the same person?

A. No, double funding is not allowed on the same employee.

Q. On slide 19 from the New York State Department of Labor presentation, it refers to the “county in which the training will take place.” If we are submitting for literacy training for multiple counties, do we have to submit multiple CFA’s?

A. No. You may designate more than one county on your application.

Q. Are there any other programs available for New Hires other than the New Hire Training Program?

A. The New York State Department of Labor has On-the-Job Training funding available through its Job-Driven National Emergency Grant (available online at <http://www.labor.ny.gov/businessservices/PDFs/Job-Driven-NEG-RFA.pdf>), and local workforce investment board’s also have funding for this type of training. Names and contact information for local workforce investment boards can be found at <http://www.labor.ny.gov/workforcenypartners/lwda.shtm>.

Q. Are there limits on the size of business and what programs are available through the Department of Labor?

A. For all four of the New York State Department of Labor’s programs, businesses must have 2 or more employees in order to be eligible.

Q. Is there funding for backfill to pay for a staff to cover the work while another staff is going through training?

A. No. The Existing Employee Training Program will only pay for the cost of the training. It will not pay for the payment of salaries for backfill staff or for the trainees themselves.

Q. Is this funding for retention of a job or an employee?

A. Yes. One of the goals of the program is retention of employment.

Q. There seems to be a discrepancy with the Existing Employee Training webinar and what is or was presented in the past regarding the topic of a threat of layoffs.

A. In prior years, the Existing Employee Training Program required that the workers targeted for training were in danger of being laid off. That is not a requirement this year.

Q. What is the definition of a Dislocated Worker?

A. In general, a “Dislocated Worker” is defined as an individual who:

- Has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- Has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- Was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters;
- Is a displaced homemaker; **or**
- Is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member.

Q. Is a New Hire a separate application from the Consolidated Funding Application?

A. The New Hire Training Program is one of the New York State Department of Labor’s programs under the Consolidated Funding Application.

Q. When do Existing Employee training funds need to be used?

A. Contracts will be awarded for a period of up to one year. Applicants must include only those training needs that can be reasonably accomplished within a one-year time period. Under extenuating circumstances, limited no-cost contract extensions may be approved at NYSDOL’s discretion. The length of the extension is dependent on the original contract duration; however, under no circumstances may the length of the contract plus the extension exceed a total of fifteen months.

Q. What are the specifics for veteran’s eligibility?

A. Veterans are eligible if they are an existing employee of a business that applies or if they are a dislocated worker.

Q. Can you define what makes a worker an employee for eligibility purposes? Do contract workers or part-time workers count?

A. Contract workers are not employees of the business. Part-time workers are considered employees.

Q. Is there a list of allowable costs for training workers? Does the grant cover the cost for machinery and equipment?

A. The Existing Employee Training Program will only pay for the following:

- The costs of outside vendors or in-house trainers to provide on-site or off-site classroom-based occupational skills training and the costs of textbooks or training materials directly associated with the training. Training provided by in-house staff may not be billed at a per trainee rate. NYSDOL will only reimburse for the actual hourly wage rate (salary only, no fringe benefits) of

the in-house trainer. Training by in-house staff must be for a minimum of two trainees per course.

- Distance learning fees (i.e., the fee for the training slot and software that is required to deliver the program of training) for occupational skills training. This grant will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.
- Credentialing exam fees.

The cost of machinery and equipment would not be covered.

Q. Where can I find the New York State Department of Labor PowerPoint for the Consolidated Funding Application?

A. PowerPoint presentations on all of this year's programs are available on the Regional Councils web site at <http://regionalcouncils.ny.gov/genericcfa/2015-cfa-materials>.

Q. On the New York State Department of Labor website, where can I find the UI rates by census tract?

A. Labor statistics, including unemployment rates, can be found at <http://www.labor.ny.gov/stats/>.

Q. Could someone apply who is providing training or for someone that wants to train their employees?

A. Training providers are eligible to apply for the Unemployed Worker and Special Populations training programs. Businesses may apply to train their workers under the Existing Employee Training Program, or to train newly-hired workers on-the-job under the New Hire Training Program.

Q. How long does it take for a non-profit to get pre-qualified?

A. The length of time varies, so not-for-profit organizations should start the process immediately to ensure that they meet the July 31, 2015 deadline.

Q. What is the earliest date for training to begin and what is the latest date it can begin?

A. The start date for all contracts resulting from this RFP may be no earlier than the date of the award letter issued by the New York State Department of Labor (awards are expected to be made in late Fall) and no later than six months from the date of the award letter.

Q. What is the required ratio for matching funds?

A. Under the New Hire Training Program, businesses will be eligible to receive reimbursement for up to 50% of the employee's wages for a period of time appropriate for the employee to become proficient in the occupation. The business must pay the other 50%. Under the other three programs, there is no match requirement, but applicants that include matching funds will receive additional points during the scoring process.

Q. What is the definition of special population and are they considered to be dislocated workers?

A. Special populations are individuals with barriers to employment as defined by the Workforce Innovation and Opportunity Act (WIOA), which includes individuals who are a member of one or more of the following populations: displaced homemakers, low income individuals, Native Americans,

individuals with disabilities, older individuals, ex-offenders, homeless individuals or homeless youth, youth who are in or have aged out of the foster care system, individuals who are English language learners, individuals who have low levels of literacy, individuals facing substantial cultural barriers, migrant and seasonal farmworkers, individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (Temporary Assistance for Needy Families), and single parents (including single pregnant women). Member of these populations are not necessarily dislocated workers.

“Dislocated Worker” is defined as an individual who:

- Has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- Has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- Was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters;
- Is a displaced homemaker; **or**
- Is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member.

Q. When I looked at the grant it says you have to be an eligible training provider and how do you get on the list?

A. The New York State Eligible Training Provider List (ETPL) was established in compliance with Title 1 of the Workforce Investment Act (WIA) of 1998. The purpose of the ETPL is to present a broad and diverse selection of training choices to support employment goals of individuals. The grant does not require that applicants use only providers on the ETPL.

Q. In terms of the business interviewing: if you have a partnership and the partnership connects you to union jobs, does that qualify you as a business?

A. In order to be eligible to apply for funding, businesses must be legally established corporations, partnerships, sole proprietorships, and not-for-profits that have two or more employees (principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion); and that are in good standing regarding:

- Unemployment Insurance;
- Worker Adjustment and Retraining Notification Act (WARN);
- Public Works;
- Labor Standards;
- Safety and Health;
- NYS Department of State Division of Corporations;
- Workers Compensation Insurance; and
- Disability Insurance.

Q. Regarding the definition of a dislocated worker - do they have to be fully employed?

A. No. By definition, dislocated workers are unemployed.

Q. Do you have to hit the entire number of proposed jobs and what are the deadlines for doing so?

A. It is expected that awardees under the New Hire Training Program will do their best to meet the number of hires proposed in their application. The initial contract will be written when the first hire(s) are ready to start and will be modified to include additional hires as needed. New Hire Training contracts may last up to one year, so hiring and training would have to be completed within that period.