

**Kansas Strategic State Plan for
Title I of the Workforce Investment Act of 1998,
the Wagner-Peyser Act and the
American Recovery and Reinvestment Act of 2009**

**for the period
July 1, 2011 – June 30, 2012**

Modified March 30, 2011

Table of Contents

• Introduction	1
• Planning Process	3
• Plan Content	4
I. State Vision	4
II. State Workforce Investment Priorities	9
III. State Governance Structure	10
IV. Economic and Labor Market Analysis	22
V. Overarching State Strategies	45
VI. Major State Policies and Requirements	52
VII. Integration of One Stop Service Delivery	58
VIII. Administration and Oversight of Local Workforce Investment System	63
IX. Service Delivery	84
A. One-Stop Service Delivery	84
B. Workforce Information	90
C. Adult and Dislocated Worker Services	94
D. Rapid Response	124
E. Youth Services	135
F. Business Services	140
G. Innovative Service Delivery Strategies	141
H. Strategies for Faith-Based and Community Organizations	142
X. State Administration	143
XI. Assurances	158
Attachment A - ETA Regional Administrator	
Attachment B – Program Administration Designees and Plan Signatures	
Attachment C - State Planning Process Timeline	
Attachment D - Comments received during public review (original plan)	
Attachment E - Organizational Chart	
Attachment F – Request for Extension of Waivers	
Attachment H - Map of Designated Local Areas	
Attachment I – Local Area Planning Process Timeline	
Attachment J - Allocation of Dislocated Worker Funds	
Attachment K - State Grievance Policy	
Attachment L - Comments received during public review (Modification #2)	
Attachment M - Comments received during public review (Modification #3)	
Attachment N – Comments received during public review (Modification #4 and #5)	

Kansas Strategic State Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act

Introduction

This plan documents the Governor's vision and goals for economic development and for the workforce development system in Kansas, as well as the strategies, policies, activities, and measures of success for that system. This plan is intended as a comprehensive guide for all partners engaged in the workforce development system.

The Workforce Services Division of the Kansas Department of Commerce charged with incorporating the following values:

VISION

Provide economic prosperity for Kansas by leading an effective workforce system.

MISSION

Provide workforce solutions to Kansas employers and job seekers.

OUR GUIDING PRINCIPLES

- Focus our limited resources to have the biggest impact on the Kansas economy.
- Use the State's resources strategically to build training capacity in Kansas.
- Develop a sustainable workforce.

The state's workforce development system is also driven by bold enhancements endorsed by the Kansas Legislature to strengthen and stimulate the state's economy. These enhancements, called the *Kansas Economic Growth Act*, reflect steps taken by state legislative leaders to meet the needs of the changing Kansas economy.

This plan also reflects the goals of the United States Department of Labor (USDOL) as follows:

A. Realizing the reforms envisioned by the Workforce Investment Act (WIA) including the following:

- Integrated, seamless service delivery through full service Workforce Centers with extensive co-location and identified Employer Centers;
- A demand-driven workforce development system; maximum flexibility in tailoring service delivery and making strategic investment in workforce development activities to meet the needs of state and local economies and labor markets;
- Customers making informed choices based on quality workforce information and accessing quality training providers;
- Increased fiscal and performance accountability; and
- A youth program focused on targeting out-of-school populations with increased accountability for employment and/or increased secondary and postsecondary education outcomes.

B. Incorporating new statutory and regulatory program requirements that have evolved since the passage of WIA, such as priority of service for veterans as prescribed by the Jobs for Veterans Act (P.L. 107-288), (38 USC 4215).

C. Providing national strategic priorities and direction in the following areas:

- ◆ Build a demand-driven system within a regional economic development context;

- ◆ Implement system reform, with streamlined governance and alignment of economic and workforce development regions;

- ◆ Enhance an integrated service delivery system that focuses on services rather than programs;

- ◆ Advance a vision for serving youth most in need;

- ◆ Expand workforce information as the foundation for strategic planning and career guidance;

- ◆ Strengthen partnerships with community and faith-based organizations;

- ◆ Increase the use of flexibility provisions in WIA to design innovative programs that fuel regional economic competitiveness and create employment opportunities for career seeker customers; and

- ◆ Utilize an integrated and enhanced performance accountability system.

**Kansas Strategic State Plan for
Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act**

Plan Development Process

- 1. Include a discussion of the involvement of the Governor and the State Board in the development of the plan; and a description of the manner in which the State Board collaborated with economic development, education, the business community, and other interested parties in the development of the plan. (§112(b) (1).)**

A comprehensive and inclusive process was used to ensure input from the Governor, the **KANSASWORKS** State Board, Chief Elected Officials (CEOs), the Local Workforce Investment Boards (Local Boards), the business community, labor organizations, education, economic development, vocational rehabilitation, and the general public.

A State Plan Workgroup drafted responses to the United States Department of Labor (USDOL) planning guidance. The workgroup's responses were consolidated and distributed for review to the CEOs, the Local Boards, the Governor's office, legislative office, and the local administrative entities. All comments received in the development of a draft plan were considered.

For this Plan Modification a State Plan Workgroup of personnel representing all workforce programs drafted and updated the State Plan. Once modifications were made, the Plan Draft was posted on the internet for feedback from all interested parties, including the State Board, CEO's and the Governor. A timeline describing the state planning process is included in Attachment C.

Because the State Plan is the avenue by which the public can view the Governor's vision for the use of federal workforce funds, and the federal administration is requiring an increased level of transparency, Kansas made its plan available for comment from "interested parties," workforce development partners and the public.

- 2. Include a description of the process the state used to make the plan available to the public and the outcome of the state's review of the resulting public comments. ((§§111(g) and 112(b)(9))**

A workgroup was assembled to provide input into the modification of various sections of the plan. A draft plan was distributed to the CEOs, Local Boards, and administrative entities for review and comment. A notification of plan availability was published for 30 days requesting public comment. At the same time, the plan was posted on the Kansas Department of Commerce web site. All comments and related responses are included as Attachment N. For the current modification, the Kansas Department of Commerce will post this plan on May 14, 2010 for 30 days. Upon completion of the Public Comment period, any resulting comments and updates will be submitted as instructed to the US Department of Labor.

**Kansas Strategic State Plan for
Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act
Plan Content**

I. State Vision

A. Describe the state's economic development goals for attracting, retaining, and growing business and industry within the state (§112(a) and (b)(4)(A-C).)

The 2004 Kansas Legislature strengthened and stimulated the state's economy through the passage of the *Kansas Economic Growth Act*. Over the next seven years, the *Kansas Economic Growth Act* will make more than \$300 million in new economic development incentives available through various funding mechanisms to attract, grow, and retain business and industry within the state. This initiative, along with existing programs, will keep Kansas globally competitive and able to respond to opportunities.

The elements of the *Kansas Economic Growth Act* reflect the state's economic development goals that include the following:

- Modernizing the state's workforce development system;
- Investing in small and entrepreneurial businesses, including rural business development; and
- Advancing the state's bioscience industry and research base to fund economic development.

The Kansas Bioscience Authority board was created by the Kansas Economic Growth Act in April 2005. The legislation uses tax growth in the life science industry to fund additional academic and economic development improvements in the field

Governor Sam Brownback provides his vision for Kansas in his comprehensive *Economic Development Strategic Plan*. His approach to the policy and reform methods his administration will undertake, include the Kansas Report Card for a Brownback Administration:

1. Increase in net personal income. 1 (See footnotes.)
2. Increase in private sector employment. 2
3. Increase in the percentage of 4th graders reading at grade level. 3
4. Increase in the percentage of high school graduates who are college or career ready. 4
5. Decrease in the percentage of Kansas' children who live in poverty. 5

As stated by Governor Brownback, "While there are many perspectives as to what areas of public policy are most important to the future of our great state, it is our belief that these five specific points of focus are of the most critical importance. These five points will have the greatest influence on

growing the economy, reforming state government, enhancing the impact of our children’s educational experiences, and ultimately, protecting the well-being of Kansas families.”

The Council of Economic Advisors proposed by Governor Brownback offers a response to the lack of coordination and accountability in the current economic development systems. The Council will both enhance and fill the original concept of Kansas, Inc. (which the state established in 1986 in connection with the so-called Redwood-Krider state economic development strategic plan). Kansas, Inc. was created to operate as the primary coordinating agency for research-driven economic development policy. Currently, Kansas, Inc. is the only agency in the state in which the sitting Governor is statutorily appointed to co-chair the Board of Directors. This appointment was intended to facilitate coordination across industries and agencies, and to put executive strength behind the Kansas, Inc. evaluations of other economic development agencies. Over the years, the original vision for Kansas, Inc. has yielded to the dispersed interests and agendas of the many stand-alone economic development-related agencies. This plan seeks to dissolve the current structure of Kansas Inc. and replaced it with the Governor’s Council of Economic Advisors. The Governor will chair the group, whose members will be comprised of 15 to 20 leaders and innovators of Kansas and American business. The Council members should mirror the landscape of the Kansas economy. The members could be leaders from within or outside the state. The Council will meet quarterly in conjunction with key events, such as the release of consensus revenue estimates or the Indicators of the Kansas Economy.

The Governor’s Council and its staff Executive Director will work closely with the Governor to assure strategy integration, coordination and accountability across all of the state’s economic development-related initiatives and agencies, including the Kansas Department of Commerce, the Kansas Department of Agriculture, the Kansas Department of Transportation, The Kansas Department of Revenue, the Kansas Department of Labor, the Kansas Bioscience Authority, and Network Kansas. It will have a comprehensive set of economic development-related responsibilities.

Organization of the Council

- The Council will be chaired by the Governor of Kansas.

- The Council will be comprised of 15-20 business and industry leaders from across the state and nation.

- The Council members will serve at the invitation of the Governor for a term of three years, with possible re-appointment for one additional three-year term.

- The Council’s membership will be representative of the diversity of the industries in the state of Kansas: agriculture, aviation, oil and gas, engineering, renewable resources, computer technology, information technology, health care, biological technology, finance, services, general manufacturing, and military. Consideration also will be given to industry innovators, leadership experience in the international arena, businesses with a large base of employees, and businesses with a small base of employees.

- The Council will have an Executive Director to manage the organization and oversee the implementation of the Council’s directives or initiatives and shall report directly to the Governor.

- The Council will (a) be permitted to have an operational 501(c)(3) component so as to attract and mobilize private-sector funding for research; and (b) be exempt from state government procurement rules so as to promote quick and flexible operations.
- It will operate as a Board of Directors for economic development in Kansas.

P.E.A.K. – Promoting Employment Across Kansas

PEAK is a new program that is consistent with the new vision and this plan. Expensing is the investment-related component of the tax program and PEAK forms the foundation for the labor-related component of the tax program.

PEAK allows qualified for-profit companies that are relocating jobs from outside Kansas or an existing Kansas business that is expanding and creating new jobs to keep up to 95% of payroll taxes over a period of five years or more. To qualify the company must meet certain criteria in number of jobs created, wages paid, and employee health insurance coverage.

Department of Commerce Job Creation Fund

The Kansas —IMPACT program, along with savings from the elimination of certain tax credits, will be converted to a multi-million dollar fund that can be used to close economic development deals. The Job Creation or contingency fund is designed to strengthen state incentive programs and give the Secretary of Commerce and Governor flexibility to make prudent decisions to close a deal on a prime economic growth opportunity without adding additional debt to the state.

B. Given that a skilled workforce is a key to the economic success of every business, describe the Governor's vision for maximizing and leveraging the broad array of federal and state resources available for workforce investment flowing through the state's Cabinet agencies and/or education agencies in order to ensure a skilled workforce for the state's business and industry (§112(a) and (b)(4)(A-C).)

Workforce development in Kansas was restructured to create a demand-driven system fully integrated to maximize and leverage resources to meet the needs of a changing economy. During the 2004 legislative session, the Governor signed Executive Reorganization Order 31 to transfer a broad array of federal and state employment and training programs from the Kansas Department of Human Resources to the Kansas Department of Commerce, both cabinet agencies within the Governor’s administration.

The reorganization of workforce development programs in Kansas has been a catalyst for change and an opportunity to make additional linkages. The Director of Workforce Training and Education Services, within the Department of Commerce, is also a member of the Kansas Board of Regents staff. This position is co-funded and supervised by both agencies. Through this unification, the capacity of educational institutions to develop curriculum and deliver training appropriate for Kansas companies has been enhanced.

In 2004, Senate Bill 394 created a trust fund for the discretionary use by the Secretary of Commerce to invest in the physical and personnel resources of technical schools and

community colleges to better address the needs of business in Kansas. The Workforce Solutions Fund is 10% of the total funds invested in state economic development programs. To date the Workforce Solutions Fund has supported such projects as campus expansion of the Sedgwick County Technical Education and Training Authority and the Life Sciences program at Johnson County Community College.

Through these and other linkages, the Governor's consolidated workforce development system accomplishes the following objectives:

- Establish a single point of contact for businesses to promote accountability and efficiency in state government;
- Create a demand-driven workforce development system to address the needs of new and existing Kansas employers for a skilled workforce;
- Integrate workforce development programs to maximize and leverage resources available to promote job creation, attraction, and retention; and
- Ensure all Kansans, including persons with disabilities, have access to training and employment opportunities that are the right match for their skills and preferences.

C. Given the continuously changing skill needs that business and industry have as a result of innovation and new technology, describe the Governor's vision for ensuring a continuum of education and training opportunities that support a skilled workforce (§112(a) and (b)(4)(A-C).)

A strong post-secondary system provides the backbone of job-specific skill training and education required at all levels of occupations in the workforce, and continues a system to make direct investments in the human capital, training, expertise and physical infrastructure of the postsecondary training system. Therefore, the Kansas Workforce System incorporates a strong relationship with the Kansas Board of Regents, the entity responsible for the post-secondary education, maintaining a shared position between Commerce and Regents. Additionally, the Kansas Technical Education Authority has been formed to align all post-secondary curricula to assure academic and credential consistency across the state.

The infusion of resources through *American Recovery and Reinvestment Act* gave Kansas the unprecedented opportunity to support infrastructure improvements of the post-secondary education system, the Workforce Development System and new and emerging technologies.

Governor Sam Brownback has made postsecondary education a central part of his Economic Strategic Development Plan and intends to change the funding procedure that will allow Kansas' universities and community colleges to become better engines of economic opportunity.

The partners in the Kansas workforce development system are as follows:

- Federally funded workforce training and labor exchange programs;
- State Workforce Investment Board
- Local Workforce Investment Boards
- State funded Economic Development Programs
 - Investment in Major Projects and Comprehensive Training (IMPACT)
 - Kansas Industrial Training (KIT)
 - Kansas Industrial Retraining (KIR)
- Department of Commerce -Business Development Division;
- Registered Apprenticeship Program;
- Kansas Commission on Disability Concerns
- Kansas Bioscience Authority
- Kansas Department of Corrections
- Kansas Department of Social and Rehabilitation Services
- Kansas Board of Regents;
- Kansas Technical Education Authority
- Community colleges;
- Technical colleges and schools;
- Business community; and
- Local governments.

The creation of the current Kansas workforce development system brought approximately 280 employees of the Kansas Department of Human Resources into the Department of Commerce July 1, 2004. The majority of these employees are located in Workforce Centers throughout the state and the influx of staff and financial resources has provided considerable strength to the system.

The Kansas workforce development system allows basic transferable expertise to be developed in postsecondary schools to increase the role of education in preparing a skilled workforce. This blueprint for building strength in the postsecondary system will ensure a continuum of education and training opportunities to foster a skilled workforce through the following:

- Using Workforce Solutions and other State funds, build the capacity of the postsecondary training system by devising innovative ways to increase access to technical training programs and addressing infrastructure needs;
- Providing value-added business services such as the ability to assess and screen individuals who may be appropriate for certain types of technical training programs; and
- Maintaining the flexibility to manage federal program dollars to design systems for worker training in a technology-driven economy.

D. Describe the Governor's vision for bringing together the key players including business and industry, economic development, education, and the workforce development system to continuously identify the workforce challenges facing the state and to develop innovative strategies and solutions that effectively leverage resources to address those challenges (§112(b)(10).)

Kansas' consolidation plan to create the Kansas workforce development system brought together business and industry, economic development, education, and the employment and training system at the state and local level. This restructuring of the state's workforce development system allows the following:

- Continually refine and localize workforce information to identify the challenges facing the state and develop solutions;
- Create opportunities to share best practices for improved cooperation between business and industry, economic development, education, and the workforce development;
- Develop resources, solutions, and materials to improve communication across systems, sustain meaningful relationships, and build the capacity of professional staff;
- Develop linkages to align resources and build mutually beneficial relationships for improved postsecondary outcomes.

E. Describe the Governor's vision for ensuring that every youth has the opportunity to develop and achieve career goals through education and workforce training, including youth most-in-need, such as out-of-school youth, homeless youth, youth in foster care, youth aging out of foster care, youth offenders, children of incarcerated parents, migrant and seasonal farm worker youth, and other youth at risk (§112 (b)(18)(A).)

The Kansas Strategy for the delivery of youth services to out-of-school youth and other disadvantaged youth has evolved from the initial mandate of the *2003-2004 White House Task Force Report on Disadvantaged Youth*, to receiving advanced technical assistance in the fall of 2006 for further collaboration. The Kansas Shared Youth Vision Team is a collaboration of state and local agencies whose focus is to provide services to out-of-school and disadvantaged youth in Kansas, including youth with disabilities and Asian, Native American, Hispanic and African American youth. The state and local collaboration includes the following agencies: Kansas Department of Education, Kansas Department of Commerce, Kansas Department of Transportation, Kansas Department of Social and Rehabilitation Services, Juvenile Justice of Kansas, Kansas Housing Authority, Social Security Administration, the Corporation for National and Community Service, Kansas State Treasurer's Office, Kansas Kids @ GEAR UP, Kansas Enrichment Network (of which includes over 50 extended partnerships), Flint Hills Job Corps, United Tribes of Kansas, Prairie Band Potawatomie Nation, Kansas University, Barton County Community College, Kansas Commission on Disability Concerns, the five Local Area Youth Councils in Kansas. The state partnered with the National Governor's Association Grant recipients to include over 20 agencies.

The initial document that created the Kansas Shared Youth Vision Team was the Training and Employment Guidance Letter (TEGL) No. 3-04, *Strategic Vision for the Delivery of Youth Services to Out-of-School Youth*. The new Training and Employment Guidance Letter (TEGL) No. 28-05 expanded ETA's vision for the delivery of youth services under WIA to include Indian and Native American, Asian and Hispanic youth, and to youth with disabilities. As the collaborative effort in Kansas has expanded, the team is ready for the next level to increase services for youth. Kansas was chosen as one of the 16 pilot states which received the

specialized technical assistance. Kansas submitted an application and received funding as a Phase III pilot state beginning spring, 2007.

Goals of the Kansas Shared Youth Vision Team included the following:

- Achieve Phase III pilot state status to broaden services to assist youth with employment, education and other opportunities across inter-agency lines
- Continue to develop new models of alternative education leading to Employment;
- Continue to understand best practices across inter-agency lines;
- Achievement of common measures and improved outcomes.

Local Areas participate in weekly conference calls with state workforce development staff to report progress, discuss program strategies and best practices and to describe how they will reconnect disconnected youth. Local Areas have engaged school systems, post-secondary education systems, TANF, Foster Care, community-based and faith-based organizations and multiple outreach vehicles to recruit disconnected youth and youth with multiple barriers.

II. State Workforce Investment Priorities

A. Identify the Governor's key workforce investment priorities for the state's workforce development system and how each will lead to actualizing the Governor's vision for workforce and economic development. (§§111(d)(2) and 112 (a).)

The Governor's key workforce investment priorities for the state's workforce development system, include the following:

- Increase the skill level of the state's current workforce, improving worker retention and stimulating the economy;
- Invest in emerging alternative energy industry skill training programs and curricula to provide both short-term and long-term opportunities for job creation;
- Implement outreach, communication tools and a state brand to increase the understanding of, interest in, and use of the state's workforce development system;
- Enhance services to older workers and advocate for corporate cultural change to encourage inclusion of older workers meeting workforce demands;
- Enhance services to job seekers with multiple barriers and provide significant support services to enhance success in education, training and employment;
- Ensure all youth are prepared with the knowledge, skills and behaviors necessary to make the transition from the education system into meaningful, challenging, and productive careers with high wages and the opportunity for lifelong learning;
- Enable postsecondary educational institutions to deliver programs and services to address the needs of employers and job seekers in Kansas;

- Ensure all persons, including those with disabilities, have access to meaningful employment opportunities through an integrated workforce development system;
- Establish a single point of contact for employers to promote accountability and efficiency in state government;
- Establish statewide assessment systems using Wagner-Peyser and WIA statewide activities funds to standardize evaluation of all job seekers;
- Provide value-added business services such as the ability to screen and refer qualified jobseekers;
- Strengthen the workforce development system to provide all jobseekers convenient access to a network of training and education services to acquire the skills they need to meet the requirements for high wage, high demand occupations;
- Provide Technical Assistance to all providers and partners to assure accountability and continuous improvement;
- Reduce overhead costs to operate the Kansas Workforce Development System as efficiently and as effectively as possible;
- Ensure the most possible workforce investment dollars are directed to individual job seekers to increase the number of qualified workers; and
- Find administrative and outreach efficiencies by instituting a statewide marketing brand for use by all workforce system partners.

Each priority described above is designed to integrate business and industry, postsecondary education, workforce development and individual job seekers to actualize the Governor's vision for the creation of a demand-driven economic development and workforce system in the most efficient way possible.

III. State Governance Structure

A. Organization of state agencies in relation to the Governor.

- 1. Provide an organizational chart that delineates the relationship to the Governor of the agencies involved in the workforce development system, including education and economic development and the required and optional One-Stop partner programs managed by each agency.**

An organizational chart that delineates the relationship to the Governor of the agencies involved in the state's workforce development system including education and economic development and the required and optional One-Stop partner programs managed by each agency is included as Attachment E.

- 2. In a narrative, describe how the agencies involved in the workforce development system interrelate on workforce and economic development issues and the respective lines of authority.**

Under the Kansas workforce development system, the principal partners are under the authority of the Kansas Department of Commerce. Kansas implemented this major restructuring of lines of authority within the workforce development system to make it

more responsive to the needs of business and jobseekers and to solve workforce and economic development challenges.

The Kansas Department of Commerce, the state's economic development agency, administers programs representing a cross-section of economic, training and targeted activities. Programs administered by the Department of Commerce include the following:

The **Workforce Investment Act** provides employment and training services through the workforce development delivery system to Adults, Dislocated Workers and Youth. Additional programs follow:

The **Workforce Development System** delivers services to employers and job seekers throughout the state. Each Local Area in Kansas has at least one Certified Comprehensive Workforce Center.

The Registered **Apprenticeship Program** provides employment and training opportunities to unskilled people on the job and in related technical instruction; upgrades the workforce to meet the needs of industry through skilled journey workers; and promotes the apprenticeship concept to labor, management, and through the school system. The Kansas Apprenticeship Council must approve a training program for it to be deemed registered. This program is funded with WIA funds reserved for statewide activities.

The **Disabled Veterans Outreach Program** (DVOP) conducts outreach directed at disabled veterans, and facilitates intensive services to those veterans with special employment and training needs. This program is funded by the U.S. Department of Labor, Veterans Employment Service.

The **Local Veterans Employment Representative** (LVER) advocates on behalf of veterans for employment and training opportunities with businesses and community-based organizations. LVERs also ensure veterans are provided the full range of labor exchange services to meet their employment and training needs. LVER is funded by the U.S. Department of Labor, Veterans Employment Service.

The **Transition Assistance Program** (TAP) provides workshops and current labor market information to separating service member and spouses to assist in securing employment and is funded by the U.S. Department of Labor, Veterans Employment Service.

The **Wagner-Peyser Act** provides labor exchange services as part of the One-Stop service delivery system to assist employers in matching job openings with occupationally qualified workers. An automated intrastate and interstate job-matching job bank system is used to enhance the process. In addition, Wagner-Peyser funding is used to supplement the following programs and services:

Reemployment Services through the Wagner-Peyser Act provides job finding and placement services to Unemployment Insurance (UI) claimants. To focus resources on claimants most in need of assistance, the Worker Profiling Reemployment System (WPRS) assesses the

characteristics of claimants at initial filing, and identifies those with a 50 percent or greater probability of exhausting benefits prior to obtaining employment. It is the responsibility of Wagner-Peyser staff to provide staff assisted Reemployment Services (RES) for WPRS identified claimants. These services include orientation to the workforce center, assessment, counseling, job placement services, job search workshops, education and training.

The Foreign **Labor Certification Program** partners with the workforce centers to assist employers by recruiting domestic workers. Before an employer is allowed to bring foreign workers into the United States for temporary agricultural or low-skilled non-agricultural work, the employer must show a good faith effort to recruit U.S. workers. When agricultural housing is furnished by the employer, it is the responsibility of Wagner-Peyser staff to conduct pre-occupancy safety and suitability inspections.

The **Migrant and Seasonal Farm Worker Program** governs equality in providing employment services to migrant and seasonal farm workers (MSFW) by the Kansas workforce development system. Workforce centers partner with other agencies to provide outreach services and inform MSFWs of workforce services. Services primarily include referrals to support services, staff assisted services to provide career guidance, and job development contacts to refer MSFWs to long-term non-agricultural employment paying at least \$.50 above minimum wage. Workforce centers are also responsible for registering crew chiefs, and the employers for whom recruitment is being done, when migrant workers are brought into Kansas. The State Monitor Advocate, as part of the Workforce Compliance Unit, monitors compliance with federal regulations and maintains a centralized procedure to process complaints filed by or on behalf of MSFWs.

The **KANSASWORKS** Virtual Services initiative provides high definition videoconferencing in strategically selected locations throughout the state. The principal utilization is providing services such as the following:

- Job search, resume assistance and pre-employment training for jobseekers;
- Interviews between job candidates and potential employers;
- Distance learning for dislocated workers and other jobseekers;
- Prioritized and personalized services for veterans;
- Services to individuals in correctional centers as they prepare to enter the labor force;
- Staff training and informational presentations; and
- Local and state board meetings.

All workforce partners using the **KANSASWORKS** Virtual Services system, such as the Department of Corrections, community colleges, employers, and others submit monthly cost savings reports. This information is used to budget expenses for future operations, confirm the video equipment is located where it is needed, and validate the success of **KANSASWORKS** Virtual Services project.

The **Federal Bonding Program** provides fidelity bonds at no charge to protect businesses from theft perpetrated by individuals they hire who have been, or may be, denied coverage by commercial carriers. The bond provides the employer \$5,000 coverage for six-months with no deductible. An unlimited number of bonds are available to encourage the employment of

eligible individuals. The premiums for the bonds are shared by the Departments of Commerce (Wagner-Peyser) and Corrections.

Other federally funded programs administered by the Kansas Department of Commerce include:

The **Senior Community Services Employment Program** (SCSEP) provides skill training through subsidized part-time employment to Kansans age 55 and older who are at or below 125 percent of the poverty level. The U.S. Department of Labor provides most of this program's funding while the State General Fund and the Service Provider provide matching funds.

The **Trade Act** of 1974 and 2009 (TAA) provides employment and training services to U.S. workers who lose their jobs because of foreign competition. Only workers whose companies were certified as eligible under the Trade Act provisions may be served. TRA unemployment benefits are also available. TRA unemployment benefits are funded separately. Department of Commerce TAA staff members work closely with the Kansas Department of Labor staff members, including co-authoring the TAA/TRA Policies and Procedures manual. This program is funded by the U.S. Department of Labor.

The **Work Opportunity Tax Credit** allows employers to receive a maximum \$2,400 tax credit for each worker hired from seven targeted groups that traditionally have had the most difficulty getting jobs. New credits have been added to encourage hiring Disabled Veterans (\$4,800 maximum tax credit) and Long term TANF recipients (\$9,000 maximum tax credit). The U. S. Department of Labor funds this program.

Kansas received a grant from the U.S. Department of Labor to establish a **Disability Program Navigator** system. Additionally, Kansas joined the U.S. Department of Labor **SHARE Network** and has established a network of SHARE Network Sites throughout Kansas to expand and enhance the workforce system through community and faith-based organizations. In addition to these federally funded programs, the Kansas Department of Commerce administers the following state funded programs:

The **Older Kansans Employment Program** (OKEP) provides career assessment, job matching, and job search assistance to Kansans age 55 and older regardless of their income and facilitates the development of job opportunities for older Kansans in private industry. OKEP is funded with State Economic Development Initiative Funds (EDIF.)

The **Kansas Industrial Training** (KIT) program is a job creation tool that assists employers that are adding at least one net new job. Businesses may receive reimbursement for eligible training expenses. Priority is given to industries that match the Governor's investment priorities. KIT is funded with State Economic Development Initiative Funds (EDIF.)

The **Kansas Industrial Retraining** (KIR) Program is a job retention tool that assists employees of restructuring companies who are likely to be displaced because of obsolete or inadequate job skills and knowledge. KIR is funded with State Economic Development Initiative Funds (EDIF.)

The **Kansas Economic Opportunity Initiative Fund** (KEOIF) provides forgivable loans to qualifying businesses that create or maintain jobs and invest new capital in the state. KEOIF funds are used to secure economic benefits and to avoid or remedy economic losses in the state of Kansas. Companies wishing to use these funds must be Kansas Target Industries and are required to commit to specific employment, payroll, and capital investment. The city, county, or local economic development agency must submit the application on behalf of the qualified business, as well as document local support for the project. KEOIF is funded with State Economic Development Initiative Funds (EDIF.)

The **Investments in Major Projects and Comprehensive Training** (IMPACT) Program assists new and expanding businesses with their workforce training needs. It may also be used for job retention projects that have compelling economic benefit for Kansas. IMPACT is typically reserved for projects involving at least 100 new jobs, paying higher than average wages. For job retention projects, qualifying firms must retrain a minimum of 250 existing employees. IMPACT is funded with State Economic Development Initiative Funds (EDIF.)

The State Department of Commerce **Business Development Division** staff members partner with both communities and private businesses, acting as a conduit to identify and provide assistance that benefits and promotes the economic growth of all Kansas regions. The Division targets businesses, economic development groups, counties and cities and is the first point of contact for businesses that are expanding. Business Development is funded with State Economic Development Initiative Funds (EDIF.)

The **Kansas Match** is designed to promote economic development in the state by matching Kansas companies, who are currently purchasing products, materials, and services from out-of-state companies, with Kansas-based businesses who provide the same products, materials, and services. Kansas Match is funded with State Economic Development Initiative Funds (EDIF.)

The **Kansas Commission on Disability Concerns** (KCDC) helps individuals with disabilities achieve a higher quality of life. KCDC evaluates state programs and laws, and recommends policy changes to better meet the needs of individuals with disabilities. KCDC's primary focus is on improving employment opportunities for Kansans with disabilities. KCDC is funded with State General Funds.

The Governor's vision of streamlined business service delivery is realized through the Kansas Department of Commerce structure. One cabinet-level position, the Secretary of Commerce, has authority over the workforce and business development programs and activities listed above.

As stated before, the state's workforce development administrative structure includes a position co-funded by the Department of Commerce and the Kansas Board of Regents. This individual is responsible for integrating education with workforce development. Programs administered by the Kansas Board of Regents through a co-funded position include the following:

The Governor's appointed State Workforce Investment Board carries out the Governor's expectations to ensure continued collaboration among all state and local agencies involved in the workforce and economic development systems.

B. State Workforce Investment Board

1. Describe the organization and structure of the State Board. (§111.)

The State Board is officially commissioned by appointment of the Governor and is certified by and on file with the Secretary of State. The membership structure is driven by WIA legislation as a JTPA “grandfathered” board. The Chairperson is a member representing the private business sector and is appointed by the Governor. Both the Chair and vice-chair serve at the pleasure of the Governor.

Small committees are formed and utilized to address issues or concerns and make recommendations to the full board for action. The State Board has a standing Executive Committee that meets as necessary between regular membership meetings and has authority to take action.

2. Identify the organizations or entities represented on the State Board. If the state is using an alternative entity that does not contain all the members required under section 111(b)(1), describe how each of the required entities will be involved in planning and implementing the state's workforce development system as envisioned in WIA. Describe how the alternative entity is achieving the state's WIA goals. (§§111(a-c), 111(e), and 112(b)(1).)

An option provided by WIA allowed the Governor to “*grandfather*” the Workforce board that was in place at the time of WIA enactment. Consideration was given to WIA guidelines for an “*alternative entity*” and the state chose to grandfather its existing workforce board as the State Board under WIA. Because WIA reauthorization has not occurred as anticipated, the Governor has chosen to maintain the “*grandfathered*” board.

Organizations or entities represented on the State Board are as follows:

- State government;
- Local units of government;
- Education;
- Private sector businesses;
- Organized labor;
- Community based organizations; and
- General public.

Consistent with federal law, the alternative entity provides an ongoing role for unrepresented membership groups through regularly scheduled consultations, providing an opportunity for input into the State Plan, and other policy development.

The State Board Chair represents the private business sector and is appointed by the Governor. The State Board carries out activities through a committee structure. The board relies on the regulations of WIA and Governor’s Executive Order 01-6 to provide the mission and direction for the volunteer body.

Members of the Local Boards are encouraged to attend State Board meetings to learn best practices, solicit technical assistance, exchange ideas, build cooperative efforts, and provide status reports. As needs are expressed by the Local Boards, the State Board may assist with or facilitate training, conference opportunities, or other technical support. This close working relationship facilitates success in the local areas to achieve the statewide goals for workforce development.

3. Describe the process the state uses to identify State Board members. Describe how the board members are selected, including business representatives who have optimum policy-making authority and who represent diverse regions of the state as required under WIA (20CFR 661.200).

Through Executive Order 01-06, the Governor designated the Workforce Network of Kansas Board (now known as the **KANSASWORKS** State Board) as the State Board under WIA. By design, the board is an advisory group consisting of 30 seats appointed by the Governor. The board is comprised of thirty percent (30%) business and industry, thirty percent (30%) organized labor and community based organizations, thirty percent (30%) state legislature, agencies and organizations and ten percent (10%) general public.

All State Board members are selected in a similar manner as other gubernatorial appointments. Consideration is given to individuals who express an interest in membership and to those nominated by individuals and organizations with an awareness of the need for strong business leadership. With an eye toward high integrity, interest in workforce development, and demonstrated experience in their respective sectors, selections are designed to provide geographic and gender balance, and ethnic diversity.

4. Describe how the board's membership enables the state to achieve its vision. (§§111(a-c) and 112(b)(1).)

The work of the State Board is accomplished through a committee structure. The board's diverse membership brings together representatives of business, government, economic development, education, community based organizations and organized labor to achieve the state's vision for a consolidated workforce development system.

5. Describe how the State Board carries out its functions as required in WIA sec. 111 (d) and 20 CFR 661.205. Include functions the State Board has assumed in addition to those required. Identify any functions required in sec. 111 (d) the State Board does not perform and explain why.

The State Board does not perform functions other than those required in WIA sec. 111. The primary function of the State Board is to provide information to the Governor, state legislature, appropriate public and private agencies and the public on matters pertaining to the workforce development system. The State Board, either directly or through a designee, assists the Governor in the following:

- Development of the State Plan;
- Development and continuous improvement of a seamless, collaborative, universally accessible statewide workforce development system;

- Development of linkages to ensure coordination and non-duplication of workforce services;
- Development of a statewide marketing brand;
- Designation of local areas;
- Review of Local Area Plans;
- Review of Adult basic Education performance
- Comments at least once annually on the measures taken pursuant to section 113(b)(14) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C 2323(b)(14));
- Development of allocation formulas for the distribution of funds to the Local Boards for adult, dislocated worker, and youth services;
- Development and continuous improvement of comprehensive state performance measures;
- Review and approval of all WIA/WP policies proposed by workforce staff;
- Submittal of annual reports to the USDOL;
- Development of the statewide employment statistics system described in the Wagner-Peyser Act; and
- Development of applications for incentive grants.

6. Describe how the State Board ensures the public (including people with disabilities) has access to board meetings and information regarding board activities, including membership and meeting minutes (20 CFR 661.205).

The State Board conducts business in an open manner in accordance with WIA, Kansas Statute 45-215 (Open Records Act), and Kansas Statute 75-4317 (Open Meetings Act). Board meetings are made available to the public and information is provided on a regular basis through open meetings. Information made public about the activities of the State Board includes the following:

- Information about the State Plan and request to comment prior to submission;
- Information about board membership;
- Development of significant policies, interpretations, and guidelines; and
- Minutes of formal meetings, upon request.

The State Board has an ADA-compliant web site. State Board meetings are held only in ADA accessible facilities. Individuals who require assistance to attend meetings or to receive information may contact the Department of Commerce EEO Officer at (785) 296-5092 or TTY (Hearing Impaired) (785) 296-3487 for assistance.

The State Board's current operating guidelines provide the following requirements related to meetings:

- Meetings of the State Board shall be held quarterly, or as deemed necessary;
- Meetings of the State Board and its subcommittees are open to the public and held in facilities accessible to people with disabilities;
- Subcommittee meetings are held via teleconference;

- Notice of State Board meetings shall be published on the workforce board website;
- Public comments shall be accepted within reasonable time constraints; and
- Special meetings may be called by the Chair or by written request by a majority of the board.

7. Identify the circumstances that constitute a conflict of interest for any State Board or Local Board member or the entity that the individual represents, and any matter that would provide a financial benefit to the member or that member’s immediate family. (§§111(f), 112(b)(13), and 117(g).)

Members of the State Board and the Local Boards must abide by the following conflict of interest policy:

1. Member may not vote on a matter under consideration by the board regarding the provision of services by such member (or by an entity that such member represents);
2. Member may not vote on a matter that would provide direct financial benefit to such member, or the immediate family of such member;
3. Member may not engage in any activity determined by the Governor to constitute a conflict of interest or the appearance of a conflict of interest; and
4. Member must disclose any ownership interests that may present a conflict of interest with board activities. (For example, any corporation, partnership, trust, joint venture, and every other business interest, including land used for income, in which either the member or their spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or five percent, whichever is less.)

8. Describe the resources provided to the State Board to carry out its functions (i.e. staff, funding, etc.)

The Department of Commerce provides staff support and financial resources to assist the State Board in the fulfillment of its duties and responsibilities. Funding levels allow the State Board to carry out its responsibilities, reimburses members for transportation, meeting expenses and operating costs. Additionally, the board may contract with independent providers to conduct assessments of the workforce development system, to facilitate strategic planning or other activities deemed necessary by the Governor.

C. Structure/Process for Collaboration and Communication

1. Describe the steps the state will take to improve operational collaboration of the workforce investment activities and other related activities and programs outlined in section 112(b)(8)(A), at both the state and local level (e.g., joint activities, memoranda of understanding, planned mergers, coordinated policies, etc.). Describe how the State Board and agencies will eliminate any existing state-level barriers to coordination (§§111(d)(2) and 112(b)(8)(A).)

A major restructuring of the state's workforce development system was undertaken with Governor's Executive Reorganization Order 31. This reorganization merged federal and state workforce programs under the Department of Commerce. The purpose of this reorganization was to improve operational collaboration to create a seamless and integrated workforce development system in Kansas to accomplish its vision and mission:

- Produce qualified workers for high demand, high wage industries;
- Fully integrate all workforce programs in Kansas to deliver demand-driven training and employment services;
- Investment in the workforce development system for continuous improvement; and
- Enable Kansas to compete favorably with any other state or foreign country to attract new business.

In response to the Governor' restructuring initiative, the Kansas workforce development system was established within the Department of Commerce. This structure promotes the ability of the workforce development system to be responsive and relevant to job seekers, employers and economic development entities.

The Department of Commerce has instituted a grant/direct training model to ensure the most efficient delivery of training services to retain and retrain workers and to create new jobs. Using the Workforce Solutions Fund, WIA Set Aside, and other appropriate resources, secondary education institutions are able to develop training programs which can be accessed by several employers in a given area.

In addition to the structures described above, Kansas has taken the following steps to improve operational collaboration and eliminate barriers to coordination within the workforce development system:

- ◆ Instituted a state policy requiring all workforce investment partners to use the state brand and marketing plan adopted by the State Board;
- ◆ Instituted a state policy requiring One-Stop Operators to meet with all Partners to regularly to collaboratively address any service-delivery, collaboration, customer service and any other issue;
- ◆ Instituted a state policy requiring multi-area collaboration to serve clients across regional lines and to prevent duplication of services;
- ◆ Instituted a state policy requiring Operators to specifically target workers age 55 and older;
- ◆ Instituted a state policy which restricts the amount of funds local areas can spend on administrative costs. The policy will define the minimum proportion of funding which must be spent on direct client services;
- ◆ Instituted a policy requiring Service Delivery Integration and Functional Management of all workforce services; and
- ◆ In response to *ARRA*, modified the existing fund recapture policy to allow for an abbreviated process to recapture and reinvest formula dollars.

The State Board will continue to monitor operational and collaboration activities throughout the state.

2. Describe the lines of communication established by the Governor to ensure open and effective sharing of information among the state agencies responsible for implementing the vision for the workforce development system, and between the state agencies and the State Board.

In developing the original State Plan, input was solicited from the State Board, CEOs, Local Boards, business community, labor organizations, education, economic development, vocational rehabilitation and the general public. The Governor requires that open lines of communication will exist among business, education, economic development agencies and the workforce development system. Registered Apprenticeship and Trade Act programs are administered by Commerce.

Kansas has established the following strategies to ensure open and effective communication and information sharing. These strategies will realize the Governor's vision for a seamless and integrated workforce development system:

- Maintain internal state agency and State Board operations and external activities that are responsive to business needs and support the effective and efficient operation of the workforce development system;
- Build a statewide presence for the state's workforce development system through public education and awareness using a single State brand;
- Establish trust and credibility among diverse communities across the state that are traditionally hard to reach or feel disenfranchised by developing customized outreach strategies, including the Older Worker Task Force, the Disability Program Navigator Initiative and the SHARE Network; and
- Continue and expand Virtual Services to provide individuals direct access to needed services and the partners that provide them.

3. Describe the lines of communication and mechanisms established by the Governor to ensure timely and effective sharing of information between the state agencies, the State Board, local workforce investment areas and Local Boards. Include types of regularly issued guidance and how federal guidance is disseminated to Local Boards and One-Stop Centers. (§112(b)(1).)

Technology has dramatically increased the amount and timeliness of information collected, synthesized, and distributed to policy makers, practitioners, and customers. The Department of Commerce has implemented several initiatives to enhance information sharing. State workforce policy information is critical to unifying the efforts of all partners engaged in the workforce development system, to include state agencies, the State Board, the Local Boards, and the Workforce Centers.

The Commerce Workforce Services Division is the central point-of-contact where state workforce policies are developed, integrated, and analyzed through a formal process. Policies are distributed directly to all partners via e-mail and posted on the

KANSASWORKS Policy website. Federal guidance is incorporated into new or existing state workforce policy or distributed directly.

State Workforce Policy #3-23-00 Criteria for Local Workforce Investment Boards requires the Local Boards and the CEOs to forward all meeting announcements, Minutes, and Bylaw changes to the Department of Commerce, Workforce and Compliance Oversight Unit to ensure information is shared from the local area level to the state level.

4. Describe any crosscutting organizations or bodies at the state level designed to guide and inform an integrated vision for serving youth in the state within the context of workforce investment, social services, juvenile justice, and education. Describe the membership of such bodies and the functions and responsibilities in establishing priorities and services for youth. Describe how the state promotes a collaborative cross-agency approach for both policy development and service delivery at the local level for youth (§112(b)(18)(A).)

In response to TEGL No. 28-05, the Kansas Shared Youth Vision Team grew from four to seven state and federal agencies. The collaborative now has twenty-eight member organizations that represent additional extended partners, including the National Governors Grant and the Kansas Enrichment Network. The partnership includes a representative from the United States Department of Labor's Chicago Regional Office. The team has established collaborative approaches, priorities, and models to serve youth. These have become recommendations for the development of state workforce policy and local service delivery enhancements.

The Kansas Shared Youth Vision Team assembled for two days at a Regional Forum in Chicago to begin collaborative efforts. The team's initial recommendations included the following:

- Solicit a Governor's vision for serving youth;
- Collaborate with the State Board in the appointment of an Executive Team comprised of representatives from each state agency that serves youth; and
- Identify current resources, services, strategies, and collaborative partnerships to determine gaps and overlaps.

With the creation of a new Department of Commerce position, the Youth Services Coordinator, the Shared Youth Vision Team is adequately staffed and has fulfilled the expanded membership requirements of TEGL # 28. The expanded Team applied for and received Advanced Technical Assistance in July 2006 and has attended training in Atlanta, Georgia. As a result of this intensive training, the Kansas Shared Youth Vision Team identified the following items for enhancement:

- Establish the common direction (move forward with meetings and networking);
- Connect the dots (set agendas for collaboration);
- Identify any funding that can be used to support the Team effort;
- Review current credentialing systems, goals, and outcomes;

- Determine budget efficiencies;
- Review evaluation instruments to determine the needs of youth;
- Redefine at-risk youth per TEGL #28;
- Improve interagency communication and collaboration (identify partners, stakeholders, and resources, leadership endorsement, and common definitions);
- Maintain momentum (establish action plans and strategies); and
- Reduce duplication and maximize funding sources to enhance services to youth.

The Kansas Team identified the following gaps and challenges in the current state structure. These have been addressed by improving communication among partners, establishing a Youth Advisory Group and increasing local involvement on the Team.

Kansas Shared Youth Vision Team became an official Phase III pilot state. The Team initiated a project, **Kansas C.A.R.E.S.-Connecting the Dots for Kansas Youth: Community, Assistance, Resources, Education, and Skills**. This initiative was a stepping stone to help develop state wide projects targeting disadvantaged youth as described in the Federal Shared Youth Vision definition.

IV. Economic and Labor Market Analysis

- Describe the current makeup of the state’s economic base by industry.
- List the industries and occupations projected to grow or decline in the short term and over the next decade.
- List industries and occupations where there is a demand for skilled workers and available jobs, both today and projected over the next decade and in what numbers.
- Describe the jobs/occupations most critical to the state’s economy.
- Describe the skill needs for the available, critical and projected jobs.
- Describe any “in migration” or “out migration” of workers that has an impact on the state’s labor pool.
- Based on an analysis of both the projected demand for skills and the available and projected labor pool, describe any skill gaps the state is experiencing today and what skill gaps are projected over the next decade.
- Based on an analysis of the economy and the labor market, describe the workforce development issues the state has identified.
- Describe the workforce development issues the state has prioritized as being most critical to its economic health and growth

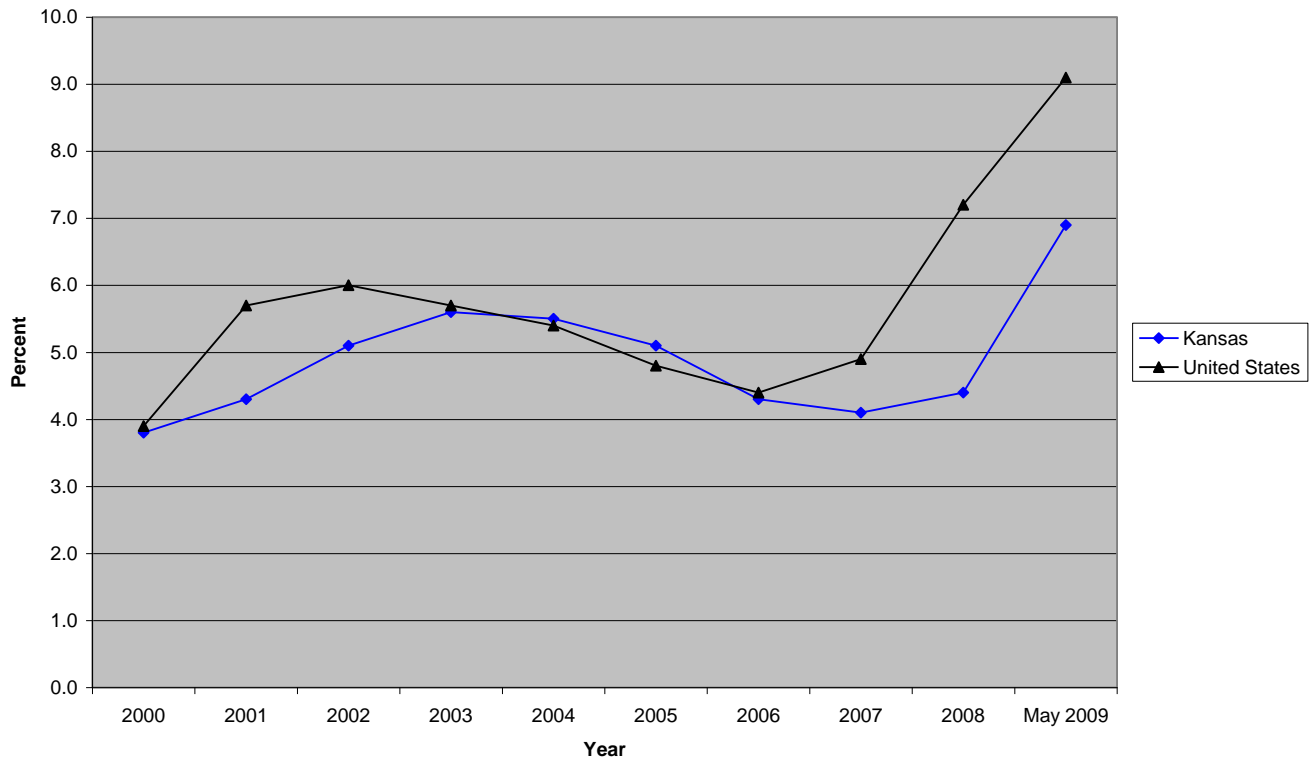
Current Economic Conditions

Employment and Unemployment

The statewide unemployment rate (not seasonally adjusted) was 6.9 percent in May 2009, up from 4.1 percent in 2008. The chart below highlights the movements in unemployment rate in Kansas vis-à-vis the US to the most current data available for 2009.

Figure 1

**Kansas and U.S. Unemployment Rates
2000 - May 2009**



Nonfarm Wage and Salary Employment

Kansas non-farm wage and salary employment slipped to 1,400,700 in December 2008, a net loss of 6,400 from November. Construction fell by 3,000 over the month due to inclement weather. Manufacturing dropped 1,700 with losses throughout durable goods. Downturns primarily in accommodation and food service establishments led to a decline of 1,200 in leisure and hospitality. Government lost 1,100 over the month with the release of election workers at the local level. Educational and health services receded 300, while other services rose by 100. In contrast, the Trade, Transportation and Utilities sector was 1,800 higher than the previous month, largely due to seasonal expansion in retail trade. Information and financial activities remained steady over the month, each moving up by 100. Employment in the natural resources and mining sector remained unchanged over the month while professional and business services added 400.

Over the Year Changes

The number of nonfarm payroll jobs in Kansas declined by 1,400 from December 2007 to December 2008. Government employment moved up by 4,100 with most of the increase at the local level. Employment in the leisure and hospitality sector climbed 1,600 with growth throughout the sector. Educational and health services advanced 3,700 with most of the growth in health care and social assistance. Other services gained 1,100. Employment in natural resources and mining added 700 over the year while professional and business services lost 900. Decreases in financial and insurance firms were largely responsible for a 1,800 loss in financial activities. Information dropped by 2,500 over the year while construction declined by 3,000. The trade, transportation and utilities sector ended up with a net loss of 1,500, mostly in retail trade. A decline of 2,900 in manufacturing was mostly in durable goods.

Consumer Price Index

The U.S. Consumer Price Index moved up by 3.9 percent from 2007 to 2008. Transportation costs and food and beverage prices rose the most over the year, by 5.8 and 5.4 percent respectively. Medical care costs moved up by 3.7 percent and education costs increased by 3.3 percent. The housing sector rose by 3.2 percent from 2007 to 2008, followed by a 1.7 increase in recreation, the sector increasing the least. Apparel was the only sector to show a slight decline of 0.08 percent over the year.

Employment by Industry

The following table presents employment from the Quarterly Census of Employment and Wages Program, a cooperative venture between the Kansas Department of Labor and the US Bureau of Labor Statistics. The table indicates employment in all major industries. Total employment increased from 1,329,381 in 2006 to 1,367,036 in 2008, an increase of 37,655.

Table 1
Kansas Covered Employment by Industry Sector
2006 - 2008

Industry	Annual Average 2008	Annual Average 2007	Annual Average 2006
Total, All Industries	1367036	1,356,947	1,329,381
Private	1118007	1,111,718	1,087,858
Agriculture, Forestry, Fishing and Hunting	9609	9,523	9,538
Mining	9846	9,262	8,739
Utilities	7567	7,334	7,283
Construction	65203	65,759	64,926
Manufacturing	187196	185,751	183,023
Wholesale Trade	63030	61,528	60,124
Retail Trade	147374	148,972	148,883
Transportation and Warehousing	41291	41,756	40,228
Information	38894	40,998	40,124
Finance and Insurance	57407	57,906	56,442
Real Estate and Rental and Leasing	15053	15,402	15,393
Professional and Technical Services	61929	59,501	57,909
Management of Companies and Enterprises	13734	11,371	10,061
Administrative and Waste Services	74770	75,941	71,666
Educational Services	12198	11,262	10,702
Health Care and Social Assistance	159107	154,818	150,521
Arts, Entertainment and Recreation	13381	13,767	13,765
Accommodation and Food Services	102727	103,054	101,783
Other Services, except Public Administration	37600	37,785	36,727
Government	249029	245,229	241,523

Source: Kansas Department of Labor, Labor Market Information Services.

Short Term Economic Forecast

A survey of current job vacancies in Kansas has been used to identify short term occupational needs. The survey is conducted during the spring months, April, May and June. Survey results reveal the immediate needs of employers in the state, in addition to providing an indication of long-term needs. Table 2 presents the results of the 2008 Job Vacancy Survey by 22 major occupational categories. At the time of the survey, an estimated 46,584 job openings were available. As seen in the table, the Food

Prep and Serving-Related occupation had the highest number of openings at about 5,792 followed closely by the Office and Administrative Support occupation at about 5,455.

Table 2
Job Vacancies by Major Occupational Group
Statewide

Major Occupational Group	Number of Vacancies 2 nd Qtr 2008	Job Vacancy Rate	Average Minimum Wage Offer	Average Maximum Wage Offer
Total, All Occupational Groups	46,584	3.5%	\$ 11.23	\$ 13.13
Food Preparation & Serving-Related	5,792	5.1%	\$ 6.92	\$ 7.35
Office & Administrative Support	5,455	2.4%	\$ 9.93	\$ 11.03
Sales & Related	5,114	3.7%	\$ 9.58	\$ 13.68
Transportation & Material Moving	4,017	4.3%	\$ 10.16	\$ 10.82
Healthcare Practitioners & Technical	3,718	5.5%	\$ 19.28	\$ 23.11
Healthcare Support	3,141	7.7%	\$ 9.14	\$ 9.95
Production	2,415	1.9%	\$ 11.06	\$ 12.94
Construction & Extraction	2,369	3.5%	\$ 12.03	\$ 14.07
Education, Training, & Library	1,927	2.2%	\$ 16.55	\$ 18.04
Personal Care & Service	1,799	5.2%	\$ 7.70	\$ 9.34
Building & Grounds Cleaning & Maintenance	1,677	4.0%	\$ 8.53	\$ 9.95
Business & Financial Operations	1,442	2.6%	\$ 19.95	\$ 23.93
Installation, Maintenance, & Repair Management	1,426	2.4%	\$ 11.72	\$ 13.88
Protective Service	1,330	2.3%	\$ 20.68	\$ 25.50
Architecture & Engineering	1,293	4.9%	\$ 10.46	\$ 11.20
Computer & Mathematical	871	3.3%	\$ 21.84	\$ 25.14
Arts, Design, Entertainment, Sports, & Media	632	3.8%	\$ 10.73	\$ 14.72
Community & Social Services	619	3.6%	\$ 12.69	\$ 13.86
Life, Physical, & Social Science	379	3.8%	\$ 16.42	\$ 20.64
Farming, Fishing, & Forestry	120	6.0%	\$ 10.42	\$ 13.51
Legal	29	0.4%	\$ 21.31	\$ 24.01

*Source: Kansas Department of Labor, Labor Market Information Services.
Second Quarter 2008 Job Vacancy Survey.*

Table 3 lists the 25 occupations with the largest number of openings in the state. These 25 occupations represent nearly half of the estimated job vacancies in Kansas. The complete survey results may be found on the Kansas Department of Labor, Labor Market Information Services web site at www.dol.ks.gov.

Table 3
Top 25 Occupations with the Most Job Vacancies
Statewide

Occupational Title	Number of Vacancies 2 nd Quarter 2008	Job Vacancy Rate	Average Minimum Wage Offer	Average Maximum Wage Offer
Retail Salespersons	2,851	7.1%	\$ 7.88	\$ 13.03
Waiters & Waitresses	2,188	9.2%	\$ 5.86	\$ 5.86
Nursing Aides, Orderlies & Attendants	2,165	11.3%	\$ 8.92	\$ 9.66
Registered Nurses	2,102	8.7%	\$ 19.60	\$ 23.52
Truck Drivers, Heavy & Tractor-Trailer	1,472	7.3%	\$ 12.44	\$ 13.06
Laborers & Freight, Stock & Material Movers, Hand	1,421	7.5%	\$ 8.17	\$ 8.44
Cashiers	1,098	3.2%	\$ 6.86	\$ 7.79
Landscaping & Groundskeeping Workers	796	10.6%	\$ 8.73	\$ 10.52
Construction Laborers	773	7.4%	\$ 9.99	\$ 11.93
Customer Service Representatives	746	2.9%	\$ 10.26	\$ 10.90
Food Preparation Workers	711	7.3%	\$ 7.15	\$ 7.26
Food Servers, Non- restaurant	678	34.8%	\$ 5.86	\$ 5.88
Licensed Practical & Licensed Vocational Nurses	669	9.1%	\$ 14.83	\$ 16.68
Bookkeeping, Accounting & Auditing Clerks	628	2.9%	\$ 12.04	\$ 12.47
Office Clerks, General	622	2.7%	\$ 8.30	\$ 9.31
Home Health Aides	604	7.3%	\$ 8.33	\$ 9.00
Lifeguards, Ski Patrol & Other Recreational Protective Service Workers	562	55.1%	\$ 7.31	\$ 8.08
Personal & Home Care Aides	553	6.0%	\$ 6.77	\$ 8.73
Stock Clerks & Order Fillers	542	3.3%	\$ 7.35	\$ 7.80
Teacher Assistants	504	2.8%	\$ 9.16	\$ 9.66
Cooks, Fast Food	493	6.5%	\$ 6.85	\$ 7.34
Carpenters	461	6.0%	\$ 14.56	\$ 17.64
Janitors & Cleaners,	414	2.0%	\$ 8.72	\$ 10.57

except Maids & Housekeeping Cleaners					
Receptionists & Information Clerks	406	3.6%	\$	10.01	\$ 11.09
Slaughterers & Meat Packers	375	3.9%	\$	12.00	\$ 17.00

Source: Kansas Department of Labor, Labor Market Information Services. Second Quarter 2008 Job Vacancy Survey.

Skill Gaps

To identify skill gaps, information provided by the Kansas Job Vacancy Survey has been used. The duration of job vacancies gives an indication of the difficulty finding qualified workers for specific occupations. Positions that are reported as being open 60 days or more could be an indication of positions that are more difficult to fill. The type of work or the environment could be a factor in some occupations. Additionally, in professional, high skill or technical fields, where the average wage is competitive, this longer duration of a job vacancy may indicate a shortage of qualified workers due to the specialized education or training required.

Results indicated that 12 percent of the job vacancies across the state have been open 60 days or more. The average minimum wage offered for positions open for this length of time is \$13.81 an hour. The following occupations were most frequently reported with openings of over 60 days:

**Table 4
Top 10 Occupations Open More than 60 Days
Statewide**

Occupational Title	Average Minimum Wage Offer	Vocational Training or Associate's Degree *1	Bachelor's or Advanced Degree *1
Registered Nurses	\$ 19.60	73%	27%
Driver/Sales Workers	\$ 15.15	0%	0%
Licensed Practical & Licensed Vocational Nurses	\$ 14.83	100%	0%
First-Line Supervisors/Managers of Construction Trades & Extraction Workers	\$ 13.09	0%	1%
Truck Drivers, Heavy & Tractor-Trailer	\$ 12.44	0%	0%
Construction Laborers	\$ 9.99	0%	0%
Millwrights	\$ 8.28	0%	0%
Lifeguards, Ski Patrol & Other Recreational Protective Service Workers	\$ 7.31	0%	0%
Truck Drivers, Light or Delivery Services	\$ 7.28	0%	0%
Cashiers	\$ 6.86	0%	0%

Source: Kansas Department of Labor, Labor Market Information Services. Second Quarter 2008 Job Vacancy Survey.

**1 Percentages may not add to 100% due to rounding.*

Another frequent response to the Job Vacancy Survey was “constantly recruiting”. Thirty-three percent of the job openings across the state were “always open,” where these employers are continuously recruiting. The average minimum wage offered for positions always open is \$10.15 per hour.

Jobs in high-turnover fields may need to be refilled multiple times in a single year; therefore firms may choose to constantly recruit for the position. The type of work expected and the pay scale is sometimes a factor. In some cases, the wage offer, in addition to the education and experience requirements, are lower. On the other hand, some positions may require specialized training, education or certification and are always open due to a lack of qualified applicants. The top ten are as follows:

Table 5
Top 10 Occupations Always Open
Statewide

Occupational Title	Job Vacancy Rate	Average Minimum Wage Offer	Vocational Training or Associate's Degree* ¹	Bachelor's or Advanced Degree * ¹
Registered Nurses	8.7%	\$ 19.60	51%	33%
Licensed Practical & Licensed Vocational Nurses	9.1%	\$ 14.83	99%	1%
Truck Drivers, Heavy & Tractor-Trailer	7.3%	\$ 12.44	0%	0%
Nursing Aides, Orderlies & Attendants	11.3%	\$ 8.92	58%	0%
Landscaping & Grounds-keeping Workers	10.6%	\$ 8.73	0%	0%
Home Health Aides	7.3%	\$ 8.33	100%	0%
Retail Salespersons	7.1%	\$ 7.88	0%	0%
Food Preparation Workers	7.3%	\$ 7.15	0%	0%
Personal & Home Care Aides	6.0%	\$ 6.77	93%	0%
Waiters & Waitresses	9.2%	\$ 5.86	0%	0%

Source: KS Dept. of Labor, Labor Market Information Services. Second Quarter 2008 Job Vacancy Survey.

**¹ Percentages may not add to 100% due to rounding.*

Long Range Economic Forecast

The Labor Market Information Services, Kansas Department of Labor publishes the long-term (ten year) occupational outlook for Kansas every two years. The objective of these studies is to inform individuals and organizations planning future activities related to education, training, and careers. Individuals planning their careers, educational institutions developing curricula and course training, business executives making investment and personnel decisions, administrators and government policy makers can use this study to make informed decisions for the future.

Globalization, macroeconomic and geo-political forces have made the economic environment more dynamic. Over the years the national and state economic structures have changed, reflecting the increasing dynamic nature of the economy. For example, in the past decade (1998-2008), the share of total non-farm employment of goods producing industries decreased from 20.9 percent to 18.8 percent. In the same period, the share of service providing industries increased from 79.1 percent to 81.2 percent. In Kansas, during the last decade, goods producing industries decreased by 4.5 percent (12,400 jobs), while the service providing industries increased by 8.8 percent (91,300 jobs). These changes resulted in new job opportunities in industries which are in more demand and emerging. This study aims to capture and highlight these changes and trends. The study uses the “total employment” concept to provide more accurate labor force and employment numbers. The “total employment” concept attempts to capture the self-employed and unpaid family workers. The result is employment numbers higher than those reported in other periodic releases that do not capture these categories.

The 2004-2014 Kansas Occupational Outlook projects the total employment in the State of Kansas to grow from 1,422,070 in 2004 to 1,597,210 in 2015, an increase of 175,140 or 12.3%. Employment in all major industries is projected to increase except for the Information sector between 2004 and 2014. The Health Care and Social Assistance sector will add the most jobs (37,870), with a 23.1% increase. This industry includes hospitals, nursing and residential care facilities and doctor’s offices. The Administrative and Waste Services sector is projected to increase the fastest at 30.3 percent between 2004 and 2014. This industry includes temporary hiring agencies, travel agencies, waste collection and waste treatment.

Figure 2
Employment by Industry in Kansas
2004 – 2014

Statewide - Projections by Industry

NAICS Industry Code	Industry Title	Base Year Employment (2004)	Projected Year Employment (2014)	Absolute Change	Percentage Change
000000	Total Employment, All Jobs	1,422,070	1,597,210	175,140	12
620000	Health Care and Social Assistance	164,110	201,980	37,870	23
610000	Educational Services	128,390	149,720	21,330	17
310000	Manufacturing	176,350	197,430	21,080	12
560000	Administrative and Support and Waste Management and Remediation Services	63,140	82,280	19,140	30
440000	Retail Trade	150,820	164,970	14,150	9
720000	Accommodation and Food Services	97,140	111,180	14,040	14
900000	Government	98,110	107,870	9,760	10
540000	Professional, Scientific, and Technical Services	54,210	62,250	8,040	15
480000	Transportation and Warehousing	54,240	59,860	5,620	10
520000	Finance and Insurance	54,540	59,850	5,310	10
810000	Other Services (Except Government)	55,990	61,220	5,230	9
710000	Arts, Entertainment, and Recreation	13,640	17,260	3,620	27
420000	Wholesale Trade	58,970	62,130	3,160	5
530000	Real Estate and Rental and Leasing	15,180	17,490	2,310	15
230000	Construction	62,350	64,640	2,290	4
067100	Total Self-Employed and Unpaid Family Workers	101,030	102,750	1,720	2
550000	Management of Companies and Enterprises	9,240	10,600	1,360	15
220000	Utilities	7,200	8,040	840	12
110000	Agriculture, Forestry, Fishing and Hunting	8,980	9,400	420	5
210000	Mining	7,000	7,330	330	5
510000	Information	41,480	38,960	-2,520	-6

Table 6
Statewide - Total Industry Employment and Two Digit NAICS Code
Industries Employment Projections (2004-2014)

NAICS Industry Code	Industry Title	2004	2014	Absolute Change	% Change
000000	Total Employment, All Jobs	1,422,070	1,597,210	175,140	12
	Total Self-Employed and Unpaid				
067100	Family Workers	101,030	102,750	1,720	2
110000	Agriculture, Forestry, Fishing and Hunting	8,980	9,400	420	5
210000	Mining	7,000	7,330	330	5
220000	Utilities	7,200	8,040	840	12
230000	Construction	62,350	64,640	2,290	4
310000	Manufacturing	176,350	197,430	21,080	12
420000	Wholesale Trade	58,970	62,130	3,160	5
440000	Retail Trade	150,820	164,970	14,150	9
480000	Transportation and Warehousing	54,240	59,860	5,620	10
510000	Information	41,480	38,960	-2,520	-6
520000	Finance and Insurance	54,540	59,850	5,310	10
530000	Real Estate and Rental and Leasing	15,180	17,490	2,310	15
540000	Professional, Scientific, and Technical Services	54,210	62,250	8,040	15
550000	Management of Companies and Enterprises	9,240	10,600	1,360	15
	Administrative and Support and Waste Management and Remediation Services				
560000	Remediation Services	63,140	82,280	19,140	30
610000	Educational Services	128,390	149,720	21,330	17
620000	Health Care and Social Assistance	164,110	201,980	37,870	23
710000	Arts, Entertainment, and Recreation	13,640	17,260	3,620	27
720000	Accommodation and Food Services	97,140	111,180	14,040	14
810000	Other Services (Except Government)	55,990	61,220	5,230	9
900000	Government	98,110	107,870	9,760	10

Source: Labor Market Information Services, Kansas Department of Labor, in cooperation with the Projections Managing Partnership

Table 7 below lists all the major occupational categories. For a more detailed breakdown of each occupational category, please refer to the 2004-2014 *Kansas Occupational Outlook* document on the Kansas Department of Labor Web site. The Healthcare Support occupations are projected to grow the fastest (25.0%) from 2004 to 2014 adding more than 10,650 jobs. Food Preparation and Related Serving occupations are projected to add the most jobs (15,940), growing by approximately 14.7 percent over the same period.

Table 7
Projected Job Growth in Kansas by Major Occupational Group
2004-2014

Occ. Code	Occupational Title	2004	2014	Absolute Change	Percent Change	Openings due to Growth	Total Openings
00-0000	Total, All Occupations	1,422,070	1,597,210	175,140	12.3	185,556	525,219
11-0000	Management Occupations	70,480	80,730	10,250	14.5	10,267	23,522
13-0000	Business and Financial Operations Occupations	56,990	66,750	9,760	17.1	9,803	20,024
15-0000	Computer and Mathematical Occupations	28,310	34,490	6,180	21.8	6,200	10,007
17-0000	Architecture and Engineering Occupations	27,460	31,780	4,320	15.7	4,369	10,512
19-0000	Life, Physical, and Social Science Occupations	11,180	12,820	1,640	14.7	1,638	4,214
21-0000	Community and Social Services Occupations	17,770	21,970	4,200	23.6	4,204	7,540
23-0000	Legal Occupations	9,410	10,440	1,030	11.0	1,070	2,144
25-0000	Education, Training, and Library Occupations	84,420	99,590	15,170	18.0	15,166	33,549
27-0000	Arts, Design, Entertainment, Sports, and Media Occupations	22,200	24,040	1,840	8.3	2,047	6,303
29-0000	Healthcare Practitioners and Technical Occupations	70,220	85,540	15,320	21.8	15,347	28,975
31-0000	Healthcare Support Occupations	42,610	53,260	10,650	25.0	10,647	17,174
33-0000	Protective Service Occupations	25,920	29,250	3,330	12.9	3,336	11,263
35-0000	Food Preparation and Serving Related Occupations	108,480	124,390	15,910	14.7	15,913	58,500
37-0000	Building and Grounds Cleaning and Maintenance Occupations	48,290	56,310	8,020	16.6	8,013	17,644
39-0000	Personal Care and Service Occupations	50,020	59,780	9,760	19.5	9,805	21,646
41-0000	Sales and Related Occupations	148,510	160,660	12,150	8.2	12,751	60,773
43-0000	Office and Administrative Support Occupations	230,610	242,140	11,530	5.0	17,917	71,002
45-0000	Farming, Fishing, and Forestry Occupations	7,890	8,150	260	3.3	302	2,473
47-0000	Construction and Extraction Occupations	76,540	82,240	5,700	7.5	5,770	21,068
49-0000	Installation, Maintenance, and Repair Occupations	61,160	67,450	6,290	10.3	6,652	20,831
51-0000	Production Occupations	127,180	139,970	12,790	10.1	14,628	45,299
53-0000	Transportation and Material Moving Occupations	96,440	105,470	9,030	9.4	9,711	30,756

*From 2007 Kansas Wage Survey

Table 8 below presents the top ten occupations in the state from 2004 to 2014 by absolute change. The Retail Salespersons occupation is projected to grow the most with 6,490 new jobs by 2014. The Medical Assistants occupation is expected to grow the fastest, at 47.4 percent over its 2004 level. The Home Health Aides occupation is projected to grow both fast and by a large amount. Considering that of the top ten occupations that are growing the fastest and the top ten growing the most, nine of the twenty occupations are in the health care field, this signals a growing need in that career field.

Table 8

**Top Ten Occupations with Highest Absolute Change
Statewide**

Occupational Title	2004	2014	Absolute Change	Percent Change	Openings due to Growth
Total, All Kansas Occupations	1,422,070	1,597,210	175,140	12.3	185,556
Retail Salespersons	40,470	46,960	6,490	16.0	6,487
Registered Nurses	26,210	32,530	6,320	24.1	6,328
Customer Service Representatives	20,980	25,840	4,860	23.2	4,857
Personal and Home Care Aides	11,400	15,340	3,940	34.6	3,936
Nursing Aides, Orderlies, and Attendants	21,600	25,460	3,860	17.9	3,854
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	20,810	24,650	3,840	18.5	3,838
Waiters and Waitresses	22,460	25,820	3,360	15.0	3,351
Combined Food Preparation and Serving Workers, Including Fast Food	19,710	23,000	3,290	16.7	3,286
Teacher Assistants	15,870	18,760	2,890	18.2	2,895
Home Health Aides	6,040	8,640	2,600	43.1	2,596

*From 2007 Kansas Wage Survey

Table 9
Top Ten Occupations with the Highest Percentage Change
Statewide

Occupational Title	2004	2014	Absolute Change	Percent Change	Openings due to Growth
Medical Assistants	3,230	4,760	1,530	47.4	1,526
Network Systems and Data Communications Analysts	1,910	2,770	860	45.0	854
Home Health Aides	6,040	8,640	2,600	43.1	2,596
Community and Social Service Specialists, All Other	830	1,180	350	42.2	357
Dental Assistants	2,710	3,840	1,130	41.7	1,132
Dental Hygienists	1,850	2,620	770	41.6	774
Fiberglass Laminators and Fabricators	650	910	260	40.0	258
Sales Engineers	660	920	260	39.4	253
Physician Assistants	510	710	200	39.2	207
Computer Software Engineers, Systems Software	2,420	3,330	910	37.6	915

*From 2007 Kansas Wage Survey

Table 10 below indicates the top 10 high demand occupations in Kansas. Registered Nurses will be in high demand with approximately 6,320 openings annually from 2004 to 2014. Registered Nurses are followed by Truck Drivers, Heavy and Tractor Trailer (2,039) (1,960) and Nursing Aides, Orderlies, and Attendants (3,860).

Table 10
Top 10 High Demand Occupations
Statewide

Occupational Title	2004	2014	Number	Percent
Registered Nurses	26,210	32,530	6,320	24.1
Truck Drivers, Heavy and Tractor-Trailer	22,450	24,490	2,040	9.1
Nursing Aides, Orderlies, and Attendants	21,600	25,460	3,860	17.9
Bookkeeping, Accounting, and Auditing Clerks	24,520	25,290	770	3.1
Teacher Assistants	15,870	18,760	2,890	18.2
Executive Secretaries and Administrative Assistants	17,570	19,480	1,910	10.9
Home Health Aides	6,040	8,640	2,600	43.1
Licensed Practical and Licensed Vocational Nurses	7,060	8,140	1,080	15.3
Carpenters	11,030	12,190	1,160	10.5
First-Line Supervisors/Managers of Retail Sales Workers	19,350	19,790	440	2.3

Table 11 below lists the top 10 Occupations with the highest percentage change in Kansas. Medical Assistants are projected to grow the fastest (47.4%). Employment in this occupation is projected to grow from a total of 3,230 positions in 2004 to approximately 4,760 positions in 2014, an increase of 1,530 jobs. Network Systems and Data Communication Analysts are projected to be the second fastest growing occupation in Kansas between 2004 and 2014, followed by Home Health Aides.

Table 11
Top 10 Fast Growing Occupations in Kansas
Top Ten Occupations with the Highest Percentage Change
Statewide

Occupational Title	2004	2014	Absolute Change	Percent Change	Openings due to Growth
Medical Assistants	3,230	4,760	1,530	47.4	1,526
Network Systems and Data Communications Analysts	1,910	2,770	860	45.0	854
Home Health Aides	6,040	8,640	2,600	43.1	2,596
Community and Social Service Specialists, All Other	830	1,180	350	42.2	357
Dental Assistants	2,710	3,840	1,130	41.7	1,132
Dental Hygienists	1,850	2,620	770	41.6	774
Fiberglass Laminators and Fabricators	650	910	260	40.0	258
Sales Engineers	660	920	260	39.4	253
Physician Assistants	510	710	200	39.2	207
Computer Software Engineers, Systems Software	2,420	3,330	910	37.6	915

*From 2007 Kansas Wage Survey

Declining Occupations are defined as those having 1,000 or more jobs in the projected year (2012) and decreasing in employment from 2002 to 2012.

Table 10 below lists the top 10 Declining Occupations in Kansas. Farmers and Ranchers are projected to decline the most, reduced by approximately 3,260 jobs. The Stock Clerks & Order Fillers occupation has the second largest decline in employment, moving downward approximately 640 jobs followed by Secretaries [Except Legal, Medical and Executive] (370). This follows the national trend reflecting the increasing use of technology and the shift towards a service based economy.

Current and Projected Demographics

The Kansas Department of Labor does not project the demographics for the future labor pool.

In Migration & Out Migration

The Kansas Department of Labor does not conduct “in-migration” or “out-migration” studies.

Critical Workforce Issues

From the lists of occupations frequently open over 60 days, and occupations always open, inferences into skill gaps and critical workforce issues may be drawn. While some of the hard to fill openings are for low skill, low wage occupations, many require a high degree of education or training, such as registered nurses, accountants and nursing aids.

One of the most crucial issues facing the Kansas economy is the forecasted skills shortage. Projected business expansion needs, coupled with an aging workforce, point to future shortages in skilled workers. In addition, a recent U.S. Census Bureau report shows that most of the state’s counties are losing population—and that 30 rural counties lost more than 5 percent of their residents during the first half of this decade. Immigration may provide large numbers of people to replenish the workforce, but the challenge will still be to provide adequate training to supply the skill needs of business in Kansas.

It is difficult to determine which occupations are the most critical to the Kansas economy. Certainly, occupations in the health field affect the well being of many citizens. Even jobs in transportation such as truck drivers would have an adverse impact on the economy if left unfilled. An adequate supply of trained carpenters and construction workers is essential for continued commercial and residential building to continue.

The identified demand occupations and skills in Kansas are as follows:

Registered Nurse

Knowledge

- **Medicine and Dentistry** — Knowledge of the information and techniques needed to diagnose and treat human injuries, diseases, and deformities. This includes symptoms, treatment alternatives, drug properties and interactions, and preventive health-care measures.

- **Customer and Personal Service** — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- **Psychology** — Knowledge of human behavior and performance; individual differences in ability, personality, and interests; learning and motivation; psychological research methods; and the assessment and treatment of behavioral and affective disorders.
- **English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- **Education and Training** — Knowledge of principles and methods for curriculum and training design, teaching and instruction for individuals and groups, and the measurement of training effects.
- **Therapy and Counseling** — Knowledge of principles, methods, and procedures for diagnosis, treatment, and rehabilitation of physical and mental dysfunctions, and for career counseling and guidance.
- **Biology** — Knowledge of plant and animal organisms, their tissues, cells, functions, interdependencies, and interactions with each other and the environment.
- **Mathematics** — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.
- **Sociology and Anthropology** — Knowledge of group behavior and dynamics, societal trends and influences, human migrations, ethnicity, cultures and their history and origins.
- **Public Safety and Security** — Knowledge of relevant equipment, policies, procedures, and strategies to promote effective local, state, or national security operations for the protection of people, data, property, and institutions.

Skills

- **Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- **Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.
- **Speaking** — Talking to others to convey information effectively.
- **Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
- **Monitoring** — Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.
- **Social Perceptiveness** — Being aware of others' reactions and understanding why they react as they do.
- **Service Orientation** — Actively looking for ways to help people.
- **Active Learning** — Understanding the implications of new information for both current and future problem-solving and decision-making.
- **Coordination** — Adjusting actions in relation to others' actions.
- **Writing** — Communicating effectively in writing as appropriate for the needs of the audience.

Truck Drivers, Heavy and Tractor-Trailer

Knowledge

- **Transportation** — Knowledge of principles and methods for moving people or goods by air, rail, sea, or road, including the relative costs and benefits.
- **Public Safety and Security** — Knowledge of relevant equipment, policies, procedures, and strategies to promote effective local, state, or national security operations for the protection of people, data, property, and institutions.
- **English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- **Law and Government** — Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process.
- **Mathematics** — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.

Skills

- **Equipment Maintenance** — Performing routine maintenance on equipment and determining when and what kind of maintenance is needed.
- **Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- **Time Management** — Managing one's own time and the time of others.
- **Coordination** — Adjusting actions in relation to others' actions.
- **Judgment and Decision Making** — Considering the relative costs and benefits of potential actions to choose the most appropriate one.
- **Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.
- **Troubleshooting** — Determining causes of operating errors and deciding what to do about it.
- **Speaking** — Talking to others to convey information effectively.
- **Mathematics** — Using mathematics to solve problems.
- **Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

Nursing Aides, Orderlies and Attendants

Knowledge

- **Customer and Personal Service** — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- **English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- **Psychology** — Knowledge of human behavior and performance; individual differences in ability,

personality, and interests; learning and motivation; psychological research methods; and the assessment and treatment of behavioral and affective disorders.

- **Medicine and Dentistry** — Knowledge of the information and techniques needed to diagnose and treat human injuries, diseases, and deformities. This includes symptoms, treatment alternatives, drug properties and interactions, and preventive health-care measures.

Skills

- **Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- **Speaking** — Talking to others to convey information effectively.
- **Social Perceptiveness** — Being aware of others' reactions and understanding why they react as they do.
- **Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
- **Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.
- **Service Orientation** — Actively looking for ways to help people.
- **Coordination** — Adjusting actions in relation to others' actions.
- **Monitoring** — Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.
- **Time Management** — Managing one's own time and the time of others.
- **Complex Problem Solving** — Identifying complex problems and reviewing related information to develop and evaluate options and implement solutions.

Bookkeeping, Accounting and Auditing Clerks

Knowledge

- **Clerical** — Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, stenography and transcription, designing forms, and other office procedures and terminology.
- **Mathematics** — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.
- **English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- **Economics and Accounting** — Knowledge of economic and accounting principles and practices, the financial markets, banking and the analysis and reporting of financial data.
- **Customer and Personal Service** — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- **Computers and Electronics** — Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming.

Skills

- **Mathematics** — Using mathematics to solve problems.
- **Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.
- **Time Management** — Managing one's own time and the time of others.
- **Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- **Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
- **Active Learning** — Understanding the implications of new information for both current and future problem-solving and decision-making.
- **Learning Strategies** — Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things.
- **Social Perceptiveness** — Being aware of others' reactions and understanding why they react as they do.
- **Writing** — Communicating effectively in writing as appropriate for the needs of the audience.
- **Speaking** — Talking to others to convey information effectively.

Teacher Assistants

Knowledge

- **English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.
- **Psychology** — Knowledge of human behavior and performance; individual differences in ability, personality, and interests; learning and motivation; psychological research methods; and the assessment and treatment of behavioral and affective disorders.
- **Education and Training** — Knowledge of principles and methods for curriculum and training design, teaching and instruction for individuals and groups, and the measurement of training effects.
- **Mathematics** — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.

Skills

- **Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- **Instructing** — Teaching others how to do something.
- **Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.
- **Learning Strategies** — Selecting and using training/instructional methods and procedures appropriate for the situation when learning or teaching new things.
- **Speaking** — Talking to others to convey information effectively.

- **Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
- **Social Perceptiveness** — Being aware of others' reactions and understanding why they react as they do.
- **Time Management** — Managing one's own time and the time of others.
- **Active Learning** — Understanding the implications of new information for both current and future problem-solving and decision-making.
- **Monitoring** — Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.

V. Overarching State Strategies

A. **Identify how the state will use WIA Title I funds to leverage other federal, state, local, and private resources in order to maximize the effectiveness of such resources and expand the participation of business, employees, and individuals in the statewide workforce development system (§112(b)(10).)**

Kansas makes use of several strategies to leverage WIA Title I funds with other federal, state, local, and private resources. This maximizes the effectiveness of resources and expands participation in the statewide workforce development system.

The following are the primary strategies used to expand resources:

- *State Workforce Policy #3-22-00 Coordinating Individual Training Accounts with Federal Pell Grants and Other Sources of Financial Assistance* provides guidance to the Local Boards to coordinate WIA Individual Training Accounts with other sources of financial assistance, such as Pell Grants;
- The State Board has approved State WIA funding for the State Registered Apprenticeship program. In addition State Apprenticeship Coordinators are strategically located in the Wichita and Kansas City regions to assist with the integration and coordination of Registered Apprenticeship programs with other One Stop partner programs. In addition both State and Area Apprenticeship staff are involved in reaching out to employers in an effort to develop Registered Apprenticeship programs and to link eligible WIA and other program participants to the Apprenticeship program. Employer training costs can be offset with WIA formula funds through either On the Job or Customized Training agreements with the employer. This has been a very successful tool in Kansas for integrating WIA and Apprenticeship programs. Local Boards are encouraged to develop procedures to assess individuals enrolled in the Kansas Registered Apprenticeship program to determine if they are also eligible for WIA. Maximizing resources across the two programs provides the necessary supportive services to the participant to complete their apprenticeship training;

- The State Board has approved a Service Delivery Integration and Functional Management policy that requires the Local Boards to establish procedures to co-enroll individuals enrolled in the Trade Act program in the WIA program. Also, the event of a Trade Act National Emergency Grant, all eligible workers will be required to dually enrolled in the Trade Act program and the WIA program;
- The Department of Commerce encourages and facilitates regional planning to identify critical issues and initiatives around which stakeholders might join together to determine how WIA funds can be leveraged with other funds; and
- Kansas received Federal Funds to establish the Disability Program Navigator initiative. The state's DPN plan was approved in 2007 and should receive additional funding amounts for 2009-10 prior to the end of this Program Year.

B. Describe the state strategies in place to address the national direction, the Governor's priorities, and the workforce development issues identified through the analysis of the state's economy and labor market (§§112(b)(4)(D) and 112(a).)

The Governor encourages the participation of employers in dialogue with students, educators, workers, and state agencies to help them better understand the demands of the global knowledge-based economy. It is the Governor's vision that workforce development programs will forge a strong connection with the business community to identify the skills needed to power the state's economy.

State strategies in place to address the national direction, the Governor's priorities, and the workforce development issues identified through an analysis of the state's economy and labor market include the following:

- Develop initiatives to connect workforce services to a worker's economic needs through education (it is in an individual's best interests to build knowledge during a lifetime of education and work);
- Through the Workforce Solutions fund, WIA, build a stronger postsecondary education system to produce a pipeline of trained graduates with strong foundational skills;
- Increase the number of job seekers served through strict local management and strategic use of formula funds;
- Provide information and opportunities for workers to manage their own careers to move toward high wage, high demand jobs;
- Strengthen work supports (including education and training) to promote employment retention and career advancement and to serve increased numbers of job seekers with multiple needs; and
- Strengthen governance and accountability in the workforce development system by providing technical assistance and policy directives to develop strong workforce boards.

Kansas will connect the resources of various programs to provide relevant, demand-driven training and education to meet the skill demands of employers and the individual needs of Kansans. Kansas workforce programs will support economic prosperity by training the workforce in the most cost effective manner possible.

One of the most crucial issues facing the Kansas economy has been identified as the skills shortage. Increased technology, coupled with the aging workforce, is causing shortages in skilled workers. The challenge will be to provide adequate training to supply the current and future skill needs of business in Kansas. Even during this economic downturn many Kansas communities are challenged by providing the skilled labor force needed to maintain current enterprises.

C. Based on the state's economic and labor market analysis, describe the strategies the state has implemented or plans to implement to identify and target high growth, high demand industries and occupations, and those vital to the state's economy (§§112(a) and 112(b)(4)(A).)

The Department of Commerce regularly utilizes research conducted by the Bureau of Labor Statistics, Occupational Employment Statistics Program to ensure the Kansas workforce development system provides services that prepare workers to take advantage of new and increasing job opportunities in high growth/high demand and economically vital industries and sectors of the economy. High demand occupations in Kansas are defined as those with at least 5,000 total job openings. However, all occupations that meet this criterion are not necessarily appropriate for the investment of WIA funds. For example, slightly more than half of the high demand openings are in sales, services, and food preparation which are expected to increase by 99,570 jobs or 21.3 percent during the next ten-year period. Jobs within this category are typically low skill, minimum wage positions with no career ladder. These jobs may be in high demand because of significant turnover, but do not have a significant impact on the economy. Industries in the state that have a significantly higher concentration in the workforce than the national average include Telecommunications, Pipeline Transportation, Animal Production, Transportation Equipment Manufacturing and Food Manufacturing. These might be considered emerging industry concentrations in Kansas.

The Kansas Job Vacancy Survey has been used to identify skill gaps in specific occupations. An analysis of job vacancies in the professional, highly skilled, and technical field's, indicates a shortage of qualified workers. Studies predict 41,840 openings in Health Services, or an increase of 33.1 percent. Business Services is expected to have 22,830 job openings, or a 31.4 percent increase. While Goods Producing Industries in Kansas will contribute fewer jobs (an estimated 32,570, during the ten-year period) they are nonetheless significant because these generally offer higher wages. For example, manufacturing is expected to add 19,030 jobs by 2010 and Construction is expected to contribute 12,310 jobs. To facilitate the identification and targeting of high wage, high demand occupations within the state, workforce information from the Department of Labor is provided to the Local Boards. The Department of Commerce also provides workforce information to the Local Boards through **KANSASWORKS.com** that produces labor market statistics derived from current job openings and jobseeker registrations. Providing this information allows regional service delivery strategies to be developed for both employers and individuals based on an understanding of where the jobs are, the demographics of the local labor pool, and the current

and projected local and state economic climate. Using this vast amount of up-to-date workforce information, the Local Boards are able to identify and target high demand jobs with competitive wages. In this way, funds are appropriately targeted to meet the needs of business and to train a qualified workforce for occupations experiencing a skills gap and other occupations vital to the state's economy.

New jobs transformed by technology involve a variety of Kansas industries ranging from agricultural production to sophisticated computer technologies. This results in individuals with educational background in sciences and mathematics continuing to be in high demand and also affects other industries. Considering this, the state strategy to target high growth, high demand industries and occupations includes identifying ways to build the skills of the available labor pool to meet the needs of new technology, and identifying mechanisms for developing strategic partnerships with the education and training community, including K-12, technical colleges and others. Through the Kansas Department of Labor, the Kansas strategy also includes providing students, teachers, partners, guidance counselors, and job seekers with information on the high growth, high demand industries, the skills and competencies needed for jobs in those industries, and career ladders related to those industries. Service delivery staff members are continuously provided with the most current labor market and career information in order for them to provide expert guidance to Workforce Center customers.

D. Describe the state strategies in place to promote and develop ongoing and sustained strategic partnerships that include business and industry, economic development, the workforce system, and education partners (K-12, community colleges, and others) for the purpose of continuously identifying workforce challenges and developing solutions to targeted industries' workforce challenges (§112(b)(8).)

The Kansas workforce development system connects education, jobseekers, and business-directed programs for the purpose of providing qualified workers, financial resources, and workforce solutions to existing and new Kansas businesses. Kansas has successfully applied this model to ensure a continuum of education and training opportunities that support a skilled workforce through the following strategies:

- Using local, state and federal funds, direct investments in the human capital, training expertise, and physical infrastructure of the postsecondary training system to increase access to technical training programs;
- Encourage the postsecondary training system to develop innovative methods such as staggered start dates for instruction to accommodate the demands of business for diverse program entrance times;
- Provide value-added business services such as the ability to assess and screen individuals who may be appropriate for certain types of technical training programs; and
- Provide development funds directly to institutions of higher learning while still maintaining the flexibility to fund internal trainer costs when appropriate.

E. Describe the state strategies in place to ensure sufficient system resources are being spent to support training of individuals in high growth, high demand industries (§§112(b)(17)(A)(i) and 112(b)(4)(A).)

To ensure sufficient system resources are spent to support training individuals in high wage, high demand industries, state strategies are in place to accomplish the following:

- Provide workforce information to identify high wage, high demand industries; and
- Make resources available to the Local Boards as an incentive to target the high wage, high demand industries that have been identified.

Local Boards have access to local and state labor market information that includes high wage, high demand industries. Formula funds are allocated to the Local Boards to support training. In addition, the State Board will establish cost-control policy directives that will limit the amount of funds local areas can spend on administration. These directives will ensure an increase in the amount of funds devoted to training and supporting job seekers.

The Department of Commerce has provided guidance to the Local Boards in developing their vision and goals in their Local Area Plan to align with the state vision and goals, and with the USDOL national direction for targeting high wage, high demand industries.

The Local Boards exercise oversight of their local budgets to ensure maximum resources are directed toward training and services. To ensure sufficient resources are being spent to support training of individuals in high wage, high demand industries, the Local Boards have the authority to approve exceptions to the Individual Training Account spending limits that may be required to train individuals in high wage, high demand industries.

F. Describe the state workforce strategies in place to support the creation, sustainability, growth and workforce needs of small businesses as part of the state's economic strategy (§§112(b)(4)(A) and 112(b)(17)(A)(i).)

In 2004, the Kansas Legislature passed the *Kansas Economic Growth Act*. Over the next decade, this Act will make more than \$530 million in new economic development incentives available through various funding mechanisms to grow emerging industries, serve existing business, and support small business. This legislation provides for tax credits to help existing and start-up companies create high-quality jobs. These tax credits will attract more than \$60 million in cash investments into companies to retain or create jobs and support organizations that serve small businesses.

Another feature of the legislation is the establishment of the Kansas Center for Entrepreneurship to create an integrated support system to ensure collaboration and the efficient use of resources with existing business development agencies throughout the state. The Kansas Center for Entrepreneurship will create policies to foster entrepreneurship in the state, provide a resource center and serve as a clearinghouse, whereby entrepreneurs will have a 1-800 phone number and web site resource to assist them. Entrepreneurship often involves small business. Through the Center for Entrepreneurship small business will be created and sustained.

As part of the state's economic strategy, the Governor signed a bill that gives small businesses tax credits for offering health savings accounts to their workers. Senate Bill 257 defines a small business as one that employs at least two, but not more than 50 workers. This

economic strategy will increase the number of businesses that are able to offer health insurance, thereby increasing the retention of qualified workers.

G. Describe how funds reserved for statewide activities are used to provide an incentive for the entities that make up the state's workforce system at the state and local levels to achieve the Governor's vision and address the national strategic direction (§112(a).)

Kansas uses funds reserved for statewide activities to support statewide and local integration of services and jointly used systems. In addition, the state funds activities developed through the Kansas workforce development system that achieve the Governor's vision for creating full service Workforce Centers with extensive co-location and identified Employer Centers

More recently, funds reserved for state-wide activities have supported assessment projects, Kansas Shared Youth Vision coordination activities, BRAC activities and Worker Retention activities. In addition, these funds have supported individual projects in local areas throughout Kansas.

H. Describe the state's strategies to promote collaboration between the workforce system, education, human services, juvenile justice, and others to better serve youth most in need with significant barriers to employment, and to successfully connect them to education and training opportunities that lead to successful employment. (§112(b)(18)(A).)

In accordance with the release of Training and Employment Guidance No. 3-04, *Strategic Vision for the Delivery of Youth Services to Out-of-School Youth*, Kansas developed a Kansas Shared Youth Vision Team. The initial team included Juvenile Justice, Job Corps, Adult Education (GED), Health and Human Services, and Local Boards. A representative from the USDOL supported the state as it implemented this collaborative effort. The team has established collaborative approaches, priorities, and models to serve youth. These have become recommendations for the development of state workforce policy and local service delivery enhancements.

The Kansas Shared Youth Vision Team recommends innovative strategies to serve most-in-need youth who have significant barriers to employment. The team has developed collaborative cross-agency approaches, identified priorities, developed models to enhance service implementation, and recommended solutions to address barriers to providing effective service.

The Kansas Shared Youth Vision Team provides leadership by serving as a model of collaboration to design a system to connect disadvantaged youth with quality postsecondary education and training opportunities that lead to successful employment. To that end, the Team received support for technical assistance, one of sixteen teams to earn that designation, and attended intensive training in Atlanta, Georgia in 2006. The SYV Team has established Local Area projects to successfully connect youth to education, training and employment opportunities.

I. Describe the state's strategies to identify state laws, regulations, and policies that impede successful achievement of workforce development goals and strategies to change or modify them. (§112(b)(2))

A Department of Commerce Deputy Secretary is assigned to identify, and inform state administration about proposed state laws and regulations that may impede successful achievement of workforce development goals. When such laws, regulations, or policies are identified these are presented to the State Board to develop recommendations to the Governor.

J. Describe how the state will take advantage of the flexibility provisions in WIA for waivers and the option to obtain approval as a workflex state pursuant to §189(i) and §192.

At this time, Kansas will not apply to be a workflex state. However, the state will take advantage of the flexibility provisions in WIA by submitting a full Waiver Plan to allow more funds to be focused on serving business and jobseeker customer needs.

The Waiver Plans in Attachment F include the following:

- Eliminating the 30 percent limitation on transferring funds between the adult and dislocated worker programs to allow the Local Boards discretion to transfer an unlimited amount of funds between these two programs;
- Allowing the Governor to implement an expenditure-based de-obligation/reallocation policy;
- Allowing the Local Boards, at their discretion, to spend up to 10 percent of funds allocated under WIA Section 133(b) to carry out incumbent worker training programs;
- Allowing the Local Boards to contract with eligible providers of youth activities for innovative programs without procurement constraints;
- Providing more discretion to the Local Boards in providing the ten program elements for youth. The Local Boards would provide program elements as feasible for their youth population;
- Eliminating the requirement for youth participants to receive follow-up services for a minimum of 12 months;
- Providing flexibility for the Governor to utilize up to 25% of the Rapid Response funds to meet priority demands in the state, such as focusing on a demand-driven, business environment and strengthening the local areas by focusing on employer and worker competitiveness through skills upgrade training;

- Minimizing data capture requirements for individuals trained through incumbent worker or employed worker programs;
- Giving Local Boards the flexibility to entice small businesses to train job seekers who may have challenging barriers by increasing employer reimbursement for On-the-Job Training (OJT) up to a 75 percent reimbursement rate for small businesses;
- Allowing the use of WIA funds to capitalize a small business up to \$5,000 when used in concert with entrepreneurial or micro-enterprise training;

The following waivers have been approved and extended for PY09, however, they have not been incorporated into the Plan because of their exempt status:

- Waiver to permit implementation of, and reporting only for, the common measures in place of current WIA measures.
- Waiver of the prohibition on the use of Individual Training Accounts for youth.
- Waiver of the time limit on the period of initial eligibility for training provider.

VI. Major State Policies and Requirements

A. Describe state policies and systems in place to support common data collection and reporting processes, information management, integrated service delivery, and performance management (§§111(d)(2) and 112(b)(8)(B).)

The state has established basic standard operating procedures for data collection and reporting processes to ensure the quality and integrity of the data. This includes standards for data verification, data validation, and data security. The Management Information System is the reference for standard data elements that must be maintained.

KANSASWORKS.com and are the state's standardized data processing collection and reporting systems. Each Local Board and statewide program is required to collect and submit information to the Department of Commerce using **KANSASWORKS.com**. The state has provided guidance to the Local Boards requiring client status reports generated from electronic files to be kept in the participant's file folders to verify data entered in the electronic file. It is also recommended that the Local Boards conduct random reviews of client files to verify that all required actions have been initiated to capture data pertinent to performance measures.

Kansas has made considerable progress in building a workforce development system that focuses on customer service and performance accountability. **KANSASWORKS.com** is capable of linking multiple state agencies and 70 federally funded workforce programs. It currently links WIA, Job Service, Trade Act, Reemployment Services, Unemployment Insurance, and the Senior Community Service Employment Program. The system is capable of cross-programmatic service delivery and providing management case files for multiple programs and/or agencies. Information on a participant can be accessed without moving

from one agency system to another. Because case managers from different agencies have access to the same participant data, the entire system has become seamless to deliver better services.

Self-service and staff assisted modules are fully integrated through **KANSASWORKS.com**. Data is entered into the system and shared by all participating programs to reduce duplication of effort and services. The Local Boards have access to workforce information specific to their region through the Career Information System. Local staff can generate reports online to manage caseloads and monitor performance. **KANSASWORKS.com** also provides the ability to track self-service activities without registering a client in a specific program. The system tracks registrations and services provided by all One-Stop partners.

A major component of **KANSASWORKS.com** is the case management module known as ServiceLink. This component allows case managers to track program participants and report information required by WIA as well as other employment and training programs. Case managers can determine program eligibility, identify employment barriers, establish individualized service plans, search for appropriate service providers, follow job placements, and track expenditures to assure they are consistent with available resources. **KANSASWORKS.com** provides a fiscal tracking system to ensure services are provided consistent with local level funding to all target groups on an uninterrupted basis throughout the year.

For Incumbent Worker program enrollments supported by Local Area funding, the following data elements are not required to be collected or reported. All items should be reported as no and will not be subject to data validation requirements. If an Incumbent Worker is co enrolled in other funding streams, these elements are required and subject to data validation requirements for those funding streams. This implements Kansas Approved Waiver Plan #10.

1. WIASRD Item 117 – Single Parent
2. WIASRD Item 118 – Unemployment Compensation Status
3. WIASRD Item 119 – Low Income
4. WIASRD Item 120 – TANF
5. WIASRD Item 121 – Other Public Assistance
6. WIASRD Item 125 – Homeless Individual and/or Runaway
7. WIASRD Item 126 - Offender

B. Describe state policies in place to promote efficient use of administrative resources, such as requiring more co-location and fewer affiliate sites in local One-Stop systems to eliminate duplicative facility and operational costs, or to require a single administrative structure at the local level to support Local Boards and to be the fiscal agent for WIA funds to avoid duplicative administrative costs that could otherwise be used for service delivery and training (§§111(d)(2) and 112(b)(8)(A).)

The Fiscal Policy establishes guidelines for WIA administrative costs, including the classification of direct and indirect costs, allocating and measuring the benefits of such costs, and the development and implementation of acceptable cost allocation pools. The Local Boards are required to identify in their Local Area Plan their fiscal agent responsible for the disbursements of grant funds and their administrative entity. The Local Area Plan also includes

cost reimbursement agreements the CEO/Local Board formally negotiates with their fiscal agent and administrative entity to support funding of activities, guide performance, and ensure accountability.

The Local Boards exercise oversight of their local administrative budgets and are responsible for ensuring maximum resources are directed towards training and services and duplication of administrative costs are avoided. The Department of Commerce reviews the Local Board's budgets, which are part of the Local Area Plan, by funding stream to ensure compliance with applicable state and federal fiscal policies.

The Governor is intent on improving the state's economy by reducing government spending, removing unnecessary regulations, and lowering the cost of doing business in Kansas. The Governor has made it a mandate to identify inefficiencies and cut wasteful spending. Toward this end, the State Board will study the emerging integrated workforce development system to promote efficiency and reduce overhead by requiring more co-location into Workforce Centers with agreements for sharing costs. Particular attention will be given to developing comprehensive Workforce Centers with extensive co-location and identified Employer Centers.

C. Describe state policies in place to promote universal access and consistency of service statewide (§112(b)(2).)

The Kansas Workforce Development System is built upon the foundation of universal access to services for all individuals. The following service integration function of every Workforce Center ensures universal access and consistency of service statewide:

- A customer service desk with trained staff;
- Orientation to services that are consistent statewide;
- Providing a thorough knowledge of services so staff can explain all products and encourage the jobseeker to become involved in the decision-making process;
- An integrated intake, eligibility determination, and client tracking system through **KANSASWORKS.com**; and
- Partner staff sharing in the functions that are common to services provided to all customers.

All One-Stop operators in Kansas endorse the concept of high quality services delivered to all customers. The One-Stop operators also have the responsibility to see that all partner agencies promote universal access through the Workforce system. *State Workforce Policy #3-11-00 Priority of WIA Services* requires each program operator to collect data and information to verify they are taking appropriate steps to provide universal access to WIA services. This involves reasonable efforts to include members of both sexes, various racial and ethnic groups, individuals with disabilities, and individuals in differing age groups.

To maximize customer choice in levels of services, *State Workforce Policy #4-01-00 Wagner-Peyser* requires all Workforce Centers to contain (at a minimum) the following information and resources for self-service, facilitated self-service, and staff-assisted service:

Self-Service - Information must be available in a variety of media to include the following:

- Local, statewide, and nationwide job listings and workforce information;
- Training institution information, including courses offered, costs, and program performance;
- Available supportive services;
- Instructions for filing a claim for Unemployment Insurance; and
- Reference and self-help materials on jobs and careers, including newspapers, periodicals, and videos.

One-Stop Resource Centers for jobseekers must contain copiers, fax machines, and telephones. Each Resource Center must offer access to self-registration (intake) and computer workstations with software to provide clerical proficiency testing, interactive job interviewing, jobseeker assessment tools, resume preparation, workforce information, and local, state, and national job listings.

Each Workforce Center should have an identified Employer Center that provides business services such as information on the labor market, jobseeker resumes, wage surveys, federal and state tax incentives, and a variety of other information of interest to businesses.

Facilitated Self-Service - Staff must be available in every Workforce Center to help customers with resources provided through self-service.

Staff-Assisted Service – Kansas will ensure there will be at least one physical Comprehensive Workforce Center in each designated local area. Staff will be available during all business hours to provide assistance to register for work, search for a job, write a resume, interview for a job, explore occupational opportunities, or obtain information on job training or related supportive services.

State Workforce Policy #1-12-00 Equal Access for Jobseekers with Disabilities ensures all Workforce Center services are readily accessible to and useable by individuals with disabilities. Workforce Centers are designated facilities delivering state services and as such must be fully accessible. All Workforce Centers are housed in facilities that meet the standards for architectural access as provided by the ADA Accessibility Guidelines.

State Workforce Policy #1-13-00 Equal Opportunity Notification and Communication provides the minimum requirements for communication access to core services through the Workforce Development System. Implementation of these standards provides communication access to a wide range of individuals including those with visual, hearing, physical, cognitive, and other disabilities.

D. Describe state policies in place to support a demand-driven approach to workforce development (as described in the National Direction for a "Demand-driven Workforce

Development System") such as training on the economy and labor market data for Local Boards and One-Stop Center staff (§§ 112(b)(4) and 112(b)(17)(A)(iv).)

Local Boards and Workforce Center staff must have an in-depth knowledge of the local economy and the global labor market to be responsive to business and jobseekers. A basic knowledge of workforce information is also essential for long-term local planning to enhance the economic viability of the local area. Workforce information to support a demand-driven approach to workforce development is available through the following sources:

- Economic development representatives serve on the Local Boards and are liaisons to the local business community, thereby keeping the boards informed about local economic development issues;
- The Kansas Department of Labor, Labor Market Information Services, maintains and publishes the following information:
 - Job Opportunities in Kansas;
 - Kansas Annual Employment and Wages;
 - Kansas Occupational Outlook;
 - Kansas Wage Survey;
 - Labor Market Information Services Catalog;
 - Licensed Occupations in Kansas; and
 - Planning guides for the Local Boards and One-Stop operators.
- **KANSASWORKS.com** provides a comprehensive range of data in a flexible, easy-to-use format. Users can search for jobs in greatest demand, find information on a specific job, and search for best paying jobs. **KANSASWORKS.com** also provides real-time labor market statistics derived from current job opening lists and jobseeker registrations.

E. Describe state policies in place to ensure resources available through the federal and/or state apprenticeship programs and Job Corps are fully integrated with the state's One-Stop delivery system (§112)(b)(17)(A)(iv).)

Registered Apprenticeship

State policy requires every Workforce Center to provide information to jobseekers on the Registered Apprenticeship program. Program Consultants for the Registered Apprenticeship program coordinate and facilitate directly with the One-Stop partners as they work with employers to assist in the development of standards for skilled occupations. Coordination efforts are ongoing among Registered Apprenticeship, WIA, Temporary Assistance for Needy Families (TANF), and Adult Basic Education to develop processes for referral of qualified jobseekers.

Job Corps

Every Workforce Center provides information to jobseekers about Job Corps. Job Corps representatives, as required One-Stop partners, serve on the Local Boards. In addition, the state encourages the following linkages between Job Corps and the Workforce Development System:

Organizational Linkages – Kansas has developed a Kansas Vision Team for out-of-school youth. A representative of Job Corps is a participating member. This team will establish collaborative approaches, priorities, and services for youth. These will become recommendations for the development of state workforce policy to support local service delivery enhancements.

Job Corps is a required partner of the Workforce Development System. In accordance with WIA, required partners develop Memorandums of Understanding with the One-Stop operator. Such memorandums specify services to be provided through the Workforce Development System, how the costs of these services are funded, methods for mutual referral of individuals between the Workforce Development System and Job Corps, and the duration of the agreement. The partnership arrangement between Job Corps and the One-Stop operator may include a wide range of organizational arrangements. Job Corps staff can be fully integrated into Workforce Centers or coordinate services through mutual referral agreements with One-Stop partners.

WIA encourages other types of organizational linkages. WIA recommends that Job Corps representatives participate on Youth Councils, when appropriate. It also recommends that knowledge of the workforce development system should be considered in the selection of Job Corps operators.

WIA recommends that Job Corps entities coordinate with the Workforce Development System in several additional ways. Although the legislation stops short of requiring these coordination linkages, it does strongly encourage such linkages with language ranging from “to the extent practicable” to “to the fullest extent possible.” The encouraged linkages for recruitment, services, and placement are described below:

Recruitment Linkages - WIA recommends the recruitment, screening, and selection of Job Corps participants should be implemented to the extent practicable through arrangements with Workforce Centers. The legislation does not mandate using One-Stop partners to conduct outreach and eligibility determination, but does encourage coordination of these functions through arrangements with Workforce Centers.

Service Linkages – WIA requires that Job Corps enrollees be provided with core and intensive services. These may be provided directly by Job Corps or through Workforce Centers. Job Corps can avoid duplication of effort by referring Job Corps participants to core and intensive services available through the Workforce Centers, whenever feasible. In addition, the Workforce Development System can offer Job Corps participants access to a wide range of supportive services before, during, and after Job Corps participation.

Placement Linkages – WIA strongly encourages Job Corps entities to link with the Workforce Development System in the area of job placement. The legislation indicates that, in arranging for placement of graduates in jobs, Job Corps should use the Workforce Development System to the fullest extent possible. As with outreach and eligibility functions, the legislation does not mandate the use of One-Stop partners to perform job placement, but it strongly encourages Job Corps placement specialists to make use of the resources available through the Workforce Development System. In addition, the

legislation indicates the Job Corps community liaison is responsible for establishing relationships and networks with the Workforce Centers for the purpose of providing job opportunities to Job Corps graduates.

Placement linkages can include coordinating business contacts to solicit job openings, sharing labor market information, helping Job Corps participants and graduates use the Workforce Center resource rooms, and making referrals to job openings, additional training opportunities, or job search workshops.

WIA requires follow-up services for Job Corps graduates for 12 months after they leave the program. In selecting providers for these services, WIA requires priority be given to One-Stop partners. Because WIA requires long-term performance measures for Job Corps, actively linking Job Corps participants to services available through the Workforce Development System can help Job Corps meet performance expectations.

VII. Integration of One-Stop Service Delivery

A. Describe state policies and procedures in place to ensure the quality of service delivery through One-Stop Centers such as development of minimum guidelines for operating comprehensive One-Stop Centers, competencies for One-Stop Center staff, or development of a certification process for One-Stop Centers (§112(b)(14).)

Kansas is committed to developing strong and effective Workforce Centers with extensive co-location and identified Business Service Centers. The Local Boards throughout the state are encouraged to build upon successful Workforce Center models within the State, and incorporate design innovations to accommodate regional differences in customer demographics and service delivery structures.

In August 2006, the Workforce Network of Kansas developed One-Stop Certification Guidance for Local Workforce Boards and Chief Elected Officials. Minimum standards for certification of Local Workforce Centers (WIA One-Stop centers) has been incorporated into *State Workforce Policy #3-6-01* (<http://kdoch.state.ks.us/wiacomm/3-06-00.doc>) and distributed to all partners, contractors, and subcontractors within the statewide workforce delivery system.

This policy contains two directives for advancing the agenda of a statewide workforce system:

1. Establishing the common term, or name, for all service delivery locations as “Workforce Centers”, including any optional affiliate, satellite and specialized offices offering services to customers, which are established with local discretion. A Workforce Center is a location where all “core” services are available and where services from workforce investment programs are collocated for easy customer access.
2. Directed a statewide brand be developed collectively by the Local Boards with final approval; by the State Board to identify and market the workforce development system. A working group of communication/marketing representatives from the

Local Boards has been formed to reach consensus on a joint marketing theme they will collectively support.

There are two options available for local service delivery design:

1. Comprehensive Workforce Center(s) Model – Multiple agency program services are available in the same building and integrated.
2. Comprehensive Center(s) with Affiliate/Satellite/Specialized Office(s) Model - Main Workforce Center location(s) and other point(s) of entry are linked to the comprehensive center.

Regardless of which service delivery model is selected for implementation in an area, each system will adhere to a common set of minimum standards, within the following guiding principles:

- Regionally developed strategic plan to encourage a common direction among diverse employment, education, and training programs;
- Universality of access by employers and job seekers with multiple access points;
- Customer choice with respect to method of access and the information and services provided;
- Ease of customer access with center locations based on population density and other factors to make locations convenient for customers, with a minimum of one comprehensive physical center per Local Area (region) providing collocated program services and all core services;
- Service delivery driven by individual customer needs rather than program offerings;
- Market driven through private sector leadership and serving the workforce with services demanded by the marketplace;
- Services integrated across agencies and programs, replacing fragmentation and duplication with coordination and consolidation;
- Staff who are customer service focused within facilities and service systems supported by customer satisfaction measures directed to a continuous improvement program;
- Maximum utilization of resources through collocation and shared operating costs; and
- Accountability focused on results and documented by performance measures.

State policies and procedures reinforce continued, significant progress for the future. These policies and procedures have created an environment for an integrated economic

development, postsecondary, and workforce development system to evolve in the coming years in response to changing economic and legislative conditions.

State policies developed during the implementation of WIA have been reviewed, revised, and reissued. State workforce policies provide guidance to the Local Boards to assist in exercising governance over their Workforce Development Systems.

In May 2004, the state sponsored a Workforce Board Summit that brought nationally recognized consultants to Kansas for workshops on topics that included *Implementing a Dream One-Stop*. State staff provides ongoing technical assistance related to the responsibilities and functions of the Local Boards focusing on providing WIA services through the Workforce Development System. The Local Boards and the CEOs provide input into training developed by the state for Workforce Center staff.

A strong and effective workforce development system will be realized as Kansas continues to embrace system-wide continuous improvement. Data gathered on customer satisfaction and quality process measurements guide this process. The Local Boards are responsible for negotiating levels of performance with the state, establishing levels of performance for their Workforce Centers, and monitoring performance on an on-going basis.

Each Local Board must describe in their Local Area Plan specific criteria and measurements for their local fiscal agent, local administrative entity, eligible training providers, and local Workforce Development System, including any numerical standards established. These criteria and measurements must be consistent with the statewide vision, and be responsive to local labor market needs. Local goals for measuring the performance of the local area administration might include monitoring reports, an annual audit, and success toward achieving WIA performance measures. For example, a clean audit reflects quality work by the local fiscal agent. The performance of the local area administration might be measured not only by exceeding performance measures but also by adherence to policies, procedures, and actions that are subject to review by the Local Board, CEO Board, and the USDOL. Eligible training providers might be evaluated based on program completion rates, placement rates, and earnings levels for WIA participants compared to other participants in these programs. Ultimately, performance within each of these components affects the overall performance of the local Workforce Development System. Establishing regional criteria and measurements for these components also gives the Local Boards the opportunity to set high expectations for the quality and depth of services offered by their Workforce Centers.

B. Describe state policies or guidance issued to support maximum integration of service delivery through the One-Stop system for business and individual customers (§112(b)(14).)

As described previously, the Governor's Executive Reorganization Order transferred workforce development programs from the Department of Human Resources to the Department of Commerce. These changes were based on the Governor's fundamental belief that workforce development is economic development. As a result of this transition, the Department of Commerce has designated a Division of Workforce Services under the direction of a Deputy Secretary. In addition to performing the State's administrative role for the various workforce development programs, the Workforce Services Division connects

education, employment and training services, and business-directed programs for the purpose of providing qualified workers, financial resources, and workforce solutions to new and existing Kansas businesses.

Maximum integration of service delivery is also ensured through Memorandums of Understanding among the One-Stop partners. *State Workforce Policy #3-13-00 Memorandums of Understanding* requires the Local Boards maintain up-to-date local Memorandums of Understanding to address the following:

- Identification of the services each mandatory partner provides through the Workforce Development System;
- Methods for allocating the shared operating costs of the system among the partners, including determining proportionate responsibility;
- Procedures for referral between the One-Stop operator, WIA, and other appropriate partners;
- Procedures for amending the Memorandum of Understanding;
- Duration of the Memorandum of Understanding; and
- Other provisions related to the operation of the Workforce Development System that the parties consider appropriate. (For example, the parties may use a Memorandum of Understanding to address the coordination of equal opportunity responsibilities, such as handling discrimination complaints or other grievances in the One-Stop setting.)

C. Describe actions the state has taken to promote the identification of One-Stop infrastructure costs and developing models or strategies for local use that support integration (§112(b)(14).)

The state has taken the following actions to promote the identification of One-Stop operational costs, and developing models and strategies for local use to support integration:

- The Fiscal Policy requires sub recipients to develop cost allocation plans to identify costs consistent with the USDOL and Office of Management and Budget (OMB) regulations and guidance;
- Staff of the Local Boards have attended One-Stop Financial Management training sponsored by the USDOL; and
- One-Stop cost allocation plans, cost sharing agreements, and resource sharing agreements are monitored as a part of the Workforce Compliance and Oversight Unit's monitoring of local activities.

In February 2007, the complete the R&D phase for a Remote Access Site pilot project which will provide virtual one-stop accessibility, initially to rural areas of Western Kansas. This pilot incorporates web-based video conferencing technologies which allow audio and visual communication between the customer and a comprehensive Workforce Center. Outcomes are being collected and evaluated during the implementation phase with the objective being refinement and expansion of the model.

D. Describe how the state uses the funds reserved for statewide activities pursuant to (§§129(b)(2)(B) and 134(a)(2)(B)(v).) to assist in the establishment and operation of One-Stop delivery systems (§112(b)(14).)

WIA funds reserved for statewide activities are utilized at the state level to provide the following Workforce Development System activities:

- Adapting fiscal and program management for improved accountability;
- Building the capacity of staff and technology;
- Conducting evaluations and developing reports;
- Developing cost sharing agreements with the Workforce Centers;
- Developing pilot programs delivered through the Workforce Centers;
- Developing resource sharing (i.e.; acquisition and maintenance of technology systems such as voice and data communications);
- Developing, enhancing, and providing technical support to the standardized data collection, case management, and fiscal tracking systems;
- Disseminating the statewide eligible training provider list;
- Providing state level administration;
- Providing statewide Rapid Response activities; and
- Providing technical assistance to the Local Boards.

In addition to the activities described above, the state will employ the flexibility of funds reserved for statewide activities to enhance the Workforce Development System in the following ways:

- Funds will be awarded to the Local Boards as an incentive for targeting training in high wage, high demand industries;
- Increased technical assistance will be provided to the Local Boards to support performance improvement through the Workforce Development System; and
- Proposals will be solicited to support innovation through the Workforce Development System.

The decision to fund proposals that center on the following themes will be based on how well the proposal achieves the Governor's vision of an integrated workforce development system, supports business, and helps the state achieve performance outcomes:

- Initiatives to provide training in high wage, high demand occupations, especially those to better prepare individuals for work in a technology-driven economy;
- Increased on-the-job and customized training opportunities;
- Innovative service delivery systems to complement traditional forms of workforce training such as web-based distance learning;
- Enhanced services through the Workforce Development System to meet the needs of out-of-school youth, older individuals, trainees for non-traditional occupations, individuals with disabilities, persons with limited English-speaking proficiency, migrant and seasonal farm workers, minorities, and women.

E. Describe how the state ensures the full array of services and staff in the One-Stop delivery system supports human capital solutions for businesses and individual customers broadly (§112(b)(14).)

Kansas has defined *human capital solutions* as helping business find and keep qualified, talented workers and helping jobseekers find meaningful, challenging, and productive careers with high wages and the opportunity for lifelong learning. This definition is the foundation of the Kansas workforce development system. Kansas has fully integrated the state's economic development programs with the state's employment and training programs, assuring the workforce development system supports the needs of business and jobseeker customers.

VIII. Administration and Oversight of Local Workforce Investment System

A. Local Area Designations

- 1. Identify the state's designated local workforce investment areas and the date of the most recent area designation, including whether the state is currently re-designating local areas pursuant to the end of the subsequent designation period for areas designated in the previous State Plan. (§112(b)(5).)**

When WIA was implemented in 2000, there were five Service Delivery Areas under the Job Training Partnership Act. All five areas were granted temporary designation under WIA. Following the temporary designation period all five areas and were granted subsequent designation through June 30, 2005. A map of the currently designated local areas in Kansas is included as Attachment H.

- 2. Describe the process used to designate such areas. Describe how the state considered the extent to which such local areas are consistent with labor market areas, geographic areas served by local and intermediate education agencies, postsecondary education institutions and area vocational schools, and all other criteria identified in section 116(a)(1) in establishing area boundaries, to assure coordinated planning. Describe the State Board's role, including all recommendations made on local designation requests pursuant to section 116(a)(4), (§§112(b)(5) and 116(a)(1).**

On three separate occasions, including when WIA was implemented, the State Board reviewed labor market areas, educational service districts, and other factors associated with coordinated planning prior to making the decision to establish local area boundaries under WIA. The State Board recommended to the Governor that the JTPA Service Delivery Areas be granted temporary designation, according to the provisions of WIA Section 116. The Governor subsequently authorized temporary designation. Following the two-year temporary designation period, all local areas were granted subsequent designation through June 30, 2005. The State Board regularly reviews current local area boundaries and makes recommendations to the Governor.

3. Describe the appeals process used by the state to hear appeals of local area designations referred to in §§112 (b)(5) and 116(a)(5).

The process used by the state to hear appeals of local area designations is as follows:

- Within 30 days of the date of notice from the Department of Commerce that a request for designation is not granted, the appealing party shall submit a written petition to the State Board in care of the Department of Commerce, attention: Workforce Compliance and Oversight Unit, Legal Services, 1000 S.W. Jackson Street, Suite 100, Topeka, Kansas 66612-1354.
- The appeal shall contain the appealing party's request for designation as a local area; the response not granting the request; and a statement of the basis for the appeal specifically identifying the reasons the appeal has merit.
- The Department of Commerce Legal Services will forward the appeal to the State Board Chair. The State Board, on behalf of the Governor, will consider the appeal at the next regularly scheduled meeting, or within 30 days of the date the appeal is received, whichever is later.
- At the discretion of the State Board Chair the appealing party, or representative, may be required to appear before the State Board to present the appeal or to provide additional information as the State Board deems necessary in considering the appeal. At the discretion of the State Board Chair, this process may be completed by written correspondence as opposed to an in-person appearance before the State Board.
- Within 30 days of considering the appeal, or within 30 days of the receipt of any additional information requested, the State Board shall notify the appealing party in writing whether the request for designation as a local area is granted or denied and the reasons for such determination.
- If the request is denied, the appealing party may request a review by the Secretary of the USDOL within 30 days of receipt of the State Board's written notice of denial.

B. Local Workforce Investment Boards. Identify the criteria the state has established to be used by the CEOs in the local areas for the appointment of Local Board members based on the requirements of WIA section 117. (§§112(b)(6) and 117(b).)

State Workforce Policy #3-23-02 Criteria for Local Workforce Investment Boards provides guidance for the CEO to use when appointing members to the Local Board. The Department of Commerce is responsible for oversight of the nomination and appointment process to ensure the Local Boards continually remains a legally constituted policy-making body. The state's appointment criteria and oversight

process ensures the Local Boards maintain required representation, including all One-Stop partners. The Local Boards are responsible for continually monitoring their structure to ensure compliance with the requirements contained in WIA Section 117(b)(2)(3)(4) and (5) and 20 CFR Part 661, Sec. 661.315, 661.317, 661.320, and 661.325 of the regulations. The Local Boards must report any membership changes to the Department of Commerce, certify that the board is in compliance with WIA, and appoint members in a timely manner when vacancies occur.

C. Describe how the state will build the capacity of Local Boards to develop and manage high performing local workforce development systems (§§111(d)(2) and 112(b)(14).)

To ensure a high level of service and continuous improvement of the state's workforce development system, the Department of Commerce collaborates with the State Board to build the capacity of the Local Boards.

The state's process for building the capacity of the Local Boards includes the following:

- Assessing the capacity of the Local Boards to develop and manage a high performing local workforce development system;
- Responding to the unique training needs of each Local Board;
- Assisting, supporting, and coordinating the deployment of statewide training efforts (based on identified common training needs); and
- Developing a comprehensive plan to develop the capacity of the Local Boards.

When appropriate, the Department of Commerce and the Local Boards may agree to utilize the resources of contracted professionals who are skilled in specific programs or specialized areas.

Local Board members and staff are encouraged to participate in professional associations and organizations that provide capacity building opportunities. Participating in capacity building opportunities provided by partner agencies and organizations is also encouraged.

The implementation of state policies to mandate collaborative meetings between Operators and Partners and the use of a statewide brand will enhance the local workforce development systems.

D. Local Area Planning Process. Describe the state's mandated requirements for local workforce areas' strategic planning. Describe assistance the state provides to local areas to facilitate this process (112(b)(2) and 20 CFR 661.350(a)(13)) including the following:

1. Describe how oversight of the local area planning process is provided, including receipt and review of plans and negotiation of performance agreements.

The state requires each Local Board to submit proposed levels of performance in its Local Area Plan. During the review of these plans the state negotiates performance standards with each Local Board. The Local Area Plan is developed in collaboration with other partners, particularly the One-Stop partners, in accordance with guidelines established by the state. Each Local Board must provide an opportunity for public input on the development of its Local Area Plan. The local area planning process and timeline is included as Attachment I. For this planning cycle, in response to ARRA, Local Boards are required to provide in the Local Area Plan, detailed information regarding their expected delivery of increased services to Kansans.

2. Describe how the approval process ensures Local Area Plans are consistent with state performance goals and state strategic direction.

The state issues planning guidance for development of Local Area Plans. Each Local Board's vision and strategic goals must be consistent with the state goals and strategic direction described in the State Plan. Compliance with this requirement is part of the state's review and approval process of the Local Area Plans.

E. Regional Planning (§§112(b)(2) and 116(c)). Describe any intra-state or inter-state regions and their corresponding performance measures. Include a discussion of the purpose of these designations and the activities (such as regional planning, information sharing, and/or coordination activities) that will occur to help improve performance. For example, regional planning efforts could result in the sharing of labor market information or in the coordination of transportation and support services across the boundaries of local areas. For inter-state regions (if applicable), describe the roles of the respective the Governor, the State Board, and the Local Boards.

Designated intra-state or inter-state planning regions have not been established in Kansas at this time.

F. Allocation Formulas

- 1. If applicable, describe the methods and factors (including weights assigned to each factor) the state will use to distribute funds to Local Boards for the 30 percent discretionary formula adult employment and training funds and youth funds pursuant to §§128(b)(3)(B) and 133(b)(3)(B).**

Kansas has not elected to use the 30 percent discretionary method, as provided for in statute to distribute funds to the Local Boards.

- 2. Describe how the allocation methods and factors help ensure funds are distributed equitably throughout the state and that there will be no significant shifts in funding levels to the Local Boards on a year-to-year basis.**

Kansas applies hold harmless provisions to the adult and youth substate allocations to ensure funds are distributed equitably throughout the state, and that there are no significant shifts in funding levels to the Local Boards on a year-to-year basis.

- 3. Describe the state's allocation formula for dislocated worker funds under §133(b)(2)(B).**

Kansas allocates dislocated worker funds on the basis of a substate formula prescribed by the Governor to address the state's dislocated worker adjustment assistance needs. The categories and weights established for the state's allocation formula for dislocated worker funds are described in Attachment J.

- 4. Describe how the individuals and entities on the State Board were involved in the development of the methods and factors, and how the state consulted with the CEOs in local areas throughout the state in determining such distribution.**

During WIA implementation, the State Board formed a committee to evaluate the impact of changes in the substate allocation formula for dislocated workers funds. Each Local Board was represented on the committee, as well as state administrative staff. The committee analyzed the differences between the substate allocation formulas, reviewed the impact of the hold-harmless provision, and discussed several other options.

The committee reviewed the WIA Title I allocation formula and discussed how this might be updated. A number of options were considered. The committee voted to recommend the continued use of a hold-harmless provision. The committee's recommendations were presented to the Local Boards and the CEOs for review and comment. The committee presented recommendations to the State Board and the board approved the recommendations.

G. Provider Selection Policies (§§112(b)(17)(A)(iii), 122, 134(d)(2)(F).)

- 1. Identify the policies and procedures to be applied by local areas for determining eligibility of local level training providers, how performance information will be used to determine continuing eligibility, and the agency responsible for carrying out these activities.**

State Workforce Policy #3-16-00 Kansas Training Provider Certification System provides guidance for the statewide eligible training provider system. Training providers submit applications to the Local Board responsible for the area where they wish to provide services. Applications for initial eligibility are reviewed by the Local Board to ensure the provider meets the minimum requirements. Among these requirements, all training providers must ensure compliance with WIA Section 188; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and the Kansas Act Against Discrimination.

Postsecondary educational institutions eligible to receive federal funds under Title IV of the Higher Education Act and entities that carry out Registered Apprenticeship programs under the National Apprenticeship Act are not required, but are encouraged, to provide performance data with their application for initial eligibility. For all other providers performance data is required. Information about the provider and each training program is collected from the application. This information ensures customers have adequate information to make an informed decision when selecting a provider and training program. Information collected includes, but is not limited to, the following:

- Provider Type of institution, degrees or certifications offered, and financial aid options.
- Training program Degree or certification attained, potential occupations, and detailed program costs.

The Local Board reviews training provider applications then forwards these to the Department of Commerce. If the application is approved by the Local Board and by the State, the provider and/or training program is placed on the statewide eligible training provider list. Historical performance information is reviewed to ensure the providers and training programs on the eligible training provider list are high quality and provide the broadest opportunity for workforce success.

Each Local Board must provide the following verifiable training-specific information for all participants who received assistance under WIA:

- Percentage of participants who completed the training program and were placed in unsubsidized employment;
- Average wages received by participants who completed the training program, six months after the first day of employment;
- Rates of retention in unsubsidized employment of participants who completed the training program, six months after the first day of employment; and

- Rates of licensure or certification, attainment of academic degrees or equivalents, or attainment of other measures of skills of the graduates of the applicable training program (where appropriate).

Consistent with Kansas approved Waiver Plan #15, the state will not enforce subsequent eligibility requirements for performance as outlined above. Once approved, providers may remain on the list without providing required performance information on an annual basis. Local Areas are strongly encouraged to closely monitor the outcomes achieved by participants enrolled in approved training programs and to work with providers to improve that performance.

If the Department of Commerce, after consultation with the Local Board, determines that a provider, or individual providing information on behalf of the provider, intentionally supplied inaccurate information, the eligibility of the provider will be terminated and will be liable for repayment of all WIA funds received during the period of non-compliance. Providers may reapply only after consulting with the Local Board and the Department of Commerce on modifications, changes and/or remedies implemented to address the violation. This action is subject to an appeals process established by the Department of Commerce.

2. Describe how the state solicited recommendations from Local Boards, training providers and interested members of the public, including representatives of business and labor organizations, in the development of these policies and procedures.

State policies and procedures for the eligible training provider list were developed through recommendations solicited from a committee that included representatives of each Local Board, local and state welfare agencies, Vocational Rehabilitation, Kansas Board of Regents, Board of Education, and Kansas Department of Labor, Labor Management Information Systems. A draft policy was distributed for review and comment to all system stakeholders before it was finalized.

3. Describe how the state will update and expand the state's eligible training provider list to ensure it has the most current list of providers to meet the training needs of customers.

The state's eligible training provider list is integrated into the Kansas ServiceLink case management system. The list is updated and expanded through a joint process between the Local Boards and the Department of Commerce to ensure it has the most current list of providers to meet the training needs of customers.

State workforce policy requires programs of training services to be directly linked to occupations in demand in the local area, or in another area to which a participant is willing to relocate. The Department of Commerce compiles the eligible training provider list within 30 business days of submission and verification of performance and cost information. Applications for initial eligibility are accepted throughout the year.

4. Describe the procedures the Governor has established for providers of training services to appeal a denial of eligibility by the Local Board or the designated state agency, a termination of eligibility or other action by the board or agency, or a denial of eligibility by a One-Stop operator. Such procedures must include the opportunity for a hearing and time limits to ensure prompt resolution.

Upon determination by the Local Board that a training provider's application for a specific program and location does not meet the eligibility requirements, the Local Board issues a denial notice to the training provider within 30 business days of receipt of the application. A separate denial notice is issued for each training program denied according to the following requirements:

- The notice must be mailed to the training provider at the address listed on the application and to the attention of the contact person identified on the application;
- The date mailed must be displayed on the denial notice;
- The program and location that was denied, and the specific reason(s) for the denial must be identified; and
- The training provider must be informed of the appeal process.

Each Local Board is required to submit their eligible training provider list to the Department of Commerce. The Department of Commerce reviews lists submitted by the Local Boards and issues a determination to any training provider denied eligibility within ten working days. The Department of Commerce follows the guidelines outlined above when issuing a denial notice to a training provider.

The appeal procedure for training providers denied eligibility is as follows:

- The training provider has ten business days from the date the denial notice is mailed to file an appeal to the originator of the notice (Local Board or Department of Commerce);
- The request for appeal must clearly indicate that the training provider wants to appeal and identify the training program and location being denied;
- The request for appeal must be signed and include the reason(s) for the appeal;
- The Local Board or Department of Commerce (as appropriate) reviews the request for appeal. The original decision may be reversed if an administrative error was made or if additional information submitted by the training provider changes the basis for the denial. An administrative reconsideration must be completed within ten business days of receipt of the request for appeal as follows:

Local Board – If the Local Board reverses its decision through administrative reconsideration, the board notifies the training provider and forwards the appeal file to the Department of Commerce with a request to include the provider on the statewide list; or

Department of Commerce - If the Department of Commerce reverses its decision through administrative reconsideration, Commerce notifies the Local Board and the training provider and includes the provider on the statewide eligible training provider list.

If the Local Board or Department of Commerce does not reverse their decision through administrative reconsideration, the request for appeal is forwarded to the designated Hearing Officer within five business days of receipt. The designated Hearing Officer will conduct a hearing where the training provider and party denying the training provider's request (Local Board or the Department of Commerce) present their cases. The designated Hearing Officer issues a decision based on information gathered at the hearing. A written decision is issued to the training provider and other interested parties within ten business days. If the designated Hearing Officer does not reverse the denial, the decision is final. If the designated Hearing Officer reverses the denial, the Local Board or the Department of Commerce will comply with the decision within ten business days of receipt of the written decision.

5. Describe the competitive and non-competitive processes to be used at the state level to award grants and contracts for activities under Title I of WIA, including how potential bidders are being made aware of the availability of grants and contracts. (§112(b)(16).)

In awarding contracts for activities at the state level under Title I of WIA and *ARRA*, contracting procedures prescribed by the Kansas Department of Administration, Division of Purchases, are followed. The selection of service providers is made on a competitive basis to the extent possible. When issuing solicitations the following must be ensured:

- The solicitation includes a clear and accurate description of the technical requirements for the material, product, or service to be procured;
- The solicitation identifies all requirements that must be fulfilled by the provider, as well as all other factors used in evaluating proposals; and
- All pre-qualified lists of persons, firms, or other organizations used in acquiring goods and services must be current and include sufficient numbers of qualified sources to ensure open and free competition.

The award is made to the most responsible offer or to the proposal most advantageous to the program, considering price, technical ability, and other factors. Award determinations are made in writing and take into consideration whether the organization has the following:

- Ability to meet performance goals;
- Ability to meet the program design specifications at a reasonable cost;
- Adequate financial resources, or the ability to obtain them;
- Necessary organizational structure, experience, accounting, and operational controls;
- Satisfactory record of integrity, business ethics, fiscal accountability, and past performance; and
- Technical ability to perform the work.

Request for Proposals (RFPs) are published in appropriate newspapers. Sole-source procurement shall be minimized to the extent possible. In every case, the use of sole source procurements is justified and documentation is attached to the grant. Sole source procurement is used only when the award of a grant is not feasible under normal competitive processes and one of the following circumstances applies:

- After solicitation of a number of sources, competition is determined inadequate;
- The material, product, or service is available only from a single source, or the provider has a one-of-a-kind capacity to make it available; or
- An emergency need for the material, product, or service does not permit the time needed for a competitive solicitation.

Based on the structure of Local Area Agreements with Youth Services providers, no Local Areas reported problems complying with Kansas' procurement requirements. Contracts awarded to institutions of higher education must comply with the above-described procurement process.

6. Identify the criteria to be used by Local Boards in awarding grants for youth activities, including criteria the Governor and Local Boards will use to identify effective and ineffective youth activities and providers of such activities. (§112(b)(18)(B).)

The Local Boards procure providers of youth activities by awarding grants or contracts on a competitive basis and considering the recommendations and criteria established by their Youth Councils. The Local Boards carry out all competitive processes and contract negotiations in accordance with state and federal procurement guidelines. The Local Boards obtain written prior approval from the Secretary of Commerce if a non-competitive negotiated procurement is used.

Use of a Request-for-Proposal (RFP) process ensures there are an adequate number of qualified sources to ensure competition. Local Youth Councils complete technical evaluations of proposals received prior to making its recommendation(s) to the Local Board. This method ensures responsible bidders are selected whose proposals are the most cost effective and advantageous to the program.

The Department of Commerce ensures the Local Boards comply with the non-discrimination and equal opportunity provisions of Section 188 of WIA, Section 504 of the Rehabilitation Act of 1973, and implementing regulations. Procedures used to award contracts to local youth activity providers are reviewed regularly to ensure non-discrimination. Each Local Board is required to describe their procedures for identifying effective and ineffective youth activities and providers in their Local Area Plan.

The state recommends the following minimum criteria to identify effective and ineffective youth activities and providers:

- ADA compliant facilities;
- Caring adults and mentors;
- Certifications and licenses for program completion;
- Coordination with post-secondary education;
- Counseling and support services;
- Curriculum outlines for training activities;
- Demonstrated effectiveness;
- Duplication minimized;
- Experience with youth participants and coordinating youth services;
- Fiscal controls;
- High quality activities;
- Information on admissions, cancellations, and refunds;
- Likelihood of meeting performance goals;

- Locally identified training priorities for youth;
- Opportunities for constructive community services;
- Positive peer support;
- Positive relationships with business;
- Public review of written proposals;
- Skill and leadership development;
- Staff qualifications;
- Success rates based on enrollments and completions;
- Sustained long-term follow-up and support; and
- Other criteria established by a Local Board.

If a Local Board determines that a service provider is not meeting performance, a specified time is allowed for problem identification, resolution and performance improvement. Technical assistance may be given and corrective action plans required by the Corrective Action Board or a Local Board. If the corrective action plan is not carried out, or the poor performance is not corrected within the specified time, the contract may be suspended or terminated.

H. One-Stop Policies (§112(D)(14).)

- 1. How will the services provided by each of the required and optional One-Stop partners be coordinated and made available through the One-Stop delivery system. Include how the state will consolidate Wagner-Peyser Act funds to avoid duplication of core services. (§112(b)(8)(A).)**

To avoid duplication of services and streamline service delivery, the integration of services provided by each of the required and optional One-Stop partners is strongly encouraged. Coordination of services to jobseekers and employers by One-Stop partners is done at each Workforce Center. Core services such as resource room assistance and workshops are provided through a team approach, with Wagner-Peyser funding often providing the primary services.

Another example of coordination of services is the Business Consultant approach to strengthen partnerships, provide for seamless and appropriate services, and improve overall customer service to employers. A Business Consultant is a staff person(s) designated within the Workforce Center with the responsibility to determine the workforce needs of area employers and to work with all workforce development partners to provide effective and efficient solutions to those needs. Business Consultants facilitate local Employer Service Teams within the Workforce Centers to ensure a coordinated and effective single point of contact services are designed and delivered with the appropriate participation and input of all Workforce Center partners.

To ensure coordination, mandatory One-Stop partners agree on a common approach to serving customers and describe this approach through Memorandums of Understanding consistent with the requirements of the Workforce Investment Act. These agreements ensure non-duplication of services among key program providers and include cost sharing methods for joint costs to ensure optimal leveraging of resources.

The workforce system brings together multiple partners to maximize resources and goes beyond a simple coordination of programs and services to a totally integrated and seamless network of partnerships. The ultimate goal of the Kansas workforce system is to help employers find qualified workers and to increase the employment retention and earnings of workers. This is accomplished through increased opportunities for training, improved career information and counseling, and enhanced job search assistance.

2. Describe how the state helps Local Boards identify areas needing improvement and how technical assistance will be provided.

Kansas is committed to developing an effective workforce development system through strong Local Boards. State staff provides ongoing technical assistance related to the responsibilities and functions of the Local Boards, including training on effective board management and technical assistance related to all programs, administered by the Local Boards.

The State Workforce Development Team, as stated earlier, conducts weekly conferences with Local Board staff to closely monitor planning and service delivery activity funded by *ARRA*. The state team has scheduled training with workforce center staff to ensure all users of **KANSASWORKS.com** are able to correctly report both WIA and Wagner-Peyser activity. Training is provided both in person and through web-based technology. New staff will be trained in person by their Functional Manager located at the respective workforce center.

State workforce policies govern the workforce development system and are formalized in the Division Policy and Procedures Manual developed by the Department of Commerce - Business Development Division. Such policies and procedures are designed to provide guidance to the Local Boards, program administrators, and service providers in achieving program quality and outcomes that meet the objectives of WIA.

State workforce policies serve as the program standard in formal monitoring reviews that measure WIA goals and program compliance. Procedures related to the audit standards of OMB Circular A-133 governing procuring auditing services, receipt and submission of audit reports, prompt resolution of audit findings, collection of disallowed costs, and adjustment of financial records are contained in the state's Fiscal Policy.

State monitoring focuses on program improvement. Performance is monitored and technical assistance is provided in a timely manner whenever it appears that performance measures may not be met. Technical assistance may include the development of an improvement plan, a modified Local Area Plan, or other actions to assist in improving performance.

Funds reserved for statewide activities are used to provide technical assistance to Local Boards that do not meet their performance measures. Technical assistance funds are also made available to support performance improvement activities at large.

3. Identify any additional state mandated One-Stop partners (such as TAF or Food Stamp Employment and Training) and how their programs and services are integrated into the One-Stop Centers.

The state has not mandated additional One-Stop partners beyond those identified in WIA. However the state encourages the participation of other partner programs such as Temporary Assistance to Families (TAF) and Food Stamp programs in the Workforce Development System. These programs are often part of the partner mix and are located within or accessible through the Workforce Centers.

I. Oversight/Monitoring Process. Describe the monitoring and oversight criteria and procedures the state utilizes to move the system toward the state's vision and goals, such as the use of mystery shoppers and performance agreements. (§112(b)(14).)

State Workforce Policy #1-02-02 Oversight and Monitoring provides guidance for monitoring and oversight that moves the system toward the state's vision. As part of the ongoing responsibilities for the oversight of the state's workforce development activities, the Department of Commerce conducts desk and on-site monitoring reviews on a regularly scheduled basis. Federal and state developed monitoring guides are used to ensure administrative policies, practices, standards, and systems are operating within the parameters established by federal and state legislation, regulations, and state workforce policy. The Department of Commerce also examines the oversight practices of the CEO and Local Boards to ensure these meet legal and regulatory requirements.

Each year the Department of Commerce Workforce Compliance and Oversight (WCO) Unit develops a preliminary schedule of on-site reviews to be conducted. This schedule is disseminated to appropriate entities. The schedule remains flexible to accommodate the operations of the entity being reviewed. A notice of confirmation is sent indicating when the entrance visit will occur.

State workforce policies serve as the program standard in the formal monitoring process. Monitoring reviews are documented and compiled in formal reports. These reports are disseminated for response and, as warranted, corrective action to the appropriate administrative entities. Specific activities subject to state monitoring may include, but are not limited to the following:

- Allowable activities;
- Complaint and grievance policies and procedures;
- Conflict of interest and nepotism;
- Contracting, (e.g. Local Boards, service providers, etc.);
- Customer satisfaction and performance;
- EO and ADA compliance;
- Fiscal accountability and internal controls, inventory control, and property management;
- Management information systems, data sharing, maintenance, and validation;
- Participant targeting, eligibility determination, and selection; and
- Record keeping maintenance, security, and retention.

The State's Corrective Action Board reviews findings requiring corrective action and makes recommendations to the Secretary of Commerce, State Board, and the Governor for consideration when corrective action is necessary. Prior to making a recommendation, the Corrective Action Board may request additional information and/or conduct a meeting with appropriate officials to gather all pertinent facts regarding the finding.

Each quarter, or more often, as determined by the Corrective Action Board Chair, the WCO Unit canvasses members to determine if there are outstanding operational/compliance issues that warrant a board meeting. When warranted, the Corrective Action Board Chair requests a corrective action plan from the Department of Commerce Executive Team and/or a Local Board, as necessary, for a response within 21 days of receipt.

Corrective action plans shall include, at a minimum, the following:

- Analysis of the current situation, including action already taken to address the problem;
- Plan describing the actions to be taken to correct the problem; and
- Timetable for actions, identifying dates by which certain levels of progress will be accomplished.

When appropriate, a follow-up review may be conducted to determine if the corrective action was implemented, and/or to provide technical assistance. In the event of failure or non-implementation of corrective action plans, the Corrective Action Board makes recommendations to the Secretary of Commerce, State Board or Governor regarding possible sanctions. Notification of any sanction to be imposed beyond the corrective action plan is communicated to the Local Board Chair, the CEO, and the administrative entity. The Local Board and the CEO are notified of their rights of appeal.

When performance is not in line with program requirements, or violations of WIA, federal regulation, or state workforce policy have occurred, the Department of Commerce shall impose corrective actions/sanctions. In determining sanctions, the frequency, quantity, flagrancy, and severity of the finding and whether it was the result of willful disregard of the Act or other applicable laws and regulations are considered. Specific findings, although not all-inclusive, that may result in the imposition of sanctions, are described below:

Administrative Findings - Sanctions may be imposed for violations of law, regulations, and state workforce policy. Major examples of findings in the administrative area that may result in sanctions are failure to accomplish the following:

- Adhere to federal, state, and local policies and procedures regarding EEO requirements;
- Implement corrective action based on findings contained in the monitoring reports;
- Maintain a CEO Agreement that reflects the current elected officials within the area;
- Maintain an adequate local monitoring system;

- Maintain an adequate management information system, in accordance with state standards;
- Maintain Local Board membership in accordance with the applicable section of WIA;
- Obtain/maintain supporting documentation for grant activities;
- Submit accurate required reports within required time frames;
- Submit and implement required corrective action plans within required time frames; and
- Submit appropriate updates, modifications and budgets to maintain an up-to-date Local Area Plan.

Fiscal Findings - Sanctions may be imposed for violations of law, regulations, and state standards. Major examples of findings in the fiscal area that may result in sanctions are failure to accomplish the following:

- Comply with program cost limitations;
- Maintain adequate systems of fiscal control;
- Maintain property control system;
- Make procurements according to required policies and procedures, including prior approval where necessary;
- Operate within minimum cash balance requirements;
- Implement corrective action based on findings contained in state oversight reports; Resolve audit findings or questioned costs; and
- Submit accurate fiscal reports within required time frames (a corrective action plan is required at the end of any three month interval in which an organization submits two or more late or inaccurate monthly fiscal reports).

Violations of WIA Law, Regulations, and State Workforce Policies - Sanctions may be imposed for violations of WIA law, regulations, and state workforce policies. Major examples of findings related to participants that may result in sanctions are failure to accomplish the following:

- Meet required enrollment levels for any group established as priority through state performance standards; and
- Obtain proper eligibility documentation resulting in ineligible participants receiving benefits from the program.

Ongoing program evaluation through monitoring efforts is focused on program improvement. If it becomes necessary for the state to impose sanctions for disregard applicable laws, regulations, or policies such sanctions will be handled within the confines of those laws.

Each Local Board establishes policies and procedures related to their oversight responsibilities and develop monitoring guides for all aspects of WIA activities. Local Area Plans must contain the oversight procedures and a monitoring schedule.

Minimum standards for local oversight shall include, but are not limited to, the following:

- Annual schedule of activities to be reviewed; and
- Operational procedures related to documentation of reviews, resolution of findings, and corrective action.

J. Grievance Procedures. (§§122(g) and 181(cc)). The state must attach a copy of its grievance procedures for participants and other affected parties (including service providers.)

The State Grievance Policy for participants and other affected parties is included as Attachment K.

K. State workforce policies or procedures. Describe the state policies or procedures that have been developed to facilitate effective local workforce development systems (§§112(b)(17)(A) and 112 (b)(2)) in the following areas:

1. State guidelines for the selection of One-Stop providers by Local Boards.

The Department of Commerce requires funds be awarded to operate a Workforce Center either through a competitive process or in accordance with an agreement reached between a Local Board and a consortium of entities that, at a minimum, includes three or more of the required One-Stop partners. When a Local Board and the CEO designate an entity as a One-Stop operator, the Local Board will immediately notify the Department of Commerce. The Department of Commerce will ensure the requirements of Section 121(b) of the WIA have been met, and maintain and distribute a list of all certified One-Stop operators. The state recommends that the Local Boards formalize binding agreements with their One-Stop operators to support funding on a cost reimbursement basis for essential coordination activities. The agreements should clarify the functions of the One-Stop operator, how these functions will be carried out, and at what cost.

2. Procedures to resolve impasse situations at the local level in developing Memoranda of Understanding to ensure full participation of all required partners in the One-Stop delivery system.

The State Board recognizes the importance of resolving impasse situations that involve the organization and administration of the Workforce Centers.

State Workforce Policy #3-13-00 Memorandums of Understanding provides the following procedures to resolve impasse situations:

- a. The Local Board and the One-Stop partner must request assistance from the State Board whenever a substantive impasse situation remains after a good-faith effort at the local level. The request must be in writing and include the contending issue(s) and supporting documentation.
- b. When the State Board is notified, the Chair appoints a three to five member committee to meet with the parties to resolve the impasse within 30 calendar days of receiving notice. State Board members who have a conflict of interest, or who

cannot provide a fair and impartial consideration of the issues, will be excluded from the committee.

- c. In compliance with WIA Sec. 662.310 (b) the Local Board and the One-Stop partner must report the impasse to the state agency responsible for administering the partner's program. The State Board and the applicable state agency will report the impasse to any other federal agency responsible for oversight of the One-Stop partner's program.
- d. The State Board committee issues their decision within 30 calendar days after meeting with the parties involved in the impasse. If necessary, the committee may consult with, and seek assistance from, the USDOL to formulate the decision.
- e. The Local Board and the One-Stop partner have 30 calendar days from the date the decision is issued to appeal the decision to the full State Board. The request for appeal must be submitted in writing and must include the contending issue(s) and reason(s) for appealing the committee's decision.
- f. The full State Board reviews the appeal at the next regularly scheduled meeting and issues their decision within 30 calendar days following the meeting. The decision of the State Board is final.

In order to comply with WIA regulations, required One-Stop partners who fail to execute a Memorandum of Understanding are not permitted to serve on a Local Board.

3. Criteria by which the state will determine if Local Boards can operate programs in-house.

State Workforce Policy #3-24-00 Restrictions on Provision of Core, Intensive, and Training Services prohibits the Local Boards from directly providing these services unless agreed to by the CEO and the Department of Commerce. A Local Board is prohibited from providing training services, unless the Department of Commerce grants a waiver in accordance with the provisions in the WIA. The waiver will apply for not more than one year, and may be renewed for additional periods, but for not more than one additional year at a time.

The restrictions on the provision of core, intensive, and training services by a Local Board also apply to board staff. The Department of Commerce may approve a request to allow a Local Board to directly provide core and/or intensive services through the Workforce Development System. The Department of Commerce may grant a waiver to allow a Local Board to directly operate a program of training services. To apply for a waiver, a Local Board must submit a request containing the following information:

- Satisfactory evidence there are an insufficient number of eligible providers of such a program of training services to meet local demand;
- Information demonstrating a Local Board meets the requirements for an eligible provider of training services under WIA section 122; and

- Information demonstrating the program of training services prepares participants for an occupation in demand.

Prior to submittal, a Local Board must make their request available to eligible training providers of training services and other interested members of the public for a comment period of not less than 30 days.

The Department of Commerce may revoke a waiver if it is determined a Local Board has engaged in a pattern of inappropriate referrals to training services.

4. Performance information that on-the-job training and customized training providers must provide.

State Workforce Policy #3-15-00 On-the-Job Training and Customized Training allows the Local Boards to determine performance information that must be submitted as follows:

Customized training providers – The state recommends customized training providers provide information such as the following:

- Entry wage of program completers who obtain unsubsidized employment in the industry/occupation for which training was delivered;
- Number of trainees/students by industry/occupation;
- Percentage of program completers;
- Percentage of program completers who obtain unsubsidized employment in the industry/occupation for which training was delivered; and
- Percentage of program completers who obtain unsubsidized employment in the industry/occupation in which they were trained and who are working at six months.

On-the-job training providers – It is recommended on-the-job training providers provide information such as the following:

- Wage at completion of training;
- Percentage of program completers who obtain unsubsidized employment in the industry/occupation in which they were trained; and
- Percentage of program completers who obtain unsubsidized employment in the industry/occupation in which they were trained and who are working at six months.

5. Reallocation policies

State Workforce Policy #3-09-00 WIA Funding Reallocation Policy provides the Department of Commerce may reallocate funds for adult, dislocated worker, and youth services in accordance with the provisions of WIA Sections 128(c) and 133(c). For the adult, dislocated worker, and youth programs any amount recaptured from a local area for the purpose of reallocation is based on the amount by which the prior year's unobligated balance of allocated funds exceeds 20 percent of that year's allocation for the program, less any amount reserved (up to 10 percent) for the costs of administration. Unobligated balances are determined based on allocations adjusted for any allowable transfer between funding streams. This amount (if any) is determined separately for each funding stream.

A Local Board is eligible to receive funds under the reallocation procedures, if it has obligated at least 80 percent of the prior year's allocation, less any amount reserved (up to 10 percent) for the costs of administration. A Local Board's eligibility to receive reallocated funds is determined for each funding stream.

6. State policies for approving local requests for authority to transfer funds between the Adult and Dislocated Worker funding streams at the local level.

State workforce policy #3-09-00 WIA Funding Reallocation Policy allows the Local Boards to transfer up to 30 percent of a program year allocation for adult activities, and up to 30 percent of a program year allocation for dislocated worker activities. The Local Boards may not transfer funds to or from the youth program. Transfers can be made at anytime during the life of the funds. Transfers requested in the latter weeks of the program year are carefully considered for impact on obligation requirements. All fund transfers must be approved by the Department of Commerce and included in the Local Area Plan.

This policy will be modified if the state is granted a waiver to allow up to 100 percent of a program year allocation for adult activities, and up to 100 percent of a program year allocation for dislocated worker activities.

7. Policies related to displaced homemakers, nontraditional training for low-income individuals, older workers, low-income individuals, disabled individuals and others with multiple barriers to employment and training.

State Workforce Policy #3-11-00 Priority of WIA Services requires that priority for intensive services and training services be given to recipients of public assistance and other low-income individuals.

The Local Boards are required to develop policies to prioritize intensive and training services for special population groups that include homemakers, low-income individuals, older workers, individuals who are disabled and others with multiple barriers to employment. With the exception of Older Workers, a population soon to be addressed by State policy, Local policy dictates how individuals in the following categories are prioritized:

- Receives, or is a member of a family that receives, cash payments under a federal, state, or local income based public assistance program;
- Received an income, or is a member of a family that received a total family income for the six month period prior to application (exclusive of unemployment compensation, child support payments, public assistance payments, and old age and survivors insurance benefits received under section 202 of the Social Security Act) that, in relation to family size, does not exceed the higher of (a) the poverty level, for an equivalent period or (b) 70 percent of the lower living standard income level for an equivalent period;
- Is a member of a household that receives (or has been determined within the six month period prior to application be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;
- Qualifies as a homeless individual per section 103 (a) and (c) of the McKinney Act; and
- In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income is at or below the poverty level or 70 percent of the lower living standard, or receives cash payments under a public assistance program, but who is a member of a family whose income does not meet such requirements.

8. If this responsibility was not delegated to the Local Boards, provide the state definition regarding the sixth youth eligibility criterion at section 101(13)(C)(iv) ("an individual who requires additional assistance to complete an educational program, or to secure and hold employment"). (§§ 112(b)(18)(A) and 20 CFR 664.210.)

The responsibility to define the sixth youth eligibility criterion at section 101(13)(C)(iv) has been delegated to the Local Boards and must be included in their Local Area Plans.

IX. Service Delivery

A. One-Stop Service Delivery

1. Describe how the services provided by each of the required and optional One-Stop partners is coordinated and made available through the One-Stop delivery system (§112(b)(8)(A).)

Kansas has made considerable progress in building an integrated workforce development system in which the services provided by required and optional One-Stop partners is coordinated and made available through the Workforce Development System. The Governor's vision drives efforts to build a customer-focused, results-oriented system responsive to the needs of business and jobseekers.

The Kansas workforce development system is in place with ongoing plans for continued improvement. Strong linkages have been forged among numerous workforce development system programs to focus on business and performance accountability. Methods have been developed between One-Stop partners to collaborate and maximize resources to serve mutual customers. A coordinated intake and information system has

been developed through **KANSASWORKS.com**. A formal system is established within the Department of Commerce to disseminate state workforce policy to provide guidance and to enhance the effectiveness of the system.

Continued improvement and refinement is essential for the success of the workforce development system. Building a strong demand-driven workforce development system is an important priority of the State Board. Quality jobs and trained workers are the most important goal of economic development. The State Board oversees the Workforce Development System and provides guidance through policy development, regular review of performance reports and the State Plan. The State Board also assists in partnership forming for that system.

The Local Boards are responsible for overseeing the implementation of an effective network of One-Stop partners. The Local Boards establish policies and goals, and oversee the development and refinement of their Workforce Centers. State administrative staff provides technical assistance to assist the Local Boards to understand their roles and responsibilities in the workforce development system.

Memorandums of Understanding are required by state policy between the Local Boards and all required One-Stop partners. These written agreements reflect informal concurrence among institutions and agencies already dedicated to creating an integrated network of employment, education, and training services in Kansas. Many optional partner programs are co-located within the Workforce Centers, or are accessible through electronic methods. Memorandums of Understanding offer the opportunity to further develop existing collaborations and to establish new ones. Memorandums of Understanding recognize joint costs and how these will be shared among partners.

The Department of Commerce reviews all Memorandums of Understanding to ensure all required components are included such as a description of program services provided by WIA, methods of referral to and from WIA, funding of WIA services, and methods for sharing operating costs. Commerce also reviews all Memorandums of Understanding to ensure these address equal opportunity issues, including how discrimination complaints are handled, and how the cost of reasonable accommodations is shared among the One-Stop partners.

To coordinate and integrate the required and optional One-Stop partner services to customers, common services such as the resource area assistance, orientation to services, workshops, and job development are provided through a team approach. The primary authority and responsibility for coordinating the services provided through each Workforce Center is with the local One-Stop Operator. In this way, each organization is able to focus on its unique contributions, thereby enhancing the efficiency of the system. All one-stop operators must ensure universal access to core services identified under WIA through each Workforce Center. Also, a Memorandum of Understanding must be in place with each of the One-Stop partners to ensure a full range of services are available.

The Kansas workforce development system integrates service delivery at the state and local levels. Collaborative strategies among state agencies, business groups, elected officials, and community-based organizations expand and enhance services to employers

and jobseeker customers. Specific approaches and practices related to coordination are as follows:

State Level Coordination

The State Board is actively involved in promoting coordinated efforts. Through the state agency partners on the State Board, members share knowledge and understanding of goals and strategies of mutual interest are communicated and addressed.

Community and Economic Development

Community and economic development activities are coordinated among state agencies, a multitude of private sector groups, local community development authorities, Chambers of Commerce, and local elected officials. Through the Kansas workforce development system state level linkages are strengthened that promote a seamless system at the local level of service delivery. For example, local workforce staff and economic development partners work closely together when communities are faced with layoffs and business closings.

State and Local Level Communication

State administrative staff members provide the local systems with information regarding federal guidance, initiatives, and other relevant information from the national level (e.g., best practices in youth services, labor market information, tracking the progress of WIA and Carl Perkins reauthorization).

Business Presentations

Upon request, the Kansas Department of Labor provides labor market information that is often combined with research conducted by the Kansas Department of Commerce to develop unique presentations and data arrays for prospective companies and business leadership groups.

Services for Public Assistance Customers

Interagency coordination for public assistance customers has greatly improved. Low income individuals receive services from multiple fund sources and partners to promote their success in the workforce. When packaged together, these services provide a comprehensive approach to meeting customer needs.

Services for Individuals with Disabilities

Vocational Rehabilitation staff often provide testing and assessment of eligible customers within the local workforce system and are co-located in the Workforce Centers so they can easily travel where needed by customers. Additionally, Kansas anticipates award of the Disability Program Navigator grant which will further enhance services to jobseekers with disabilities.

Certification of Workforce Credentials in Workforce Centers

Credentialing Kansas workers makes it easier for employers to find well trained workers. The Kansas Department of Commerce is implementing WorkKeys, an assessment system that is intended to link education and workforce partners by offering a common language to help them communicate about job skill requirements

needed to develop employees and build a better workforce. One initiative, WorkReady!, has been built in partnership with the Kansas Board of Regents, chambers of commerce, technical schools and colleges, community colleges, high schools, and adult education centers as well as Workforce Centers. Kansas WorkReady! uses WorkKeys to create an employability certificate to document an individual's skills in Applied Mathematics, Locating Information and Reading for Information. Other statewide certification programs include Manufacturing Certification, Work Ethic Grade Assessment, Lab Technician Certification Program and Energy/BioFuel Worker Certification. Other certificates are offered through the five Local Areas in conjunction with their credential policy.

2. Describe how youth formula programs funded under §128(b)(2)(A) are integrated in the One-Stop delivery system.

The Local Boards, in partnership with the CEOs, are responsible for ensuring youth formula programs and services are integrated in the Workforce Development System. These partnerships bring together service provider partners with different skills, talents, perspectives, knowledge, and experience to improve opportunities for positive outcomes for youth. Each service provider is responsible for contributing from their own area of expertise in planning and providing services to most-in-need youth. A comprehensive range of youth services and support programs of varying levels of intensity are provided through case management including specialized services for youth with disabilities and those who are at-risk.

Several state, regional, and local partners work together to ensure youth formula programs and services are integrated in the One-Stop delivery system to meet the needs of Kansas' youth. The Kansas Shared Youth Vision Team is a part of this collaboration of state and local agencies committed to helping identify and pool resources to improve youth service strategies.

3. Describe the minimum service delivery requirements the state mandates in a comprehensive One-Stop Center or an affiliate site.

Kansas has established the following basic standards of service that must be provided by all Workforce Centers per state policy:

- Access to information on filing a claim for unemployment insurance benefits;
- Basic labor exchange services to match workers to job openings, including assisting business by screening and referring qualified workers to specific job openings;
- Centralized case management activities for specialized populations, such as the welfare, veterans, dislocated workers, and persons with disabilities;
- Independent evaluations of individual needs that include determining basic skills;
- Information on education and training providers that includes a mechanism for customer feedback on personal experience with such providers;

- Levels of service to address the individual needs of customers (self-service, facilitated service, and staff assisted services);
- Extensive co-location with on-site management of all personnel, a plan for cross-training staff in all services, minimal programmatic specialization of staff, non-duplication of efforts, removal of redundancies within program activities, and maximum flexibility to optimize utilization of resources;
- Reasonable accommodation and accessibility in accordance with the Americans with Disabilities Act (ADA);
- User-friendly resource center that makes available computerized information systems with access to a Internet-based job matching system, workforce information, educational opportunities; and resume preparation tools;
- Identified Employer Center that provides business services such as information on the labor market, jobseeker resumes, wage surveys, federal and state tax incentives, and a variety of other information of interest to employers; and
- Procedures for follow-up on referrals to determine customer receipt of services, appropriateness of the referral to address the customer's needs, and the extent of customer satisfaction with the referral process and services received.

4. Describe tools and products the state has developed to support service delivery in all One-Stop Centers statewide.

The state has developed tools and has purchased products to support service delivery in all Kansas Workforce Centers, such as the following:

Labor Market Information

Labor Market information is essential to the success of the Workforce Development System. Kansas has a strong system in place to produce workforce information products used in the Workforce Centers. This information is also vital in developing Local Area Plans. At a minimum, customers are provided information about local labor supplies, fast growing occupations, and wage rates.

Investment in Technology

The continual updating of technology is critical to an improved workforce system. Kansas invests large amounts of money to build the necessary electronic infrastructure and to develop career planning and job placement tools for customers and staff. Customers are better served if data is collected only once.

KANSASWORKS.com provides a case management module that tracks program participants and reports information required by WIA and other partner programs.

Kansas is in the process of installing a network of high-definition videoconferencing units in selected Workforce Centers and community colleges. These will be used to provide workforce service and provide distance training for dislocated workers and other jobseekers. The reach of services through videoconferencing will expand through partnerships with public library and other entities with similar technology.

Capacity Building and Technical Assistance

WIA funds reserved for statewide activities are dedicated to providing technical assistance to build the capacity of the Local Boards and all partners in the workforce

development system. Continual training of Workforce Center staff enhances their ability to serve employers and jobseekers.

Increased Communication

Effective communication is critical to unifying the efforts of all partners engaged in a demand-driven workforce development system. The state has established regular lines of communication with agency officials, state policy makers, and the State Board to provide information to support the delivery of workforce services in all Kansas Workforce Centers.

The State Board is responsible for developing workforce policy. The Department of Commerce assists by providing staff support to share, and integrate state policy through a formal process.

Local Area Planning Guidance

The Department of Commerce issues planning guidance for development of Local Area Plans to ensure the vision and strategic goals of the Local Boards are consistent with the vision and strategic direction of the Governor, the State Board, state performance goals and strategic direction described in the State Plan.

- 5. Describe models/templates/approaches the state recommends and/or mandates for service delivery in the One-Stop Centers. For example, do all One-Stop Centers have a uniform method of organizing their service delivery to business customers? Is there a common individual assessment process utilized in every One-Stop Center? Are all One-Stop Centers required to have a resource center open to anyone?**

The Department of Commerce provides guidance to the Local Boards. All Workforce Centers must implement a uniform method for organizing their service delivery to business customers according to customer needs for self-service, facilitated service, or staff assisted services. Self-service allows employers who are seeking workers to manage their own job openings and search for candidates through **KANSASWORKS.com**. An employer can choose to disclose their contact information, hide their contact information, or search and view skill comparisons and jobseeker resumes. Facilitated self-help is also available to assist in posting job openings and recruiting qualified candidates.

Other employer services include outreach and recruitment assistance, pre-screening job candidates, Job Fairs, and providing information about federal and state programs. The mandatory Workforce Development System partners, as well as other public, private, and non-profit entities, coordinate their contacts with employers and provide training to enable staff to meet the needs of employers.

Every Comprehensive Workforce Center is required to maintain a user-friendly Employer Center to provide employer services such as information on the labor market, jobseeker resumes, wage surveys, federal and state tax incentives, and a variety of other information of interest to employers. These Employer Centers must reflect the business services provided by all partners within the integrated workforce system.

State policy requires the Kansas Competency System be used to evaluate basic skills and determine a need for remediation. Math and reading skills are measured and the results addressed in an individual service strategy culminating in gainful employment.

The Local Boards work closely with all partner agencies to define workforce needs in their areas and confront barriers to service delivery. *State Workforce Policy #3-23-00 Criteria for Local Workforce Investment Boards* clarifies the roles of the Local Boards and ensures integrated service delivery. The Local Boards build strong relationships with the CEO, oversee continued relationship building to maintain and increase customer satisfaction, and play a major role in training Workforce Center staff. Continued cross training among partner staff ensures the highest grade of customer service.

Kansas is committed to developing a common outcome-based performance management system whereby all participating programs share responsibility for the success of the Workforce Development System. Measuring the success of this system, through customer satisfaction and other methods, remains an important focus. Workforce Centers serve as hubs for regional workforce services where individual career strategies can be pursued. The state requires Operators to target populations most in need as described in State Board policy. The Oversight and Monitoring Unit validates data and verifies each Local Area is serving a significant percent of individuals most in need.

A most recent tool the state has employed for service delivery is high-definition videoconferencing. Through this system customers and staff have access to **KANSASWORKS.com** professional workforce staff members who can help with resume development and referrals to employers. Other services include distance learning provided by community colleges for dislocated workers and other jobseekers. Future expansion of the project will include a partnership with Kansas Department of Corrections helping former inmates find employment.

The State Board requires all local workforce systems to comply with its Service Delivery Integration and Functional Management and Workforce Center Certification policies. This strategy ensures job seekers and employers will receive comparable services from any workforce center in Kansas.

B. Workforce Information

1. Describe how the state will integrate workforce information into planning and decision-making at the state and local level, including the State Board and the Local Boards, One-Stop operations, and case manager guidance.

Planning and decision-making at the state and local level is based on workforce information such as the following:

- State's economic base by industry;

- Current and projected demographics of the available labor pool (including incumbent workers);
- In migration and out migration of workers;
- Industries and occupations projected to grow or decline;
- Skill gaps the state is experiencing for available, critical, and projected jobs; and
- Workforce development issues the state has identified as being most critical to its economic health and growth.

Using workforce information to develop plans for service delivery ensures the system is responsive to the needs of business and jobseekers. As these plans are implemented, Workforce Center staff use updated workforce information to make front-line customer specific decisions. The **KANSASWORKS.com** real-time labor market statistics system provides workforce information to guide day-to-day operations and to help business and jobseekers validate decisions.

2. Describe the approach the state will use to disseminate accurate and timely workforce information to businesses, jobseekers, and employment counselors, in easy to use formats readily accessible within One-Stop Centers and at remote locations such as libraries, schools, worksites, and at home.

The Kansas Department of Labor, Labor Market Information Services web site and the Career Information System are accessible from the **KANSASWORKS.com** home page, without requirements to create an account and log in. The Department of Commerce markets **KANSASWORKS.com** to business and jobseeker customers through the Workforce Centers. Promotional cards and brochures have been designed, and there are plans to conduct a direct mail campaign and update the brochure at some point in the future.

The following is a detailed description of the system the state uses to disseminate accurate and timely workforce information to employers, jobseekers, and employment counselors, in easy to use formats readily accessible within Workforce Centers and at remote locations such as libraries, schools, worksites, and at home:

KANSASWORKS.com - Jobseekers, workforce development professionals, and employers use the **KANSASWORKS.com** system. Examples of the services provided include the following:

- Centralized system for posting job openings and jobseeker resumes;
- Listings of jobs with specific educational or experience levels;
- Information for jobseekers to learn about education and experience requirements for specific jobs; and
- Information on hiring trends and salaries to determine if training expectations are realistic.

CIS - The Career Information System provides real-time occupational information sorted by high demand jobs, best paying jobs, and specific job titles. Real-Time Labor Market Statistics is a sub-system of CIS that uses job orders and jobseeker resumes to produce current information such as the following:

- Average wages for available job openings;
- Current labor market information;
- Demographic characteristics of active jobseekers;
- Demographic characteristics of employers;
- Hiring trends;
- Labor surplus and shortage; and
- Salary trends.

Statistics are available that reflect variety of geographic areas, from statewide to the local level. Most reports are displayed with links to more detailed information. Search results for high demand, best paying, and specific job titles are easy to use and understand because they are displayed in graphic chart formats. Information includes recent job placement activity and labor market projections, such as the following:

- Base 2004 employment;
- Projected 2014 employment;
- Percent change 2004 – 2014;
- Job openings by area (last 60 days);
- Placements (last 60 days);
- New positions;
- Projected annual growth; and
- Total annual openings.

CIS also provides functions for users to select and compare occupations that display as a result of their searches. After the reports display, the customer has the option of viewing current resume information or job openings. This feature effectively relates numbers to real workers and jobs, making the information relevant and meaningful, especially for novice users.

LMIS – The Kansas Department of Labor provides workforce information on the Internet and in publication form. This information includes statistics on occupational outlooks, wages, employment, and unemployment. The most popular publications are the following:

- Job Opportunities in Kansas;
- Kansas Annual Employment and Wages;
- Kansas Wage Survey;
- Labor Market Information Services Catalog; and
- Occupational Outlook.

Each of these publications is distributed to all Workforce Centers and to a mailing list of interested customers. The Kansas Department of Labor-Labor Market Information

Services also produces monthly reports on employment and unemployment used by employers, economic developers, university researchers, and the news media. Workforce information is electronically available by a variety of methods, including the Internet, fax, mail, and e-mail.

The Kansas Department of Labor-Labor Market Information Services web site has been operational since 1995, providing information for a growing cohort of Internet users. LMIS now hosts a new website with a customer-friendly system. In addition to current monthly employment and unemployment information, the web site hosts a historical database that individuals use to obtain customized civilian labor force reports by region and time span. Each publication is presented on the Internet in its entirety to provide customers nearly instant access to current and historical labor market information.

3. Describe how the state's Workforce Information Core Products and Services Plan is aligned with the WIA State Plan to ensure the investments in core products and services support the state's overall strategic direction for workforce investment.

The Kansas Department of Labor, Labor Market Information Services supports the goals of the Kansas workforce system and provides customers of the system timely, accurate, and relevant workforce information to assist employers and promote job growth in an increasingly competitive global economy. Strategies focus on transforming individual employment data into powerful value-added information and knowledge customized at the regional and local levels. Workforce information is a catalyst in promoting joint economic and workforce system development focused on serving the particular needs of the state's diverse and dynamic regions.

Labor Market Information Services also provides jobseekers with information to make intelligent career decisions.

4. Describe how state workforce information products and tools are coordinated with the national electronic workforce information tools, including America's Career Information Network and Career Voyages.

KANSASWORKS.com is the state's primary workforce information tool, along with the products available from the Kansas Department of Labor, Labor Market Information Services. **KANSASWORKS.com** provides links to the America's Career Information Network from several locations on the web site.

Work is in progress, with a target implementation date expected before June 2005, to expand connectivity between **KANSASWORKS.com** and the America's Career Information System. This expanded connectivity will allow customers to move seamlessly between the state and national electronic workforce information tools.

C. Adult and Dislocated Worker Services

1. Core Services (§112(b)(17)(a)(i))

- a. **Describe state strategies and policies to ensure adults and dislocated workers have universal access to the minimum required core services as described in §134(d)(2).**

The state provides guidance to the Local Boards to develop strategies and policies to provide progressive levels of intervention for jobseekers. Core services are available to anyone using a Workforce Center, or through **KANSASWORKS.com**. **KANSASWORKS.com** is accessible through an ADA compatible web site on the Internet. Most customers use core services in a self-directed manner with staff assistance available as needed.

Core Services include, at a minimum, the following:

- Assistance in establishing eligibility for financial aid for training and education not funded under WIA;
- Income-tested eligibility determination;
- Employment information including job vacancies, skills necessary to obtain employment in specific jobs, high demand occupations, and earnings and skill requirements for occupations in the local, regional, and national labor markets;
- Follow-up services;
- Information on the availability of supportive services including childcare and transportation, and referral to such services, as appropriate;
- Information regarding filing claims for unemployment compensation;
- Initial determination of basic skill levels, aptitudes, abilities, and supportive service needs;
- Job search, placement assistance, and career counseling;
- Outreach and orientation to services provide within a Workforce Center; and
- Performance and cost information on eligible providers of training services.

The term “universal access” is incorporated into the Kansas workforce development system as a means of assuring that everyone has access to the Workforce system and to core employment services. The diversity of people – including those with and without disabilities – who are served by the workforce development system necessitates a universal access approach. Core services are available to everyone at no cost. These services are usually self-directed, although staff assistance is available. Core services include such things as basic outreach; intake; interest assessment; job search and placement assistance; access to a wide variety of labor market, training, and support service information; and assistance in establishing eligibility for public assistance programs. All recipients of federal funding must ensure that participants with various physical and mental disabilities will have access to the program or activity. Program access requires innovation and creativity and may involve any of the following:

- Redesign of equipment; reassignment to accessible locations;
- Use of aides;
- Delivery of services at alternative accessible sites;
- Use of accessible vehicles and technologies;
- Alternatives to existing facilities; and
- Construction of new facilities.

The following state policies are developed and implemented to ensure all adults and dislocated workers have universal access to the minimum required core services, including individuals with visual, hearing, physical, cognitive, and other disabilities:

- State Workforce Policy #1-12-00 Equal Access for Jobseekers with Disabilities - Provides guidance to ensure all programs and activities conducted as part of the Workforce Development System provide the same benefits, services, and training to individual with disabilities as are provided to individuals who are not disabled.
- State Workforce Policy #1-13-00 Equal Opportunity Notification and Communication - Provides the minimum requirements for communication access to core services through the Workforce Development System. Implementation of these standards provides communication access to a wide range of individuals including those with visual, hearing, physical, cognitive, and other disabilities.

During its weekly Technical Assistance conference calls with local WIBs, the state reiterates an emphasis on serving target populations such as those receiving public assistance. The state is prepared to provide Technical Assistance immediately to any Local Area not increasing the number of individuals targeted by *ARRA*.

- b. Describe how the state will ensure the three-tiered service delivery strategy for labor exchange services for jobseekers and employers authorized by the Wagner-Peyser Act includes (1) self-service, (2) facilitated self-help service, and (3) staff-assisted service, and are accessible and available to all customers at the local level.**

Labor exchange services funded by Wagner-Peyser are a critical component of Kansas Workforce Centers. State policy provides the three-tiered service delivery strategy for labor exchange services for employers and jobseekers. Through this service strategy, individuals can select the most appropriate methods to access information and services to meet their individual needs. Facilitated self-help service and staff-assisted service are available to all customers in the Workforce Centers. Through the use of the Internet, self-service is available in locations other than the Workforce Centers.

The labor exchange system is designed to address the diverse needs of employers and jobseekers. Customers may seek service through electronic access, or go to any Workforce Center to receive service from skilled human resource professionals.

The following three-tiered service delivery strategy for labor exchange services is provided through the Kansas workforce development system:

Jobseeker Services:

- Self-Service - Information must be available in a variety of media.
- Facilitated Self-Service - Staff must be available to help customers, as needed, to utilize all resources provided through self-service.
- Staff-Assisted Service - Skilled human resource professionals must be available to provide assistance to register for work, search for a job, write a resume, interview for a job, explore occupational opportunities, or provide information on job training or related supportive services.

Business Services:

- Self-Service – An employer can manage its own job openings and search for qualified candidates. The following are three classifications of job postings that can be managed through **KANSASWORKS.com** :
 - All information disclosed – Jobseekers may view all employer contact information for the job opening;
 - Blind ad – Jobseekers may only view the e-mail contact information for the job opening; or
 - Search only – The employer may search and view jobseeker resumes without posting a job opening.
- Facilitated Self-Service – Staff assistance is available to utilize all services available through **KANSASWORKS.com**, including posting job openings, and recruiting candidates.
- Staff Assisted Service - Staff-assisted services include responding to individual employer needs such as the following:
 - Accepting and filling job openings;
 - Outreach and recruitment assistance;
 - Pre-screening jobseekers;
 - Testing;
 - Registered Apprenticeship information;
 - Federal bonding information;
 - Foreign labor certification information;
 - Job Fairs;

- Kansas Industrial Training (KIT) information;
- Kansas Industrial Retraining (KIR) information;
- Labor market and informational;
- Rapid Response services for plant closures;
- Tax credits and other hiring incentives;
- Trade Act program information; and
- Work Opportunity and Tax Credit information.

c. Describe how the state will integrate resources provided under the Wagner-Peyser Act and WIA Title I for adults and dislocated workers as well as resources provided by required One-Stop partner programs to deliver core services.

Each Workforce Center is unique in its design and delivery of workforce services. Memorandums of Understanding between partner programs address how services are provided, methods for referring customers between partner agencies, and how the costs of all services (including core services) are funded directly or as a shared cost. Wagner-Peyser program resources are primarily targeted to provide core services associated with universal access and self-directed job search, labor market information, and job search workshops. Wagner Peyser is the primary funding stream for paying costs associated with the Resource Centers available to jobseekers, as well as the Employer Centers providing employer services such as information on the labor market, jobseeker resumes, wage surveys, federal and state tax incentives, and a variety of other information of interest to employers.

If more than one partner provides a particular core services, negotiation takes place to identify where overlapping services are eliminated and sharing of core service costs is appropriate. Costs are pooled and allocated back to the partner programs directly benefiting from the provision of core services for its customers. This model requires the development of an approved cost allocation methodology.

Kansas has established minimum standards for its Workforce Centers to strengthen partnerships, to centralize core services, and to eliminate duplication of effort. The Department of Commerce provides technical assistance to Workforce Centers to ensure customer needs are met, compliance with all legislative requirements is achieved, and partners fully participate.

2. Intensive Services (§112(b)(17)(a)(i)). Describe state strategies and policies to ensure adults and dislocated workers who meet the criteria in §134(d)(3)(A) receive intensive services as defined.

State Workforce Policy #3-19-00 Management Information System Manual requires the following adult and dislocated workers receive intensive services:

- Unemployed adults and dislocated workers who have received at least one core service and are unable to obtain employment through core services, and are in need of more intensive services to obtain employment; and
- Adults who are employed (and not able to obtain or retain employment leading to self-sufficiency through core services) and dislocated workers who are employed (received layoff notice, but not yet terminated), who have received at least one core service, and are in need of intensive services to obtain or retain employment leading to self sufficiency.

State policy also provides the following examples of intensive services that may be provided and that requiring registration:

- Case management;
- Specialized assessment, testing, and referral;
- Follow-up services (including counseling for individuals who previously received intensive or training services);
- Development of an individual employment plan;
- Individual or group counseling for career planning;
- Short-term pre-vocational services; and
- Work experience.

As part of the ongoing responsibilities for oversight of the state’s workforce development activities, the Department of Commerce WCO Unit conducts regular desk and on-site monitoring reviews. These reviews ensure compliance with state workforce regarding the provision of intensive services.

3. Training Services. (§112(b)(17)(A)(i).)

a. Describe the Governor's vision for increasing training access and opportunities for individuals, including the investment of WIA Title I funds and the leveraging of other funds and resources.

As stated earlier, the Governor’s vision for the Kansas Workforce Development System is to provide integrated services to all job seekers. Training services are available when it is determined the jobseeker is unable to obtain or retain employment by receiving only core and intensive services. Training services may include the following:

- Basic skills instruction and adult education provided in combination with other skill training services;
- Entrepreneurial training;
- Job readiness training;
- Occupational skill training, including training for non-traditional employment;
- On-the-job training;
- Training programs that combine workplace training with related instruction may include cooperative education programs;

- Skill upgrade and retraining; and
- Training programs operated by the private sector.

Training services may be made available to employed and unemployed adults and dislocated workers who select an approved program of training services directly linked to employment opportunities in the region, or in another region where the individual is willing to relocate.

To maximize customer choice in selecting training activities, the list of approved WIA training providers/programs is comprehensive and frequently updated to reflect changing skill demands. The Local Boards identify eligible training providers that offer training in high wage, high demand occupations. The Local Boards may use WIA Title I funds to provide other services described in WIA Section 134(e) of WIA including discretionary services such as the following:

- Customized screening and referral of qualified individuals for training services;
- Customized employment-related business services on a fee-for-service basis; and
- Supportive services including needs-related payments.

WIA funds are leveraged through co-enrollment of participants to support their training and supportive service needs. The following are examples of how WIA funds are leveraged with other funds and resources:

- The Local Boards develop procedures for the coordination of WIA funds with other sources of financial assistance, such as Pell Grants, to pay training costs. Program operators and training providers must access, to the extent practical, all available funds to pay for training and avoid duplication of payments;
- Registered Apprenticeship program sponsors are encouraged to apply as eligible training providers for WIA. Individuals participating in the Kansas Registered Apprenticeship program co-enrolled in WIA when appropriate. Coordination of these programs ensures participants receive the support services necessary to complete their training and receive a Completion of Apprenticeship Certification. Coordinated efforts are also ongoing among Registered Apprenticeship, WIA. Temporary Assistance for Families (TAF), and Adult Basic Education;
- Local Boards are encouraged to enter into contracts with local training providers and educational institutions to provide “right training, right now” to immediately respond to local economic and job seeker needs. WIA set aside funds may be used to contract statewide training programs as workforce needs demand.
- The State Board has implemented policies requiring co-enrollment of all workforce development job seekers as allowed by each respective federal

regulation. For example, Trade Act eligible workers are co-enrolled into the WIA program. In the event there is a Trade Act National Emergency Grant, all eligible workers are co-enrolled in accordance with the WIA National Emergency Grant funding requirements in effect for that grant; and

- The Local Boards develop Memorandums of Understanding to leverage One-Stop operation costs among the partners. These agreements also provide for non-duplication in the delivery of core, intensive, and training services and coordinating funding to provide supportive services.

b. Individual Training Accounts.

1) Describe state workforce policy provided for Individual Training Accounts.

The state provides guidance to ensure training services for jobseekers are provided through the use of Individual Training Accounts funded with adult and dislocated worker funds authorized under Title I of WIA. *State Workforce Policy #3-22-00 Coordinating Individual Training Accounts with Federal Pell Grants and Other Sources of Financial Assistance* provides guidance on the required coordination of Individual Training Accounts with Federal Pell Grants and other sources of financial assistance. Individual Training Accounts are issued to eligible individuals through the Workforce Development System. Individuals may use Individual Training Accounts in exchange for training services from training providers on the statewide list of eligible training providers or from the eligible provider lists of states that have agreed to share their lists with Kansas. If a WIA participant needs tools for training this is an allowable training cost and, therefore, allowable for inclusion in the participant's Individual Training Account.

The state recommends to the Local Boards a common set of activities for Individual Training Accounts. The state ensures the quality and integrity of performance data by requiring the local Individual Training Account systems to include follow-up for customers to provide documentation of completion. Required documentation includes the name of the business, wage/salary information, and benefit information.

Customers have the freedom to make their training choices, with assistance from their case manager. The Local Boards develop policies and procedures to resolve issues concerning a lack of agreement between the customer and the case manager on the training selected. These policies and procedures address how it is determined if training will lead to gainful employment.

- ### **2) Describe innovative training strategies used by the state to fill skills gaps. Include in the discussion the state's effort to leverage additional resources to maximize the use of Individual Training Accounts through partnerships with business, education, economic development, and industry associations, and how business and industry involvement is used to drive this strategy.**

Kansas recognizes a skills gap (the inability to find a qualified workforce) has serious consequences for employers and jobseekers. This results in companies failing to achieve the levels of productivity that would make them profitable, and workers not reaching their full potential because they lack training.

The information age requires more workers who are highly skilled. There is a clear need for technical skills in all jobs, even jobs that historically would have been viewed as blue-collared jobs. The skills gap begins with job applicants who lack the basic skills necessary in today's business environment. Through an analysis of workforce information it has been determined that the following are key skill gap issues in Kansas:

- In the information technology arena, the skills required for technical support, network administration, and electronic enterprise systems are among those in greatest demand;
- Beyond information technology, anticipated retirements from the State Civil Service will create shortages of talent. There is anticipation of enormous skills gaps in state government; and
- Skills desired by nearly all employers include management and communications abilities, knowing how to work as part of a team, and a sense of business ethics.

Studies have shown that occupation-specific training is critical to filling the skills gap. Businesses in Kansas are not expected to fill this need alone. Workforce solutions teams mobilize the full force of the consolidated workforce development system to respond to the immediate need the business, or group of businesses, are facing. These teams assist employers in developing plans to address their workforce needs, in many cases directing employers to seek services from the Kansas workforce development system.

It is the goal of the Kansas workforce development system to develop an innovative strategy to match worker training with business requirements through the development of an industry-specific set of skill standards and certifications. This strategy will be driven by partnerships with business, education, economic development, and industry associations. The purpose is to increase the right skills of workers so Kansas business may become more globally competitive and workers have more options and be able to move from industry to industry.

A key Kansas strategy is to actively engage postsecondary schools in the provision of training for business by moving from a grant funded paradigm (giving companies money to train in-house) to one where companies use the state's workforce training system to train their workers at little or no cost to the business.

3) Discuss the state's plan for committing all or part of WIA Title I funds to training opportunities in high-growth, high-demand and economically vital occupations.

Kansas plans to focus WIA Title I funds toward training opportunities in high wage, high demand industries that are economically critical by involving key players in the workforce development system, including the Governor, CEOs, the State Board, the Local Boards, relevant state agencies, and the Workforce Center operators. This foundation partnership will develop strategies to direct funding toward training opportunities for Kansas workers to gain the competencies they need to get jobs in high wage, high demand industries.

Business and industry representatives will be included in this partnership to define the workforce challenges (e.g., getting career and skill information to young people who are planning their education and career courses; accessing new labor pools; defining core competencies for success on-the-job; training workers; and building the capacity of educational institutions to train workers).

Technical and community colleges and other education and training providers will be included in the partnership to assist in developing competency models and curriculum to build core competencies and train workers. The workforce development system will be included in the partnership to access human capital (youth, unemployed, and dislocated workers) and to place trained workers in jobs.

The partnership will rely on a vast knowledge of the state and local economies in order to strategically invest and leverage resources and allocate training dollars to provide the necessary skills to support industry. This knowledge will include sharing best practice information, demand-driven practices, case studies, project summaries, project templates and plans, presentations, presentation templates, regional data, Internet sources for relevant news and information, and more.

Within this framework of partnerships and workforce information, the following objectives will be applied to direct training dollars toward high wage, high demand occupations that are economically vital to the state:

- Provide assistance to companies to fund training for new workers, taking full advantage of specific economic opportunities and industrial expansion initiatives for high wage, high demand occupations;
- Develop maximum access to training opportunities for jobseekers to gain the competencies they need to get good jobs in high wage, high demand industries; and
- Upgrade skills of current workers who are at risk of being permanently laid off because they lack the skills needed to continue employment in high wage, high demand industries.

While it is generally understood current funding levels are inadequate to address all demands placed upon the Local Boards, workforce and education programs have the flexibility to redirect resources to provide training opportunities in high wage, high demand occupations. The state will provide guidance to the Local Boards regarding the use of various funding sources, and make available reserved for statewide activities, to support innovative training in high wage, high demand occupations.

The State Board and the Local Boards will develop partnerships and strategies and identify opportunities for grants and other funding sources to expand capacity of the system to provide training in specific occupations needed by high wage, high demand industries. This effort is important to supplement dwindling resources to meet the demands of serving jobseekers and directing resources to industries most in demand.

4) Describe state workforce policy for limiting Individual Training Accounts (e.g., dollar amount or duration).

Maximum flexibility is provided to the Local Boards in managing Individual Training Accounts. The Local Boards may establish policies to restrict the duration or amounts of Individual Training Accounts if such policies do not arbitrarily exclude eligible training providers or limit customer choice. These policies must be described in their Local Area Plans reviewed and approved by the Department of Commerce.

Kansas limits Individual Training Accounts to paying for books, fees, supplies, and tuition. Supportive service costs are not covered under Individual Training Accounts. The state recommendation the amount of the Individual Training Account should not be greater than \$3,000 per year. A Local Board may approve exceptions to these limits based on need. Individual Training Accounts are issued for limited time periods congruent with the length of training.

5) Describe the state's current or planned use of WIA Title I funds for the provision of training through apprenticeship.

Kansas has a special initiative to use WIA Title I funds to provide Registered Apprenticeship training to unemployed persons in high wage, high demand occupations. Through this initiative, Program Consultants for Registered Apprenticeship are located in two Workforce Centers. These consultants work directly with employers statewide to develop standards for their skilled occupations and register their programs under the Kansas Registered Apprenticeship Council.

Registered Apprenticeship program sponsors are encouraged to the Local Boards to become an eligible training provider for WIA. Individuals participating in the Kansas Registered Apprenticeship program are co-enrolled in WIA when appropriate. Coordination of Registered Apprenticeship and WIA ensures program participants receive necessary supportive services.

WIA performance for Adult Entered Employment, Employment Retention, and Earnings Increase and Efficiency will improve through this initiative. Also, the four Youth and Lifelong Learning measures will be positively impacted with major gains anticipated in Placement in Employment or Education, Attainment of a Degree or Certificate, Literacy or Numeracy gains, and Efficiency all improving.

6) Identify state policies developed in response to changes to WIA regulations that permit the use of WIA Title I financial assistance to employ or train participants in religious activities when the assistance is provided indirectly (such as through an ITA) (20 CFR § 667.266(b)(1).)

Faith-based and community organizations are eligible to provide WIA funded training services in Kansas. The Local Boards are required to describe in their Local Area Plan how faith-based and community organizations are integrated into the WIA system at the local level including the following:

- Methods for expanding access to training and job opportunities, and career services offered by the Workforce Centers to individuals receiving services from faith-based and community organizations; and
- Methods for increasing the number of faith-based and community organizations serving as committed and active partners in the local Workforce Development System.

Kansas will create an expanded network of faith-based and community organization partners within the Workforce Development System by accomplishing the following:

- Expanding outreach and service delivery to targeted populations who rely on the services of faith-based and community organizations;
- Including representatives of faith-based and community organizations at Rapid Response meetings;
- Encouraging faith-based and community organizations to become eligible training providers; and
- Developing an effective system to replicate successful partnerships between Local Boards and faith-based and community organizations.

The Department of Commerce has designated an administrative staff person as the contact person for the Faith-Based and Community Organization Initiative. This person provides information, education and referral resources to accomplish the following:

- Provide technical assistance to faith-based and community organizations to help them understand how state agencies operate, how to apply for grants, who they might go to for information, and how to clear away barriers to working with the One-Stop partners;

- Coordinate efforts to eliminate any regulatory, contracting, and other programmatic obstacles to the participation of faith-based and community organizations in the provision of workforce development services;
- Convene statewide activities to engage key stakeholders in conversations on services provided by faith-based and community organizations;
- Propose the development of innovative programs to increase the participation of faith-based and community organizations in state and local initiatives;
- Encourage the Local Boards to appoint members who are familiar with local faith-based and community organizations;
- Work with the Local Boards to educate faith-based and community organizations about partnership possibilities and funding opportunities;
- Develop and coordinate outreach efforts to disseminate information more effectively to faith-based and other community organizations with respect to program changes, contracting opportunities, and other state initiatives; and
- Encourage faith-based and other community organizations to apply to become eligible training providers.

Leaders of faith-based and community organizations are uniquely positioned to know the needs and concerns of their members and the surrounding neighborhood. Many faith-based and community organizations refer individuals who are facing employment problems to their local Workforce Center for employment assistance. People facing critical employment problems are often in need of caring and compassion. Faith-based and community organizations provide the supportive services they need during these stressful situations.

c. Eligible Training Provider List. Describe the state's process for providing broad customer access to the statewide list of eligible training providers and their performance information, including at every One-Stop Center. (§112(b)(17)(A)(iii).)

State Workforce Policy #3-16-00 Kansas Training Provider Certification System governs the state's system of WIA eligible training providers. Through this system, training provider information is widely available to Workforce Centers, workforce professionals, and to the public. To ensure universal access, written reports are available, upon request, in the media of the customer's choice.

The Kansas Training Provider Certification System is available through **KANSASWORKS.com** to provide details about the provider and each training program ensuring customers have adequate information to make an informed decision when selecting a training provider and training program. Information collected includes, but is not limited to, the following:

- Provider Type of institution, degrees or certifications offered, and financial aid options.
- Training program Degree or certification attained, potential occupations, and detailed costs.

d. On-the-Job and Customized Training (§§112(b)(17)(A)(i) and 134(b).)

Describe the state's major directions, policies, and requirements related to OJT and customized training.

1) In a narrative format, describe the Governor's vision for increasing training opportunities to individuals through the specific delivery vehicles of on-the-job and customized training.

There continues to be a critical shortage of skilled workers in Kansas. Kansas has restructured and integrated the state's workforce development system to address this gap through strategies such as increasing training opportunities through on-the-job and customized training. The Department of Commerce encourages the Local Boards to target more resources toward on-the-job and customized training in high wage, high demand occupations and to set varying lengths of training based on the occupation and type of instruction involved.

Funds reserved for statewide activities are available to Local Boards that submit proposals to increase training opportunities in high wage, high demand occupations through on-the-job and customized training. The decision to fund these proposals will be based on how well the proposal achieves the Governor's vision of an integrated workforce development system, supports business, and helps the state achieve performance outcomes.

2) Describe how the state accomplishes the following:

- **Identifies on-the-job and customized training opportunities;**
- **Markets the concept as an incentive to untapped employer pools including new business to the state and employer groups;**
- **Partners with high growth, high demand industries and economically vital industries to develop potential on-the-job and customized training strategies;**
- **Taps business partners to help drive the strategy through joint planning, competency and curriculum development, and determining appropriate lengths of training, and**
- **Leverages other resources through education, economic development, and industry associations to support on-the-job and customized training ventures.**

Kansas has implemented an initiative that partners Registered Apprenticeship with high wage, high demand industries to develop on-the-job and customized training. This partnership expands linkages and coordination between the Kansas Registered Apprenticeship Program, WIA, the Kansas Industrial Training Program, the Kansas Incumbent Worker Training Program, and the Kansas Industrial Retraining Program, as well as with other services available through the Workforce Development System. The initiative allows resources to be leveraged

with other resources through education, economic development, and industry associations to support this unique on-the-job and customized training venture.

Apprenticeship Program Consultants work directly with business partners to identify skilled occupations as apprenticeable occupations under Registered Apprenticeship Program guidelines. To be recognized as a sponsor, the business must demonstrate a commitment to provide on-the-job training customized for the skilled occupations within that business. The sponsor must also meet the 24 standards established in the Registered Apprenticeship Program. These business partners drive the strategy by participating with the Department of Commerce in joint planning, competency and curriculum development, and determining appropriate lengths of training for on-the-job and customized training opportunities.

The Apprenticeship Program Consultants work with the Workforce Centers and registered business sponsors to coordinate funds from various programs to help pay the extraordinary costs of training for program participants. Individuals participating in the Kansas Registered Apprenticeship program are co-enrolled in WIA when appropriate. The sponsor may also qualify for partial reimbursement of training costs through the Kansas Industrial Training Program, the Kansas Incumbent Worker Training Program and the Kansas Industrial Retraining Program. Coordination of these services ensures participants in the Kansas Registered Apprenticeship program receive the support services necessary to complete their training. All funding provided through the various programs is coordinated to ensure no duplication of costs and to leverage resources.

The Apprenticeship Program Consultants are responsible for marketing this incentive to existing and new businesses moving to the state. WIA case managers develop a training plan in cooperation with Registered Apprenticeship sponsors describing the supportive services necessary for the participant to complete their training. The consultants work with the business to develop a training contract that meets on-the-job or customized training requirements for WIA funding and to leverage other resources through education, economic development, and industry associations.

This initiative to integrate the Registered Apprenticeship program into the workforce development system provides the following benefits:

Business Services:

- Skilled jobs are filled through on-the-job or customized training programs utilizing academic training models;
- Worker skills are ensured through a certification of completion; and
- Financial assistance to help defray the extraordinary costs of training.

Workforce Centers:

- Value-added services are provided to the business community;
- The workforce development system is provided greater access to high paying job openings for highly skilled workers;
- The workforce development system becomes more visible in the business community; and
- Performance outcomes are enhanced.

4. Service to Specific Populations (§112(b)(17)(A)(iv)).

- a. Describe the state's strategies to ensure the full range of employment and training programs and services delivered through the state's One-Stop delivery system are accessible to and will meet the needs of dislocated workers, displaced homemakers, and low-income individuals, migrant and seasonal farm workers, women, minorities, individuals training for non-traditional employment, veterans, public assistance recipients, and individuals with multiple barriers to employment (including older individuals, people with limited English-speaking proficiency, and people with disabilities.)**

Significant segments of populations served through the Kansas Workforce Development System include dislocated workers, displaced homemakers, low-income individuals such as migrant and seasonal farm workers, women, minorities, individuals training for non-traditional employment, veterans, public assistance recipients, and individuals with multiple barriers to employment (including older individuals, people with limited English-speaking proficiency, and people with disabilities). The emphasis on low income individuals is clear and has been communicated to LWIBs in Kansas. The state will monitor Local Area use of all federal workforce funds and will provide Technical Assistance to any Local Area not serving a significant number of targeted individuals.

The Department of Commerce ensures all applicable laws are followed pertaining to non-discrimination (i.e. Section 504 of the Rehabilitation Act of 1973 and Section 188 of WIA) and equal opportunity. The Workforce Compliance and Oversight Unit monitors annually all grantees for compliance with applicable non-discrimination and equal opportunity laws and equitable service levels to the significant segments mentioned above. Monitoring is performed on-site and is followed by a written report of any findings along with requested corrective action and follow-up, as appropriate. Commerce ensures compliance with the Americans with Disabilities Act throughout the Workforce Development System.

The Local Boards develop policies to provide intensive and training services for the special population groups described above. Local outreach is coordinated among service providers and described in Memorandums of Understanding to serve customers who do not have easy access to transportation to a Workforce Center, or a means to access workforce information through computer linkages.

Kansas uses monies reserved for statewide activities to fund state and local proposals

developed through the Kansas workforce development system to meet the needs of dislocated workers, displaced homemakers, low-income individuals such as migrant and seasonal farm workers, women, minorities, individuals training for non-traditional employment, veterans, public assistance recipients and individuals with multiple barriers to employment (including older individuals, people with limited English-speaking proficiency, and people with disabilities). The decision to fund these proposals are based on how well the proposal achieves the Governor's vision of an integrated workforce development system, supports business, and helps the state achieve performance outcomes. In addition, the implementation of a state policy requiring Local Areas to specifically target Older Workers will ensure the growing aging population will be served.

The Department of Commerce administers the state's Older Kansans Employment Program (OKEP) enacted by the state Legislature in 1982 K.S.A.5741. OKEP provides employment placement services in the private sector to Kansans 55 and over. Although priority is given to unemployed older Kansans who are most in need, OKEP participants are not required to meet poverty guidelines. The Older Kansans Employment Program serves 47 Kansas counties. OKEP services are available to WIA customers, and weekly job search workshops are conducted at Workforce Centers throughout the State. OKEP coordinates closely with WIA, the Senior Community Service Employment Program (SCSEP), and Health and Human Services. The table below depicts 2000 U.S. Census data for all persons in Kansas urban and rural counties who are 55 years and older, excluding those in the Armed Forces who are at or below 125 percent of Health and Human Services (HHS) poverty levels.

**Persons 55 Years and Older who are
at or below 125% of HHS Poverty Levels
2000 U.S. Census**

Area	Number Eligible	Percent of Total	Minority	Percent of Total	Disabled	Percent of Total
Kansas	82,489	100.00%	11,721	100.00%	51,385	100.00%
Allen County	820	0.99%	16	0.14%	585	1.14%
Anderson County	480	0.58%	22	0.19%	280	0.54%
Atchison County	925	1.12%	84	0.72%	500	0.97%
Barber County	240	0.29%	24	0.20%	134	0.26%
Barton County	1,270	1.54%	120	1.02%	695	1.35%
Bourbon County	875	1.06%	40	0.34%	495	0.96%
Brown County	675	0.82%	74	0.63%	400	0.78%
Butler County	1,390	1.69%	57	0.49%	930	1.81%
Chase County	165	0.20%	4	0.03%	87	0.17%
Chautauqua County	340	0.41%	20	0.17%	220	0.43%
Cherokee County	1,145	1.39%	47	0.40%	715	1.39%
Cheyenne County	179	0.22%	0	0.00%	87	0.17%
Clark County	114	0.14%	4	0.03%	68	0.13%
Clay County	375	0.45%	14	0.12%	245	0.48%
Cloud County	640	0.78%	16	0.14%	445	0.87%

Coffey County	460	0.56%	12	0.10%	275	0.54%
Comanche County	190	0.23%	0	0.00%	133	0.26%
Cowley County	1,725	2.09%	176	1.50%	1,140	2.22%
Crawford County	1,820	2.21%	85	0.73%	1,175	2.29%
Decatur County	215	0.26%	0	0.00%	128	0.25%
Dickinson County	965	1.17%	49	0.42%	575	1.12%
Doniphan County	400	0.48%	24	0.20%	230	0.45%
Douglas County	1,390	1.69%	207	1.77%	895	1.74%
Edwards County	165	0.20%	24	0.20%	69	0.13%
Elk County	300	0.36%	16	0.14%	190	0.37%
Ellis County	1,080	1.31%	0	0.00%	695	1.35%
Ellsworth County	410	0.50%	28	0.24%	279	0.54%
Finney County	750	0.91%	214	1.83%	425	0.83%
Ford County	995	1.21%	209	1.78%	630	1.23%
Franklin County	1,040	1.26%	50	0.43%	640	1.25%
Geary County	655	0.79%	221	1.89%	440	0.86%
Gove County	180	0.22%	16	0.14%	109	0.21%
Graham County	225	0.27%	30	0.26%	129	0.25%
Grant County	180	0.22%	125	1.07%	130	0.25%
Gray County	225	0.27%	16	0.14%	158	0.31%
Greeley County	52	0.06%	0	0.00%	42	0.08%
Greenwood County	515	0.62%	20	0.17%	360	0.70%
Hamilton County	129	0.16%	8	0.07%	87	0.17%
Harper County	420	0.51%	12	0.10%	220	0.43%
Harvey County	1,205	1.46%	98	0.84%	815	1.59%
Haskell County	130	0.16%	60	0.51%	84	0.16%
Hodgeman County	115	0.14%	4	0.03%	72	0.14%
Jackson County	455	0.55%	26	0.22%	199	0.39%
Jefferson County	690	0.84%	44	0.38%	430	0.84%
Jewell County	275	0.33%	0	0.00%	170	0.33%
Johnson County	5,115	6.20%	527	4.50%	2,950	5.74%
Kearny County	114	0.14%	36	0.31%	68	0.13%
Kingman County	425	0.52%	4	0.03%	250	0.49%
Kiowa County	170	0.21%	8	0.07%	125	0.24%
Labette County	1,260	1.53%	117	1.00%	875	1.70%
Lane County	83	0.10%	8	0.07%	57	0.11%
Leavenworth County	1,505	1.82%	234	2.00%	945	1.84%
Lincoln County	245	0.30%	12	0.10%	164	0.32%
Linn County	505	0.61%	30	0.26%	290	0.56%
Logan County	185	0.22%	20	0.17%	93	0.18%
Lyon County	1,040	1.26%	164	1.40%	700	1.36%
McPherson County	1,175	1.42%	30	0.26%	740	1.44%
Marion County	745	0.90%	20	0.17%	480	0.93%
Marshall County	530	0.64%	18	0.15%	300	0.58%
Meade County	190	0.23%	8	0.07%	134	0.26%
Miami County	765	0.93%	56	0.48%	525	1.02%
Mitchell County	325	0.39%	4	0.03%	220	0.43%
Montgomery County	2,085	2.53%	231	1.97%	1,325	2.58%

Morris County	335	0.41%	8	0.07%	154	0.30%
Morton County	104	0.13%	36	0.31%	69	0.13%
Nemaha County	715	0.87%	20	0.17%	415	0.81%
Neosho County	920	1.12%	45	0.38%	610	1.19%
Ness County	230	0.28%	0	0.00%	148	0.29%
Norton County	355	0.43%	12	0.10%	220	0.43%
Osage County	660	0.80%	22	0.19%	415	0.81%
Osborne County	315	0.38%	4	0.03%	225	0.44%
Ottawa County	310	0.38%	18	0.15%	215	0.42%
Pawnee County	330	0.40%	58	0.49%	195	0.38%
Phillips County	380	0.46%	12	0.10%	269	0.52%
Pottawatomie County	585	0.71%	12	0.10%	350	0.68%
Pratt County	525	0.64%	64	0.55%	370	0.72%
Rawlins County	235	0.28%	8	0.07%	129	0.25%
Reno County	2,395	2.90%	182	1.55%	1,410	2.74%
Republic County	320	0.39%	4	0.03%	174	0.34%
Rice County	535	0.65%	24	0.20%	330	0.64%
Riley County	735	0.89%	71	0.61%	410	0.80%
Rooks County	335	0.41%	16	0.14%	215	0.42%
Rush County	220	0.27%	12	0.10%	123	0.24%
Russell County	545	0.66%	4	0.03%	360	0.70%
Saline County	1,640	1.99%	191	1.63%	1,045	2.03%
Scott County	200	0.24%	0	0.00%	140	0.27%
Sedgwick County	10,810	13.10%	2,905	24.78%	6,735	13.11%
Seward County	535	0.65%	128	1.09%	390	0.76%
Shawnee County	4,790	5.81%	1,051	8.97%	3,045	5.93%
Sheridan County	100	0.12%	0	0.00%	52	0.10%
Sherman County	215	0.26%	20	0.17%	150	0.29%
Smith County	320	0.39%	4	0.03%	152	0.30%
Stafford County	265	0.32%	4	0.03%	118	0.23%
Stanton County	79	0.10%	20	0.17%	53	0.10%
Stevens County	110	0.13%	20	0.17%	79	0.15%
Sumner County	920	1.12%	69	0.59%	600	1.17%
Thomas County	285	0.35%	20	0.17%	184	0.36%
Trego County	260	0.32%	0	0.00%	180	0.35%
Wabaunsee County	310	0.38%	4	0.03%	220	0.43%
Wallace County	95	0.12%	20	0.17%	62	0.12%
Washington County	550	0.67%	8	0.07%	350	0.68%
Wichita County	90	0.11%	20	0.17%	53	0.10%
Wilson County	675	0.82%	20	0.17%	455	0.89%
Woodson County	310	0.38%	12	0.10%	145	0.28%
Wyandotte County	5,395	6.54%	2,730	23.29%	3,320	6.46%

Source: Census data provided by the USDOL Division of Older Worker Programs (DOWP)

The Kansas Older Worker Task Force is responsive and supportive of the networking of programs and coordination of services for older Kansans. The state's SCSEP subcontractor and the project directors for the national sponsors, SER Corporation, together with the AARP Kansas, business, OKEP service providers, Area Agencies

on Aging, Department on Aging, Department of Education, and Veterans' programs are represented on the task force. The task force meets quarterly and members attend meetings of the State Board and Local Boards to encourage older worker advocate representation and to inform the board members and the public about aging and senior workforce issues.

Each year the task force plans and prepares for the Kansas Older Worker Week celebration. The celebration includes a Governor's Proclamation for older workers and recognition awards for Kansas' oldest male and female workers, outstanding older workers and employers that hire older workers. These activities and awards are designed to promote older workers for employment in the private and public sectors, eliminate myths about older workers, promote recruitment, job development and training of older workers; and promote good will and recognition for the senior employment service programs in Kansas.

The Kansas Older Worker Task Force has recommended that WIA funding be targeted to assist seniors as a special population. Older Worker programs need additional funding to serve an ever-increasing eligible population. Census figures in 2000 indicate that in Kansas 8.1 percent of residents 65 years of age or older lived below the poverty level.

A growing number of baby boomers will soon need access to the older worker programs. More and more seniors are working past the normal retirement age, as they cannot afford their medications, insurance, and daily living needs. They may retire from one career only to find that they must seek other employment. Increased funding will be needed to provide retraining opportunities and to promote education campaigns to promote the older worker to business.

Rural communities are aging, depopulating, losing schools, post offices, and other services that hold communities together. As older Kansans seek employment opportunities, as well as other services, they are being forced to leave their rural roots and adjust to urban settings. As slots and positions are adjusted to account for this urban shift, those that wish to stay in the smaller communities where they have lived for many years are left with few options. As with younger workers, the older workers are being forced to go where there are employment opportunities. Once again, our rural areas are left behind. This has a two-fold effect. Smaller communities in Kansas will continue to lose their populations and become ghost towns. Seniors who would prefer to remain in their own communities are moving into urban areas. They may not be equipped to deal with the change or adjust to their new setting. Mental health and a sense of well-being are important factors in living a long, healthy life and being a productive member of the workforce.

The Older Worker Programs in Kansas are successful in their outreach and placement of older workers. There is a high degree of coordination of services between the many agencies and they are dedicated to serving the older Kansas worker. With more funding and development of employment opportunities, many more Kansas seniors could benefit from these programs. As our population continues to age, these programs will become even more necessary.

SCSEP Grantees are required partners of the Workforce Development System. In the local area in which the grantee offers services, the grantee enters into a Memorandum of Understanding with the Local Board. The Memorandum of Understanding describes the services to be provided through the Workforce Development System, how the costs of such services and the operating costs of the system will be funded; the methods of referral of individuals between the One-Stop operator and the One-Stop partners, for appropriate services and activities. Also, as a required partner, the SCSEP Grantee will be represented on the Local Board in the local area in which the grantee offers services. Through their participation in the Workforce Development System and membership on the Local Boards, the activities of the SCSEP Grantees will be coordinated with the activities of Title I of the WIA and the State's Older Kansans Employment Program.

The Kansas Senior Employment Services Coordination Plan describes the programs' purposes, how the funds are used, eligibility requirements for participation in the programs, a listing of service providers and the counties they serve, and sources for additional program information.

Referrals to SCSEP for older dislocated workers, public assistance recipients, veterans, persons with disabilities, women, and minorities are made through the Workforce Centers. OKEP staff members are co-located in many of Workforce Centers where they provide the following services for seniors:

- Classroom training;
- Counseling;
- Job placement;
- Job search;
- Mentoring;
- Referral to supportive services;
- Resume writing; and
- Skills assessment.

b. Describe the reemployment services provided to unemployment insurance claimants and the Worker Profiling services provided to claimants identified as most likely to exhaust their unemployment insurance benefits in accordance with section 3(c)(3) of the Wagner-Peyser Act.

Claimants identified through the worker profiling process are required to participate in reemployment services as a condition for continued eligibility for Unemployment Insurance benefits. The worker profiling process measures the characteristics of claimants who receive Unemployment Insurance against a statistical model to determine the likelihood of exhausting their benefits. The worker profiling system identifies individuals who are most in danger of exhausting their benefits. Wagner-Peyser staff contact these claimants to offer reemployment services. Profiled claimants receive an orientation to services available through the workforce system and are evaluated to develop an individual employment plan. Based on their plan, profiled claimants receive services such as the following to assist them to become reemployed:

- Assistance registering for a Plus Account in **KANSASWORKS.com**;
- Orientation to the Workforce Center Resource Center;
- Assessment and testing;
- Employment counseling;
- Job development;
- Job search assistance;
- Referral to supportive services;
- Individual employment plan;
- Referral to training; and
- Other services as deemed appropriate.

c. Describe how the state administers the unemployment insurance work test and how feedback requirements (under §7(a)(3)(F) of the Wagner-Peyser Act) for all Unemployment Insurance claimants are met.

The Kansas Department of Commerce (Commerce) is currently in the process of completing a project with the Kansas Department of Labor (KDOL) that will create a process for claimants who file with KDOL for unemployment benefits to be automatically registered with **KANSASWORKS.com** for workforce development. Also, it will provide job matching capabilities for claimants who are required to look for work and other related data being collected will be passed between the agencies. It is envisioned that this project will provide the claimant a one-stop entry into the KDOL & KDOC unemployment & reemployments services by providing the ability to capture the necessary and registration information during the claimant's interaction with KDOL.

d. Describe the state's strategy for integrating and aligning services to dislocated workers provided through the WIA Rapid Response, WIA dislocated worker, and Trade Adjustment Assistance (TAA) programs. Describe state workforce policy supporting co-enrollment for WIA and TAA.

The Department of Commerce, State Dislocated Worker Unit, administers Rapid Response and the Trade Act programs. The Trade Act administrative office notifies the Local Boards of certified or denied Trade Act petitions, determines individual eligibility for benefits, helps coordinate services, and provides training to local staff members who complete required documents for workers requesting benefits. Subsequent to regular Rapid Response meetings, Trade Act informational meetings are provided for those workers eligible under a certified petition. Eligible workers are informed of the benefits of the program, where to receive services, how to enroll in the Trade Act program, the enrollment procedures, and notified of deadlines that must be met to receive weekly benefits.

While Trade Act program regulations do not require co-enrollment, the state encourages the Local Boards to develop procedures to co-enroll Trade Act program eligible workers into the WIA program. In the event there is a Trade Act National Emergency Grant, all eligible workers will be co-enrolled in accordance with WIA National Emergency Grant funding requirements in effect for that grant.

e. Describe how the state's workforce development system works collaboratively with business and industry and the education community to develop strategies to overcome barriers to skill achievement and employment experienced by dislocated workers, displaced homemakers, low-income individuals such as migrant and seasonal farm workers, women, minorities, individuals training for non-traditional employment, veterans, public assistance recipients and individuals with multiple barriers to employment (including older individuals, people with limited English-speaking proficiency, and people with disabilities) to ensure they are being identified as a critical pipeline of workers.

Barriers to skill achievement and employment experienced by individuals within the populations described above are complex, inter-related, and unique to each individual. The state's workforce development system works collaboratively with business and industry and the education community to develop strategies to overcome these barriers.

Many individuals do not meet the minimum requirements necessary to participate in an employment and training program, let alone secure continuous employment in a world that has become increasingly technologically sophisticated. Reasons why certain individuals within these populations have difficulty overcoming barriers to education, training, and employment include the following:

- Unfamiliarity with the current labor market;
- Concerns about financial implications;
- Failure to recognize the benefits of education and training in improving employment opportunities;

- Family and cultural background where education and training is seen as a poor option, with no immediate benefits;
- Family responsibilities (either as a parent and/or a caregiver);
- Fixed views on masculine and feminine jobs limiting career choices;
- Geography (i.e. fear of moving from a familiar area);
- Health or disability problems (including mental health problems);
- Lack of ability to adapt to a new environment;
- Lack of appropriate financial, physical, or psychological support;
- Lack of basic life and social skills;
- Lack of role models in education or employment;
- Lack of self-confidence and self-esteem;
- Lack of interpersonal skills;
- Lack of transportation;
- Negative school experiences (attitudes of teachers and other students, and problems with learning);
- Peer group pressure to conform to a culture of unemployment;
- Poor quality of information, advice, and guidance about education and employment opportunities;
- Reluctance to take advice;
- Unrealistic expectations of the workplace; and
- Unstable housing and/or relationships.

Persons who have barriers to employment may fail to see the link between education and training and better job prospects. Kansas has established a strategy to integrate the state's workforce development system, business and industry, and the education community to develop strategies to accomplish the following:

- Develop a comprehensive and sustained support structure to deal with potential problems faced by the targeted population;
- Engage training providers who take a holistic approach in responding to the needs, interests, and aspirations of each person;
- Recognize that while some individuals may realize the importance of education, training, and employment, their experiences have not always been positive. Outreach and recruitment involves selling the positive aspects and convincing the individual to participate in further education and training;
- Understand the risk factors for special population groups to develop programs with these in mind and ensure appropriate support mechanisms are integrated throughout; and
- Undertake careful planning with the workforce development system, business and industry, and the education community to specify roles and responsibilities for responding to the complex problems faced by special population groups with barriers to employment.

Improved access to education and training opportunities through an integrated workforce development system is a critical component to overcoming barriers to

employment. Effective partnerships between business, education, and training providers ensure this approach works.

Employers and educators may not be able to affect the social and family circumstances of learners, but training providers must offer a curriculum to enable people to make choices, build their confidence, and see the connection between learning and a better life. Recognizing unique motivational styles will help identify the types of relevant educational products and problems to satisfy the immediate need of jobseekers.

The workforce development system will ensure success can be achieved through evaluation and accreditation. Clear pathways of progress and continuous support are vital in building on achievement. A curriculum combining key vocational skills identified by employers, with programs of personal development to raise self-esteem is most effective. Partnerships within /workforce Centers support networks to respond to personal and social issues, such as housing, childcare, mentoring, and transportation.

f. Describe how the state ensures the full array of One-Stop services are available to individuals with disabilities and that the services are fully accessible.

A full range of workforce services, including registration and referrals, are available to customers with disabilities. As system partners, Workforce Center program staff, Vocational Rehabilitation counselors, and representatives of faith-based and community organizations provide services customized to fit the needs of persons with disabilities.

Kansas has been a Disability Program Navigator grant recipient for two years and has transformed its service delivery to people with disabilities through technology upgrades and on-site training and support by Disability Program Navigators in each Local Area. Kansas has applied for additional funding for the DPN Initiative for PY 2009.

State Workforce Policy #1-12-00 Equal Access for Jobseekers with Disabilities ensures customers with disabilities are able to access job listings and use self-registration and self-service resources. All Workforce Centers comply with the requirements of the Americans with Disabilities Act, the disabilities-related requirements found in the Rehabilitation Act, and WIA Section 188.

All Workforce Centers are accessible to people with disabilities. Examples of accommodations available to serve persons with disabilities include the following:

- Modified equipment;
 - Qualified readers or interpreters;
 - Appropriately modifying examinations, training, or other programs;
 - Architectural, physical, communications, and transportation accommodations;
- and

- Text readers and other auxiliary aids; and
- Large Print and Braille materials.

The Kansas Commission on Disability Concerns (KCDC) provides the Workforce Development System information, training, online resources and suggestions for improvements. In addition, Workforce Centers utilize community and online resources to help improve their services and provide further assistance to customers with disabilities.

Service providers and system partners work together to develop procedures to avoid duplication of services and leverage funds when serving persons with disabilities. In serving people with disabilities, outreach efforts are developed through Memorandums of Understanding to meet the needs of customers who do not live near a Workforce Center and do not have access to transportation.

Customers who are disabled receive the same information through the workforce development system, as do other individuals. This includes text only options for web-based information accessible through computer linkages at local libraries and other public offices. All Workforce Centers have voice software available on client computers so the visually impaired may access **KANSASWORKS.com**.

- g. Describe the role LVER/DVOP staff have in the One-Stop delivery system. Describe how the state ensures adherence to the legislative requirements for veterans' staff. Describe how services under this plan take into consideration the agreement reached between the Secretary and the state regarding veterans' employment programs (§§112(b)(7), 112 (b)(17)((B); 322, 38 U.S.C. Chapter 41; and 20 CFR §1001.120).)**

State Workforce Policy #2-01-05 Jobs for Veterans Act Programs provides general guidance regarding the statute and scope of the Jobs for Veterans Act (JVA). It also provides a description of how veterans priority affects current business processes as it is implemented.

As providers of federally funded employment and training programs, all workforce centers are expected to direct special attention to the employment needs of veterans.

LVER and DVOP staff members provide technical assistance and training to Workforce Center staff. Training includes information on veterans programs and resources, and the priority of services to veterans. LVER staff makes recommendations to One-Stop operators for improvements in services to veterans via an appropriate chain of command. Memorandums of Understanding are used to define the range of services available to veteran customers and the responsibilities of DVOP and LVER staff for providing such services.

All Workforce Center staff members are responsible for ensuring veterans are provided a full range of services to meet their employment and training needs. Service providers will work with the LVER and DVOP staff to make them aware of

all assistance available so they are better prepared to respond to the needs of veterans. LVER staff will provide training to service providers to enhance their knowledge of the employment and training issues veteran face. In addition, all sites where workforce development services are offered will post signs to encourage veterans and other eligible persons to inquire about priority of service.

To measure whether priority of service is being provided to veterans, minimum acceptable performance standards will be negotiated annually between the Department of Commerce and the USDOL Veterans Employment and Training administration. Methods used by the State Veterans Coordinator and the Director of Veterans' Employment and Training (DVET) to verify whether priority of service is being provided will include the following:

- On-site visits to Workforce Centers;
- Quarterly reports from the Workforce Centers; and
- Quarterly data derived from **KANSASWORKS.com**.

h. Describe how the state will ensure access to services through the state's One-Stop delivery system by persons with limited English proficiency and how the state will meet the requirements of ETA Training and Employment Guidance Letter (TEGL) 26-02, (May 29, 2003) which provides guidance on methods of complying with the federal rule.

State Workforce Policy #1-10-00 Prohibition Against National Origin Discrimination as it Affects Persons with Limited English Proficiency requires all service providers receiving federal financial assistance ensure Limited English Persons (LEP) who are eligible to be served or likely to be directly or significantly affected (e.g., LEP parents of non-LEP students) have meaningful access to the programs and services available through the workforce system. Meaningful access means the service provider ensures staff providing services can communicate effectively with persons with limited English ability. This includes providing language assistance necessary to ensure access at no cost to the customer.

State workforce policy requires the service provider to take reasonable steps to ensure any customer who has limited English ability is able to do the following:

- Receive adequate information about programs and activities;
- Understand the benefits of the programs and activities available;
- Receive the benefits of programs and activities for which the individual is eligible at no charge; and
- Effectively communicate the relevant circumstances of his or her situation to the service provider.

The service provider must conduct an annual review of its overall language assistance program in relation to the local eligible population. If a significant number or percentage of persons eligible to be served or likely to be directly or significantly affected by the program or activity need information or services in a language other

than English to communicate effectively, then the provider must make available written materials in languages other than English. Translation of written materials is required to ensure persons with limited English ability are effectively informed and are able to participate in USDOL financially assisted programs or activities. Written materials routinely provided in English to applicants, program participants, and the public must be available in all languages regularly encountered in the local area.

The service provider is required to develop and implement a comprehensive written policy on Language Assistance to ensure meaningful communication. This policy must be amended on an annual basis, or as needed, depending on the changing needs of the local population. All service providers are required to ensure effective communication by developing and implementing a comprehensive language assistance program to include written policies and procedures to identify and determine the language needs of eligible persons.

At a minimum, the policy must provide for the following:

- Notification of the right to free language assistance;
- Periodic staff training;
- Range of interpreter assistance;
- Regular program monitoring; and
- Translation of written materials, as applicable.

The service provider must take steps to ensure all staff understand its policy on Language Assistance and are capable of carrying it out. The policy and procedures must be disseminated to staff likely to have contact with persons limited English abilities. The service provider must ensure staff receive periodic training to ensure they are knowledgeable and aware of policies and procedures, are trained to work effectively with interpreters, and understand the dynamics of interpretation.

The service provider is required to conduct an annual review of the language needs of the population to be served to ensure persons who have limited English abilities can meaningfully access the program or activity. The service provider must monitor its language assistance program to review the following:

- Identify current languages spoken in the service area;
- Evaluate the communication needs of each customer;
- Determine if existing assistance is meeting the needs of persons with limited English abilities;
- Determine if staff is knowledgeable about policies and procedures and how to implement them; and
- Determine if sources of and procedures for assistance are still current and viable.

Service providers are required to implement methods for notifying persons with limited English abilities of their rights to receive or participate in services for which they may be eligible. Outreach materials notify persons of their rights to language

assistance, and the availability of such assistance free of charge. These methods include but are not limited to, the following:

- Advertising and providing outreach to communicate the rights of individuals to services for which they may be eligible. This could include public service announcements in appropriate languages on television or radio, newspaper advertisements, or the distribution of materials to organizations serving persons with limited English abilities;
- Using language identification cards allowing persons to identify their language needs to staff. To be effective, the cards (e.g. I speak cards) must invite the person to identify the language he or she speaks. This identification must be recorded in the participant's file;
- Posting and maintaining signs in waiting rooms, reception areas and other initial points of entry written in regularly encountered languages. To be effective, these signs must inform persons of their right to free language assistance services and invite them to identify themselves as persons needing such services;
- Using qualified persons to translate application forms, instructions, and other written material into appropriate languages other than English;
- Interpreting documents orally for persons who speak languages not regularly encountered; and
- Providing uniform procedures for timely and effective telephone communication between staff and persons with limited English abilities. This must include instructions for English-speaking staff to obtain assistance from interpreters or bilingual staff when receiving or initiating calls.

All service providers are required to develop procedures for obtaining qualified interpreters and providing interpretation services, in a timely manner, by taking some or all of the following steps:

- Hiring bilingual staff trained and competent in the skill of interpreting;
- Contracting with an interpreter service for qualified interpreters;
- Arranging for the services of volunteers who are qualified interpreters; and
- Arranging, or contracting with, telephone language interpreter services.

- i. Describe the state's strategies to enhance and integrate service delivery through the One-Stop delivery system for migrant and seasonal farm workers and agricultural employers. Describe how the state ensures migrant and seasonal farm workers have equal access to employment opportunities through the state's One-Stop delivery system. Include the number of Migrant and Seasonal Farm Workers the state anticipates reaching annually through outreach to increase their ability to access core, intensive, and training services in the One-Stop Center System.**

Kansas requires the delivery of Wagner-Peyser labor exchange services through the Workforce Development System. Kansas Workforce Centers provide effective, equitable, and accessible labor exchange services to agricultural business and jobseekers. To accomplish these services agricultural areas, as described in WIA Section 134(c)(3), are recognized and the specialized needs of these areas are identified.

Wagner-Peyser program services to agricultural business and Migrant and Seasonal Farm Workers are documented through the state's Management Information System and reported through the Monthly Indicator of Compliance reports. The Department of Commerce ensures Job Service staff provide services to the Migrant and Seasonal Farm Worker community and operates an outreach and employment program for Migrant and Seasonal Farm Workers in accordance with 20 CFR 653. Kansas anticipates reaching 75 migrant and seasonal farm workers annually through outreach to increase their ability to access core, intensive, and training services. The State Monitor Advocate conducts on-site monitoring reviews of the Kansas Job Service program within the Workforce Development System to ensure an equitable level of services is provided to the farm worker community.

The Local Boards describe in their Local Area Plans how Wagner-Peyser funded services are provided to the agricultural community through the Workforce Development System. Designated Migrant Seasonal Farm Worker Outreach Offices are required to submit a comprehensive outreach plan separate from the respective Local Area Plans.

In developing the scope of services to Migrant and Seasonal Farm Workers, the Department of Commerce establishes linkages with local and statewide networks to solicit information and suggestions from public agencies, agricultural business organizations, and other groups representing and advocating on behalf of Migrant and Seasonal Farm Workers. Cooperative agreements with public and private social service agencies are negotiated to provide outreach to the Migrant and Seasonal Farm Worker population. The State Monitor Advocate maintains a relationship with community groups, public agencies, and advocacy groups interested in the welfare of farm workers.

The Department of Commerce ensures agricultural businesses receive services at the same level as non-agricultural businesses. Agricultural businesses may receive services at their own request or as recommended by outreach workers. Additionally, outreach

workers make a special effort to disseminate literature and promote the use of the agricultural recruitment system. Information is provided regarding local job openings and the USDOL system of clearing job openings between local areas and between states through the Agricultural Recruitment System (interstate clearance orders) and **KANSASWORKS.com**. Every effort is made to fill jobs with qualified workers found within the local area or the state. Communication with agricultural employers is made in person, by telephone, or by mail. Information about wage and hour laws, Workforce Center locations, Immigration (I-9), and other agricultural related issues is provided as necessary or requested.

To provide comprehensive services, the Department of Commerce has increased efforts to coordinate and integrate services in the Workforce Development System. Customers, including Migrant and Seasonal Farm Workers, have improved access to services necessary to effectively address their needs. Migrant and Seasonal Farm Workers can access the Workforce Centers to complete an employment application or file a complaint for violations of the law. In addition, Migrant and Seasonal Farm Workers are referred to and provided other services such as food stamp assistance, claims for jobless benefits, or counseling and training assistance.

5. Priority of Service

- a. Describe the procedures and criteria in place for the Governor and appropriate Local Boards to direct One-Stop operators to give priority of service to public assistance recipients and other low-income individuals for intensive and training services if funds allocated to a Local Board for adult employment and training activities are determined to be limited (§§112(b)(17)(A)(iv) and 134(d)(4)(E).)**

State Workforce Policy #3-11-00 Priority of WIA Services provides guidance to the Local Boards related to priority for intensive and training services provides that because funds allocated to the Local Boards for adult employment and training activities are limited, priority must be given to recipients of public assistance and other low-income individuals for intensive services and training services.

Outreach to needy individuals is coordinated among service providers and agreed upon through Memorandums of Understanding. In serving people with disabilities, local outreach efforts include serving customers who do not have easy access to a Workforce Center, or a means to access information through computer linkages. All Workforce Centers have accessible client computers to enable the visually impaired to utilize the Internet.

The Local Boards develop policies to prioritize intensive and training services for special population groups include low-income and public assistance recipients and include these as part of their Local Area Plan. Local policy dictates how individuals in the following categories are prioritized for service:

- Individual, or member of a family that receives cash payments under a federal, state, or local income based public assistance program;
- Member of a household that receives food stamps;

- Homeless individual;
- Individual with a disability whose own income is at or below the poverty level or 70 percent of the lower living standard or receives cash payments under a public assistance program, but who is a member of a family whose income does not meet such requirements;
- An individual meeting both the veteran's priority group, plus one or more priority groups above; and
- An individual meeting a veteran's priority group, but none of the priority groups above.

b. Describe the policies and strategies the state has in place to ensure, pursuant to the Jobs for Veterans Act (P.L.107-288)[38 USC 4215], that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the USDOL, in accordance with the provisions of TEGL 5-03 (9/16/03/).

State Workforce Policy #2-01-04 Veterans' Priority provides guidance to the Local Boards regarding the "Jobs for Veterans Act". Priority of service to veterans is provided within the context of existing policies, operational management, and related work processes.

When there is a registration requirement associated with receipt of services for an impacted program or grant, collection of the individual's veteran status is necessary. The Local Veterans' Employment Representative (LVER) is available to assist program staff in determining and documenting the eligibility of veterans (and some spouses). In addition, the LVER monitors the participation of veterans in federally funded employment and training programs, monitors federal agency listings of vacant positions, and reports information to the State Veterans Service Coordinator (SVSC) regarding suspected failure to list openings and/or provide required priority or other special consideration to veterans.

All informational materials or web sites developed with funding from an impacted program or grant provide information on veterans' priority and how to access assistance through the nearest Workforce Center. Specific grant language on veterans' priority is required in all grant agreements to ensure grantees are fully aware of the Veterans Act requirements and of their obligation to design service delivery strategies accordingly.

The Local Boards have developed policies that address how priority of services to veterans and other covered persons are applied. These policies apply to all WIA funded programs, including dislocated worker, youth, statewide activities, and National Emergency Grants.

D. Rapid Response

- 1. Identify the entity responsible for providing Rapid Response services. Describe how Rapid Response activities involve Local Boards and CEOs. If Rapid Response activities are shared between the state and local areas, describe the functions of each and how funds are allocated to the local areas.**

Not more than 25 percent of the total amount allotted to the state each fiscal year for dislocated worker services may be reserved to provide statewide rapid response activities. Rapid Response funds are used to prepare materials, travel to early intervention sites, train staff, pay costs associated with transition committees, and provide disaster and emergency services. The State Dislocated Worker Unit serves as the central point of communication, receiving and distributing information as needed, particularly if an employer has several locations in different regions of the state. The Department of Commerce, State Dislocated Worker Unit, is responsible for providing Rapid Response services. .

State Dislocated Worker Unit responsibilities for Rapid Response include the following:

- Provide overall grant management to the Rapid Response program;
- Serve as the central point of communication for statewide Workforce Centers;
- Develop prospective strategies for addressing dislocation events that ensure rapid access to the broad range of allowable assistance in conjunction with other appropriate federal, state, and local service agencies and officials, employer associations, technical or other business councils, and labor organizations;
- Compile information and distribute it to the State Board, the USDOL, and others as needed;
- Establish and maintain the WARN online data base;
- Coordinate and provide related staff development activities;
- Establish and maintain dislocated worker and Rapid Response information on the Department of Commerce web site;
- Initiate early intervention services;
- Maintain an official file for all Rapid Response activities, including the Customer Satisfaction Surveys;
- Print materials and folders and deliver informational packets;
- Review and make recommendations on requests for Rapid Response services;
- Prepare National Emergency Grants; and
- Continually improve customer service, evaluate customer satisfaction measures, and share this information with the State Board.

The State Dislocated Worker Unit will print handout materials and folders to be included in the informational packets. Local Areas will be invited to produce additional materials specific to their areas.

It is the responsibility of the State Dislocated Worker Unit to notify and coordinate with the Local Boards, CEOs, business retention and recruitment organizations, economic development agencies, employer associations, business councils, labor organizations, and technical councils to develop a coordinated response to layoff events. It is also the responsibility of the State Dislocated Worker Unit to develop an application for a National Emergency Grant, as appropriate.

The State Rapid Response Coordinator designates Local Area Rapid Response Coordinators to be responsible for providing and overseeing Rapid Response activities in their respective Local Areas. These activities shall include, but not be limited to:

- (1) Immediate and on-site contact with the employer, representatives of the affected workers, and the local community. "Immediate" is defined as within 48 hours of notification that a layoff incident has occurred.
- (2) Conduct an assessment of the layoff plans and schedule of the employer. The assessment includes a written report identifying the estimated number of impacted workers, the names and addresses of company officials and/or employee representatives who are to be contacted regarding the impacted employees and layoff schedules. The report must also include an initial assessment of the background and probable assistance needs of the affected workers, including an assessment of the reemployment prospects for workers in the local community. This information shall be updated as changes occur or as needed. The report shall be provided, within 48 hours, to the State Dislocated Worker Unit and to the Local Workforce Investment Board (LWIB). The state Rapid Response Coordinator then contacts the Local Area Rapid Response Coordinator to assess the probable assistance needs of the affected workers. The state coordinator will work with State and local economic development agencies including private sector economic development entities, to determine if there is a potential for averting the plant closing or layoff. The results of such meetings will be made available to the local coordinator and the State Dislocated Worker Unit within 14 working days of the layoff notice.
- (3) The Local Rapid Response Coordinator will be responsible for making initial contact with State Unemployment Insurance (UI) officials to inform them of the layoff and to arrange for a UI staff person to serve as the local contact and designee for on-site meetings to discuss UI benefits.
- (4) The Local Rapid Response Coordinator will contact Commerce to request statewide materials and folders as well as collection and assimilation of information to be provided at employee meetings. The local coordinator will determine if such information is relevant and complies with applicable standards for Rapid Response. Agency and service provider materials will be made available to the local coordinator in advance of all employee meetings; the local coordinator will notify entities if the materials do not meet standards. The local coordinator assembles all acceptable materials in a packet for distribution at local employee meetings and coordinates the distribution of these materials with the Workforce Center Operator(s) whose jurisdiction covers the affected employer and laid-off workers.
- (5) The local coordinator will submit a quarterly report to the Dislocated Worker Unit, and the LWIB concerning Rapid Response activities during the quarter, including a summary of expenses incurred. This report will be made available no later than 30 days following the end of each quarter.

- (6) The local coordinator will immediately notify affected Workforce Center Operators and partner agencies of a layoff incident. Notification will occur no later than 48 hours of receipt of notice of a layoff.
- (7) The local coordinator administers a customer (employee/employer) survey to be completed for each layoff incident in which on-site contact was made by the local coordinator. The survey is to reflect customer satisfaction with regard to the effectiveness of the presentations, value of the meeting, usefulness of the information provided and the relevancy of the services offered to laid-off workers. Additionally, information relating to follow-up services shall be gathered, including assistance needed for training, education, or job search activities. Summaries of these surveys are to be provided no later than 30 days after the last employee meeting and shall be made available to the Coordinator and the State Dislocated Worker Unit.
- (8) Based on information collected from the surveys regarding follow-up services, the local coordinator will be responsible for making sure the customer receives the services they have requested. For example, for those who were interested in a resume writing workshop, the Coordinator must see that a resume writing workshop is provided.
- (9) Based on information collected from the surveys, the local coordinator will compile an annual report on the effectiveness of the Rapid Response effort in the Local Workforce Investment Area, evaluate the strengths and weaknesses of the Rapid Response effort, and provide productive recommendations to Commerce on how the system can be improved. The annual report shall be submitted within 60 days after the end of the contract period.
- (10) The local coordinator will provide a report to the State Dislocated Worker Unit and the State Coordinator regarding the number of individuals impacted by the layoff, including the number of individuals who attend the on-site meeting. The report will be made available within 10 working days following the on-site meeting. A follow-up report will also be provided to the above named parties at three (3) and six (6) month intervals that will identify the laid off workers who were provided services, what services were provided, and what partner agency provided the services. The report will also indicate how many laid off workers were returned to employment as a result of these services at the end of the six (6) month period.

2. Describe the process involved in carrying out Rapid Response activities.

a. Describe the methods involved in receiving notice of impending layoffs (include WARN Act notice as well as other sources).

Rapid Response activities are initiated when the State Dislocated Worker Unit becomes aware of an impending layoff. The procedures for responding to a WARN notification vary depending on where the WARN notice is initiated. These responsibilities to respond are as follows:

- State Dislocated Worker Unit - The State Dislocated Worker Unit or local Rapid Response Coordinator contacts the employer within 24 hours of a WARN notice.
- Department of Commerce - Any Commerce employee who receives notification of non-WARN information must send that information to the State Dislocated Worker Unit within 24 hours. The State Dislocated Worker Unit or local Rapid Response Coordinator contacts the employer within 24 hours from the time they are notified.
- One-Stop Partner – If a One-Stop partner (who is not part of the local Rapid Response delegation) receives or learns of a layoff, they must notify the State Dislocated Worker Unit. The State Dislocated Worker Unit or local Rapid Response Coordinator contacts the employer within 24 hours of learning of the layoff.
- Newspaper Articles or Broadcast News - The State Dislocated Worker Unit or local Rapid Response Coordinator contacts the employer within 24 hours of receiving information from newspaper articles or broadcast news.
- Other Notifications - Other notifications may include phoned-in leads, employer contacts, notification from the USDOL, or Trade Act program certifications. The State Dislocated Worker Unit or local Rapid Response Coordinator contacts the employer within 24 hours of learning of the impending layoff.

b. Describe the efforts that the Rapid Response team makes to ensure services are provided, whenever possible, prior to layoff date, onsite at the company, and on company time.

The State Dislocated Worker Unit or the local Rapid Response Coordinator makes immediate contact to determine the employer's layoff plans and to schedule informational meetings for the affected workers. The goal is to hold pre-layoff meetings at the work site to accommodate the employer and promote better attendance.

Post-layoff informational meetings may also be arranged and held if necessary. The State Dislocated Worker Unit or local Rapid Response Coordinator conducts an assessment of Early Intervention Needs to determine the short and long-term assistance needs of the affected workers, and if there is any potential for averting the layoff in consultation with federal, state, local, or private sector economic development agencies.

When the affected workers are organized under a union, the State Dislocated Worker Unit notifies the local or regional union office of the time, date, and location of the pre-layoff informational meeting so the union may promote the meeting to its members. If meetings cannot be held at the work site, the union hall may be a suitable alternative. The order of preference for meeting location is first, the work site; second, the union facility; and third, another location approved by labor and management.

- c. Describe the services included in Rapid Response activities. Describe any other activities provided in addition to general informational services to affected workers (i.e. workshops). Describe how it is decided which services will be provided for a particular layoff (including layoffs that may be trade-affected).**

The State Dislocated Worker Unit ensures information on the following is provided at each meeting:

- Local supportive services (i.e. legal aid, United Way, faith-based and community organizations, food and clothing banks, mental health and family counseling, and other relevant services such as displaced homemaker services);
- COBRA and HIPAA (written information at a minimum);
- Early Intervention Needs survey (to determine assistance needs of the workers);
- Customer Satisfaction Survey;
- Educational opportunities;
- Information concerning the topics of "Emotional Response to a Layoff", "Money Management After the Paycheck Stops", and "Starting Your Own Business" (unless the employer specifically requests that these topics not be covered);
- Workforce Center program services and reemployment prospects in the local community;
- Unemployment Insurance (a designated representative is on-site whenever possible. Non-UI team members may provide general information about Unemployment Insurance, but may not perform the duties of an Unemployment Insurance representative);
- WIA programs and services; and
- Other available resources to meet the short and long-term assistance needs of the affected workers.

Following federal certification of a Trade Act petition, the State or local Rapid Response Coordinator works with the State Trade Act Coordinator to ensure that a TAA information meeting is also provided for any affected workers. When possible, this meeting is held in conjunction with the Rapid Response meeting.

As a result of information collected through the Rapid Response meeting, the Workforce Center determines that it is appropriate to provide referrals to services such as the following:

- Changing technology in the workplace;
- Community hospital, health department, and mental health services;
- Community supportive services;
- Coping with anger and loss;
- Crisis intervention;
- Debt solutions;
- Displaced homemaker services;
- Entrepreneurship (starting your own business);
- GED orientation;
- Going through the transition process;
- Interviewing techniques;
- Job search workshops and tips, including Internet searches;
- Planning for the future;
- Resume writing;
- Orientation to Workforce Center services;
- Security and violence issues;
- Self-marketing;
- Stress management;
- Toll free help hotlines;
- Trade Act program information;
- WIA eligibility determination; and
- Others topics, as available locally.

The State Dislocated Worker Unit or local Rapid Response Coordinator works with employers, affected employees, or their representatives to determine the type of services the employer and the affected workers need. When possible, an employee survey is provided to each worker asking the affected workers to identify the types of services they need and if they are interested in further education and training. The State Dislocated Worker Unit or local Rapid Response Coordinator uses this tool to help identify the needs of the affected workers (including those with multiple barriers to employment and training) and to plan early intervention strategies to provide appropriate services such as retraining, job development, counseling, and referrals to other state or private agencies.

The State Dislocated Worker Unit or local Rapid Response Coordinator who is facilitating or presenting the pre-layoff informational meeting arranges for interpreters if any of the affected workers attending the meeting have a disability

requiring communication via sign language, or cannot speak or understand English. Materials in alternative language formats may be provided upon request.

As a result of information collected through Early Intervention, laid off workers are provided a full range of core, intensive, training, and other individually appropriate local partner services. One-Stop Center staff may provide services such as job search, job seeking skills, workshops, and resume writing at the work site or at the Workforce Center.

Additionally, the State Dislocated Worker Unit works with Local Areas to further identify employer needs for retention services and activities. Innovative responses include the delivery of Retention Workshops to assist employers in customizing strategies to fit their needs. Staff training is also under development for Commerce Associates and partners.

3. Describe how the state ensures a seamless transition between Rapid Response services and One-Stop activities for affected workers.

As part of all Rapid Response meetings, information about services available through the Workforce Development System is presented. Rapid Response Coordinators gather information from affected workers regarding their needs and then passes that along to One-Stop staff to provide follow-up services.

4. Describe how Rapid Response functions as a business service. Include whether Rapid Response partners with economic development agencies to connect employees from companies undergoing layoffs to similar companies growing and needing skilled workers. Describe how Rapid Response promotes the full range of services available to help companies in all stages of the economic cycle, not just those available during layoffs. Describe how the state promotes Rapid Response as a positive, proactive, business-friendly service, not only a negative, reactive service.

The State Dislocated Worker Unit may develop additional activities to provide effective Rapid Response services upon notification of a permanent closure, layoff, or other disasters resulting in a mass job dislocation. State Dislocated Worker Unit services to include the following:

- Assistance to local communities, Local Boards, and CEOs to develop a coordinated response to dislocation events, and, as needed, obtain access to state economic development assistance. Such coordinated response may include the development of an application for National Emergency Grants for discretionary funds;
- Linkages with appropriate agencies, employer associations, Local Boards, business councils, and labor organizations for developing a strategy to serve impacted employees and to provide emergency assistance adapted to the particular closing, layoff, or natural disaster;
- Strategies for layoff aversion in conjunction with economic development agencies, including Department of Commerce programs and available state and local business retention and recruitment activities. Such activities may include

identifying strategies for the possible aversion of layoffs, coordinating feasibility studies, or avoiding plant closure through an option for a company or the workers to purchase the plant or business and continue it in operation; and

- Interpretation of the requirements of all workforce development programs and their implementing regulations.

5. Describe the other partnerships Rapid Response engages in to expand the range and quality of services available to companies and affected workers and to develop an effective early layoff warning network.

The State Dislocated Worker Unit may receive communication of a layoff or plant closure in a number of ways. Examples of notification that warrant contact with an employer include the following:

- News articles or announcements;
- Telephone contact from workers facing a potential layoff;
- Notice from Department of Commerce staff or other One-Stop partners; or
- Worker Adjustment and Retraining Notification letter (WARN notice).

The State Dislocated Worker Unit has established a statewide notification system to communicate notices of layoff or plant closures to One-Stop partners, Rapid Response team members, and other appropriate entities. Once initial contact is established, Rapid Response assistance is provided to employers and employees in accordance with federal and state workforce policy. To coordinate this effort the State Dislocated Worker Unit or Rapid Response Coordinator accomplishes the following:

- Coordinates with the Local Boards and CEOs, as appropriate;
- Coordinates with local program providers to bring information to dislocated workers about emergency services and human service programs within their area;
- Coordinates with the Workforce Centers to arrange for program representatives to provide information about workforce development programs, including information on the Trade Act program;
- Creates and issues agendas to the employer and participating members;
- Determines workshops and/or demonstrations appropriate for each situation. (i.e. workforce information, Internet demonstrations, résumé preparation, interviewing workshops, etc.);
- Surveys the laid off workers prior to the meeting to determine their interests, concerns, and needs; and
- Works with the employer to determine meeting dates and times, making provisions for interpreters, room accommodations, specialized equipment, and demonstrations.

Entities that may participate in Rapid Response meetings include, but are not limited to, the following:

- Chambers of Commerce;
- Consumer credit counseling;
- Economic development organizations;

- Education institutions;
- Elected officials;
- Kansas Department of Health and Human Services;
- Traditional Labor Exchange;
- Training providers;
- Local Boards;
- Faith-based and community organizations;
- Veterans office;
- Workforce Centers;
- Small Business Administration;
- Unemployment Insurance; and
- United Way agencies.

6. Describe the systems the Rapid Response team uses to track its activities. Describe the state's comprehensive, integrated Management Information System that includes Rapid Response, Trade Act programs, National Emergency Grants, and One-Stop activities.

The State Dislocated Worker Unit report on Rapid Response activities using the interactive WARN Database. The WARN Database contains the name and address of the company, appropriate contacts (including the names and contact information for union officials), number of affected workers, and significant dates relating to Rapid Response activities.

The WARN Database and Trade Act program activities are incorporated into **KANSASWORKS.com**. Enrollments in Rapid Response activities and National Emergency Grants are tracked in ServiceLink. The State Dislocated Worker Unit maintains reports on services.

The WARN Database may be found at: <http://www.kansasworks.com>.

7. Describe any other uses for Rapid Response funds for other activities not described above (e.g., the provision of additional assistance to local areas that experience increased workers or unemployed individuals due to dislocation events in case of unusually large layoff events).

Layoffs of over 150 workers may require a National Emergency Grant (NEG) that may be used to fund additional services such as a temporary Career Center at the work site or other services and workshops as listed earlier above.

The State Dislocated Worker Unit may appropriate Rapid Response 25% Reserve Funds, either separately or in conjunction with a NEG for projects addressing qualifying local or statewide dislocated worker events. In such cases, a request letter is sent to the State Dislocated Worker Unit to describe the qualifying needs and outline the projected budget, numbers to be served, and additional Rapid Response related services to be provided. Approval of such requests and funding negotiations are made on an individual basis and depend on availability of funds.

If the Federal Emergency Management Agency (FEMA) organizes services for disaster victims, the State Dislocated Worker Unit will assess the need for a NEG within 24 hours. The State Dislocated Worker Unit will contact FEMA to secure a list of job orders required to assist disaster victims and to begin the cleanup afterwards.

FEMA will set up Disaster Centers. These centers will include Job Service, Unemployment Insurance, and WIA job training programs. Other agencies and programs typically represented are American Red Cross, Internal Revenue Service, Kansas Attorney General, Kansas State Emergency Management Agency, local Law Enforcement Agencies, Salvation Army, Small Business Administration, Social and Rehabilitation Services, and other appropriate local service organizations.

If FEMA is not involved in a local disaster, the State Dislocated Worker Unit will contact the following to organize services for disaster victims: Chamber of Commerce, city clerk and/or administrator, city mayor; Red Cross, Salvation Army, and employers affected by the disaster. Once these contacts are made, the information regarding the services available to assist those who lost their jobs due to the disaster should be provided. A temporary office in the area may be set up to provide these services. Workers who have lost their jobs due to the disaster may be offered the following additional services:

- Classroom training;
- Day care;
- Jobs at work sites, including wages and benefits;
- Mileage;
- On-the-job training;
- Out-of-area job search and relocation;
- Outreach and communications;
- Tools needed on the job; and
- Work-related physical exams and medical exams.

The Dislocated Worker Unit and Kansas Department of Labor Market Information Services will work toward the goal of layoff aversion by analyzing the trends of industries in a particular region, whether the industry is growing, stable or declining in sales, employment, etc. and utilize that information to communicate with businesses that may be in jeopardy.

Toward the goal of Layoff Aversion, the State Dislocated Worker Unit may also support pre-feasibility studies of avoiding a plant closure through such options as a company or group, including the workers, to purchase the plant or company and continue it in operation.

The State Dislocated Worker Unit will coordinate with the Kansas Industrial Retraining (KIR) Program. The KIR Program helps employers restructure their business operations through incorporation of one or more of the following: existing technology, development and incorporation of new technology, diversification of production and development and implementation of new production. The KIR Program can provide funds (up to \$2,000 per trainee) to help employers retrain employees who are likely to be displaced because

of obsolete or inadequate job skills and knowledge. Employers are required to match state program funds and must show financial strength adequate to accomplish the goals of the project.

The state may use WIA Rapid Response funds to assist in devising and overseeing strategies for providing Incumbent Worker Training, including employer loan programs for employee skill upgrading, to train workers in declining occupations who might not be eligible for KIR training, or for whom KIR funds are not available. Incumbent Workers do not have to meet the definition for intensive and training services for employed adults and dislocated workers under WIA. "Incumbent Worker" may be defined with input from the State Board.

Finally, the State Dislocated Worker Unit partners with the Kansas Department of Labor to determine if a company is eligible and willing to participate in the Work Share program as a layoff aversion strategy.

E. Youth Services

- 1. Describe the state's strategy for providing comprehensive, integrated services to eligible youth, including those who are most in need. Include any state requirements and activities to assist youth who have special needs or barriers to employment, including those who are pregnant, parenting, or have disabilities. Include how the state will coordinate across state agencies responsible for workforce investment, foster care, education, human services, juvenile justice, and other relevant resources as part of the strategy. (§112(b)(18).)**

The state provides guidance to the Local Boards for coordination with faith-based and community organizations, health and human services, and education entities to develop a Local Area Plan that addresses the needs of all eligible youth, especially those who are most in need. The Local Boards design services for eligible youth by accomplishing the following:

1. Acknowledging the problems and characteristics of inexperienced jobseekers;
2. Developing and maintaining effective relationships with schools, and training providers;
3. Developing services that lead youth to employment opportunities that have career potential; and
4. Utilizing information concerning the conditions of employment affecting youth and labor laws that restrict their employment.

Youth with special needs or barriers to employment, including those who are pregnant and/or parenting, are mainstreamed into local programs so they are provided the same benefits, services, and training as other youth. Individualized evaluations, vocational training, work experience, counseling, transitional and follow-up services, and referral to social services are used to address their special needs.

The Workforce Compliance and Oversight Unit ensures each Local Board provides youth with disabilities the same benefits, services, and training as youth who are not disabled.

Local procedures for providing services to youths with disabilities are reviewed regularly to ensure they do not discriminate.

The Kansas Shared Youth Vision Team includes representatives of juvenile justice, Job Corps, education, corrections, housing for homeless/runaway youth, foster care, migrant and seasonal farm worker youth, youth advocacy organizations, faith-based and community organizations, and representatives of the eligible youth population. The Kansas Shared Youth Vision Team identifies innovative out-of-school youth service strategies, builds on and leverages existing resources, develops collaborative cross-agency approaches, enhances service implementation, and addresses identified barriers. The Kansas Shared Youth Vision Team will also seek grants and federal technical assistance funds to enhance collaborative approaches to serving youth.

The state's strategy for providing comprehensive, integrated services to eligible youth is as follows:

- The State Youth Services Coordinator oversees youth program activities and works with the Local Areas to evaluate progress in accomplishing their Corrective Action Plans. The Youth Coordinator provides monthly status reports to state and local administrators on activities to correct deficiencies.
- The State Youth Services Coordinator assists Local Boards by providing Local Youth Councils relevant technical assistance. This position attends Youth Council meetings as needed.
- The State Youth Services Coordinator provides support to a Corrective Action Youth Committee that meets at least quarterly to review the status of youth programs and performance, discusses new initiatives, and shares information about program activities and services. The Committee recommends strategies for improving program quality and performance, as well as overall expertise to youth contractors and staff.
- Monthly performance reports focus on areas of performance currently under Corrective Action. The reports highlight performance measures under correction action, performance outcomes for the quarter, and performance outcomes for each month based on exit information available. The monthly performance report contains an analysis of trends either up or down and actions being taken to address any downward trends. Reports are shared with state and local area administrators, Youth Councils and local youth staff.
- Statewide training is provided on WIA Common Measures with emphasis on youth performance outcomes and how to provide quality service while achieving positive outcomes. The training is directed at youth case managers, Youth Council members and area administrators who oversee youth program activities.

The Kansas Shared Youth Vision Team, as described in previous sections, further coordinates across state agencies responsible for workforce investment, foster care, education, human services, juvenile justice and other relevant service providers.

Local Areas have established Work Site Agreements with a variety of public and private sector employers. Local Areas with a large percent of rural communities have relied heavily on public sector employment opportunities. Urban areas have been successful at establishing agreements with private sector employers.

Each Local Area has adapted classroom training in conjunction with employment. Pre and Post-Testing will provide youth with objective feedback regarding his or her job readiness skills and will provide a catalyst for further youth program involvement when appropriate. Participant satisfaction surveys, individual counseling and on-going assessment will ensure that meaningful work experiences have been developed.

2. Describe how coordination with Job Corps and other youth programs will occur. (§112(b)(18)(C).)

Coordination with the workforce development system readily occurs because the typical Job Corps participant fits the profile for the WIA youth program. Job Corps participants are between 16 and 24 years of age and economically disadvantaged high school dropouts in need of additional education or training. Workforce Center staff members are familiar with the Job Corps training program and refer appropriate candidates.

The Flint Hills Job Corps Center is located in Manhattan, Kansas. Job Corps outreach staff are co-located in Workforce Centers in Topeka and Wichita to provide information and regular outreach services to all Workforce Centers. Job Corps is represented on several Local Boards and Youth Councils and the Kansas Shared Youth Vision Team. Representatives provide informational workshops and recruiting seminars upon request.

3. Describe how the state plans to utilize the funds reserved for statewide activities to support the state's vision for serving youth.

During 2004, approximately \$100,000 of funds reserved for statewide activities were used to fund Neighborhood Improvement and Youth Employment Act (NIYEA) activities. The NIYEA program was created by the Kansas Legislature and is codified at K.S.A. 44-1401 et. seq. State General Funds were previously used to support this program. Work projects involve the repair, maintenance, and renovation of essential community facilities, community services, or work with low-income senior citizens. Eligible providers included local government, non-profit organizations, Native American Indian tribes, and private business.

Each Local Board, in consultation with its Youth Council, develops an overall strategy for providing comprehensive services to eligible youth, and describes this strategy in their Local Area Plan.

A Kansas Shared Youth Vision Team goal for out-of-school youth is to develop a comprehensive approach for serving youth who are most in need. The team will consider

recommendations to utilize funds reserved for statewide activities to support the state's vision for serving youth. The Department of Commerce will approve or disapprove proposals developed by the Local Boards based on whether the proposal will achieve the state's vision for serving youth and help the local area achieve performance outcomes, especially the Older Youth Credential Rate and Older Youth Entered Employment Rate. State staff will increase the frequency of contacts with the Local Boards to provide early technical assistance related to all identified performance deficiencies. Long term goals are to utilize funds reserved for statewide activities for future projects such as summer computer camps located in specified areas. In addition to providing excellent training opportunities for youth, these projects will enable partner agencies to achieve performance measures/outcomes as well as the common measures for WIA youth providers.

4. Describe how the state will, in general, meet the WIA provisions regarding youth program design. (§§112(b)(18) and 129(c).)

Kansas youth programs are designed to prepare youth for unsubsidized employment. Strong linkages are expected at the local level between academic and occupational learning. Guidelines issued by the state require the Local Boards to design youth programs that include the following elements:

- Adult mentoring for at least 12 months (both during and after program participation);
- Alternative secondary school services;
- Comprehensive guidance and counseling, as well as referrals to counseling appropriate to the needs of the individual youth (includes drug and alcohol abuse counseling);
- Continuous performance review and evaluation;
- Dropout prevention strategies;
- Follow-up services;
- Leadership development opportunities may include activities such as positive social behavior development, decision making, teamwork, and other activities;
- Evaluation of each participant's academic level, skill level, and service needs;
- Occupational skill training;
- Paid and unpaid work experiences, including internships and job shadowing;
- Post-secondary educational opportunities, in appropriate cases;
- Service strategies for each participant that identifies an employment goal;
- Summer employment opportunities with strong linkages between academic and occupational learning;
- Supportive services; and
- Tutoring, study skills training, and instruction leading to secondary school completion.

The Department of Commerce provides technical assistance and monitoring to ensure local programs comply with these provisions in designing their youth programs and youth are provided as many of the services listed above as are feasible.

Eligible youth seeking assistance in linking academic and occupation learning are provided effective and comprehensive activities through local youth programs. Local programs include a variety of options for improving educational and skill competencies, and providing effective connections to business.

Depending on individual need, out-of-school youth are provided the following:

- Career and occupational information;
- Classroom training for a high school diploma;
- Counseling (may include referral to drug and alcohol counseling);
- Employment skills enhancements (activities related to leadership development, team building; decision-making, citizenship, community service, and peer-centered activities);
- Individualized evaluation;
- Job placement;
- Job training activities; and
- Workforce information.

The Local Boards are expected to develop strong linkages between the workforce development system, academic learning, and occupational learning to design services to prepare youth for unsubsidized employment. Youth Councils provide recommendations to the Local Boards. These boards are comprised of a majority of business representatives. In this way, there is business input into the design of local youth programs. Local youth programs have strong business connections to provide youth a full array of services.

F. Business Services

Describe the state's strategies to improve services to employers, including how the state intends to accomplish the following:

- 1. Determine the employer needs in the local areas and on a statewide basis;**
- 2. Integrate business services, including Wagner-Peyser Act services, to employers through the One-Stop delivery system; and**
- 3. Streamline the administration of federal tax credit programs within the One-Stop delivery system to maximize employer participation (20 CFR part 652.3(b), §112(b)(17)(A)(i).)**

Information on the needs of employers is gathered on an ongoing basis by the Kansas Department of Labor, Labor Market Information Services. The Job Vacancy Report reveals the immediate needs of employers in the state. The information provided by the Kansas Job Vacancy Survey identified skill gaps in specific occupations. Labor Market Information Services also publishes information related to employers such as the following:

- Job Opportunities in Kansas;
- Kansas Annual Employment and Wages;

- Kansas Occupational Outlook;
- Kansas Wage Survey;
- Labor Market Information Services Catalog; and
- Licensed Occupations in Kansas.

Kansas encourages a coordinated local outreach program to deliver business services. Employer input through participation on both the State Board and the Local Boards is vital to integrating activities to meet the needs of the business community. The Department of Commerce provides guidance to the Local Boards to establish procedures to inform employers about the various services provided and managed through the Workforce Development System. Employer services include, but are not limited to, the following:

- Customized Training;
- Federal Bonding Program;
- Filling job openings;
- Jobseeker assessment and testing;
- **KANSASWORKS.com** ;
- Labor Market Information;
- Rapid Response for plant closures;
- Recruitment assistance;
- Registered Apprenticeship Program;
- Skills upgrade programs; and
- Work Opportunity Tax Credits and other hiring incentives.

While the Department of Commerce provides a significant role in the delivery of workforce services in each of the designated Local Areas, the role is different in each area in response to the design decisions of the Local Boards.

The State WOTC Coordinator maintains a cooperative working relationship with employment and training organizations throughout the state and disseminates information to employers and jobseekers. The State WOTC Coordinator also provides, training and technical assistance as requested.

G. Innovative Service Delivery Strategies

- 1. Describe innovative service delivery strategies the state has or is planning to undertake to maximize resources, increase service levels, improve service quality, achieve better integration, or meet other key state goals. Include in the description the initiative's general design, anticipated outcomes, partners involved, and funds leveraged (e.g., Title I formula, statewide reserve, employer contributions, education funds, non-WIA state funds).**

The general design of the state's workforce development system is as follows:

- Federal and state workforce services are unified toward a common goal of serving employers and jobseekers in the most efficient and effective way possible;

- The workforce system and postsecondary partners work together to meet the specific and relevant needs of employers and jobseekers;
 - Kansas supports web-based distance learning technologies and other innovative service delivery systems, such as remote access to services to complement more traditional forms of workforce services ; and
 - The strategies of the *Kansas Economic Growth Act* have transformed attitudes, policies, and practices to create a trained workforce to ensure continued prosperity in Kansas. Governor Brownback will apply to the federal Department of Labor for waivers of federal laws and regulations to achieve better integration, improve service quality, increase service levels, and maximize resources.
 - The Service Delivery Integration and Functional Management Policy of the **KANSASWORKS** State Board will be fully implemented July 15, 2009. This innovative service delivery method will increase the quality and quantity of services available to job seekers and employers by removing the entrenched “funding stream” mentality from workforce development partners. Customers of the workforce system will be served based on their needs rather than based on the availability of particular staff members. Customers will receive services from integrated teams: Welcome Team, Assessment and Training Team and Employment and Business Services Team. Customers will not be able to perceive the funding source of the team member’s salary. Functional management of all partner staff will be provided by Workforce Center Operators and team members will be chosen based on individual strengths.
 - A portion of Funding Set Aside for Statewide Activities will be distributed through a Solicitation for Grant Application process to identify and develop innovative service delivery strategies and programs. Community-based organizations including LWIBs, education institutions and faith-based organizations will be eligible to apply for funds.
 - Funding Set Aside for Statewide Activities will continue to support state coordination of Registered Apprenticeship.
- 2. If the state is participating in the ETA Personal Re-employment Account (PRA) demonstration, describe the vision for integrating PRAs as a service delivery alternative as part of the state's overall strategy for workforce investment.**

Kansas is not participating in the ETA Personal Re-employment Account demonstration.

H. Strategies for Faith-Based and Community Organizations

Describe those activities to be undertaken to: (1) increase the opportunities for participation of faith-based and community organizations as committed and active partners in the One-Stop delivery system; and (2) expand the access of faith-based and community organizations' clients and customers to the services offered by the One-Stop Centers in the state. Outline those action steps designed to strengthen state collaboration efforts with local areas in conducting outreach campaigns to educate faith-based and community organizations about the attributes and objectives of the demand-driven workforce development system. Indicate how these resources can be strategically and effectively leveraged in the local areas to help meet the objectives of WIA.

Several state workforce policies have been developed permitting the use of WIA Title I financial assistance to allow faith-based and community organizations the opportunity to provide services through the Workforce Development System. Training providers eligible to provide WIA funded training services include faith-based and community organizations. Local Rapid Response meetings include information on supportive services such as those provided by faith-based and community organizations.

The Local Boards are required to describe in their Local Area Plan how faith-based and community organizations are integrated into the Workforce Development System at the local level. Local Area Plans must include the following:

- Methods for expanding access to training and jobs opportunities, and career services to individuals served by faith-based and community organizations; and
- Methods for increasing the number of faith-based and community organizations serving as committed and active partners in the local Workforce Development System.

The state meets the objectives of WIA to serve those most in need through strategic partnerships with faith-based and community organizations, including leveraging resources and volunteerism. The Department of Commerce has assigned an administrative individual to provide support to the Faith-Based and Community Organizations Initiative. Through this position, a statewide coalition will be developed to build and maintain partnerships and networks to maximize limited fiscal and non-fiscal resources and coordinate with organizations to share information, equipment, resources, and people to propel the goals of all partnering organizations.

To create a strong network of faith-based and community organization partners within the Workforce Development System, Kansas will accomplish the following:

- Expand outreach and service delivery to customers who normally rely on the services of faith-based and community organizations;
- Add new faith-based and community organizations to the list of eligible training providers working with the Workforce Development System; and
- Develop and implement the Kansas SHARE Network.

X. State Administration

A. Describe the technology infrastructure and/or management information systems the state has in place to support the state and local workforce investment activities such as a One-Stop operating system designed to facilitate case management and service delivery across programs, a state job matching system, web-based self service tools for customers, fiscal management systems, etc. (§§111(d)(2), 112(b)(1) and 112(b)(8)(B))

KANSASWORKS.com provides a technology infrastructure and electronic management system that supports the workforce development system. The operating system is a product of America's JobLink Alliance that has been customized and redesigned to meet the needs of Kansas. This system provides universal case management records for program participants, business service records, self-service for both jobseeker and business customers, program records for fiscal management, and statewide labor exchange functions integrated into a web-based system.

KANSASWORKS.com includes the following fully integrated components:

- **KANSASWORKS**
Self-service information for business and jobseeker customers includes various security levels for information disclosure and automated job matching by e-mail. Recent jobseeker feedback indicates an 80 percent ease-of-use rating.
- **ServiceLink**
One-Stop case management, data collection, and reporting system, including statewide labor exchange services and activities.
- **Career Information System**
Real-time workforce information in a graphic format (includes standard Bureau of Labor Statistics data for occupational projections and wage information, and real time statistics based on the number of persons registered with the Job Service program).
- **Eligible Training Provider Reporting**
WIA eligible training provider reporting system.
- **FiscalLink**
Fiscal management system that tracks payments to WIA and Trade Act participants and vendors.
- **WARN**
Searchable database of employers that have announced mass layoffs (both WARN and non-WARN).

Help Desk - A full-service Help Desk is provided for customers and staff. Help Desk staff are fully trained on the operation of all **KANSASWORKS.com** functions and can resolve normal operational issues. Technical problems beyond the scope of the Help Desk are referred to technical support staff. Direct contact with the Help Desk can be made by

telephone, e-mail, or facsimile. Customer Service support through the Help Desk and technical service support is available Monday through Friday from 8:00 a.m. until 5:00 p.m.

Job Matching - Job matching through **KANSASWORKS.com** is based on occupational skills, using the O*Net occupational classification structure as the basis for job and resume matching. O*Net occupational codes are assigned to job postings, resume objectives and target jobs, and work histories. Job and resume matching is code-to-code.

KANSASWORKS.com includes nearly 40,000 lay job titles cross-walked to the O*Net occupational codes. The lay titles facilitate the selection of the correct occupation code for jobseeker resume objectives and work histories and as well as occupational coding for job postings.

Reporting - **KANSASWORKS.com** collects all information required by the USDOL regulations, handbooks, and issuances for tracking and reporting labor exchange activity, WIA activity and TAA/ATAA activity. This includes the ability to track labor exchange services delivered to jobseekers and employers, jobseeker demographic information, including EEO information for the Civil Rights Center (CRC), and referral and placement reports for the Office of Federal Contract Compliance (OFCC). CRC and OFCC reports are available on-line in **KANSASWORKS.com**. The MIS generates quarterly and annual WIA reports at the state, regional, and local levels as well as required reports for TAA and ATAA.

KANSASWORKS.com is fully compliant with all provisions of Training and Employment Guidance Letter (TEGL) 17-05, dated February 17, 2006, to support common measures reporting. In addition to reporting the actual common measures outcomes, this includes supporting common exit date between DOL funded programs, common participation date among DOL funded programs, and reporting of self service activities based on job seeker and employer usage of the electronic workforce development system.

KANSASWORKS.com has recently been updated to support the Workforce Investment Streamlined Performance Reporting (WISPR) system. All new data collection points for both participants and employers and integrated WISPR reporting formats have been available since June 30, 2007. Kansas foresees no major road blocks in meeting the target implementation date. Implementation of the WISPR specifications will provide the state with significantly greater capacity for data analysis to support program and workforce investment system planning, to quick assess both positive and negative trends in workforce investment system performance and to develop targeted system corrective actions.

Accessibility - **KANSASWORKS.com** is not only ADA compliant, but exceeds minimum ADA standards. Exceeding minimum standards allows the system to work with lower-level screen readers. **KANSASWORKS.com** meets Section 508 web site accessibility guidelines and the Kansas Web Site Content Accessibility Guidelines. The Kansas School for the Blind has completed extensive testing to ensure the system is fully accessible to all users. Not only does **KANSASWORKS.com** work well with several versions of standard screen reader software, the application can be fully navigated using only keystrokes to eliminate the need for mouse movements.

ESOL - **KANSASWORKS.com** uses Systran software for on-line translation. Jobseekers can create resumes in thirteen languages.

Self-Service - **KANSASWORKS.com** fully integrates self-service and staff-assisted labor exchange services into a comprehensive system. This serves as an indispensable tool for implementation of universal access and customer choice in the level of services accessed. **KANSASWORKS.com** is a server-based Internet labor exchange system. Jobseekers and employers may access self-service, followed by staff-assisted services, or vice-versa. **KANSASWORKS.com** provides the flexibility to build a client registration based on information entered as a self-service resume, or a resume based on a staff-assisted registration, without duplicating client records or making redundant system entries.

ServiceLink allows staff to register and track services to jobseekers and employers, manage job postings and referrals, and conduct job match activities. Included is the ability to manage re-employment services for jobseekers receiving unemployment benefits.

Jobseeker Services - **KANSASWORKS.com** provides functionality for jobseekers to register with the Job Service program, create customized on-line resumes, and search job listings. **KANSASWORKS.com** provides maximum flexibility to jobseekers because they can register and/or create resumes, accessing self-service or staff-assisted services in any order. Registration is not required to create a resume, nor is a resume required after registration. Jobseekers have the option of allowing employers to search for their resume based on work history. Resumes have preferences for level of disclosure, geographic area, and many other job-related variables, such as salary and shift.

KANSASWORKS.com provides a comprehensive search function for jobseekers to search job listings for suitable openings. The search results returned to the jobseeker include both staff-assisted and self-service job openings. Jobseekers are not required to use two different systems or two different searches to access the full array of job openings available.

The system includes a module that determines a jobseeker's potential eligibility for any of the 17 mandatory partner programs, TANF, and Food Stamps. Information is provided on these programs through links to their respective web sites.

KANSASWORKS.com has a feedback feature allowing customers to request program information. Customer requests are routed to central help desk staff members who respond to requests or, if needed, forward these to a Workforce Center or training provider for a specific response.

Business Services - Self-service job postings are viewable and searchable based on the level of disclosure the business desires. All orders (self-service and staff-assisted) display as search results when staff or jobseekers conduct job searches. Self-service and staff-assisted job postings are not stored separately.

KANSASWORKS.com provides self-service functionality for employers to post job openings, search resumes, and view resumes on-line. Job postings include options for contact methods, geographic area, minimum qualifications, and other job-related variables. A business may also indicate whether or not it wants the job posting listed on Job Central.

KANSASWORKS.com provides a comprehensive search function for searching resumes for job candidates. The search results include all resumes posted by registered jobseekers as well as those who are not registered. Resumes are fully accessible to view on-line, based on the jobseekers' chosen level of disclosure.

Fiscal Management - FiscalLink provides the ability to manage fiscal operations for WIA, National Emergency Grant programs, and the Trade Act. The Fiscal Management module is fully integrated with the ServiceLink One-Stop case management module to allow each activity associated with a participant's service and training plan to have an individual budget to track participant expenditure and service provider payments.

FiscalLink allows users to track obligations and expenditures by funding source and program, or fiscal year. FiscalLink provides real-time information on individual and overall participant obligations and expenditures by producing reports for federal and state administrators, managers, staff, vendors, and program participants.

Security - **KANSASWORKS.com** has a hierarchical, control system defining internal security levels. State administrators can control what offices, regions, and areas can work with specific programs, and how customer information is shared between them.

The comprehensive security system supports the following hierarchy:

1. State administrators (individuals in charge of statewide activities);
2. Agency administrators;
3. Regional administrators (sub-divisions of an agency);
4. Workforce Center managers (sub-divisions of a region);
5. Case Managers; and
6. Sharing customer data within the Workforce Development System.

Each program registration type has independent security settings that define how client access is shared. Access to one program registration type does not automatically grant access to all. A case manager can only access program participants who are registered in their area of control within a program they have been given rights to serve. Case managers can also be limited to certain information within a program registration. Called *section level* security, this functionality allows supervisors to further limit access to specific client data. Rather than an all-or-nothing approach, section level security allows supervisors to grant case manager access to only the client program information necessary for the case manager to perform their work. Each level of the hierarchy allows rights to be granted downward by administrators.

Customer information is never shared between agencies without a digitally signed release of information. Customer information is made available within an agency as defined by the agency administrator, be further restricted by the regional administrator, and assigned to specific case managers by the supervisor. The administrators are able to define these rules using security tools built into **KANSASWORKS.com**.

Access rules define how customer information is shared between two or more organizations in the Workforce Development System where a release of information has been signed. In

addition to the client security system, two more security user types are: (1) the technical site administrator and (2) the non-technical site administrator. As these names suggest, these user types perform day-to-day site maintenance activities. The system maintains data integrity, validation, and verification through the following processes:

- Database server to application server communications are conducted on a separate subnet isolated from the public;
- Database transaction logs are shipped to backup files every 15 minutes, 24 hours a day;
- The firewall application and internal sub-netting result in the databases being invisible to the outside world;
- Firewall only allows Hyper Text Transfer Protocol and Secure Hyper Text Transfer Protocol service requests to the application machines (the web server screens all incoming requests to the system and filters them to protect the security of the server by ensuring only valid application requests are processed);
- Full backup of the database is conducted each night including complete integrity checks of the backup files and processes; and
- **KANSASWORKS.com** fully implements 128-bit Secure Socket Layer (SSL) encryption between the client and the server.

Extensive application side edit checks perform validation and verification of submitted data. All edit checks in place have been validated against the USDOL reporting requirements. Additional edit checks are in place on the database side preventing inaccurate free text data entry.

B. Describe the state's plan for use of the funds reserved for statewide activities under WIA §128 (a)(1).

The Department of Commerce, in consultation with the State Board, determines the utilization of the funds reserved for statewide activities. Each year, the Department of Commerce will reserve not more than 15 percent of the amounts allocated to the state. The Department of Commerce will provide the following statewide activities:

- Consumer reports system;
- Eligible training provider system;
- Follow-up;
- Incentive grants;
- Individual Training Accounts system;
- Labor market information;
- Oversight and monitoring;
- Participant tracking and reporting system;
- Performance standards;
- Program costs and evaluation information;
- Technical assistance and staff development; and
- Registered Apprenticeship program funding.

Any surplus funds reserved for statewide activities are used to carry out statewide employment and training activities for adults, dislocated workers, and youth. In addition, Kansas uses monies reserved for statewide activities to fund state and local proposals developed through the Kansas workforce development system. The decision to fund these proposals is based on how well the proposal achieves the Governor's vision of an integrated workforce development system, supports business, and helps the state achieve performance outcomes.

C. Describe how any waivers or workflex authority (both existing and planned) will assist the state in developing its workforce development system. (§§189(i)(1), 189 (i)(4)(A), and 192).)

The state recognizes waivers of federal regulations may assist in developing its workforce development system by providing greater flexibility and is seeking the following three waivers:

1. Eliminate the 30 percent limitation on transferring WIA funds between the Adult and Dislocated Worker programs allowing unlimited transfer of funds between these two programs;
2. Allow the state to deobligate and reallocate local formula funds based on expenditure levels; and
3. Allow the Local Boards to reserve 10 percent of their Dislocated Worker funding to serve incumbent workers.

The immediate goals of these waivers are to increase the local expenditure rates to at least the following levels by the end of each program year:

- Adult 80 percent of formula funds
- Dislocated Worker 85 percent of formula funds

Additional goals of these waivers are as follows:

- Improve the ability of the Local Boards to respond to changes within their regions;
- Increase local response to jobseeker and business needs;
- Increase collaboration between industry need and worker training;
- Increase accountability at the state, local, and service provider levels;
- Provide greater flexibility to Local Boards in designing and implementing WIA programs;
- Increase expenditures to provide more services to jobseekers which will result in improved local and state performance outcomes; and
- Increase expenditures to develop a larger pool of qualified workers for business.

Kansas intends to seek extension of these waivers.

D. Performance Management and Accountability.

- 1. Describe the state's performance accountability system, including any state-system measures and the state performance goals established within local areas. Identify the performance indicators and goals the state has established to track its progress toward meeting strategic goals and implementing its vision for the workforce development system. For each of the core indicators, explain how the state worked with Local Boards to determine the level of the performance goals. Include a discussion of how the levels compare with the state's previous outcomes as well as with the state-adjusted levels of performance established for other states (if available), taking into account differences in economic conditions, the characteristics of participants when they entered the program, and the services to be provided. Include a description of how the levels will help the state achieve continuous improvement over the two years of the Plan. (§§112(b)(3) and 136(b)(3).)**

Kansas has established three state measures from which to award funds to Local Boards for meeting performance goals established by the state. By using data compiled for each Local Area in Program Year 2007 the following three measures were established for purposes of State incentive awards:

- increase in total number of enrollments based on the average cost-per-enrollment calculation;
- increase in number of trainees enrolled in Critical Industries by 5 percent; and
- increase in the percentage of individuals placed in Critical Industries.

No sanctions apply to State measures however local areas will be eligible for a State Incentive Award for either meeting the standard or for exemplary performance.

The state wishes to renegotiate performance for the current Program Year and also has requested designation as a Pilot State for the Regression Model described by DOL.

The state provides technical assistance to the Local Boards and the State Board related to performance management. Kansas focuses on employment, retention in employment, and wages as the key indicators for tracking progress toward implementation of its vision for a value-added workforce development system that provides maximum services to business and jobseekers.

Outside of the common measures performance goals established by DOL, the state has not yet developed common performance goals applicable to multiple programs. However, the need to develop a process to measure goal attainment across the statewide system is a priority. Kansas has developed a coordinated planning and performance measurement process for its workforce development system, which is lead by a strong State Board. The process coordinates planning across all aspects of the workforce development system to produce a comprehensive performance accountability system. The process begins with a statewide vision based on the ideas of citizens and business collected through around the state. The process will continue toward the development of system-wide goals and performance indicators that span multiple programs. The process can then be repeated through the Local Boards and the Workforce Centers. The final product will accommodate the planning and performance measurement needs of WIA

and form the basis for continuous improvement through state workforce policies. Cooperative agreements will be developed to identify roles and responsibilities, joint planning efforts, mutual customer satisfaction needs, and service points for outcome reporting and measurement to support continuous improvement.

Summer Youth programs provided by LWIBs include classroom training in work readiness. Local Areas are using commercially available curriculum including pre and post-testing to measure increase in skills. Additionally, summer youth programs incorporate ongoing feedback to participants through regular contact with both worksite supervisors and workforce services staff.

2. Describe any targeted applicant groups under WIA Title I, the Wagner-Peyser Act, or Title 38 (Veterans Employment and Training Programs) that the state tracks. (§§111(d)(2), 112(b)(3) and 136(b)(2)(C).)

State policy requires, in accordance with federal legislation, that when WIA funds are limited, priority of service must be given to veterans, recipients of public assistance and other low-income individuals. In keeping with the principles of WIA that provides for maximum local flexibility, Kansas issues guidance to the Local Boards in making such determinations. No state policies supersede federal mandates for priority of service application.

State Workforce Policy #3-11-00 Priority of WIA Services requires the Local Boards to establish policies and criteria for prioritizing and include these in their Local Area Plan. Such local policy must be based on such criteria as the availability of non-WIA funding, income characteristics of the eligible population, needs of specific groups in the eligible population, and other appropriate factors. The local process by which priority is applied may include provisions for serving other individuals who meet specified eligibility criteria, but are not low-income.

The State Board will amend this policy to require the Local Boards to target older jobseekers age 55 and over as a special needs group when determining priority of service.

KANSASWORKS.com collects all information required by the USDOL regulations, including demographic information for characteristic reports. Services to migrants and seasonal farm workers are tracked through the Migrant Indicators of Compliance report.

3. Identify any performance outcomes or measures in addition to those prescribed by WIA and the process the state is using to track and report them.

Kansas has established three state measures from which to award funds to Local Boards for meeting performance goals established by the state. By using data compiled for each Local Area in Program Year 2007 the following three measures were established for purposes of State incentive awards:

- increase in total number of enrollments based on the average cost-per-enrollment calculation;
- increase in number of trainees enrolled in Critical Industries by 5 percent; and
- increase in the percentage of individuals placed in Critical Industries.

No sanctions apply to State measures, however, local areas will be eligible for a State Incentive Award for either meeting the standard or for exemplary performance.

4. Describe the state's common data collection system and reporting processes in place to track progress. Describe data collected from the various One-Stop partners (beyond that required by the USDOL), use of quarterly wage records (including how the state accesses wage records), and how the statewide system will have access to the information needed to continuously improve. (§112(b)(8)(B).)

KANSASWORKS.com is the state's common data collection and reporting system used to track progress. This statewide system links multiple state agencies and workforce programs to provide performance and management information to the Local Boards so they may continuously improve their operations. All reportable data elements for WIA, the Job Service program, and the Trade Act are collected through **KANSASWORKS.com**.

In addition, **KANSASWORKS.com** allows data collection and service tracking for all One-Stop partner programs. Information for each client stored in **KANSASWORKS.com** is maintained in two separate, but linked, levels. The universal section of the client record maintains general information on the client and provides tracking for self-service provided by the Workforce system without creating a client enrollment. In addition, the universal level tracks enrollments and other services in all One-Stop partner programs. The program registration level tracks all information and services for participants in WIA, Labor Exchange, Worker Profiling and Reemployment System (WPRS), and Trade Adjustment Assistance programs. It is the repository of information necessary to generate federal reporting. It also serves as the case management structure of the state's workforce development system. The two levels of information provide a complete picture of services being delivered to clients through the One-Stop system.

Quarterly wage records are used by the state to develop required outcome information for federal reporting, to access trends in the economic status of new program enrollments, to establish performance projections to determine continuous improvement levels, and to develop data on current occupational wage levels. Wage records are accessed through the following three methods:

1. **KANSASWORKS.com** interfaces with the state's Unemployment Insurance system to access wage records to obtain pre-enrollment and post exit quarterly wages for program participants employed by a Kansas covered employer;
2. The Department of Commerce and the Kansas Department of Labor jointly participate in the Wage Record Interchange Systems (WRIS). Through this system, wage records from across the county can be accessed. WRIS wages primarily support development of exit outcome information and pre-enrollment wage information for numerous dislocated workers from border states. WRIS wage records are managed in accordance with the WRS Data Sharing agreement with only authorized staff having access to personal information. Only aggregate

WRIS wage information is released to program operators, administrators, and partner programs as authorized by the agreement; and

3. Kansas is an active participant in the Federal Employment Data Exchange System (FEDES). Through FEDES, the state is able to obtain wage and employment information from the Office of Personnel Management, the Department of Defense, and the United States Postal Service. This information is used to support the development of program outcome information.

In addition, **KANSASWORKS.com** interfaces with the Unemployment Insurance database and the state's Health and Human Services agency to collect wage and participant characteristic information.

5. Describe any actions the Governor and State Board will take to ensure collaboration with key partners and continuous improvement of the statewide workforce development system. (§§111(d)(2) and 112(b)(1).)

The State Department of Commerce has the support and authority of the Governor to ensure collaboration by bringing key partners together into a cohesive network. The State Board encourages the Local Board Chairs and the CEOs to attend all board meetings to interact with members and openly exchange information. This forum for information sharing breaks down real or perceived barriers to collaboration and integration. In addition, the state Board will establish a new policy requiring collaboration among the key partners in the development of the Local Area Plans.

To ensure continuous improvement of the workforce development system, the state uses funds reserved for statewide activities to conduct ongoing evaluation studies of programs and activities for adults, youth, and dislocated workers. Most recently Kansas has contracted with an independent company to conduct a Local Area analysis of service delivery, customer service, performance tracking and other operational characteristics. The state will use the information from these studies to improve technical assistance and to develop a long-term comprehensive training plan.

The state submits regular reports to the State Board and the Local Boards containing recommendations for improvement in the delivery of workforce development services. Through a fully developed system of performance accountability the state ensures the Local Boards have the management information they need to assess their performance and continuously improve their operations.

The state will implement additional steps to ensure continuous improvement. These may include, but are not limited to, the following:

- Coordinate with the State Board to establish specific, incrementally achievable goals for the workforce development system and partner agencies;
- Develop a short-range and long-range measurement processes for established goals;
- Develop a customer-focused process to ensure both internal and external customers are served by established goals; and

- Mandate that Operators meet with local Partners weekly;
- Establish measures that indicate continuous improvement has occurred at the local process level as well as at the state system level.

6. Describe how the state and Local Boards evaluate performance. Describe the corrective actions (including sanctions and technical assistance) the state will take if performance falls short of expectations. Describe how the Local Boards use the review process to reinforce the strategic direction of the system (§§111(d)(2), 112(b)(1), and 112(b)(3).)

The State Board and the Local Boards receive regular performance reports from the Department of Commerce through **KANSASWORKS.com**. State staff conducts a full analysis of quarterly performance reports to provide information to the State Board and Local Boards on current and projected performance and the efficiency of the Kansas workforce development system. This analysis includes a review of participant and exiter demographic profiles, services delivered, gaps in data elements captured, gaps in follow up processes, current outcome attainment levels, identification of methods to improve outcome attainment, projected outcome attainment levels for future years, and consistency in service delivery across the workforce development system.

With each quarterly report, the state provides a projected level of outcome attainment for the annual report. The state Corrective Action Board (CAB) reviews this information and makes recommendations to the Deputy Secretary for Workforce Services and the Secretary/Governor on the need for local level technical assistance to resolve adverse performance trends and issues. Based on the severity of the issue, or general trend when compared to prior quarterly and annual performance, the Corrective Action Board will recommend the Local Board in question be required to develop a formal corrective action plan to address the deficiency. The Local Boards analyze these reports to determine the relationship between planned and actual performance. A corrective action plan is developed, including, at a minimum, the following:

1. An assessment of the current situation, including a review of action that has already been taken to address the problem;
2. A plan which describes, in detail, the action which will be taken to correct the problem; and
3. A timetable for the action that identifies what steps will be taken through the coming months, benchmarking dates by which certain levels of progress will be accomplished.

The local area will submit progress reports to the Corrective Action Board, describing actions taken, attainment or non-attainment of benchmarks, and any necessary revisions to the plan. A follow-up review may be conducted to make certain the corrective action was implemented, and/or to provide technical assistance. In the event of failure or non-implementation of corrective action plans, the CAB will make recommendations to the Deputy Secretary or the Secretary /Governor regarding possible sanctions. Notification of any sanction to be imposed beyond the corrective action plan will be shared with the Local Board Chair, the CEO Chair, the grant recipient and the administrative entity.

State workforce policy requires that the need for technical assistance and/or corrective action will be determined based upon performance as described below:

Unacceptable Performance – First Year

Performance criteria for unacceptable performance (first year).

- Less than 80 percent achievement on any given performance measure.

Action – The Governor (or the USDOL upon the Governor’s request) shall provide technical assistance that may include assistance in developing a performance improvement plan, a modified Local Area Plan, or any other actions intended to assist the local area in improving performance.

Unacceptable Performance - Two Consecutive Years

Performance criteria for unacceptable performance (two consecutive years).

- Less than 80 percent achievement on any given performance measure for any two consecutive years.

Action – The Governor will take corrective action that may include development of a reorganization plan through which the Governor may require the following:

- Appointment and certification of a new Local Board;
- Prohibiting the use of certain training providers and One-Stop partners identified as poor performers; or
- Other actions the Governor determines appropriate to improve local area performance.

Each Local Board is required to establish policies and procedures related to their oversight responsibilities. These procedures are to be contained in their Local Area Plan. Minimum standards shall include, but are not limited to, the following:

1. An annual schedule of activities to be reviewed;
2. Operational procedures related to documentation of the reviews;
3. Operational procedures related to resolution of findings; and
4. Operational procedures related to corrective action.

Local Areas will develop complete monitoring guides for all aspects of WIA activities to be incorporated in their Local Area Plans.

- 7. Describe steps the state has taken to prepare for implementation of new reporting requirements against the common performance measures as described in Training and Employment Guidance Letter (TEGL), 17-05, February 17, 2007, Common Measures Policy and the requirements of the new Workforce Investment Streamlined Performance Reporting (WISPR) system. In addition, describe the state's plan for gathering baseline data and establishing performance targets for the common measures.**

The state has fully implemented common measures reporting for WIA and Wagner-Peyser outcomes consistent with the requirements in TEGL 17-05 and OMB approved data collection and reporting specifications.

The state has completed a full analysis of the new WISPR system specifications and made all changes necessary to implement the new reporting requirements. The state MIS system has been modified to collect all necessary data elements and generate all WISPR required reports and the quarterly combined exit record file. These reports are also available on line. With the preliminary work already accomplished, Kansas' system was positioned to provide combined WIA, TAA/ATAA and Wagner-Peyser WISPR reports on the first projected due date of November 14, 2007.

Training has been provided at all levels of administration and management across the state on common measures and WISPR and most recently ARRA. All state administrators, local area administrators and the majority of the service providers attended one of the sessions. .

Kansas extracted outcome information from PY2003, PY2004, PY2005 and PY2006 as a starting point for developing common measures targets. The data elements were used to produce outcomes for those three program years based on the common measures implementation guidance. Once the baseline was established using the average for the three-year period, Kansas compared the baseline to current performance and established Government Performance Results Act (GPRA) standards to establish initial common measures performance targets for PY2007 and PY2008. To establish the common measures targets for PY2009, if determined necessary, the initial targets will be weighed against current economic conditions, changes in the statewide service delivery strategy for Adult and Youth populations, and resultant changes in the demographic characteristics of projected participants.

- 8. Include a proposed level for each performance measure. Consistent with Kansas Approved Waiver #4, the state must identify the performance indicators required for common measures in TEGL 17-05 and, for each indicator, the state must develop an objective and quantifiable performance goal for two program years. The state is encouraged to address how the performance goals for the local areas and training provides will help attain statewide performance goals. (§§112(b)(3) and 136.)**

As stated above, Kansas would like to renegotiate performance standards and be considered for Pilot State designation using the Regression Model.

E. Administrative Provisions

1. Describe the appeals process referred to in WIA §116(a)(5)(m).

A unit of general local government (including a combination of such units) or a grant recipient that requests, but is not granted designation as a local area under WIA Section 116(a)(2) or Section 116(a)(3) may submit an appeal to the State Board in accordance with the following procedures:

- Within 30 days of the date of notice from the Department of Commerce that the request for designation is not granted, the party may submit a written appeal to the State Board in care of the Department of Commerce, Attention: Business Development, Legal Services, 1000 S.W. Jackson Street, Suite 100, Topeka, Kansas 66612-1354.
- The appeal shall contain: (1) a copy of the party's request for designation; (2) a copy of the denial notice; and (3) the basis for the appeal specifically identifying the reasons the party believes the appeal has merit related to the considerations found in of WIA Section 116(a)(1)(B), clauses (i) through (v).
- Legal Services forwards the appeal to the State Board Chair. The State Board, on behalf of the Governor, considers the appeal at its next regularly scheduled meeting, or within 30 days of the date the appeal is received, whichever is later.
- At the discretion of the State Board Chair the requesting party, or representative, may be required to appear before the State Board to present the appeal or to provide additional information the State Board deems necessary to consider the appeal. At the discretion of the State Board Chair, this process may be completed by written correspondence as opposed to an in-person appearance before the State Board.
- Within 30 days of considering the appeal, or within 30 days of receipt of any additional information requested, the State Board will notify the appealing party in writing whether the request for designation is granted or denied, and the reasons for such determination.
- If the request is denied, the party may appeal to the USDOL within 30 days of receipt of the State Board's notice of denial.

2. Describe the steps taken by the state to ensure compliance with the non-discrimination requirements outlined in WIA §188.

The Workforce Compliance and Oversight Unit monitors, at least annually, all grantees for compliance with applicable non-discrimination and equal opportunity laws and

equitable service levels. The state has developed and monitors the following policies to ensure compliance with the non-discrimination requirements outlined in WIA Section 188:

- *State Workforce Policy #1-03-00 WIA Discrimination Complaint Processing Procedure* - Provides guidance with respect to WIA discrimination complaints related to programs and activities conducted as part of the Workforce Development System.
- *State Workforce Policy #1-10-00 Prohibition Against National Origin Discrimination as it Affects Persons with Limited English Proficiency* - Provides guidance with respect to providing programs and activities to persons with limited English proficiency.
- *State Workforce Policy #1-12-00 Equal Access for Jobseekers with Disabilities* - Provides guidance to ensure all programs and activities conducted as part of the Workforce Development System provide the same benefits, services, and training to individual with disabilities as are provided to individuals who are not disabled.
- *State Workforce Policy #1-13-00 Equal Opportunity Notification and Communication* - Provides guidance with respect to the requirement that the Local Boards, the Workforce Centers, and service providers are responsible for ensuring that adequate systems are in place to notify and communicate their obligation to operate programs and activities in a nondiscriminatory manner.

XI. Assurances

1. The State assures that it will establish, in accordance with section 184 of the Workforce Investment Act, fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State through the allotments made under sections 127 and 132. (§112(b)(11).)
2. The State assures that it will comply with section 184(a)(6), which requires the Governor to, every two years, certify to the Secretary, that –
 - a. the State has implemented the uniform administrative requirements referred to in section 184(a)(3);
 - b. the State has annually monitored local areas to ensure compliance with the uniform administrative requirements as required under section 184(a)(4); and
 - c. the State has taken appropriate action to secure compliance with section 184(a)(3) pursuant to section 184(a)(5). (§184(a)(6).)
3. The State assures that the adult and youth funds received under the Workforce Investment Act will be distributed equitably throughout the State, and that no local areas will suffer significant shifts in funding from year to year during the period covered by this Plan. (§112(b)(12)(B).)
4. The State assures that veterans will be afforded employment and training activities authorized in section 134 of the Workforce Investment Act, and the activities authorized in chapters 41 and 42 of Title 38 US code. The State assures that it will comply with the veterans priority established in the Jobs for Veterans Act. (38 USC 4215.)

5. The State assures that the Governor shall, once every two years, certify one local board for each local area in the State. (§117(c)(2).)
6. The State assures that it will comply with the confidentiality requirements of section 136(f)(3).
7. The State assures that no funds received under the Workforce Investment Act will be used to assist, promote, or deter union organizing. (§181(b)(7).)
8. The State assures that it will comply with the nondiscrimination provisions of section 188, including an assurance that a Methods of Administration has been developed and implemented (§188.)
9. The State assures that it will collect and maintain data necessary to show compliance with the nondiscrimination provisions of section 188. (§185.).
10. The State assures that it will comply with the grant procedures prescribed by the Secretary (pursuant to the authority at section 189(c) of the Act), which are necessary to enter into grant agreements for the allocation and payment of funds under the Act. The procedures and agreements will be provided to the State by the ETA Office of Grants and Contract Management and will specify the required terms and conditions and assurances and certifications, including, but not limited to, the following:
 - General Administrative Requirements:
 - 29 CFR part 97 --Uniform Administrative Requirements for State and Local Governments (as amended by the Act)
 - 29 CFR part 96 (as amended by OMB Circular A-133) --Single Audit Act
 - OMB Circular A-87 --Cost Principles (as amended by the Act)
 - Assurances and Certifications:
 - SF 424 B --Assurances for Non-construction Programs
 - 29 CFR part 37 --Nondiscrimination and Equal Opportunity Assurance (and regulation) 29 CFR § 37.20
 - CFR part 93 --Certification Regarding Lobbying (and regulation)
 - 29 CFR part 98 --Drug Free Workplace and Debarment and Suspension Certifications (and regulation)
 - Special Clauses/Provisions:
 - Other special assurances or provisions as may be required under Federal law or policy, including specific appropriations legislation, the Workforce Investment Act, or subsequent Executive or Congressional mandates.
11. The State certifies that the Wagner-Peyser Act Plan, which is part of this document, has been certified by the State Employment Security Administrator.
12. The State certifies that veterans' services provided with Wagner-Peyser Act funds will be in compliance with 38 U.S.C. Chapter 41 and 20 CFR part 1001. The State certifies that Wagner-Peyser Act-funded labor exchange activities will be provided by merit-based public employees in accordance with DOL regulations.
13. The State assures that it will comply with the MSFW significant office requirements in accordance with 20 CFR part 653.
14. The State certifies it has developed this Plan in consultation with local elected officials, local workforce boards, the business community, labor organizations and other partners.
15. As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

16. The State assures that funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act and their regulations, written Department of Labor Guidance implementing these laws, and all other applicable Federal and State laws and regulations, including ADA.
17. The State assures that funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act and their regulations, written Department of Labor Guidance implementing these laws, and all other applicable Federal and State laws and regulations.

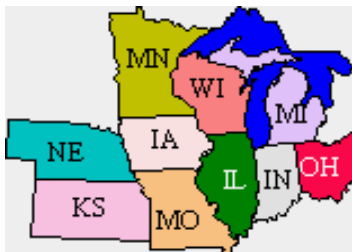
ATTACHMENT A

ETA REGIONAL ADMINISTRATION

REGION 5 - CHICAGO/KANSAS CITY

Regional Administrator
U.S. Department of Labor/ETA
230 S. Dearborn Street, Rm. 628
Chicago, Illinois 60604
(312) 596-5400
FAX: 312-596-5401

The Department of Labor, Employment and Training Administration, Regional 5 Chicago office serves Kansas, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin identified in the map below:



ATTACHMENT B

PROGRAM ADMINISTRATION DESIGNEES AND PLAN SIGNATURE

Name of WIA Title I Grant Recipient Agency: Kansas Department of Commerce

Address: 1000 S.W. Jackson Street, Suite 100, Topeka, KS 66612-1354

Telephone Number: (785) 296-7834

Facsimile Number: (785) 296-1404

E-mail Address: casher@kansascommerce.com

Name of WIA Title I Signatory Official: Caleb Asher

Address: 1000 S.W. Jackson Street, Suite 100, Topeka, KS 66612-1354

Telephone Number: (785) 296-7834

Facsimile Number: (785) 296-1404

E-mail Address: casher@kansascommerce.com

Name of WIA Title I Liaison: Caleb Asher

Address: 1000 S.W. Jackson Street, Suite 100, Topeka, KS 66612-1354

Telephone Number: (785) 296-7834

Facsimile Number: (785) 296-1404

E-mail Address: casher@kansascommerce.com

Name of Wagner-Peyser Act Grant Recipient/State Employment Security Agency: Kansas Department of Commerce

Address: 1000 S.W. Jackson Street, Suite 100, Topeka, KS 66612-1354

Telephone Number: (785) 296-7834

Facsimile Number: (785) 296-296-1404

E-mail Address: casher@kansascommerce.com

Name of and title of State Employment Security Agency (Signatory Official): Caleb Asher

Address: 1000 S.W. Jackson Street, Suite 100, Topeka, KS 66612-1354

Telephone Number: (785) 296-7834

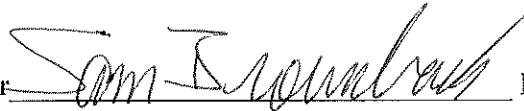
Facsimile Number: (785) 296-1404

E-mail Address: casher@kansascommerce.com

As the governor, I certify that for the State of Kansas, the agencies and officials designated below have been duly designated to represent the State in the capacities indicated for the Workforce Investment Act, Title I, and Wagner-Peyser Act grant programs. Subsequent changes in the designation of officials will be provided to the U.S. Department of Labor as such changes occur.

I further certify that we will operate our Workforce Investment Act and Wagner-Peyser Act programs in accordance with this Plan and the assurances herein.

Typed Name of Governor: Sam Brownback

Signature of Governor:  Date 4/18/11

Designees:

Typed Name and Title of Designee(s) **Kansas Department of Commerce**

Pat George, Secretary

Caleb Asher, Deputy Secretary

Attachment C

2011 WIA/WP State Plan Timeline	Date	Responsible Party
Meet with KW State Board Executive Director	1/7/2011	Susan
Develop Plan Timeline	1/7/2011	Susan
Survey Program Managers for Waiver Requests	1/10/2011	Susan
Determine Leadership Direction	1/10/2011	Susan/Caleb
Seek Extension Only		
Publish posting in <i>Kansas Register</i>	1/17/2011	Marketing
Post current State Plan	1/24/2011	Cindy
Close Posting	2/11/2011	Cindy
Review Public Comments	2/14/11 - 2/28/11	Susan/Cindy/Program managers
Respond to Public Comments	3/1 - 3/11/11	Cindy/Susan/Program managers
KW Board Conference Call for approval	March 2011	Cindy
Submit to US DOL and publish State Plan	4/15/2011	Susan/Cindy
Seek Modification		
Meet with KW State Board Executive Director	1/7/2011	Susan
Develop Plan Timeline	1/7/2011	Susan

Survey Program Managers for Waiver Requests	1/10/2011	Susan
Survey LWIBs for Waiver Requests	1/25/2011	Susan
Request Modifications from Program Managers	1/25/2011	Susan
Request Modifications from Administration	1/25/2010	Caleb
Modifications Due to Susan	2/11/2011	
Incorporate changes	2/11 -2/25/11	Susan
Present modified plan to Leadership	2/28/2011	Susan
Publish posting in <i>Kansas Register</i>	1/17/2011	Marketing
Post modified State Plan	2/28/2011	Cindy
Close Posting	3/11/2011	Cindy
Review Public Comments	3/4 - 3/11/11	Susan/Cindy/Program managers
Respond to Public Comments	3/11 - 3/25/11	Cindy/Susan/Program managers
KW Board Conference Call for approval	4/11/1911	Cindy
Submit to US DOL and publish State Plan	4/12/2011	Susan/Cindy

Comments Received During Public Review Period
Comments received have been quoted verbatim without correction.

Comments from Heartland Works, Inc.

Comment #1:

Page 8 Par. 6 - "Members of the Local boards are encouraged to attend the State Board meetings to learn best practices, solicit technical assistance, exchange ideas, build cooperative efforts and provide status reports. As needs are expressed by the Local Boards the State Board may assist with or facilitate training, conference opportunities, or other technical support. This close working relationship facilitates success in the local areas to achieve the statewide goals for workforce development". What role is the State Board going to play?

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: The State Board will form a workgroup in the fall of 2005 to more clearly define their roles and responsibilities.

Comment #2:

Page 39 and throughout: Remove all references to Business Service Centers and replace with Employer Centers. Remove all references to Topeka Workforce Development Center and replace with Topeka Workforce Center. Remove all references to Workforce Development Centers and replace with Workforce Centers.

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #3:

Page 53 second paragraph: "Local Youth Councils complete technical evaluations of proposals received prior to selecting the providers of youth activities." This should be replaced with – "Local Youth Councils complete technical evaluations of proposals received prior to making its recommendation(s) to the Local Area Board."

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #4:

Waiver Plan #2: The plan is requesting a waiver to implement “an expenditure- based de-obligation/reallocation policy.” What is the proposed policy? Is this after the two years the locals have to spend the money? How will the money be re-allocated to the other areas? Will they then have a year to expend the funds (using the last year the State is allowed)? At what point in the year (percent of year over vs. percent expended) will someone decide the local area will not be able to expend the funds? And who shall make this decision? There is probably consensus among stakeholders of a need for a re-allocation policy – especially looking at the expenditures of some of the areas – the concerns are going to be with the structure of the policy.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: This issue will be addressed through state policy if the waiver request is granted by the USDOL.

Comments from SER Corporation

Comment #5:

The state must acknowledge SER Corporation as the operator of the National Farmworker Program also known as Migrant and Seasonal Farmworker Program. SER Corporation has been in this capacity for over 25 years.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: The comment will be referred to Department of Commerce, Monitor Advocate, for appropriate action.

Comment #6:

The outreach would be enhanced if the State of Kansas and SER would work together.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: The comment will be referred to Department of Commerce, Monitor Advocate, for appropriate action.

Comment #7:

More local focus instead of interstate focus should be used to assist MFSW's in Kansas.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: The comment will be referred to Department of Commerce, Monitor Advocate, for appropriate action.

Comment #8:

A collaborative effort needs to exist between state, lwib, and SER's MSFW program on core, intensive, and training services.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: The comment will be referred to Department of Commerce, Monitor Advocate, for appropriate action.

Comment #9:

SER Corporation is currently sitting on boards in AREA I, IV, and III. Some of the boards have a grandfathered clause that does not allow SER to participate on boards such as the State board. Allowing SER to serve on the State board would improve the ability of the state to improve services to MSFW's.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

Note: If the State Board wishes to remain an alternative entity the membership structure of the current board cannot be changed.

Reference WIA Regulations 661.210(d)

If the membership structure of the alternative entity is significantly changed after December 31, 1997, the entity will no longer be eligible to perform the functions of the State Board. In such case, the Governor must establish a new State Board which meets all of the criteria of WIA section 111(b).

Comment #10:

A meaningful MOU with SER in providing outreach to the rural areas where MSFW's exist would support SER's outreach efforts and improve the state's ability to serve MSFW's. A small percentage of the state set aside would assist SER in hiring an additional case manager to provide these services.

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #11:

Wagner-Peyser services are not a gateway for more MSFW's to be served in the one stop but in fact a barrier to serve MSFW's. If the system cannot report the number of core services, intensive services, and training services provided to MSFW's what good is it.

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #12:

Do to the agricultural work-a large number of farmers are not required to report to UI because of their size. This is a barrier to services provided to MSFW's.

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #13:

Harvest Offices are not adequate to provide services to MSFW's.

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #14:

How can adequate services be provided to MSFW's when very few workforce center employees speak Spanish.

Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: Area I have two staff members who report to be proficient enough in Spanish to provide bi-lingual services. It has been recommended that Spanish proficiency be a minimum skill for at least one position in Dodge City and Liberal. Area II has three has two staff members who report to be proficient enough in Spanish to provide bi-lingual services. Area IV has five staff members in Wichita who report to be proficient enough in Spanish to provide bi-lingual services. It has been recommended that Spanish proficiency be a minimum skill for at least one position in Strother Field and El Dorado.

Comment #15:

The Spanish translation is from Spain but most of the Farmworkers are from Mexico.

Action Taken:

- Changed Plan to reflect agreement with comment.
 - Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
 - Chose to not modify Plan or recommend further action at this time.
-

Comment #16:

SER and the state should look at policy and practice together to improve services to MSFW's. Co-enrolling MSFW's would make a difference to Kansas MSFW's.

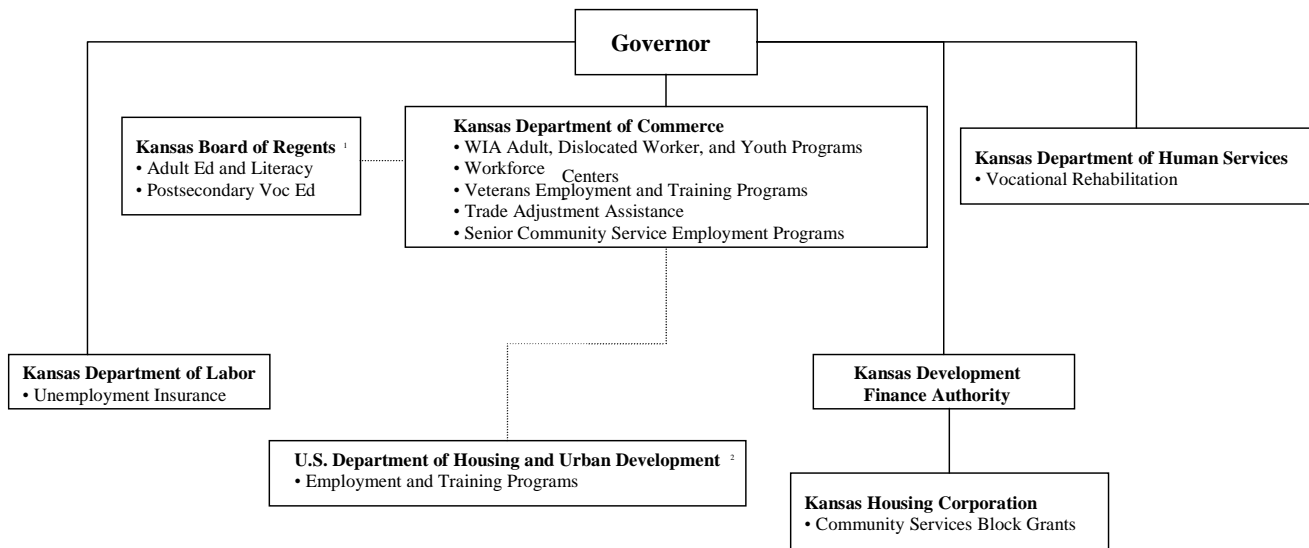
Action Taken:

- Changed Plan to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan or recommend further action at this time.

NOTE: State policy encourages co-enrollment in programs whenever it benefits the customer. There is a data element established in the MIS system to track these occurrences.

ORGANIZATIONAL CHART

III.A.1. Relationship to the Governor of the agencies involved in the public workforce investment system



¹ Position funded by Board of Regents and Department of Commerce responsible for Postsecondary Vocational Education and Adult Education and Literacy

² Employment and training information shared through HUD website at <http://www.hud.gov/local/ks/homeless/jobplacement.cfm>

**Kansas Approved Waivers
Request to Extend Approved Waivers**

Extension of Workforce Investment Act (WIA) Waivers

This request is for a continuation of WIA waivers currently in effect for Kansas. The extensions are based on the Secretary of Labor's authority to waive certain requirements of WIA Title I, subtitles B and E and Sections 8-10 of the Wagner-Peyser Act. The extensions are directed at allowing the State of Kansas continued flexibility to respond quickly to labor market challenges as they arise. We believe these waivers are consistent with and aligned to the Department of Labor's goals and the need for continued flexibility in the utilization of employment and training funds. Kansas seeks only to extend current waivers; there are no new waiver requests for PY 2011. A summary of currently approved waivers follows:

Waiver of WIA Section 134(a) to permit local areas to use a portion of local funds for incumbent worker training.

The State was previously granted a waiver to permit local areas to conduct allowable statewide activities as defined under WIA section 134(a)(3) with local WIA formula funding, specifically incumbent worker training. The State is granted an extension of this waiver through June 30, 2011. Under this waiver, the State will be permitted to allow local areas to use up to 15 percent of local Dislocated Worker funds and up to 5 percent of local Adult funds for incumbent worker training only as part of a lay-off aversion strategy. Use of Adult funds must be restricted to serving lower income adults under this waiver. ETA believes limiting incumbent worker training to the specified level and requiring it to be a part of layoff aversion is the best use of funds in the current economic climate where serving unemployed workers is a paramount responsibility of the workforce system. All training delivered under this waiver is restricted to skill attainment activities. Local areas must continue to conduct the required local employment and training activities at WIA section 134(d), and the State is required to report performance outcomes for any individual served under this waiver in the Workforce Investment Act Standardized Record Data system (WIASRD), field 309. TEGL No. 26-09, Section 7A, "Workforce Investment Act (WIA) Waiver Policy and Waiver Decisions for PY 2009 and 2010" and TEGL No. 30-09, "Layoff Aversion Definition and the Appropriate Use of Incumbent Worker Training for Layoff Aversion Using a Waiver" provide policy guidance related to implementation of this waiver.

Waiver of WIA Section 134(a)(1)(A) to permit a portion of the funds reserved for rapid response activities to be used for incumbent worker training.

The State was previously granted a waiver to permit use of rapid response funds to conduct allowable statewide activities as defined under WIA section 134(a)(3), specifically incumbent worker training. The State is granted an extension of this waiver through June 30, 2011. Under this waiver, the State is permitted to use up to 20 percent of rapid response funds for incumbent worker training only as part of a

lay-off aversion strategy. ETA believes limiting worker training to layoff aversion is the best use of funds in the current economic climate where serving unemployed workers is a paramount responsibility of the workforce system. All training delivered under this waiver is restricted to skill attainment activities. The State is required to report performance outcomes for any incumbent workers served under this waiver in WIASRD, field 309. TEGL No. 26-09, Section 7A, “Workforce Investment Act (WIA) Waiver Policy and Waiver Decisions for PY 2009 and 2010” and TEGL No. 30-09, “Layoff Aversion Definition and the Appropriate Use of Incumbent Worker Training for Layoff Aversion Using a Waiver” provide policy guidance related to implementation of this waiver. As stated in TEGL No. 14-08, Section 19, issued on March 18, 2009, this waiver does not apply to funds made available through the American Recovery and Reinvestment Act of 2009.

Waiver of WIA Section 133(b)(4) to increase the allowable transfer amount between Adult and Dislocated Worker funding streams allocated to a local area.

The State was previously granted a waiver to permit an increase in the amount a state is allowed to transfer between the Adult and Dislocated Worker funding streams. The State is granted an extension of this waiver through June 30, 2011. Under the waiver, transfer authority is limited to 50 percent. This limitation provides states flexibility while ensuring consistency with Congressional intent regarding the level of funding appropriated for the WIA Adult and Dislocated Worker programs. As stated in TEGL No. 14-08, Section 19, issued on March 18, 2009, this waiver does not apply to funds made available through the American Recovery and Reinvestment Act of 2009. However, the State is permitted to transfer up to 30 percent of ARRA funds between programs under WIA and under the Department of Labor Appropriations Act of 2009. This authority is discussed in TEGL No. 14-08, change 1.

Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training.

The State was previously granted a waiver to permit an increase in employer reimbursement for on-the-job training through a sliding scale based on the size of the business. The State is granted an extension of this waiver through June 30, 2011. Under the waiver, the following reimbursement amounts will be permitted: 1) up to 90 percent for employers with 50 or fewer employees, and 2) up to 75 percent for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent reimbursement) will continue to apply. When determining the funding source for on-the-job training, the State must use the appropriate program funds for the appropriate WIA-eligible population. The State may provide on-the-job training to dislocated workers with WIA Dislocated Worker funds. On-the-job training provided with statewide funds must serve WIA eligible individuals.

Waiver of the prohibition of 20 CFR 664.510 on the use of Individual Training Accounts for Older and out-of school youth.

The State was previously granted a waiver of the prohibition at 20 CFR 664.510 on the use of Individual Training Accounts (ITAs) for older and out-of-school youth program participants. The State is granted an extension of this waiver through June 30, 2011. Under this waiver, the State can use ITAs for older and out-of-school youth program participants. The State should ensure that funds used for ITAs are tracked and reflected in the individual service strategies for these youth.

Waiver of WIA Section 123 that requires that providers of Youth program elements be selected on a competitive basis.

The State was previously granted a waiver of the requirement for competitive procurement of service providers for three of the ten youth program elements: supportive services, follow-up services, and work experience. The State is granted an extension of this waiver through June 30, 2011. Under this waiver, the State is permitted to allow its One-Stop Career Centers or partner agencies to directly provide youth program elements. In utilizing this waiver, the State and local areas must still meet Office of Management and Budget requirements (codified in 29 CFR 95.40-95.48 and 97.36) and all state and local procurement laws and policies.

Waiver to permit the State to replace the performance measures at WIA Section 136(b) with the common measures.

The State was previously granted a waiver that allows the State to replace the 17 performance measures under WIA Section 136(b) with the common measures. The State is granted an extension of this waiver through June 30, 2011. This waiver permits the State to negotiate and report WIA outcomes against the common performance measures only, rather than the performance measures described at WIA Section 136(b). The State will no longer negotiate and report to ETA on the following WIA measures: WIA adult and dislocated worker credential rates; participant and employer customer satisfaction; older youth measures; and younger youth measures. The State will use the three adult common performance measures to negotiate goals and report outcomes for the WIA Youth program. WIASRD item 619, Type of Recognized Credential, should be completed for each individual as appropriate, regardless of this waiver to report on common performance measure outcomes only.

Waiver of 20 CFR 666 and 667.300(a) to reduce the collection of participant data for incumbent workers.

The State was previously granted a waiver of the requirements to reduce the data collection burden for employers participating in WIA-funded incumbent worker training programs. The waiver permits the State to discontinue the collection of the following WIASRD elements: single parent (117), unemployment compensation eligible status at participation (118), low income (119), TANF (120), other public assistance (121), homeless individual and/or runaway (125), and offender (126). The State is granted an extension of this waiver through June 30, 2011.

Waiver of the provision of 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers.

The State was previously granted a waiver of the time limit on the period of initial eligibility of training providers provided at 20 CFR 663.530. The State is granted an extension of this waiver through June 30, 2011. Under the waiver, the State is allowed to postpone the determination of subsequent eligibility of training providers. The waiver also allows the State to provide an opportunity for training providers to re-enroll and be considered enrolled as initially eligible providers.

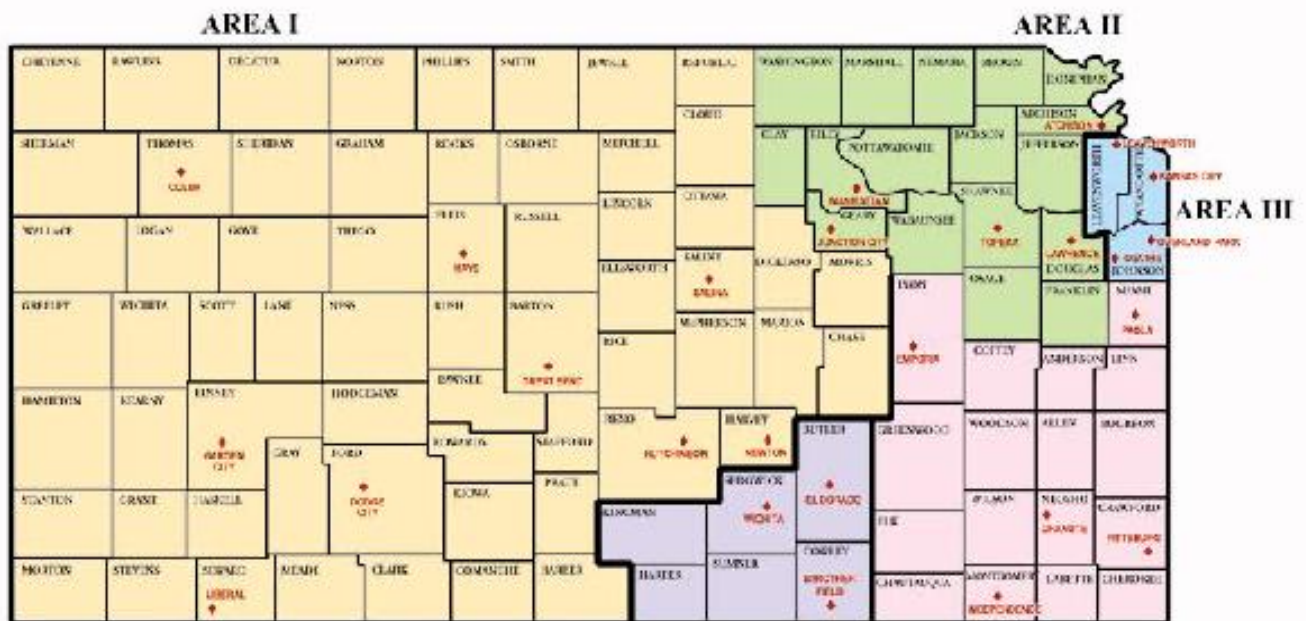
In a letter dated May 25, 2010, ETA granted Kansas approval of the following waiver related to summer youth employment activities through September 30, 2010. The approval for this waiver remains in effect.

- Waiver of performance measures for youth participants in summer youth employment activities and co-enrolled in TANF and WIA programs.

The approved waivers are incorporated by reference into the State's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the State's WIA Grant Agreement and the approved State Plan. In addition, as required by TEGL No. 14-00, Change 3, the State should address the impact these waivers have had on the State's performance in the WIA annual performance report, due on October 1 of each year.

MAP OF DESIGNATED LOCAL AREAS

Kansas Department of Commerce
Workforce Centers



Area I Administrative Office
332 E. 8th Street
Hays, KS 67601-4145
Phone: 785-625-5654
Fax: 785-625-0092

Area II Administrative Office
610 S.W. 10th Avenue
Topeka, KS 66612-1616
Phone: 785-235-5627
Fax: 785-233-5899

Area III Administrative Office
552 State Avenue
Kansas City, KS 66101-2464
Phone: 913-281-3000
Fax: 913-281-0069

Area IV Administrative Office
402 E. 2nd Street North
Wichita, KS 67202-2504
Phone: 316-266-8613
Fax: 316-266-8656

Area V Administrative Office
104 S. Pine Street
Pittsburg, KS 66762-5115
Phone: 620-232-2620
Fax: 620-232-1222

LOCAL AREA PLANNING PROCESS TIMELINE

ACTIVITY	DATE
Distribute instructions for Local Area Plan development	May 5
Deadline for draft Local Area Plan to be submitted to the state	July 15
Distribute Local Area Plans for review and comment	July 15
Distribute state comments to the local areas	July 19
Deadline for local areas to resolve comments from the state and the public	July 25
State Workforce Services Leadership Meeting, Review of Plans	July 25
State approval of Local Area Plans	July 25
State Board Meeting	July 27

**STATE ALLOCATION FORMULA FOR
DISLOCATED WORKER FUNDS**

CATEGORY	WEIGHT
Insured Unemployment data	19%
The category "Insured Unemployment Data" is established through the use of Continued Claims data. These data elements are unduplicated counts of individuals certifying to unemployment in the week containing the 12 th day of the month when the claimant had no earnings due to employment. These data elements include counts of claimants under Kansas programs as well as claims when Kansas acted as an agent and commuter claimant.	
Unemployment Concentrations	19%
The category of unemployment concentrations is established through estimates of unemployed individuals by county obtained from the LAUS program and distributed by local area.	
Declining Industries	19%
The category "Declining Industries Data" is indicated by job losses in the mining and manufacturing industry divisions. The ES 202 Covered Employment data is used to establish the declining industries factor utilized in the Title III Dislocated Worker Substate Allocation formula. The data cover a five-year span to establish industry trends over an extended period of time.	
Farmer-Rancher Economic Hardship	5%
The category "Farmer-Rancher Economic Hardship Data" is indicated by farm employment losses between 1994 and 1998. The farm employment figures were based on county estimates prepared for the LAUS program.	
Long-Term Unemployment Data	19%
The category "Long-Term Unemployment Data" is indicated by final UI payments. These figures are counts of persons certifying to unemployment in the week in which unemployment benefits were exhausted.	
Plant Closings and Mass Layoffs	19%
Plant Closings and Mass Layoff Data include layoffs in which at least 50 UI initial claims were filed against an establishment in a consecutive five-week period with separations expected to last more than 30 days, according to the business. The figures are totals for a calendar year and are drawn from the Mass Layoff Statistics program.	

STATE GRIEVANCE POLICY

Policy Number: 1-11-00 (This policy replaces E&T Policy 100-11-02)

Originating Office: Workforce Compliance and Oversight

Subject: General WIA Complaint Processing Procedures

Issued: November 12, 2004

Program: Workforce Investment Act (WIA)

Purpose: To transmit policy and procedures for general complaints under WIA.

References: Section 667.600 and 667.610 of the WIA regulations.

Background: Every recipient of funds under Title I of WIA must maintain this procedure for grievances and complaints in accordance with 20 CFR 667.600. The procedures described in this policy are to be used for general complaints involving the proper application of WIA and its regulations and policies at the local level and complaints involving State WIA policies, programs, activities or agreements. These procedures are different from the policy governing discrimination complaints or the procedures for reporting suspected program fraud or abuse found in Policy No. 1-03-00.

Contact: Questions about this policy should be directed to John Bowes, Director, Workforce Compliance and Oversight, (785) 296-2122 TTY (Hearing Impaired): (785) 296-3487, or jbowes@kansascommerce.com

Attachment: General WIA Complaint Form

General WIA Complaint Processing Procedures

Procedures for processing complaints of discrimination or criminal fraud, waste or abuse are **NOT** covered under this policy.

Introduction

Every recipient of funds under Title I of WIA must maintain this procedure for grievances and complaints in accordance with 20 CFR 667.600.

General WIA complaints may be made up to one year from the date of the event or condition alleged to be a violation of WIA. The appropriate resolution process to be followed depends on the nature of the complaint. General WIA complaints fall into the following two categories:

1. Complaints involving local WIA programs, agreements, or Local Workforce Investment Board (Local Board) policies and activities; or
2. Complaints involving State WIA policies, programs, activities or agreements.

A complaint may be amended or withdrawn at any time prior to a scheduled hearing.

Information that could lead to the identification of the person filing the complaint must be kept confidential, to the extent practical. The identity of any person who furnishes information related to, or assisting in, an investigation shall be kept confidential to the extent possible.

An entity receiving financial assistance under WIA may not discharge, intimidate, retaliate, threaten, coerce, or discriminate against any person because such person files a complaint, opposes a prohibited practice, furnishes information, assists, or participates in any manner in an investigation or hearing.

General WIA Complaint Form

Attached to this policy is the General WIA Complaint Form used as a complaint intake tool. It may be duplicated for the purpose of receiving general WIA complaints. Any alternate form must include all information required on the General WIA Complaint Form. Any complaint received in writing must be accepted and handled in the same manner as if it were made on the General WIA Complaint Form.

Informal resolution prior to the filing of a written complaint is encouraged. If the complainant is not satisfied with the attempt at informal resolution, they should be encouraged to complete a General WIA Complaint Form.

The complainant should be allowed sufficient time and technical assistance to allow for a complete and clearly written explanation to occur. If the complainant is unable to write, staff may transcribe his or her words onto the form. Care must be taken not to alter the language of the complainant. When a written complaint is received, it should be reviewed immediately to insure completeness. Care should be taken to assure the following information has been provided, especially if the complaint is not received on the General WIA Complaint Form:

1. Full name, telephone number and address of the person making the complaint;
2. Full name and address of the respondent; and
3. Statement of the facts (including dates) that constitute the alleged violation(s).

Complaints Involving Local Programs and Policies

Who May File

Any applicant, employee, participant, service provider, program recipient, or other interested party may file a complaint alleging a violation of local WIA programs, agreements or Local Board policies and activities.

Complainants with Disabilities

Complainants with disabilities will be accommodated in communication and location. Alternate formats will be used on request to notify the complainant of hearings, results and any other written communication. Auxiliary aides and services, such as deaf interpreters or assistive listening devices, will be provided on request for negotiations, hearings and any other meetings where aural communication occurs. An accessible location will be used for hearings and other meetings on request.

Time and Place for Filing

Complaints may be filed with the Local Administrative Entity or the service provider within one year from the date of the event or condition alleged to be a violation of WIA.

Resolution Process

Service providers and employers of WIA participants must have procedures in place to process complaints related to the terms and conditions of the participant's training or employment. Employers and service providers may elect to utilize the system established by the Local Administrative Entity or operate their own complaint procedures. If the employer is required to use the complaint processing procedures under a covered collective bargaining agreement, then those procedures may be used to handle general WIA complaints.

Any hearings conducted by an employer must comply with all provisions for hearings described in this policy.

Step 1 - Initial Review

If the complaint alleges a violation of any statute, regulation, policy, or program not governed by WIA, the complaint will be referred to the appropriate organization for resolution. Notice of the referral will be sent to the complainant.

The Local Administrative Entity or the service provider will receive the complaint from the complainant or the complainant's designated representative. All complaints will be logged. A complaint file should be established that contains the following:

1. Application and enrollment forms;
2. Completed General WIA Complaint Form (or complainant's written statement);
3. Chronological log of events or conditions alleged to be a violation of WIA;
4. Any relevant correspondence; and
5. Record of the attempted informal resolution.

Step 2 - Informal Resolution

An attempt should be made by the Local Administrative Entity or the service provider to informally resolve the complaint to the satisfaction of all parties. The informal resolution

process must be completed within ten business days from the date the complaint is filed. If all parties are satisfied, the complaint is considered resolved and the terms and conditions of the resolution must be documented in the complaint file. When a service provider attempts the informal resolution, the service provider will forward the complaint file to the Local Administrative Entity. The Local Administrative Entity will review the complaint file and investigate it further if necessary.

Step 3 - Formal Resolution

When an informal resolution is not possible, the Local Administrative Entity will issue a determination within 20 calendar days from the date the complaint was filed. If an appeal of the determination is not requested, the complaint is considered resolved and the complaint file should be documented accordingly. Any party dissatisfied with the determination may request a hearing within 14 calendar days of the date of the determination.

Step 4 - Hearing

A complaint may be amended or withdrawn at any time prior to a scheduled hearing.

If the complaint is not withdrawn, the Local Administrative Entity will designate a hearing officer to ensure the complaint receives fair and impartial treatment. The hearing must be conducted within 45 calendar days from the date the complaint was filed. The hearing officer will schedule a formal hearing and mail a written notice to the complainant, the respondent, and any other interested party at least seven business days prior to the hearing. The notice will include the date, time, and place of the hearing.

Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or other designated representatives may represent each party. All testimony will be taken under oath or affirmation. The hearing will be recorded either in writing or by audiotape. The hearing officer's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based.

Step 5 - Final Decision

The Local Administrative Entity will review the recommendation of the hearing officer and issue a final decision within 60 calendar days from the date the complaint was filed.

Step 6 - Appeal

Any party dissatisfied with the Local Administrative Entity's final decision, or any party who has not received either a final decision or a resolution within 60 calendar days from the date the complaint was filed, may request an appeal. The appeal must be received by

the Kansas Department of Commerce within 90 calendar days from the date the complaint was filed at the following address:

Kansas Department of Commerce
Workforce Compliance and Oversight
1000 S.W. Jackson Street, Suite 100
Topeka, Kansas 66612-1354

Commerce will review the complaint file, the hearing record, and all applicable documents and issue a final decision on the appeal within 30 calendar days from the date the appeal was received.

Complaints Involving State WIA Policies, Programs, Activities or Agreements

Who May File

Applicants, employees, participants, service providers, recipients and other interested parties may file a complaint alleging a violation of State WIA policies, programs, activities or agreements.

Complainants with Disabilities

Complainants with disabilities will be accommodated in communication and location. Alternate formats will be used on request to notify the complainant of hearings, results and any other written communication. Auxiliary aides and services, such as deaf interpreters or assistive listening devices, will be provided on request for negotiations, hearings and any other meetings where aural communication occurs. An accessible location will be used for hearings and other meetings on request.

Time and Place for Filing

Complaints may be filed with the State service provider or Commerce within one year from the date of the event or condition alleged to be a violation of WIA.

Resolution Process

Step 1 - Initial Review

If the complaint alleges a violation of any statute, regulation, policy, or program not governed by WIA, the complaint will be referred to the appropriate organization for resolution. Notice of the referral will be sent to the complainant.

The State service provider or Commerce will receive the complaint from the complainant, or the complainant's designated representative. All complaints will be logged. A complaint file should be established that contains the following:

1. Application and enrollment forms;
2. Completed General WIA Complaint Form (or complainant's written statement);
3. Chronological log of events or conditions alleged to be a violation of WIA;
4. Any relevant correspondence; and
5. Record of the attempted informal resolution.

Step 2 - Informal Resolution

An attempt should be made by the State service provider to informally resolve the complaint to the satisfaction of all parties. The informal resolution process must be completed within ten business days from the date the complaint is filed. If all parties are satisfied, the complaint is considered resolved and the terms and conditions of the resolution must be documented in the complaint file.

Step 3 - Formal Resolution

When an informal resolution is not possible, the State service provider will forward the complaint file to the address below:

Kansas Department of Commerce
Workforce Compliance and Oversight
1000 S.W. Jackson Street, Suite 100
Topeka, Kansas 66612-1354

Commerce will review the complaint file, conduct further investigation if necessary, and issue a determination within 20 calendar days from the date the complaint was filed. If an appeal of the determination is not requested, the complaint is considered resolved and the complaint file should be documented accordingly. Any party dissatisfied with the determination may request a hearing within 14 calendar days of the date of the determination.

Step 4 - Hearing

A complaint may be amended or withdrawn at any time prior to a scheduled hearing. If the complaint is not withdrawn, Commerce will designate a hearing officer to ensure the complaint receives fair and impartial treatment. The hearing must be conducted within 45 calendar days from the date the complaint was filed. The hearing officer will schedule a formal hearing and mail a written notice to the complainant, the respondent, and any other interested party at least seven business days prior to the hearing. The notice will include the date, time, and place of the hearing.

Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or other designated representatives may represent each party. All testimony will be taken under oath or affirmation. The hearing will be recorded either in writing or by audiotape. The hearing officer's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based.

Step 5 - Final Decision

Commerce will review the recommendation of the hearing officer and issue a decision within 60 calendar days from the date the complaint was filed. The decision of Commerce is considered final.

WIA General Complaint Form

Complainant (person filing the complaint)

Name:			
Address:	City:	State:	Zip:
Telephone:		E-Mail:	

Complainants with disabilities will be accommodated during the complaint process. If an accommodation is required in communication or accessibility of location, please indicate the kind of accommodation required, e.g. accessible location, deaf interpreter (please indicate type of sign language), notification of results and/or hearing dates in alternative format such as Braille, large print, or cassette.

Respondent (person/entity complaint filed against)

Name:			
Address:	City:	State:	Zip:
Telephone:		E-Mail:	

Instructions: Provide a clear and brief statement of the facts. Include relevant dates to assist in the investigation and resolution of the complaint. If additional space is needed, use reverse side of this form or attach additional sheets.

The above information is true and correct to the best of my knowledge.

Signature of Complainant

Date

FOR OFFICIAL USE ONLY

Person Receiving Complaint:			Title:		
Address:		City:		State:	
Telephone:			E-Mail:		

Plan Modification #1
Comments Received During Public Review Period
Comments received have been quoted verbatim without correction.

Comments from Ernie Lehman, Area I Local Board Chair

Recently I was invited to comment on a variety of waivers that KDOC intends to request from the United States Department of Labor. I discussed these waiver requests with our staff. Also, as you know, we talked about certain of these requests at our June 16 LWIB meeting. (Thank you for attending.) While we understand your comments that these waiver requests are identical to those from Missouri and are needed to support the Kansas City area WIRED initiative, I do have a few concerns. In the interests of brevity, this letter will deal only with those concerns. In all other respects I support the waiver requests.

Waiver #7 – Providing Flexibility in Ten Youth Program Elements

Local Area I believes all ten program elements should be required to be provided because we don't want to limit the services that our youth receive. Many of our youth remain in our programs for a long time, requiring the use of multiple services to ensure they remain active and engaged. In addition, youth possess multiple and often times severe educational and/or employment barriers which require the use of many different services to address those barriers fully. I wouldn't want this policy to negatively impact our youth.

Waiver #8 – Eliminating Twelve month Follow-Up for Youth Participants

I do not support this request. Youth require the follow-up to ensure long-term success and positive reinforcement. The amount of time involved is minimal compared to the positive impact follow-up can have on the long-term and sustained success of our youth. Follow-up also increases positive performance outcomes.

Waiver #9 – Utilizing Dislocated Worker/Rapid Response funds as Statewide Activity Funds

I would question how this will impact the delivery of Rapid Response in the local areas. These activities are triggered by developments in each of the local areas, not statewide developments. I am unsure of the purpose KDOC has for these funds.

Waiver #10 – Minimizing documentation for Incumbent Worker Training

I believe the State and local areas could work together to streamline policies and processes without requesting this waiver. I don't know what is left when the request is "to minimize data capture requirements". Of course I support the desire to make it easier for employers to participate in this training.

Waiver #11 – Increasing Wagner-Peyser Funds for Set Aside by Governor

This waiver request causes me the greatest concern. How would the 20% decrease in funding for field operations affect the local workforce centers? Would offices be closed, lay-offs occur or positions not be filled? Could this impede the difficult process of establishing Comprehensive One-Stops in Salina and other larger communities in Area I?

Local areas are having a difficult time spending the formula funds so wouldn't it make more sense to have these types of projects administered through the LWIBs and formula funds utilized first?

Finally, I would question the need for additional training as the first priority. In our discussions with employers across our area their main concern is not the availability of training opportunities, it is the lack of a readily available workforce. Raytheon Aircraft will experience a major turnover in their workforce due to retirements in the next two to five years. They are struggling now to fill 25 positions. The Oil and Gas Industry across Local Area I is experiencing a shortage of 800 employees. In one meat packing plant in Western Kansas they are 300 people from capacity because they cannot find workers. The transportation industry has 200+ openings across Kansas. And finally the wKREDA group collectively represents 250 positions that remain unfilled. I would like to see any additional dollars at the State level utilized to launch a major recruiting effort for employees to move to Kansas. If we create training but can't fill the seats we have not positively impacted our employers.

In sum, there are needs and requirements in Local Area I that may deviate from those that are perceived to exist in the Kansas City Area. We would hope that any waiver request supporting the WIRED initiative would not divert funds or reduce the effectiveness of services for clients of Area I service providers.

Action Taken:

- Changed Plan Modification to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan Modification or recommend further action at this time.

Comments from Kris Kitchen, Heartland Works, Inc.

Waiver #4 - Can Incumbent Workers not be included in performance?

Waiver #5 - Why is this only for Older and Out-of-School youth? Why can't youth ages 14 to 18 receive this benefit?

Waiver #6 - Why are you referencing the WIRED grant - I don't see the connection? You start out stating how hard it is in rural communities...then you reference the WIRED grant and the Kansas City region (urban). What is the connect?

Waiver #8 - Yea!

Waiver #9 - Can the 25% reserved only be used for incumbent worker training? Will this be a competitive proposal process? It should be.

Waiver #10 - What data elements will be required from the employer?

Waiver #12 - No Way! This is welfare for employers. This is NOT a demand driven response. It appears like an idea to spend more money not provide better service.

Waiver #13 - Sure if the State is going to run this. Where's the performance? The example used for "Individuals Affected" on Waiver #13 page 24 is weak.

Waiver #14 - The possibility of fly-by-night, sub-standard entrepreneurship "training" is high. We think this is a unique opportunity for Commerce to own and deliver training like Georgia. Commerce should create a standard curriculum using an advisory board of Economic Development, Chamber of Commerce, community and technical schools reps. Commerce should own this curriculum and provide it under the oversight of the Local Boards.

Waiver #15 - Training providers should be held accountable. If there is no formal Federal/State requirement for trainers to provide performance data, obtaining performance to efficiently use funds will be difficult for locals.

In closing, seems like many of these waivers cite the WIRED grant as a rationale. What happens when the WIRED grant goes away? These are dictating policy changes which affect the entire State.

Action Taken:

- Changed Plan Modification to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan Modification or recommend further action at this time.

Comments from Jackie Vietti, Butler County Community College

The twelve waivers for which the Kansas Department of Commerce is seeking approval from the US Department of Labor will allow the state and local workforce boards much needed flexibility in providing business-driven workforce solutions and responding quickly to labor market challenges. Butler Community College especially wants to convey its support for Kansas Waiver Plan #15, Waiving Subsequent Eligibility Determination for Training Providers.

Butler Community College has been an approved WIA training provider for several years. The type and amount of information required for subsequent eligibility has presented numerous challenges and has impinged on our ability to meet the needs of those seeking our workforce development courses and programs. The College has been able to provide the data required to keep many of our programs on the approved training provider list. Other programs have fallen from eligibility either because the required data was not available, or the program failed to meet the state performance level for completion. Yet, the latter programs directly met the unique needs of particular students. People attend community colleges for many reasons. However, under the current process, those who do not intend to earn a certificate or degree adversely affect our completion rates, in spite of the fact that they are developing or upgrading their workforce skills.

Based upon our college's strategic vision of engaging students and other stakeholders in exceptional programs and services that directly meet their needs, we fully support the requested waivers so that we can better address the workforce development needs of our region. Given our commitment to assessing our effectiveness in terms of learning outcomes and continuous improvement through the Higher Learning Commission's Academic Quality Improvement Program, we believe that the waivers will

ensure that customers have a choice of training providers, as they should. Further, the waivers will result in an effective process for determining subsequent eligibility.

So, again we offer our unqualified endorsement of the proposed waivers, as the best means to meet the current and future workforce development needs of our region.

Action Taken:

- Changed Plan Modification to reflect agreement with comment.
- Recommended the issue be referred to other entity and/or addressed through other policy and procedure.
- Chose to not modify Plan Modification or recommend further action at this time.



Attachment M

Workforce Solutions Promoting Economic Growth

April 23, 2007

Mr. David Brennan
Director of Workforce Development/Skill Enhancement Services
Kansas Department of Commerce – Workforce Development
1000 SW Jackson Street, Suite 100
Topeka, KS 66612-1354

Dear Mr. Brennan:

The boards and staff of Local Area II offer the following comments to the Strategic State Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act.

We appreciate the opportunity to provide a local voice to the state planning process. Our first preference would have to be to be a part of the “*State Plan Workgroup of personnel representing all workforce programs*” as cited on page iii, Plan Development Process, #1. As we were not invited to participate in this group, we are taking full advantage of the public comment period to address our questions and concerns regarding the proposed content of the State plan.

Plan Comments

1. Full Document

In some parts of the state plan, the system is referred to as the “*workforce system*.” In other parts it is referred to as the “*workforce development system*.” We feel the terminology describing the statewide system should be consistent throughout. We recommend the consistent name be the “workforce system.”

2. Plan Content: Page 7, 3rd paragraph

“The creation of the Kansas workforce development system brought approximately 280 employees of the Kansas Department of Human Resources into the Department of Commerce July 1, 2004. The majority

of these employees are located in One-Stop Centers throughout the state and the influx of staff and financial resources has provided considerable strength to the system.”

Local Area II has seen a decline in the number of front-line field staff for Wagner-Peyser services in our area over the last few years. As individuals have left employment with the Kansas Department of Commerce, either those positions have not been filled or they have been filled by staff above the front-line level. This lack of investment and commitment to front-line staffing by the Kansas Department of Commerce, has not, in our opinion, provided considerable strength to the system.

3. Plan Content:Page 9, 3rd bullet from bottom of page and Page 10, 10th bullet from top of page

“Develop and implement marketing, communication tools and a state brand to increase the understanding of, interest in and use of the state’s workforce system.”

“Find administrative and outreach efficiencies by instituting a statewide marketing brand for use by all One-Stop partners.”

Is the state brand intended to replace all Local Area brands? How does this support WIA’s underlying theme of Local Area control and operation of the program? Will Local Boards, One-Stop Operators and Partner Agencies be required to adopt the statewide brand as the sole marketing brand for the Workforce Centers? Again, how does this support WIA’s underlying theme of Local Area control and operation of the program?

4. Plan Content:Page 10, 4th bullet from top of page

“Establish statewide assessment systems using Wagner-Peyser and WIA statewide activities funds to standardize evaluation of all job seekers;”

How does the state define “standardized evaluation of all job seekers” as referenced in the ninth bullet of this item? Shouldn’t Local Areas, as the primary implementers of WIA, set the standards for any assessments or evaluation tools used in their respective communities?

5. Plan Content:Page 10, 8th bullet from top of page

“Reduce overhead costs to operate the Kansas One-Stop delivery system as efficiently and effectively as possible.”

How, exactly, will the state accomplish this?

6. Plan Content:Page 10, first sentence in response to item #1

“An organizational chart that delineates the relationship to the Governor of the agencies involves in the state’s....”

We recommend the word organizational be removed from this sentence. Organizational implies an employment relationship.

7. Plan Content:Page 11, first paragraph

“Under the Kansas workforce development system, the principal One-Stop partners are under the authority of the Kansas Department of Commerce.”

Per WIA, Section 121 – Establishment of One-Stop Delivery Systems – the Act is very clear that it is the Local Areas who have the responsibility to develop and enter into MOUs with one-stop partners, designate or certify one-stop operators and conduct oversight of the one-stop delivery system. How does this translate into the assertion that the One-Stop partners are under the authority of the Kansas Department of Commerce?

8. Plan Content:Page 14, second to last paragraph on response to A. 2

“As stated before, the state’s workforce development administrative structure includes a position....”

This paragraph indicates a list is to follow, but there’s no list.

9. Plan Content:Page 16, 3rd bullet from bottom of page

“Development of a statewide marketing brand”

Per WIA, Section 111(d) – State Board Functions – development of a statewide marketing brand is not an expressly written function of the state board. All of the other items on the list in the state plan are state board functions expressly written in WIA. Development of a statewide marketing brand is not a legislatively defined function of the state board.

10. Plan Content:Page 19, 2nd bulleted list on the page

“Kansas will take the following steps to improve operational collaboration and eliminate barriers to coordination within the workforce development system”

Requiring a statewide brand and adoption of a statewide marketing policy flies in the face of the foundation of WIA – Local Area control and operation of programs and services. Local Areas should have the say in how their WIA programs/services and One Stops are marketed. The remainder of the policies suggested in this list all appear to mandate who the Local Areas will serve and how they will serve them. These items appear to suggest the state is shifting away from a monitoring and oversight role and stepping into the realm of program operation. Local Areas have the role and responsibility for program operation. Programs and services should be operated based upon Local Area need, not on a statewide theory.

11. Plan Content:Page 40, 2nd and 3rd bullets at bottom of page

“The State Board is considering a policy that will require the Local Boards to develop procedures to assess individuals enrolled in the Kansas Registered Apprenticeship program....”

“The State Board will require the Local Boards to establish procedures to co-enroll individuals in the Trade Act program in the WIA program.”

These are more examples of the State moving into a Program Operator role instead of a monitoring and oversight role. Shouldn't enrollment policy be set by the Local Areas who are charged with operating the programs and ensuring service delivery?

12. Plan Content: Page 44, 2nd bulleted item in response to item E

“Make resources available to the Local Boards as an incentive to target the high wage, high demand industries that have been identified.”

What details have been established to describe the process by which resources will be made available to Local Areas who target high wage, high demand industries?

13. Plan Content: Page 44, 2nd paragraph in response to item E

“In addition, the State Board will establish cost-control policy directives that will limit the amount of funds local areas can spend on administration.”

The LWIB and CEOB set and approve the budget for the Local Area. This budget is subject to audit and must meet any and all applicable federal regulations including compliance with WIA. Why would additional state restrictions be necessary?

14. Plan Content: Page 48, last paragraph before Item IV

“The Department of Commerce will consider requesting additional waivers to include restructuring existing workforce boundaries to increase flexibility, reduce overhead, distribute funds, manage programs and provide statewide oversight.”

Previous forays into restructuring workforce boundaries in the state of Kansas have been plagued with problems of secrecy, miscommunication, and mistrust. It is our sincere hope and recommendation if the State chooses to venture once again into this arena that the entire process is conducted far differently than previous attempts. LWIBs and CEOBs should be involved in every step of the process with full communication and disclosure by the Kansas Department of Commerce.

15. Plan Content: Page 48, second paragraph under VI. A.

*“Each Local Board and statewide program is required to collect and submit information to the Department of Commerce using **KANSASWORKS.com /ServiceLink**.”*

We request the following sentence be added directly after the sentence outlined above. “This submission of information may either be through direct data entry into those systems, or through the electronic transfer of data along an interface between two distinct systems.”

16. Plan Content: Page 49, VI. B

“The Fiscal Policy establishes guidelines for WIA administrative costs, including the classification of direct and indirect costs,”

To which “Fiscal Policy” is this referring?

17. Plan Content:Page 57, VII. C.

The first bulleted paragraph also refers to “The Fiscal Policy” – which policy is this?

18. Plan Content:Page 61, last sentence

“The implementation of state policies to mandate collaborative meetings between Operators and Partners and the use of a statewide brand will enhance the local workforce development systems.”

Local Boards are the entities responsible for managing the One Stop system and should be the ones to determine what meetings occur between the Operator and the Partners. Also, we fail to see how a statewide brand enhances a Local system.

19. Plan Content:Page 69, VIII. G. 5 – last sentence

“The state workforce policy on Procurement Standards is contained in Attachment J.”

The correct attachment is Attachment K

20. Plan Content:Page 70, item H. 1., second sentence

“Coordination of services to jobseekers and employers by One-Stop partners is done at each One-Stop Center.”

This statement should be rephrased as follows:

“Coordination of services to jobseekers and employers by One-Stop partners is done at each One-Stop Center and is the responsibility of the One-Stop Operator.”

21. Plan Content: Page 70, item H. 1. Second paragraph

“Another example of coordination of services is the Business Consultant...”

This paragraph should be removed. These specifics should be left to the One-Stop Operator. Local Areas may have different strategies to coordinate business services than those specifically outlined in this example. This appears to set policy for Business Service provision which again, is a Local Area decision.

22. Plan Content:Page 72, VIII.H.2 Third paragraph

The state’s “Fiscal Policy” is referenced. Which specific policy is this referencing?

23. Plan Content: Page 75, VIII.J

The state's grievance policy is Attachment L, not K.

24. Plan Content:Page 78, VIII.K.5

Reallocation policies: the language in this section is not consistent with the language in State Workforce Policy #3-09-00 *Recapture and Reallocation of Local WIA Formula Funds*. Policy #3-09-00 bases recapture on 70% expended levels vs. 80% obligation levels as mentioned in this plan section.

25. Plan Content:Page 78, VIII.K.6

An incorrect state workforce policy is referenced in this section. Policy #3-03-00 *Transfer of Funds between Adult and Dislocated Worker Funds* is the correct policy that should be referenced. The state was granted the waiver for 100% transferability between adult and dislocated worker, therefore this section should be updated as well.

26. Plan Content:Page 85, Number 5, first paragraph, second sentence

"All One-Stop Centers must implement a uniform method for organizing their service delivery to business customers according to the need for self service, facilitated service, or staff assisted services."

Please add the following sentence immediately after the sentence outlined above:

"The content and implementation of the uniform method is at the discretion of the Local Board through the One-Stop Operator."

27. Plan Content:Page 93, Item c. First paragraph, last sentence

"Wagner Peyser is the primary funding stream for paying costs associated with the Resource Centers available to jobseeker, as well as the Employer Centers that provide business services such as information on the labor market, jobseeker resumes, wage surveys, federal and state tax incentives, and a variety of other information of interest to businesses."

This statement is not an accurate representation of how services in the resource centers and employer centers are funded in Local Area II. Wagner Peyser is not considered the *primary* funding stream for all the costs associated with the resource and employer centers in our Local Area.

28. Plan Content: Page 103 & 104, Item 2

The majority of the response focuses on the Registered Apprenticeship program. Other state-level programs are mentioned only briefly and mainly in list form. We would suggest the response to this item be more descriptive of all the programs and services that target customized training, OJT, etc.

29. Plan Content:Page 110, second paragraph, third sentence

“Also, as a required partner, the SCSEP Grantee will be represented on the Local Board in the local area in which the grantee offers services.”

Our LWIB is considered an alternative entity, meeting the requirements outlined in 661.330 in the WIA final rules. Adding positions to our board would change the structure of our board and would jeopardize our status as an alternative entity. All partners in our one-stop system, regardless if they have a representative on our LWIB or not, are afforded the opportunity for input and comment not only through our MOU negotiation process, but also on an ongoing basis.

30. Plan Content:Page 139, 2nd paragraph

“In order to strategically plan and effectively manage the state’s role in the delivery of local workforce development services, a Gap-Analysis Project was undertaken to identify the following in office locations across the state:”

When was this gap analysis done? Who conducted it? How were LWIBs and One-Stop Operators included? Does this refer to the research Dennis Cooper conducted a few years ago? How is this information still relevant? Is this reference a “left-over” from the last planning cycle?

31. Plan Content:Page 147, X.C.

The waivers mentioned in this section have already been granted. – this section needs to be updated. The last sentence states “Kansas intends to seek extension of these waivers.” This should be in the opening paragraph instead of “is seeking the following three waivers”. There is no mention of the other waivers included in Attachment F. Recommend referencing Attachment F somewhere in this section.

32. Plan Content:Page 148, Last sentence

“However the need to develop a process to measure goal attainment across the statewide system is a priority.”

Please add the following phrasing onto the end of the sentence above...” *and should include input from the Local Boards in addition to the State Board.”*

33. Plan Content:Page 151, Second paragraph, last two sentences

“Most recently, Kansas has contracted with an independent company to conduct a Local Area analysis of service delivery, customer service, performance tracking and other operational characteristics. The state will use the information from these studies to improve technical assistance and to develop a long-term comprehensive training plan.”

How recent was this? Who was the independent company? Is this referring to the Wipfli-Young analysis project conducted in 2005? Should this section be rephrased to show how the state has improved their technical assistance since the conclusion of Wipfli-Young’s study? Or, what long-term comprehensive training plans they’ve developed?

34. Plan Attachments: Attachment K – State Policy on Procurement

Where did this come from? It appears to be a section from the old KDHR Fiscal Manual with the old limits. The first page numbers the Small Purchase Method as #18—what happened to 1-17? The next page numbers the Small non-competitive purchase method as #19, and repeats the exact same paragraph following as #3. The following sections (i.e., Formal advertising (sealed bid) method, Non-competitive negotiation method, competitive negotiation method, etc) are not numbered. The small purchase method limit should be “not more than \$25,000” and the small non-competitive purchase method limit for participant program outlay expenses should be “no more than \$2000”. The limit for formal advertising (sealed bid) method should be “is more than \$25,000”. These limits were changed prior to the KDHR-Commerce transition in October of 2002 and keep re-occurring in various documents. Local Area II has repeatedly commented as these old limits appear in documents. Local Area II updated its policies when the changes were made in 2002 and has been using the \$25,000 limit as the small purchase limit for the last five years. In talking with Commerce staff, they too have been using \$25,000 as the small purchase limit. The policy also references the Secretary of Commerce as the individual from whom approval requests should be obtained for sole source situations, etc. Should this be updated as well? Local Area II usually sends such requests to Caleb Asher, Deputy Secretary of Workforce Development.

We look forward to your response.

Sincerely,

Kristine L. Kitchen
Executive Director
Heartland Works, Inc.

CC: Ross Freeman, LWIB Chair
Jeff Preisner, CEOB Chair

April 23, 2007

Ms. Rae Anne Davis
Deputy Secretary, Workforce Development
Kansas Department of Commerce
1000 SW Jackson, Suite 100
Topeka, KS 66612

Dear Rae Anne:

Thank you for the opportunity to comment on the Draft of the Kansas State Plan for Title I of the Workforce Investment Act and the Wagner-Peyser Act. We appreciate the efforts of you and your staff to build a workforce development system that is truly responsive to the needs of both employers and job seekers, and we pledge our cooperation with those efforts. Below are comments submitted from Local Area III on specific items in the plan.

Issue: State-Local Relationships

References: Entire document

Comment: With wholesale changes of entities and of traditional roles at the local level, traditional assumptions for the divisions of local and state roles have to be re-thought. These changes are significantly reducing Commerce's role in local service delivery. Without direct control of on-the-ground service delivery, Commerce has struggled to understand its appropriate level of control over the system, as evidenced by comments made by former Secretary Fricke and others to various committees of the Legislature.

In our view, the appropriate role for the state Workforce Investment Act administrative agency is to create the conditions that allow Local Areas to achieve high performance. Doing so requires setting broad limits, clear performance expectations, and allowing flexibility in local approaches to meeting those expectations. To a great extent, our comments are directed at elements in the draft State Plan that are not consistent with that approach.

Issue: Branding

References:

Page 9, Item A., third bullet point: *"(The Governor's priorities for the workforce development system include) Develop and implement marketing, communication tools and a state brand to increase the understanding of, interest in, and use of the state's workforce development system."*

Page 10, Item A., final bullet point: *"Find administrative and outreach efficiencies by instituting a statewide marketing brand for use by all One-Stop partners."*

Page 16, Item 5, fourth bullet point: *"(Functions of the State Board include) Development of a statewide marketing brand."*

Comment: State policy #3-06-00, as approved by the State Board, specifies that the State Brand will be developed by the Local Areas, with final approval by the State Board. The question of the relationship between the statewide brand and any local brands or outreach efforts has not yet been resolved. We suggest wording to make clear that such a statewide brand may exist alongside and complement local

brands, and discourage any implication that it has been determined that a unitary brand will usurp or replace local brands.

Issue: Local administrative costs

References:

Page 19, bottom of page, final bullet point of steps to improve collaboration: *“Institute a state policy which restricts the amount of funds local areas can spend on administrative costs.”*

Page 44, Item E., second paragraph: *“In addition, the State Board will establish cost-control policy directives that will limit the amount of funds local areas can spend on administration.”*

Comment: Federal regulations already limit the amount of WIA funds that local areas can spend on administration. Historically, local areas have spent well within those limits, as documented by the recent report from the Legislative Division of Post Audit. If such a move is designed to increase program activity relative to administrative activity, it would be more appropriate to address this issue through performance expectations rather than an expenditure mandate, consistent with the approach discussed at the beginning of this letter.

Issue: Collaboration among local partners

References:

Page 19, bottom of page, second bullet point of steps to improve collaboration: *“Institute a state policy requiring One-Stop Operators to meet with All Partners no less than monthly to collaboratively address any service-delivery, collaboration, customer service and any other issue.”*

Page 152, fourth bullet point: *“(Steps to ensure continuous improvement include) Mandate that Operators meet with local Partners weekly.”*

Comment 1: These references appear to be inconsistent. Page 19 discusses weekly meetings, while page 152 discusses monthly meetings.

Comment 2: This mandate is inconsistent with the approach of setting conditions and performance expectations, but giving Local Areas freedom to select strategies to meet those expectations. It is appropriate for Commerce to expect Local Areas to develop mechanisms to ensure increased Partner collaboration, but it should give Local Areas the freedom to determine what mechanisms will work best. It seems more appropriate to require that such mechanisms be incorporated into Memoranda of Understanding (which are submitted to Commerce for approval), and verify that the mechanisms are being followed through monitoring of Local Areas.

Sincerely,

Scott Anglemyer
Executive Director

LOCAL AREA IV
COMMENTS ON DRAFT STATE PLAN

Below are comments on the proposed draft of the Kansas Strategic State Plan generated by staff for the Workforce Alliance of South Central Kansas, the workforce board in Local Area IV. The comments are

intended to help strengthen the draft plan, but also to raise questions in regards to certain elements of the plan that do not appear to be consistent with the Workforce Investment Act (WIA).

We appreciate the opportunities to provide comment and thank the staff at the Kansas Department of Commerce (KDC) for the work that has gone into producing the draft document.

PLAN COMMENTS

1. Page iii, #1, 3rd paragraph

For this Plan modification a State Plan Workgroup of personnel representing all workforce programs drafted and updated the State Plan.

Local Area IV staff were not aware or involved in the State Plan Workgroup, and it appears the only opportunity afforded the Local Workforce Investment Boards, the Chief Elected Officials' Board, or customers for input is to provide comments to the draft document in question. It should also be noted, "*Personnel representing all workforce programs*" is a misnomer. The workforce development system is more than an assortment of programs. It is regionally based, and this does not appear to be reflected in the process.

2. Page 7, 3rd paragraph

The creation of the KS workforce development system brought approximately 280 employees of the KDHR into KDC 7/1/04. The majority of these employees are located in One Stop Centers throughout the state and the influx of staff and financial resources has provided considerable strength to the system.

Local Area IV has not experienced an influx of staff. In February of 2006, the Wichita Workforce Center was relocated resulting in a significant increase in the number of job seekers and employers seeking services. The inability of KDC to fill vacant positions or secure additional staffing for the huge increase in the number of customers served in the Wichita Workforce Center has impacted the ability of the Local Board to provide the services needed and expected in South Central Kansas. We are attempting to view this as an opportunity to improve the amount of collaboration between the WIA and Wagner-Peyser programs, and as the designated operator of the One-Stop system in Local area IV, the Workforce Alliance will continue to leverage resources to improve services to both job seekers and employers.

4. Page 10, last bullet

Find administrative and outreach efficiencies by instituting a statewide marketing brand for use by all One Stop partners.

All references to marketing and branding in this document appear to imply the issue has been resolved. While progress has been made in discussion between the local boards and the Kansas Department of Commerce, several issues are still being examined before agreement is reached on how best to develop and implement a state-wide brand.

5. Page 15, last sentence

As needs are expressed by the Local Boards the State Board may assist with or facilitate training, conference opportunities, or other technical support. This close working relationship facilitates success in the local areas to achieve the statewide goals for workforce development.

Local Area IV would not characterize its relationship with the State Board in the above terms, although it is a model worth working towards. The kind of assistance listed has not been manifested to date. While the State Board does include members from the Workforce Alliance Board of Directors, its engagement in or knowledge of activities in Local Area IV has been extremely limited. It is strongly recommended that the membership on the state board include representatives from local boards (either current or former local board members), especially from the private sector whenever possible.

6. Page 17, following the list of state board activities

The State Board is currently developing By-Laws and will ratify them prior to July 1, 2007. The By-Laws may institute additional Board functions and will define member categories.

Any additional board functions should be consistent with the role of State Boards as defined in WIA and should not interfere with the roles and responsibilities of Local Boards as defined in WIA.

Page 19, 4th paragraph

Kansas will take the following steps to improve operational collaboration and eliminate barriers to coordination within the workforce development system:

Several of the measures listed usurp the authority of the Local Boards to operate the system regionally. While these may be appropriate suggestions, mandating this level of operation is not conducive to collaboration, nor does it eliminate barriers (if they exist) to coordination. Requiring all partners to use a statewide marketing plan, meet with all partners monthly, target workers over 55, and follow a mandated budgeting for administration requirement is beyond the purview of the State. These decisions belong to the local boards.

7. Page 20, bullet #3 reference to the SHARE network

Governor Sebelius has publicly supported the 211 system created by the United Way. Having the SHARE network set up as a duplicate system makes no sense and is fiscally irresponsible. Brevard County in Florida, for example, contracted with the United Way to create a single system. Input from the Local Area was not sought when developing this plan.

8. Page 22, Economic and Labor Market Analysis

This entire section makes reference only to the state administered system of the Kansas Department of Labor, including the comments on page 35 that KDOL does not project demographics for the future labor pool, nor conduct in-migration or out-migration studies. This leads the reader to assume this is the only source of information for economic and labor market analysis. There are a number of sources both public and private being used by local boards to fulfill this requirement. This section needs to clarify that KDOL is only one source of such data.

9. Page 44, E. second paragraph

In addition, the State Board will establish cost-control policy directives that will limit the amount of funds local areas can spend on administration.

The budget of the Local Board is approved by the CEOB and is subject to audit for conformity with WIA. Additional "directives" are neither necessary nor warranted and appear to be inconsistent with processes in the WIA legislation and regulations.

10. Page 46-47, bullet #9

Allowing the Governor to increase the amount of Wagner-Peyser funds reserved for discretionary activities from 10 to up to 20% to address discretionary projects...

Wagner-Peyser funds are not sufficient in Local Area IV to support the mandated activities of the program, and there are concerns of further funding reductions in this program. Pulling funds needed to meet WIA requirements to fund discretionary activities does not appear to be in the best interest of Local Area IV.

11. Page 56, last sentence third paragraph

The Local Boards and the CEOs provide input into training developed by the state for One Stop Center Staff.

As the operators of the Local Area IV One-Stop system, we do provide training for One-Stop Center staff, and would welcome the opportunity to provide input to the Department of Commerce and State Board on such training.

12. Page 61, last sentence

The implementation of state policies to mandate collaborative meetings between Operators and partners and the use of a state wide brand will enhance the local workforce development system.

Policies to mandate collaboration are unnecessary and would appear to be an attempt to micro-manage the Board in its carrying out its duties under WIA. If the Board is failing to carry out its duties there are remedies to require change. The emphasis in this plan on mandates from the State to the Local Boards on the operation of WIA in the Local Areas is not a positive measure for assuring an enhanced workforce investment system in Kansas.

13. Page 70, H.1

...with Wagner-Peyser funded personnel providing the primary staffing...

There is no definition of primary. As the Local Board is responsible for providing access to Wagner-Peyser services, and the severe limitations on staffing to the level of need in the One-Stop Centers it is unlikely, Wagner-Peyser funded personnel do not exist in sufficient numbers to meet any definition of "primary".

A business consultant is a staff person who...

...Local Employer service teams...

This entire section outlines staffing patterns, job descriptions, and staff assignments in a One Stop Center. These decisions rest with the Operator and do not belong in a State Plan.

14. Page 75, K, 1

KDC requires funds to be awarded to operate a One-Stop Center either through a competitive process or in accordance with an agreement between a Board and a consortium...

The process for determining an Operator rests with the Local Boards under WIA. This section also ignores the third alternative, which is for the Board to petition to be its own Operator.

15. Page 85, 5.

All One -Stop Centers must implement a uniform method for organizing their service delivery to business customers.

The Employer Centers must reflect the business services provided by all partners within the On-Stop delivery system.

These attempts to dictate the design of services within a Local Area do not reflect the intent of WIA that the system be regionally adapted and suitable for the local environment. Even within an area the One-Stop centers are more reflective of their communities than each other. It is impossible for any center to reflect the business services provided by all partners within the larger system. There are literally hundreds of entities engaged in workforce development within an area. There are mandated partners, voluntary partners who actively participate, co-located partners, non-located partners, community based organizations, governmental units, educational institutions, etc. No one Center could possibly address all these partner activities. This is what collaboration is for.

16. Page 139, 2nd paragraph

While KDC provides a significant role in the delivery of workforce development in each of the designated Local Areas, the role is different in each area in response to the design decisions of Local Boards. Throughout four decades of change, the single element of the original 1960 business model that still remains relatively intact is staffing.

We would suggest that the role of the Department of Commerce be evaluated in light of today's workforce needs and resources.

As a One Stop partner KDC enters into a MOU with each Local Board to describe how certifications for the tax credits are coordinated with the partners of the One Stop delivery system.

Is this new? Local Area IV has no such MOU.

17. Page 151

In addition the State Board will establish a new policy requiring collaboration among key partners in the development of the Local Area Plan.

Again, why would this need to be in policy? And what is meant by "key" partners? And why did the State not mandate the same requirement to involve the Local Areas in the development of the state plan?

18. Page 152, 4th bullet

Mandate the Operator meet with local partners weekly.

This is part of the MOU negotiated by the Operator and the partners. It is not required by WIA and with Centers spread out across an area it may not even be possible. We request an explanation as to how something like this even got into the draft State WIA Plan.

All comments were considered for inclusion is this modification. Only those points of correction were incorporated in the final plan.

No comments were received for Modification #4.
No comments were received for Modification #5