

# **Agency for Workforce Innovation**

## **Monthly Accomplishments for December 2008**

**December 31, 2008**

This monthly report is the culmination of activities at the Agency for Workforce Innovation (AWI) for December 2008. The accomplishments contained herein are directly linked to the Agency's Priorities as listed in the AWI Top-to-Bottom Review (May 2007). These priorities are as follows:

1. Building a culture that embraces and fully integrates all of our Agency services.
2. Increasing awareness about all of the services we provide: "Telling Our Story."
3. Eliminating duplicated services and improving partnerships.
4. Enhancing accountability and integrity.

### **1. Building a culture that embraces and fully integrates all of our Agency services**

#### **Workforce Services**

- A cooperative effort between Unemployment Compensation (UC), Information Technology, Labor Market Statistics and One-Stop and Program Support is underway to build a methodology to determine which UC claimants will require more intensive services at the state's One-Stop Career Centers. This methodology will be applied through programming of the Employ Florida Marketplace ([www.employflorida.com](http://www.employflorida.com)).

#### **Unemployment Compensation (UC) Services**

- **Unemployment Compensation Extension Act of 2008** – In November, the President signed the Unemployment Compensation Extension Act of 2008 (Public Law 110-449), applicable to weeks of unemployment after November 23, 2008. A second tier of Emergency Unemployment Compensation (EUC) benefits was created for "high unemployment" states, defined states with an unemployment rate of at least 6 percent. New EUC claims can be filed no later than March 28, 2009 and can provide benefits until August 29, 2009.
- UC Services identified all business and programming requirements needed to begin processing the Tier I and Tier II extended benefits to all qualified individuals as soon as possible. UC Services coordinated efforts with Agency IT programmers to ensure implementation was put in production in an expeditious manner. Since the beginning of December, UC Services:
  - Began paying extra weeks of benefits to qualified customers (December 5, 2008);
  - Processed 10,250 redeterminations of eligibility, which provide additional weeks of benefits to qualifying customers;
  - Generated and began mailing a reach back claim application form to the identified 99,252 potentially eligible individuals;
  - Posted the reach back claim application form on the Internet so customers can download it and submit to the Agency;
  - Responded to more than 10,000 telephone inquiries each day

## **2. Increased awareness about all of the services we provide: “Telling Our Story”**

### **Director’s Office**

- Director Brown and Agency staff participated in the following:
  - Director Brown joined Governor Crist and CEO Kim Moore for a tour of Workforce Plus, the One-Stop Career Center in Tallahassee. During the tour, the Governor met personally with numerous jobseekers and afterward, he, the Director and the CEO participated in a media availability with the local press corps;
  - The Board of Director’s Florida Graduates Teleconference;
  - The Children’s Cabinet Data Sharing Initiative;
  - The Workforce Readiness meeting of the Jacksonville Chapter of the Society for Human Resource Management (SHRM), as keynote speaker;
  - A teleconference with the Banner Center for Water Resources;
  - The Workforce Florida Inc. (WFI) Sustainability and Infrastructure Committee Meeting – one of the Committees under the WFI Business Competitiveness Council;
  - Numerous meetings in response to an Agency Security Breach;
  - A USDOL State Administrators’ conference call with the Employee Benefits Security Administration (EBSA). EBSA administers several statutes that have direct benefits for laid off workers including the Employee Retirement Income Security Act (ERISA), Consolidated Omnibus Budget Reconciliation Act (COBRA) and Health Insurance Portability and Accountability Act (HIPAA). They have asked for our help in identifying potential opportunities to provide information to employers about these programs and to interact with the workforce investment system;
  - A meeting with the retiring and incoming publisher of Florida Trend magazine to introduce them to the Agency.

### **Workforce Services**

- Staff with the Welfare Transition program conducted Internet-based training on the One-Stop Service Tracking (OSST) system, which is the data entry system used by Welfare Transition program staff. The training provided details about managing cases in an effective manner to improve federal and state performance.

### **Labor Market Statistics**

- Labor Market Statistics produced and released 2008-2016 industry and occupational employment projections for Florida and each workforce region.

### **Legislative Affairs**

- The Office of Legislative Affairs conducted three visits to legislative offices of state representatives in an effort to increase awareness of the Agency's services and update the legislators on current Agency news. Those visits included meetings with Representatives Rich Glorioso, Gary Aubuchon and Nick Thompson.

### **Office of Early Learning**

- **Early Learning Advisory Council Meeting (ELAC)** - The Agency led the final quarterly ELAC meeting for the 2008 year in Tampa. The meeting consists of all 31 early learning coalition chairs and other board members appointed by the Governor. The focus of the meeting was to organize a common goal for each coalition to champion during the 2009 legislative session. A national early childhood expert spoke with the council on ways to improve and capitalize on local partnerships to ensure the Agency's message was consistent and vocalized.
- The Agency serves as a solution during these challenging economic times in the following ways:
  - We serve families seeking employment;
  - We serve working families who need assistance with locating and affording quality child care to ensure they remain employed;
  - We work with child care providers who offer quality experiences for young children that is so critical for later achievement;
  - We provide children with learning opportunities they might not have otherwise;
  - We have specialists prepared to answer questions from families seeking information about community resources and supports, and
  - We are preparing an educated workforce for the future, who will be prepared for high value, high wage careers.

### **Office of the General Counsel (OGC)**

- OGC staff prepared and filed the Agency's Minority and Physically Disabled Appointments Report.

## **3. Eliminating duplicated services, improving partnerships**

### **Labor Market Statistics**

- During December, the Labor Market Statistics Center:
  - Prepared an industry profile on Biotechnology for the Governor's Task Force on Biotech Competitiveness;
  - Prepared unemployment rate/job growth data for the Florida Senate;
  - Provided statistical data, career publications and Census information to local school districts, workforce boards and the general public, including

- an additional 7,000 copies of the Occupational Highlights for Regions 18 and 22;
- Provided employment outlook information, data on older workers statewide, year-to-date initial claims by employer, and updated aerospace information to various workforce customers;
  - Provided information on products and services, data sources, and statistical methods for the Orlando Chamber;
  - Prepared a detailed survey on Florida's Employment Projections program for the U.S. Department of Labor Sponsored Projections Managing Partnership;
  - Provided new employment projections data files for the Labor Market Statistics (LMS) "What People Are Asking" website (<http://www.whatpeopleareasking.com/index.shtm>);
  - Produced and updated Brevard County aerospace information for Florida, each workforce region, and the 12 largest counties;
  - Assisted Workforce Florida, Inc. (WFI) with preparation for the Workforce Readiness Committee; an industry profile on biotechnology; and an overview of LMS products and services;
  - Prepared a report on wages for nursing occupations for Florida and all metro areas for the Florida Department of Juvenile Justice;
  - Provided occupational wage estimates for state and local government jobs to county government agencies;
  - Provided information on wages for teachers of health care occupations for statewide and each metro area to the Florida Department of Health;
  - Provided labor market information to the Florida Chamber and discussed data needs;
  - Prepared a special report on the digital media industry for Valencia Community College;
  - Prepared a special report on Nursing Occupations in Florida and each workforce region for the Florida Center for Nursing.

### **Office of Early Learning (OEL)**

- **Rulemaking** - The Policy Unit, in conjunction with the Office of General Council, held a rulemaking workshop on three school readiness rules on November 13, 2008. The workshop was held in conjunction with the monthly meeting of the Association of Early Learning Coalitions to ensure optimal input was received from stakeholders. The rules discussed were:
  - **Performance Standards and Outcome Measures:** Florida Statutes require the Agency to adopt performance standards that address age-appropriate progress of children in the development of the school readiness skills. The performance standards outlined in this proposed rule are to be integrated with those adopted by the Department of Education for children in the Voluntary Pre-Kindergarten Education Program.
  - **School Readiness Plan Requirements** - The purpose of the proposed rule development is to establish the criteria for approval of school readiness plans and the format and procedure for submission of Early Learning Coalition plans to the Agency for review and approval.
  - **Early Learning Coalition Composition** - The purpose of the proposed rule is to promulgate Early Learning Coalition composition,

membership standards and criteria for appointing private sector business members in accordance with Florida Statutes.

- **Infant Mental Health Strategic Plan** - Several OEL staff recently met to discuss the Office's role as lead agency for certain tasks contained in the State of Florida's Infant Mental Health Strategic Plan, developed by the Early Childhood Comprehensive Systems (ECCS) Building State Advisory Team meeting, of which OEL is a partner.

#### **Office of the General Counsel (OGC)**

- OGC staff participated in a meeting with the Florida Department of Law Enforcement (FDLE) and the Florida Department of Revenue (FDOR) to discuss and assist in drafting a Service Level Agreement between their agencies and AWI. Staff also provided a legal opinion regarding the need for a Data Sharing Agreement to be executed by the U.S. Internal Revenue Service (IRS) to allow AWI and FDOR to work with the IRS regarding questionable employment tax practices.

### **4. Enhancing accountability and integrity**

#### **Workforce Services**

- **Data Validation Review** - Each year, the U.S. Department of Labor (USDOL) requires the state to conduct a data validation review of its workforce files, which includes a review of certain data elements in the case files of participants exiting from workforce programs statewide. The records will be validated and submitted to USDOL by February 1, 2009, per requirement.
- Federal law requires monitoring of all Regional Workforce Boards (RWB). Two on-site programmatic monitoring reviews were conducted during December. The reviews were conducted to ensure the RWBs' and other service providers' compliance with the workforce programs' respective laws, regulations, state plans and contract and/or agreement terms. Technical assistance on program practices and processes was also provided during the on-site reviews. Monitoring staff also conducted pre-monitoring desk reviews in preparation of other pre-scheduled on-site monitoring visits.
- Technical assistance was provided to the 24 RWB partners regarding the Trade Adjustment Assistance (TAA) Program. A monthly conference call with local TAA Coordinators and Regional Security Officers (RSOs) has been implemented to provide information and assistance with the new TAA Module that launched September 29, 2008.
- Staff with the Food Stamp Employment and Training (FSET) program has been working diligently to provide information to the State Board's workgroup designed to discuss the FSET program's service delivery options. The workgroup requested that data the Regional Workforce Boards need to begin offering services starting January 2009 be submitted to the Executive Directors and Chief Operations Officers, and include a training calendar and a conference call schedule (to discuss the transition process). These data were

distributed to the Regional Workforce Boards. During December and January, the Agency for Workforce Innovation will be meeting with each Regional Workforce Board that will begin offering services to food stamp recipients in January 2009 to help them plan the process of engaging program participants.

### **Labor Market Statistics**

- Labor Market Statistics is updating the Agency data sharing agreement with the U.S. Census Bureau.
- Labor Market Statistics met with U.S. Bureau of Labor Statistics, Atlanta Regional Office staff to validate the 2007 employment benchmark (annual revisions).

### **Office of Early Learning**

- **Early Learning Information System (ELIS)** - The requirements of the ELIS proviso was completed including a detailed cost-benefit analysis, refining of ELIS system requirements and an update to the ELIS business case describing annual savings of more than \$28 million annually after the system is implemented. The ELIS ITN (*Invitation to Negotiate*) was updated and issued on December 15, 2008.
- **Rulemaking** - The program unit has filed an *Intent to Enter Rulemaking* for Voluntary Pre Kindergarten (VPK) substitute teachers. The notice was filed in the Florida Administrative Weekly on Friday, December 12, 2008. This rulemaking is a result of the Agency's accomplishments during the 2008 Legislative session that allowed the Agency the authority to adopt credentials for VPK substitute instructors for the VPK program. This rule will assist coalitions and providers in defining the requirements for substitute instructors, which will ensure that in the absence of the regular classroom instructor, instruction can continue without negatively impacting children.
- **VPK Estimating Conference** - Throughout the year, the Agency works with the Office of Economic and Demographic Research (EDR) to forecast the number of children who will participate in Voluntary Pre Kindergarten (VPK). This coordinated effort culminates in two estimating conferences where the Agency and EDR present this information to the Governor's Office and the legislature. In December, the Agency and EDR met with Governor's Office staff to present the VPK estimates for the current program year through the 2012/2013 program. The Governor's Office will use this information to propose a budget for the upcoming VPK program. The Agency worked with EDR to develop new calculation and forecasting methodologies to more accurately estimate the number of VPK participants. The information generated by the conference will assist policy makers by ensuring they have the information necessary for proper funding of the program.

### **Office of the General Counsel (OGC)**

- OGC staff responded to 39 public records requests and drafted a synopsis regarding the Florida Senate Committee on Government Operations' statement concerning the need for a general public records exemption for

trade secrets. Staff also reviewed 19 contracts and/or contract amendments, filed 6 foreclosure responses, and 13 Notices of Dismissal in Unemployment Compensation (UC) overpayment cases. Additionally, staff provided assistance to Human Resources staff regarding 6 personnel matters.

- OGC staff conducted a workshop on proposed rules for Emergency Unemployment Compensation benefits, and responded to inquiries from Agency customers and staff regarding the following issues:
  - Proposed benefits debit card services for UC Services;
  - Agency activities and responsibilities related to Professional Employee Organizations (PEOs);
  - Electronic filing requirements for UC and other taxes;
  - Proposed amendments to the Reed Act statute;
  - Impact of proposed Department of Family Services administrative rule changes;
  - Employment contracts as they relate to UC taxes and benefits;
  - Proposed agreement regarding census data sharing;
  - Agency postage agreement questions;
  - Questions regarding the confidentiality of UC records;
  - A proposal to charge the Agency for repairs to heating and air conditioning equipment in space leased for the UC Call Center;
  - Recommended changes to a proposed agreement between the Agency and a credit reporting agency to verify employment and income of UC benefits applicants.
  
- OGC staff attended meetings of the Early Learning Advisory Council (ELAC), filed a Notice of Rule Development for Office of Early Learning (OEL) rules, and provided assistance to OEL staff regarding the following matters:
  - Revision of a monitoring tool for submission to the Department of Health and Human Services;
  - Questions regarding Gold Seal certification and reimbursement;
  - VPK funding issues;
  - Questions regarding the overall procurement process and application of the Sunshine Law on the Invitation to Negotiate for the Early Learning Information System (ELIS).
  
- OGC staff filed procedural documents in a case before the Division of Administrative Hearings, and assisted Workforce Services staff on the following matters:
  - Questions regarding the Agency's procedures for verifying migrant workers' information;
  - Questions regarding prevailing wage rates;
  - Use of National Emergency Grant funds;
  - Issues regarding grantee/sub-grantee agreements;
  - Information requested by the U.S. Attorney's office regarding the alien labor certification program.

## **Office of the Inspector General (OIG)**

- The OIG opened seven new projects. Upon initial assessment, two were assigned for investigation, two were assigned as audit projects, and three were referred to other AWI programs or other process partners.
- Investigations/Inquiries Reports:
  - The OIG completed one comprehensive investigation; continued work on a whistleblower investigation and conducted an inquiry into a reported complaint.
  - OIG investigative staff attended Accreditation Manager training hosted by the Commission for Florida Law Enforcement Accreditation. Staff also participated in accreditation planning meetings with other offices of inspectors general which were sponsored by the Chief Inspector General's Office.
  - The OIG coordinated the Incident Response Team's efforts to address the Agency's breach of customer confidential personal information. The Inspector General and Director of Investigations participated in daily Team meetings and assisted with response tasks.
- Internal Audit Activities:
  - Prepared monthly reports of Tracked Audit Findings, Potential Audit Liability, and follow-up of Reviews and Audits by external entities.
  - Issued Management Decisions (detailed reviews of independent audit reports conducted by certified public accountants) for two sub recipients of Workforce funds.
- Other Audit Activities:
  - Coordinated exit conferences with the Auditor General in connection with the Federal Awards Audit. The conferences were held with the Agency's staff and Workforce Florida Inc. respectively.
  - Coordinated two statutorily required responses for the Auditor General's Unemployment Compensation–Information Technology (UC–IT) audit and the Surplus Information Technology (IT) Property audit.

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