



## Agency for Workforce Innovation Monthly Accomplishments for July 2009 July 31, 2009

Below is a brief summary of the activities and accomplishments of the Agency for Workforce Innovation.

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### OFFICE OF EARLY LEARNING (OEL)

#### **American Recovery and Reinvestment Act (ARRA) Activities:**

- **To date, 11,103 families have been served** -using ARRA funds. Total benefits to date are \$5,034,431.95.
- **Appropriate an additional \$2 billion in Child Care Development Fund (CCDF) discretionary funds** - As part of the federal economic stimulus package, Public Law 111-5, the American Recovery and Reinvestment Act of 2009 (ARRA) appropriates an additional \$2 billion in CCDF discretionary funds. The ARRA makes this funding available to state, territory, and tribal lead agencies for Fiscal Year (FY) 2009. The ARRA helps the Agency and early learning coalitions by providing funds for maintaining and expanding services to children and families facing difficult economic circumstances. In coordination with staff across the Agency and the early learning coalitions, the Agency developed and released technical guidance so coalitions could quickly start using ARRA funds to serve school readiness clients. It was important to provide guidance in a timely manner as coalitions strive to meet the growing demand for child care services.
- **Secure the funding during the 2009 Legislative Session** - Begin the development of the Early Learning Information System (ELIS). ARRA funds will be used to support the federal portion of this development. OEL staff and other stakeholders were assigned to the review team and have reviewed and rated all vendor proposals. The procurement process for identifying a vendor will continue through October 2009.
- **OEL policy staff is currently reviewing the emergency rule** - for serving Unemployment Compensation clients and are in the process of promulgating the official Rule. The final rule will be promulgated by August 2009.

#### **Other Activities:**

- **OEL Research Bulletin:** The Research Bulletin is a new publication from the research team which highlights specific topics in early learning applied research. The Bulletin is intended to inform the field by providing findings that are of interest to early learning stakeholders. The first Research Bulletin focused on the importance of quality experiences for children and how long-term investments benefit the state's economy. The Bulletin serves as a means to provide information on the most up to date research information relating to early learning and its benefits for children, families, businesses, and communities. To review this first edition, visit:  
[http://floridajobs.org/earlylearning/Research\\_Bulletin\\_Vol1\\_Issue1/index.htm](http://floridajobs.org/earlylearning/Research_Bulletin_Vol1_Issue1/index.htm)

- US Department of Health and Human Services (USDHHS) Improper Payment Review:** Florida completed the USDHHS Improper Authorization for Payment Review and submitted the final report on June 29, 2009. The Improper Payment Information Act of 2002 (IPIA) requires certain federal programs to have a national error rate, the Improper Authorization for Payment Review was implemented on October 1, 2007, Florida was required to review child care cases for the 2007-08 Federal Fiscal Year and submit the final report by June 30, 2009. In FY 2006 Florida participated in a pilot program, the Agency has made significant improvements since the pilot program review. The results of the pilot study and the review are provided below:

	2005-06 Pilot Study	2007-08 Review
Percentage of cases with errors	35%	20.65%
Percentage of cases that have an improperly authorized payment	35%	11.23%
Percentage of improperly authorized payments	18%	2.54%
Average amount of improperly authorized payment	\$130.35	\$69

- Rule Promulgation:** The Policy Unit and the Office of General Counsel filed two Rule Certifications with the Department of State on July 21, 2009. These rules will become effective 20 days following their filing, which is on August 10, 2009. The rules are:
  - Substitute Instructors for the VPK Program:** The purpose of the proposed rule is to establish the required qualifications of substitute instructors for the VPK program for the school-year and summer VPK program types and to define the circumstances and time limits for which a VPK provider may assign a substitute instructor to a VPK classroom.
  - Child Care Resource and Referral:** The proposed rule will establish uniform child care resource and referral programs, addressing minimum standards for providing child care resource and referral services to families within each early learning coalition's county or multicounty service area, including the methods of providing referrals and the use of the Agency's statewide information system with respect to resource and referral.
- Variance and Waiver Requests:** The OEL released a website designed to assist Early Learning Coalitions with tracking requests for variance to existing rule. Coalitions will now have the ability to monitor the progress of their requests through the approval process.

## **UNEMPLOYMENT COMPENSATION (UC) SERVICES**

### **American Recovery and Reinvestment Act (ARRA) Activities:**

- Senate Bill 810** - The Agency for Workforce Innovation announced June 2, 2009 that an estimated 250,000 unemployed Floridians are eligible for Extended Benefits (EB) as a result of legislation signed by Governor Charlie Crist. Senate Bill 810 allows eligible Floridians to receive additional temporary unemployment compensation made available through the American Recovery and Reinvestment Act of 2009.
- EB Payments to Customers** - EB payments began on July 2, 2009. As of July 30, 2009, there were 81,141 EB determinations issued, 75,425 EB claims paid and \$164,524,923 distributed directly to Florida's EB customers. Payments were also made retroactive to February 22 for eligible claimants. This new law will provide a financial lifeline to Floridians who have exhausted their unemployment benefits and boost the state's economy with the infusion of an estimated \$418 million in federal recovery funds through the end of the year.

- **New Temporary Federal Additional Compensation Program:** Section 2002 of Division B, Title II, the Assistance for Unemployed Workers and Struggling Families Act, of the American Recovery and Reinvestment Act of 2009 provides a \$25 weekly supplement to the unemployment compensation of eligible claimants. The Federal Additional Compensation (FAC) is payable to individuals who are otherwise entitled to regular unemployment compensation for weeks of unemployment. The first additional \$25 weekly payments were processed March 19, 2009. The cumulative total paid as of July 22, 2009 is \$234,721,398 on 746,035 claims.
- **Extended Emergency Unemployment Compensation:** The American Recovery and Reinvestment Act of 2009 extends the time period individuals can qualify for Emergency Unemployment Compensation benefits from March 29, 2009 to December 20, 2009. The cumulative total paid as of July 22, 2009 is \$282,787,246 to 408,453 customers.

### **Other Activities:**

*Unemployment Compensation Services continued setting records in the history of the Florida UC program.*

- The amount of benefits paid during week ending July 18, 2009 set a new weekly record and totaled \$217,497,306.
- The amount of benefits paid on July 14, 2009 set a new daily record and totaled \$65,308,434.
- The number of claims processed during week ending July 18, 2009 set a new weekly record and totaled 142,724.
- The number of claims processed on July 14, 2009 set a new daily record and totaled 41,689.

### **WORKFORCE SERVICES**

- **A webinar was conducted** - to make regional board staff and one-stop center staff aware of the process for verifying new employer registrations in the Employ Florida Marketplace in an attempt to ward off scams.
- **The Wagner-Peyser/Reemployment Services training schedule** - was approved and distributed to the regions. New modules have been constructed for the training sessions.
- **The Reemployment and Eligibility Assistance training module** - was updated and training is scheduled for July 24, holding four consecutive webinars for the new regions.
- **Welfare Transition (WT) program staff** - attended a national conference in Albany, New York and presented information at a round table about the tools created for the regions to monitor performance.
- **The Food Stamp Employment and Training (FSET) program staff** - created training materials and presented them at six different webinars or Internet-based training sessions for regional staff.
- **The FSET program** - was updated in the One-Stop Service Tracking (OSST) system to reflect the move to an all volunteer program. Letters were sent to those FSET participants who were previously required to participate in activities to inform them that the program was now voluntary in nature.
- **A conference call** - was held with the Department of Business and Professional Regulation (DBPR) and several regional workforce boards to discuss the possibility of the Department contracting with selected boards to conduct application and testing assistance for farm labor contractors.

- **Quality Assurance monitoring staff** - continued their statewide monitoring of Regional Workforce Boards (RWBs) and other State contractors as required by State and federal law. Program staff completed the 12 in-house desktop reviews of the even numbered RWBs and released six reports. The remaining six reports will be finalized and released by July 30<sup>th</sup>.
- **Ten monitoring reviews of local RWB summer youth programs** - were conducted and/or scheduled during the month of July.

## **LABOR MARKET STATISTICS**

### **ARRA Activities:**

- **Proposed stimulus projects** for ARRA funds that will enable the Agency to serve job seekers and businesses more effectively. The Agency is also applying for a U.S. Department of Labor, Employment and Training Administration Green Jobs grant. These funds will support:
  - A Green Jobs Survey, which will assist the state in establishing an inventory of green jobs that will lead to better decisions and linkages in curriculum, career planning and job training.
  - Help-Wanted Online Data Series (HWOL), a product of the Conference Board that gauges labor demand by region and industry.
  - Transferable Occupation Relation Quotient (TORQ), a transferrable skills analysis tool that provides transitioning jobseekers with career pathways information.
  - Regional Job Vacancy/Hiring Needs Survey, which will provide near-term measures of occupational demand by workforce region.
- **Assisted several regional workforce boards** with green labor market analysis.
- **Participated in several webinars and meetings** concerning the green economy.
- **Reached out to state LMI offices and other potential affiliates** to explore research partnerships in the ARRA energy-related grant application.

### **Other Activities:**

- Produced and released June 2009 Florida employment and unemployment statistics.
- **FY 2010 budget** - Negotiated with U.S. Bureau of Labor Statistics Atlanta Regional Office concerning the FY 2010 budget and program issues.
- **Florida Silver Edition project** - produced materials for Director Lorenzo's participation in a webinar announcing the Florida Silver Edition project, a multi-agency effort to broaden the employment opportunities for Floridians age 50 and over.
- **Provided special reports** - to the Office of Program Policy Analysis and Government Accountability (OPPAGA) on self-employment by occupation, self-employment to wage and salary ratios by occupation, and occupational employment estimates by wage ranges.
- **Submitted the final 2008 Occupational Employment Statistics Wages survey file** - with a 78 percent response rate to the U.S. Bureau of Labor Statistics for the calculation of state occupational employment and wage estimates.
- **Researched data compatibility issues** - Labor Market Statistics, the Council on Independent Education (CIE) and the Division of Community Colleges researched data compatibility issues to improve jobseeker access to educational opportunities.

- **Provided data and analysis** - for the new Federal minimum wage, responded to media inquiries and assisted regional workforce boards with questions related to the new minimum wage.

## **LEGISLATIVE AFFAIRS**

- Compiled and presented agency proposals for the 2010 session.

## **OFFICE OF THE GENERAL COUNSEL (OGC)**

### **ARRA Activities:**

- Reviewed and revised forms for, and responded to inquiries from staff and the public regarding extended unemployment compensation benefits (EUB).
- Advised on ELIS procurement issues.

### **Other Activities:**

- Represented the Agency in litigation regarding disallowed costs for a Regional Workforce Board (RWB).
- Advised on three employee disciplinary actions.
- Reviewed and approved responses to four civil rights complaints.
- **Limited English Proficiency (LEP)** – Researched issues, reviewed revisions to Agency forms, and scheduled & participated in meetings and conference calls with Agency staff and United States Department of Labor (USDOL) representatives.
- **Ethics & Sunshine Law** –
  - Revised Agency's Ethics Policy and provided a Notice of Revision for distribution to all employees.
  - Advised on acceptance of a gift of vouchers.
  - Answered additional questions on the application of the code of ethics.
- **Rules** – Staff responded to questions and facilitated public hearings about proposed Office of Early Learning (OEL) rules, and met with staff to review proposed changes to the draft rules.
- **Rule Variance and Waiver requests** – Staff responded to questions regarding petitions for rule variances and waivers, and drafted the Agency Order for denial of a waiver petition submitted by an Early Learning Coalition (ELC). Staff also drafted a sample rule variance petition for use by ELCs.
- **Records Request activities included -**
  - Responded to 137 records requests.
  - Filed eight Motions for Protective Orders.
  - Responded to question from Office of Regional Conflict Counsel about issuing records subpoenas.
  - Responded to staff question regarding release of non-identifying UC statistical information.
  - Provided information on how to file application for UC benefits to veteran's advocate.
  - Assisted the 14th Circuit State Attorney's office with UC records request.
  - Participated in Census Data Memorandum of Understanding Workgroup conference call.
  - Assisted an employer in locating UC claims made by previous employees.
- **Actions to assist in the recovery of overpaid UC Benefits included -**
  - Reviewed 170 Complaints to be filed in Small Claims Court, attended pretrial hearings and participated in mediation activities.
  - Filed Answers to nine Mortgage Foreclosure Complaints.
  - Responded to Auditor General's inquiry regarding Benefits Payment Control (BPC) audit.

- **Contract and procurement -**
  - Reviewing three grant applications, 30 contracts and/or data-sharing agreements and response to procurement activity questions.
  - Response to questions regarding Agency leases; whether contracts can be executed retroactively; and contract termination.
  
- **Risk Management matters -**
  - Responded to inquiries regarding proposed settlement on a Florida Department of Labor case.
  - Referred three new complaints to Division of Risk Management.
  
- **Responded to questions from and provided guidance to OEL staff, ELCs and public:**
  - Use of federal funds for advertising and public relations costs.
  - Compliance requirements for government grant recipients.
  - Question from Assistant State Attorney about community agency providing Head Start programs.
  - Settlement authority for ELCs.
  - Revision of a coalition monitoring template used by OEL staff.
  - Revision of the Agency's Child Care and Development Fund plan.
  - Review and approval of various ELC Grant Agreements.
  - Summary of legislative intent regarding the Child Care Executive Partnership
  - Response to questionnaire from the OPPAGA.
  - Several Office of Inspector General (OIG) investigations.
  
- **OGC staff also** attended meetings with the Early Learning Advisory Council, and the ELC Executive Directors; participated in a teleconference with DCF regarding their role in providing protective services referrals for children to coalitions; and attended a meeting with DCF regarding the Children & Youth Cabinet data-sharing initiative.
  
- **Responded to questions from Agency staff, Regional Workforce Boards, and public:**
  - Requests for RWB records.
  - Changes in Florida's minimum wage.
  - Information on Florida's WIRED grant.
  - Allowable use of Dislocated Worker funds.
  - Response to a congressional inquiry regarding services provided to an RWB customer.
  - Criteria for the Eligible Training Provider list.
  - Release of information obtained through the Welfare Transition Program.
  - Alien status UC disqualification.
  - Severance pay.
  - Child labor laws.
  - Availability of Agency employees to testify in federal court.
  - Participant's inquiry regarding vocational rehabilitation programs.
  - Criminal background checks for job applicants.
  - Worker's compensation for workforce program participants.
  - Amendments to the Americans with Disabilities Act and how they affect public employers.
  - Whether discrimination complainant prevails on hiring decisions without submitting an application.
  - Training presentation for, and technical questions regarding EmployFloridaMarketplace.
  - Solutions for storm damage to a One-Stop Center.
  - Project description for the "Jobs for Florida Graduates" program.
  
- **Responded to questions and/or assisted UC staff and customers as follows:**
  - Question regarding Agency rule incorporating USDOL's "good job prospects" standard.
  - Private attorney's question regarding the ability to assign UC benefits.
  - Questions regarding a private UC website.
  - Several claimant complaints.

## **OFFICE OF THE INSPECTOR GENERAL (OIG)**

*The OIG opened ten (10) new projects that included one inquiry, seven (7) referrals and two (2) audit projects. The OIG received 77 calls from UC claimants reporting concerns and seeking assistance with various claim and appeals issues.*

### **ARRA Activities:**

- The Inspector General participated in a conference meeting with the General Accountability Office (GAO) concerning their next round of visits to Florida to review ARRA activities. The Chief Inspector General and two other Florida Inspectors General also participated in the meeting with seven staff members from GAO.
- **The entire OIG staff participated in “Red Flags of Collusion” training** - on July 28<sup>th</sup> and July 29<sup>th</sup> designed to train government employees on indicators of procurement fraud. This training was sponsored by Governor Crist’s Office of Economic Recovery and the Office of the Chief Inspector General in cooperation with The United States Department of Justice Antitrust Division and The Florida Attorney General’s Office Antitrust Division.
- **Met with the CIG ARRA Fraud Deterrence Workgroup** - July 23<sup>rd</sup>. This workgroup is coordinating a letter/message to be placed on the Florida Institute of Certified Public Accountants’ website with general information about ARRA for CPAs performing audits per the Single Audit Act. The AWI staff member’s task for this committee is to research and finalize the website message.
- **Worked with ARRA CIG Audit Risk Committee and Chair** - related to developing tools for IG auditors and on-line information.
- **Worked with the ARRA CIG Special Programs Committee** - to review ways to ensure proper resources and coordination of Inspector General oversight.
- **Inputted and reconciled AWI OIG ARRA risk assessment responses** - from all AWI managers into electronic spreadsheets.
- **Coordinated the on-site audit** - of the additional \$25 stimulus Unemployment Compensation (UC) benefits by United States Department of Labor (USDOL)-OIG auditors.
- **Prepared forms and interviewed AWI managers** - to complete the CIG Risk Readiness Reviews for Early Learning, Workforce Services, Unemployment Compensation, budget, financial management, legal and procurement.

### **Other Activities:**

- **Investigations/Inquiries Reports:**
  - The Investigations Section closed four projects during the month—referrals to management and to another agency.
  - The Investigations Section released findings related to an investigative inquiry regarding an early learning coalition’s use of funds to create and operate a special project.
  - The Investigations Section convened the Incident Response Team on two separate occasions during the month to address Employ Florida Marketplace bogus employer scams. The OIG provided guidance to the Workforce Services office concerning job seeker notifications about the scams.
  - The Investigations Manager continued drafting procedures related to OIG Investigative Accreditation.
  - Investigative staff assisted with boxing and archiving two years of reports—a task undertaken at the beginning of every new fiscal year.
  - The OIG met with OEL on implementing the automated fraud referral process.

- The OIG reviewed and signed off on the FDLE monthly Invoice report listing reported fraud cases.
- Twelve Fraud referrals were referred to FDLE for investigation.
- **Internal Audit Projects:**
  - Prepared response to the request for Governor's audit resolution report for USDOL.
  - Prepared the Summary Schedule of Prior Audit Findings (SSPAF) and submitted the report to the State Auditor General (AG).
  - Prepared monthly reports of Tracked Audit Findings, Potential Audit Liability, and External Reviews and Audits.
  - Provided status report to USDOL-Atlanta on prior audit findings.
  - Coordinated response to the Department of Health and Human Services in connection with the 2006-07 Florida Auditor General Audit Findings.
  - Coordinated an exit conference with the Auditor General for the AWI Agency Operational Audit.
  - Coordinated an exit conference with the Auditor General for the Unemployment Compensation-Information Technology (UC-IT) audit.
  - Coordinated the above mentioned ARRA on-site audit and exit conference relating to the additional \$25 stimulus Unemployment Compensation (UC) benefits that was conducted by USDOL-OIG auditors.
  - Coordinated the revision and update of AWI program catalog detail and compliance supplement information included on the Department of Financial Services website.
  - Coordinated the response to the Office of Program Policy Analysis and Government Accountability (OPPAGA) survey on customer contact centers.
  - Coordinated the response to the Office of Program Policy Analysis and Government Accountability's Report on Afterschool Care
  - Issued guidance letters to all the Regional Workforce Boards regarding their FY 2008-09 annual audit reports.
  - Issued guidance letters to all the Early Learning Coalitions regarding their FY 2008-09 annual audit reports.
  - Issued four Management Decisions (OIG written reviews of audit reports submitted by independent certified public accountants) for three Early Learning Coalitions and one Subrecipient Other Than Regional Workforce Boards.
- The Office of Inspector General (OIG) continued its efforts to enhance accountability, integrity and efficiency in the Agency during the month of July.
- In addition to the ARRA training noted above, the Audit Section participated in 2 hours of Continuing Professional Education in the field of accounting and auditing sponsored by the Association of Government Accountants.
- In addition to the ARRA training noted above, the Investigation Section participated in 1 hour of Continuing Professional Education sponsored by the Institute of Internal Auditors.

## **DIRECTOR'S OFFICE**

*The Agency Director, Deputy Director and other Agency staff participated in the following events:*

- Lieutenant Governor Jeff Kottkamp's visit to the Agency's Office of Early Learning.
- The National Association of State Workforce Agencies Information Technology meeting in Chicago.
- The Elevate America in Florida conference call.
- Workforce Florida Inc.'s Workforce Readiness and Performance Council webinar.
- Weekly ARRA conference calls with Don Winstead, Special Advisor to the Governor.
- The State Workforce Liaisons' conference call.
- The United States Department of Labor's Regional conference call.
- The Florida State Employee Charitable Campaign's 2009 Statewide Agency Coordinator Orientation.
- The Boys & Girls Club of the Big Bend's Board meeting.

- Workforce Florida Inc.'s Youth Opportunities Committee meeting.
- The United States Department of Labor's Business Relations Group Monthly State Lead conference call.
- The State Child Care Administrator's meeting in Washington, DC.
- The Children's Cabinet meeting at Florida Agricultural and Mechanical University.
- Associated Industries of Florida meeting.

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