



Agency for Workforce Innovation Monthly Accomplishments for May 2009 June 1, 2009

Below is a brief summary of the major activities, events, projects and accomplishments of the Agency for Workforce Innovation for May 2009.

OFFICE OF EARLY LEARNING (OEL)

American Recovery and Reinvestment Act (ARRA) Activities:

• Sample of Accomplishments

- 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 (Child Care and Development Fund) 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.
- The Agency continues to communicate and respond to questions from the Coalitions to ensure ARRA funds are implemented in accordance with current guidance and staff recently attended an audio conference on *Managing Federal Grants and Sub Grants under the Recovery Act*.
- The Agency was able to secure the funding during the 2009 Legislative Session to begin the development of the Early Learning Information System (ELIS). ARRA funds will be used to support the federal portion of this development.
- The budget for release of the ARRA funds for state fiscal year 2009-10 was approved by the legislature.

• Sample of Major Implementation Activities

- Staff completed draft guidance related to a new eligibility group for ARRA funds, which will allow Coalitions to serve clients receiving unemployment compensation, funds permitting. Legal review of this draft guidance indicated that emergency rule promulgation was needed. The emergency rule has been drafted, released to Coalition executive directors for comments and submitted to Florida Administrative Weekly.

• Sample of Events and Milestones

- Staff will prepare an amendment to the CCDF State Plan for approval to include guidance currently under legal review. The state has sixty (60) days to submit a plan amendment for any changes in operations.
- The emergency rule was released to Florida Administrative Weekly on Wednesday, May 20th.
- The Agency staff has been in contact with FLDOE to determine what reporting requirements may be for the ARRA funding allocated for the VPK (Voluntary Pre-Kindergarten) program. Guidance is pending from USDOE.

Other Activities:

- **Rulemaking** - The Policy Unit, in conjunction with the Office of General Counsel, held a rulemaking workshop on the VPK Advance Payment and Reconciliation and VPK Reenrollment for Good Cause and Extreme Hardship rules on May 8, 2009. A call-in line was established to ensure optimal input was received from stakeholders. The rules discussed were:
 - Advance Payment and Reconciliation for the VPK program: The proposed new rule 60BB-8.310, F.A.C., will establish criteria for making advance payments to coalitions and VPK providers.
 - Reenrollment of Students for Good Cause and Extreme Hardship in the VPK program: The proposed new rule 60BB-8.210, F.A.C., will determine whether a good cause or extreme hardship exists for purposes of reenrollment, and determine whether a student has substantially completed the VPK program for purposes of reenrollment.
- **Rulemaking** - The Policy Unit, in conjunction with the Office of General Counsel, published an emergency rule on the eligibility of children in families receiving unemployment compensation for the School Readiness Program. The notice was published in the Florida Administrative Weekly on May 29, 2009, and the rule became effective upon publication. The rule is:
 - **Eligibility for Children in Families Receiving Unemployment Compensation:** The new rule 60BBER09-2 will expand the current eligibility categories to include children in families receiving unemployment compensation benefits. The inclusion of this group is a direct result of the American Recovery and Reinvestment Act and will allow families receiving UC benefits to receive child care services, thereby providing continuity of care for children while families seek re-employment.
- **Rulemaking** - The Policy Unit and the Office of General Counsel held a public hearing on the Child Care Resource and Referral (CCR&R) rule on May 22, 2009. A call-in line was again established to ensure optimal input from all stakeholders. The rule discussed was:
 - **Child Care Resource and Referral:** The proposed rule will establish uniform child care resource and referral programs, addressing minimum standards for providing CCR&R 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.
- **Rulemaking** – The Policy Unit and the Office of General Counsel published a Notice of Change on the VPK Substitute Instructor rule in the Florida Administrative Weekly on May 1, 2009. The Agency is coordinating with the Joint Administrative Procedures Commission and working towards final adoption. The rule is:
 - **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.
- **Variance and Waiver Requests:** The Policy Unit, in conjunction with the Office of General Counsel, continues to accept and review for legal sufficiency coalition-submitted petitions for variances and waivers. The Policy Unit also coordinates with the agency clerk to notice the Department of State and to publish the petitions in the Florida Administrative Weekly. While the Policy Unit awaits the expiration of the statutorily required comment period, it proceeds with data analyses in order to continue to the next step of order granting or denial. Coalitions have submitted petitions for variances of Rule 60BB-4.210(1), F.A.C. pertaining to a 30-day break in employment during which the payment of SR services will be covered. Coalitions have also submitted waivers of Rule 60BB-8.201(3), F.A.C., whereby coalitions request to allow providers to register children for the VPK program. To date, the Agency has received 23 petitions and issued 17 orders, seven to grant a temporary waiver of Rule 60BB-8.201(3), F.A.C. and 10 to grant a temporary variance from Rule 60BB-4.210(1), F.A.C.
- **Birth to Five Early Learning and Developmental Standards** - Released to the Steering Committee for input and review. The Standards describe age appropriate understandings on how children grow, develop, explore, and create as they engage in the learning process. The Agency plans to release the

revised Standards in the fall 2009. This document will include research based activities on what is appropriate for children in early learning settings and how these activities can be supported at home by families.

- **Early Learning Program Annual Report: Supplemental Data Report** - Florida statute 411.01 requires each early learning coalition to provide the Agency with an annual report and fiscal statement. The Agency synthesizes each coalition's report on its effort to meet early learning program goals and include it in the Agency's annual report to the Florida Legislature. Coalitions use the annual report to educate their communities on the importance of early learning services and their efforts to provide quality services. In cooperation with coalition staff, the Agency developed a supplemental data report coalitions may run in their local information systems, so program data reporting is more efficient, less burdensome for coalition staff, and consistent across the state. The program data align with how services are reported on the Early Learning Fact Book, to the Agency's fiscal and budget departments, and to the federal government.

UNEMPLOYMENT COMPENSATION (UC) SERVICES

American Recovery and Reinvestment Act (ARRA) Activities:

- **Sample of Accomplishments**
 - The Florida Legislature passed Senate Bill 810 on April 29, 2009 to change the Extended Benefit (EB) trigger from the Insured Unemployment Rate (IUR) to the Total Unemployment Rate (TUR). Extended benefits are additional unemployment compensation benefits payable to qualified individuals when an EB period occurs in Florida. The EB period begins in Florida with the third week after the unemployment rate reaches a certain level prescribed by law. The current EB period begins with the week beginning February 22, 2009. The last payable week on EB is January 2, 2010. It is estimated that 250,000 claimants may qualify for the EB program and receive up to 20 weeks of additional benefits, which will also place an estimated \$418 million into the Florida economy.
 - The \$25 Federal Additional Compensation (FAC) payments were initiated on March 19, 2009. The cumulative total paid to date is \$119,320,413 to 586,589 individuals.
 - The Emergency Unemployment Compensation (EUC) time period for qualifying for additional benefits was extended from March 29, 2009 to December 20, 2009. The cumulative total paid to date is \$55,246,729 to 94,097 individuals.
- **Sample of Major Implementation Activities**
 - IT worked on programming reports regarding FAC payments and EUC payments that are funded by the Federal General Revenue fund for UC Services and Financial Management.
 - UC Services drafted information on the newly enacted EB program for posting on the Internet.
 - IT programmers implemented solutions on issues that arose in the EUC and FAC implementation processes. They are monitoring to ensure no post-deployment issues arise.
 - UC Services staff continued developing system requirements for Extended Benefits (EB) programming in an effort to implement the program into the mainframe system, Internet (FLUID) web application, and Image system, etc.
 - IT programmers developed an EB claim application program on the Internet for customers to use in submitting applications, should SB 810 become law.
 - UC Services drafted EB forms for applications and certifications that will be mailed to reach back to claimants who potentially qualify for EB beginning February 22, 2009, should SB810 become law.
 - UC Services is coordinating a potential EB reach back mail out with Pitney Bowes and is tentatively scheduled for June 5, 2009, should SB810 become law.
- **Sample of Events and Milestones**

- Completed testing of the Financial Management reports associated with the FAC and EUC payments that will be charged to the Federal General Revenue.
- Completed draft information on the newly enacted EB program for posting in a press release once the Governor signs the bill into law.
- Finalized the plan for reach back claimants to file for EB and receive benefits expeditiously.
- Completed the documentation of system requirements for Extended Benefits (EB) programming.
- Testing the development of the EB Claim application on the Internet so customers can file an application and certify for weeks of benefits, upon becoming law.
- Finalized drafting EB forms for applications and certifications that will be mailed to reach back to claimants who potentially qualify for EB beginning February 22, 2009.
- Finalized coordination of EB reach back Pitney Bowes, tentatively scheduled for June 5, 2009.
- Established EB unit to process the EB applications. Claims applications will be reviewed to expedite the final processing when the system goes live upon becoming law.

Other Activities:

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

- **The amount of benefits paid** in April 2009 set a new monthly record and totaled \$526,860,646. This was a 269% increase compared to the April 2008 total of \$142,582,157.
- **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 to date is \$119,320,413 to 586,589 individuals.
- **Extended Emergency Unemployment Compensation** - The American Recovery and Reinvestment Act of 2009 extends the time period individuals can qualify for Emergency Unemployment Compensation (EUC) benefits from March 29, 2009 to December 20, 2009. The cumulative total paid to date is \$55,246,729 to 94,097 individuals.

WORKFORCE SERVICES

American Recovery and Reinvestment Act (ARRA) Activities:

- **Sample of Accomplishments**
 - Finalized "draft" planning instructions in consultation with WFI, for development of local board workforce services plans.
 - The State of Florida received more than \$1 million to serve eligible trade-affected workers covered under the Trade Act of 2002.
 - Posted One Pager Summaries (Fast Facts) on Agency website.
 - Completed and posted the final draft of the Summer Youth Program plan instructions for final approval by WFI (Workforce Florida Inc.).
 - Updated all action plans; prepared action plan summary document.
 - Met with USDOL on Monday, May 4 to review ARRA readiness.
 - Developed final planning instructions in consultation with WFI, and transmitted to the RWBs (Regional Workforce Boards) as guidelines for preparation and submission of Summer Youth plans.
 - Developed a WIA Support Services and Needs-Related Payment policy.
 - Received letter from USDOL approving Florida's request for two Summer Youth Waivers.

- Developed “draft” planning instructions in consultation with WFI, for development of local board workforce services plans.
 - Coordinated new Trade Agreement to be signed by the Interim Director and returned to USDOL.
 - On May 18, 2009, nine TAA petitions were filed on behalf of affected workers who lost their jobs as a result of foreign competition.
- **Sample of Major Implementation Activities**
 - The Youth Team/Work Group held a conference call on Tuesday, May 19, to address numerous questions and issues that have surfaced regarding service delivery and planning. Specific dialogue continues between all partners as the Summer Youth activities begin in May and June.
 - Continued working on monitoring tool and scheduling staff training, etc., for summer youth monitoring.
 - Continued working with TANF ARRA team to facilitate discussions and create an action plan to draw down TANF Emergency Funds under ARRA provisions.
 - Continued facilitating the launch of the updates to the Employ Florida Marketplace which allow RWBs to start recording ARRA funded activities.
 - The FSET staff is continuing to gather information and data for review. These data and related service delivery information will be utilized in determining how to operate under a statewide waiver.
 - Attended weekly meetings related to stimulus including changes needed and staff responsibilities for development of State Plan.
 - Met with WFI to finalize drafts for four new waiver requests: (1) increasing the OJT percentage amount to be reimbursed to an employer (2) increasing the percentage amount that an RWB can pay for customized training (3) use of WIA funds to support the start-up and/or expansion of a small business, and (4) use of WIA funds to conduct Public Service Employment.
 - Assisted in the Governors Summer Youth news update.
 - Preparing planning instructions and guidance for development of local RWB services plans.
 - Continued scheduling, staff training, program tools, etc., for Summer Youth monitoring.
 - USDOL Region 3 Trade Conference Call was held Thursday, April 23, to discuss changes to HCTC.
 - Revised/updated all Action Plans to include specific tasks/steps/ timelines.
 - FSET staff is gathering information and data to help in determining how to operate under a statewide waiver.
 - Staff is reviewing the Operating Instructions for the Trade and Globalization Adjustment Assistance Program just issued by USDOL.
 - **Sample of Events, Milestones**
 - Training will be scheduled in three different locations around the state for Welfare Transition, Workforce Investment Act, Wagner-Peyser and Trade Adjustment Assistance programs for staff and partners to take place beginning June 2009.
 - A conference call will be scheduled with the lead regional Business Services Representatives to discuss rapid response activities and Phase 2 of the petition filing process.
 - USDOL has scheduled a conference call for June 3, to discuss the Operating Instructions and answer any concerns.
 - A conference call is scheduled with the FSET/SNAP workgroup to discuss the proposal for services under the statewide waiver.
 - Continued preparing memoranda and guidance for development of state and local workforce services plans.

Other Activities:

- Issued press release and posted Trade Adjustment Act (TAA) Stimulus information on ARRA website.
- Members of the Temporary Assistance for Needy Families (TANF) ARRA team met May 11. The team was provided a book of materials, including the guidance issued by the US Department of Health and Human Services (HHS), the questions and answers published by HHS, a copy of the ACF-196, and expenditure-related data. The team met to review the documents.

- Developed final planning instructions, in consultation with WFI, and sent them to the regions as guidelines for submitting Summer Youth local plans.
- The final on-site programmatic monitoring review was completed and one Banner Center special project review was conducted during this period.
- Executed a new agreement with the Florida Department of Education to continue the services of the Florida Education and Training Placement Information Program (FETPIP) to share program outcome information to help improve service delivery in workforce programs.

LABOR MARKET STATISTICS (LMS)

- Produced and released April 2009 Florida employment and unemployment statistics.
- Released 2009 occupational wage estimates for Florida, 24 Workforce Regions, 22 Metropolitan Areas, and three Balance- of- State Areas (non-metro areas).
- Provided occupational wage estimates by county to the University of Florida, Bureau of Economic and Business Research for use in preparing the Florida Price Level Index.
- Provided the 2009 Lower Level Standard Income Level adjusted by the Florida Price Level Index for each Workforce Region to Once-Stop Program Support staff for use in establishing wage threshold measures for Welfare Transition and Workforce Investment Act (WIA) placements.
- Provided occupational wage information for Marion County for a large set of occupational lay titles for the Ocala Economic Development Council.
- Provided various specialized wage reports for selected occupations and industries to numerous jobseekers.
- Produced a number of occupational rankings reports for various industry clusters for the 2009 Stimulus Plan.
- Prepared analysis for the 2009 WIA State Plan.
- Prepared research for Workforce Information Council Green Jobs Study Group, identified green occupations for the U.S. Bureau of Labor Statistics, and prepared an analysis of Green Jobs activities for other states at the request of WFI.
- Participated with the Governor's Task Force on Biotech Competitiveness and the Census 2010 Complete Count Committee.
- Analyzed the concentration of specific occupations related to aluminum boat building for Economic Development and analyzed claims for boat building.
- Gave a presentation at the Florida Economic Development Conference on LMS' products and services.
- Provided an analysis of EFM job orders to support the workforce system.
- Provided statistical data, career publications, and Census information to local school districts, community colleges, workforce boards, other state agencies, and the general public.
- Prepared an analysis on Business Tools for Workforce Region 14.
- Prepared an analysis on Reemployment Solutions for the U.S. Department of Labor, Employment and Training Administration, Recovery and Reemployment Forum.
- Visited by the U.S. Department of Labor, Bureau of Labor Statistics Regional Commissioner and Assistant Regional Commissioner from the Atlanta Regional Office to discuss the federal/state cooperative statistical programs.

LEGISLATIVE AFFAIRS

- Created the Legislative Implementation Guide.
- Attended the Jacksonville Town Hall Meeting.

OFFICE OF THE GENERAL COUNCIL (OGC)

- Assisted with development of the Agency's action plan in response to the discovery of a scam attempt through use of the Employ Florida Marketplace, and facilitated rule development activities for the Early Learning Program.
- The OGC Quarterly Deliverables Report for Workforce Florida was prepared and delivered.
- Met with Department of Education staff to resolve issues regarding implementation of the Voluntary Pre-Kindergarten (VPK) program; advised Governor's staff on appointment of a Coalition board member; responded to questions on data sharing with the Department of Children and Families; and participated in the entrance conference review of agency overlap functions as part of the Department of Children & Families' sunset review.
- Provided guidance to Office of Early Learning (OEL) staff and Early Learning Coalitions (ELCs) regarding:
 - Payment of private VPK providers.
 - Drafting requests for rule variances and waivers.
 - Procurement of services.
 - Required documentation of good moral character for VPK providers.
 - Monitoring requirements.
 - Donations using federal funds.
 - Ethics questions regarding gifts and conflicts of interest.
 - Applicability of public records requirements.
 - Conducting coalition board meetings via telecommunication.
 - Federal procurement provisions.
 - Financial management guidance.
 - Ability of providers to charge for wrap-around care.
 - Applicability of administrative cap for school readiness and VPK to coalition sub-recipients and vendors.
 - Guidance memo related to Temporary Assistance to Needy Families (TANF) funding.
 - Ability of coalitions to alter service areas.
 - Coalition settlement authority.
- Provided assistance and responded to questions from Workforce Services staff and Regional Workforce Boards (RWBs) on numerous issues, including:
 - Allowable work experience activities related to disaster relief.
 - Federal requirements for modification and submittal of state and local workforce investment plans.
 - Criminal activity affecting workforce services employees.
 - Liability associated with a vendor's activity on the property of a RWB.
 - Procurement process and award of contracts.
 - Wages & stipends for work experience participants.
 - Public records request for procurement documents.
 - Risk management claim for slip and fall on RWB property.
 - Procurement of training services by a RWB.
 - Allowable job advertisements on the Employ Florida Marketplace website.
 - Criminal background checks by employers.
 - Use of needs-related payments for individuals receiving unemployment compensation.
 - Release of minors' records.
 - Fees for job-seeker services.
 - Posting confidential information on secured websites.
 - Letter of support for Displaced Homemaker Services provider.
- Revised documents and advised Unemployment Compensation (UC) staff in responding to requests for assistance regarding:
 - Extended benefits.
 - Procurement issues regarding additional call center staff and use of debit cards for benefits.
 - Claims and benefits IT system issues.

- Appeals matter on Employer representative.
- Responded to 39 public records requests; participated in two records depositions; and filed nine foreclosure responses. Staff also reviewed numerous contract documents, including the USDOL grant agreement for the Trade Adjustment Act; assisted the Human Relations Office with four employee disciplinary actions; and provided information to the Division of Risk Management regarding a claim against the Agency. Assistance was also provided to the Office of Inspector General on several investigations, including development of an Agency action plan in response to a report of potential gas card theft at a local RWB; and to the Office of Civil Rights on three complaints.
- Reviewed financial monitoring reports for several Early Learning Coalitions; responded to numerous requests for rule variances and waivers; and assisted with revisions to the Grant Agreement to incorporate American Recovery and Reinvestment Act (ARRA) regulations.
- Prepared a settlement agreement regarding disallowed costs for an RWB; reviewed assurances and certifications in the State's Workforce investment Plan; and provided ethics policy guidance related to acceptance of awards
- Responded to questions regarding legislative restrictions and requirements for Agency contracts, and assisted in preparing the Agency's action plan in response to IT administrative rights.

FINANCIAL MANAGEMENT SYSTEMS ASSURANCE SECTION

- **Sponsored 1.5 hour training webinar - "Managing Federal Grants and Sub-grants under the Recovery Act – What you need to Know Now."** Materials were accessed through Thompson Interactive (a division of Thompson Publishing Group). Attendees included 24 in-house Agency staff.
- **Sponsored 1.5 hour training webinar - "Fundraising Events and Tax Issues."** Materials were accessed through GFP Webinars (a division of WIPFLI, LLP). Attendees included three RWBs, 12 ELCs and various in-house staff.

OFFICE OF THE INSPECTOR GENERAL (OIG)

The OIG opened eleven (11) new projects that included one inquiry, one incident report, six (6) referrals and three (3) audit projects.

American Recovery and Reinvestment Act (ARRA) Activities:

- OIG staff participated in the Chief Inspector General's Conference Calls regarding ARRA activities.
- An investigations member participated in developing risk assessments associated with ARRA funds.
- The Inspector General attended the Association of Inspectors General Training Conference where he met with the Chairman of American Recovery Accountability and Transparency Board regarding oversight of ARRA activities.

Other Activities:

- **Investigations/Inquiries Reports:**
 - The Investigations Section closed 10 projects during the month—six referrals and four inquiries.
 - The Investigations Section convened the Incident Response Team on three separate occasions during the month to address information system scams and other issues.
 - The Investigations Manager participated in several meetings with the Office of Early Learning concerning questionable activities at an ELC; an inquiry is ongoing.
 - The OIG investigations section responded to two public record requests.

- **Internal Audit Projects:**

- Coordinated the Agency follow-up and response to the on-site visit and recommendations by Department of Financial Services (DFS) staff for the purpose of DFS staff reviewing agency data pertaining to the Florida Single Audit Act and the Catalog of State Financial Assistance.
- Prepared monthly reports of Tracked Audit Findings, Potential Audit Liability, and External Reviews and Audits.
- Prepared summary report on audit activity and presented it at the Workforce Florida, Inc. Finance and Administration Council meeting.
- Issued four Management Decisions (OIG written reviews of audit reports submitted by independent certified public accountants) for two ELCs and two RWBs.
- The OIG opened six new projects that included 1 inquiry, 3 referrals and 2 audit projects.
- The Audit Unit participated in 27 hours of Continuing Professional Education in the field of accounting and auditing.

DIRECTOR'S OFFICE

The Agency's Interim Director, Deputy Director and other Agency staff participated in the following events:

- National Governor's Association State Workforce Liaisons' Conference Call
- Child Protection Task Force-Inter-Agency Workgroup Meeting
- Suicide Prevention Council Meeting
- Governor's Economic Stimulus Working Group
- WFI's Partners' Meeting
- United States Department of Labor's Regional Reemployment Conference
- Rural Economic Development Initiative Conference

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