

**Attachment E – Affirmative Action Policy Statement****Workforce Innovation & Opportunity Act (WIOA) Sector Strategy for Advancing the Manufacturing Workforce**

It is the policy of \_\_\_\_\_ (agency) to provide equal employment opportunity to all persons, regardless of race, color, religion, sex, or national origin. Therefore, this organization shall take Affirmative Action to ensure that it shall:

- a. Recruit, hire, and promote all job classifications regardless of race, color, religion, sex, age, disability, political affiliation, or national origin.
- b. Make promotional decisions that are in accordance with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.
- c. Incorporate equal employment opportunity policy in all personnel actions such as compensation, benefits, transfers, layoffs, returns from layoffs, company sponsored training, education, and tuition assistance.
- d. Conduct programs without regard to race, color, sex, religion, or national origin.

The success of an Affirmative Action Program requires maximum cooperation between management and its employees.

\_\_\_\_\_ will be the Human Rights representative for

\_\_\_\_\_ (agency). This person shall be responsible for working with the Department of Human Rights for the purpose of aiding this agency in establishing future Affirmative Action goals.

**Attachment F – Certification Regarding Lobbying****Workforce Innovation & Opportunity Act (WIOA) Sector Strategy for Advancing the Manufacturing Workforce**

The undersigned certified, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of Congress, or any employee or a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement and the extension, continuations, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall be completed and submit the Standard Form-LLL, “Disclosure Form to Report Lobbying” in accordance with its instruction.
3. The Undersigned shall require that the language of this certification be included in the award documents for all subawards and tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

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Organization

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Signature of Certifying Official

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Date

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Name and Title of Certifying Official

NOTE: In these instances, “All,” in the Final Rule is expected to be clarified to show that it applies to covered contract/grant transactions over \$100,000 (per OMB).

**Attachment G – Certification Regarding Debarment, Suspension and Other Responsibility Matters Primary Covered Transactions****Workforce Innovation & Opportunity Act (WIOA) Sector Strategy for Advancing the Manufacturing Workforce**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR part 98, section 98.510, Participant Responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

**(BEFORE SIGNING, READ INSTRUCTIONS WHICH ARE AN INTEGRAL PART OF THE CERTIFICATION)**

1. The prospective primary participant certifies to the best of its knowledge and belief that it and its principles:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted or had civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicate for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
  - (d) Have not, within a three-year period preceding this application/proposal, had one or more public transactions (Federal, State, or Local) terminated for cause of default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Name and Title of Authorized Representative

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Signature

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Date

**Attachment I – Primary Indicators of Performance****Workforce Innovation & Opportunity Act (WIOA) Sector Strategy for Advancing the Manufacturing Workforce**

Under section 116(b)(2)(A) of WIOA, there are six primary indicators of performance:

- A.** Employment Rate – 2nd Quarter After Exit: The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit);
- B.** Employment Rate – 4th Quarter After Exit: The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program (for title I Youth, the indicator is the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit);
- C.** Median Earnings – 2nd Quarter After Exit: The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program;
- D.** Credential Attainment: The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;
- E.** Measurable Skill Gains: The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:
  - a.** Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;
  - b.** Documented attainment of a secondary school diploma or its recognized equivalent;
  - c.** Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards;
  - d.** Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
  - e.** Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by traderelated benchmarks such as knowledge-based exams.
- F.** Effectiveness in Serving Employers: The percentage of participants in unsubsidized employment during the second quarter after exit from the program who were employed by the same employer in the second and fourth quarters after exit.

**Attachment J – Adult Eligibility Policy****Workforce Innovation & Opportunity Act (WIOA) Sector Strategy for Advancing the Manufacturing Workforce****TEGL No. 19-16**

1. An “adult” customer of WIOA must:
  1. Meet general eligibility requirements; and
  2. Must be age eighteen (18) or older.
2. WIOA establishes a priority requirement for the use of funds allocated to a local area for certain adult employment and training activities.
  1. After eligibility determination, priority for individualized career services and training service shall be given to:
    1. Recipients of public assistance;
    2. Other low-income individuals; and
    3. Individuals who are basic skills deficient (including English language learners).
3. As described in TEGL 10-09 and 19-16, when programs are statutorily required to provide priority for a particular group of individuals, priority must be provided in the following order:
  1. First, to veterans and eligible spouses who are also included in the groups given statutory priority for WIOA Adult formula funds.
    1. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient would receive first priority for services provided with WIOA Adult formula funds.
  2. Second, to non-covered persons (that is, individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.
  3. Third, to veterans and eligible spouses who are not included in WIOA’s priority groups.
  4. Last, to non-covered persons outside the groups given priority under WIOA.
4. Local staff must always prioritize services to these populations, regardless of the amount of funds available to provide services in the local area.
5. These priorities are in addition to the requirements in WIOA that veterans and their eligible spouses receive priority of service as defined in the Veterans Priority of Service section of this policy manual for all Department of Labor (DOL) funded job training programs, including the WIOA Adult program.
6. Local Workforce Innovation Boards (LWIBs) must establish local criteria, policies, and procedures to apply these priority provisions to ensure planning across multiple partner programs will enhance alignment in service delivery strategies.
7. The State envisions that giving priority of service to these individuals means ensuring that at least seventy-five (75) percent of a local area’s participants receiving individualized career and training services in the Adult program are from at least one (1) of the priority groups.
  1. LWIBs must ensure timely, accurate, and reliable data entry into the appropriate case management system is occurring to document the local area’s success in serving priority populations.
  2. If any local area does not meet the minimum seventy-five (75) percent benchmark, the state may initiate a review of the local area’s compliance with the statutory requirement to provide priority of services to the priority populations.

**Attachment K – Dislocated Worker Policy****Workforce Innovation & Opportunity Act (WIOA) Sector Strategy for Advancing the Manufacturing Workforce****TEGL No. 19-16**

A “dislocated worker” customer of the Workforce Innovation and Opportunity Act (WIOA) must meet general eligibility requirements and at least one (1) of the following dislocated worker eligibility requirements:

1. Individual or Small Group Layoff;
  1. The individual:
    1. Has been terminated or laid off or has received notice of employment termination or layoff; this would include an individual who has separated from or has an impending separation from the Armed Forces; and
    2. Is eligible for or has exhausted entitlement to unemployment compensation as documented in one of the following ways:
      1. Unemployment Insurance Benefits. The classification of persons as eligible for unemployment compensation is limited to those who have been determined eligible to receive a monetary benefit by the state unemployment insurance administering agency or who have been determined by the state unemployment insurance administering agency to have exhausted their benefits; or
        - i. For those who have been notified of an upcoming layoff and will not have applied for unemployment compensation, to meet the criteria around unemployment compensation, the individual must have earned at least \$2,000 in at least two (2) of the last four (4) calendar quarters.
      2. Tenure. Has been employed for a duration sufficient to demonstrate attachment to the workforce (meaning the individual must have at least thirty (30) days of employment in the industry or occupation from which he/she was dislocated), but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state unemployment compensation law; and
    3. Is unlikely to return to a previous industry or occupation.
      1. The occupation or industry is low growth or in decline as determined below; or
        1. The individual has been laid off or terminated from a low-growth industry, defined by a North American Industrial Classification System (NAICS) code category with less than the statewide average growth rate; or
        2. The individual has been laid off or terminated from a low-growth occupation, defined as any O\*NET Codes category with an average annual employment growth rate of less than the statewide average growth rate for all occupations;
      2. The individual requires additional assistance. After an assessment of education, skills, and work experience has been determined by the Title IB entity to require additional assistance to qualify for any available openings in the industry or occupation from which the person was laid off, or to obtain employment in another occupation. Such determination must be documented in the person’s case file.
        1. Examples of requiring additional assistance include, but are not limited to, the following:
          1. An individual who meets the long-term unemployed criteria (unemployed for twenty-seven (27) or more consecutive weeks);
          2. The individual is a separating or separated member of the U.S. Armed Forces;
          3. The individual has a history of involvement at any stage with the criminal justice system (justice-touched individual);
          4. The individual is likely to enter a new job that is different structurally or organizationally than their previous job;
          5. The individual is likely to enter a new job with lower seniority compared to their previous position;
          6. The individual has a gap in employment that decreases their chances of returning to the same level of occupation or type of job, including justice-touched individuals;
          7. There are limited employment opportunities in the occupation or industry within the local area;
          8. There is an excess number of workers with similar skill sets and experience in the local area;
          9. The individual has out-of-date or inadequate skills;

10. The individual has adequate skills, but lacks a credential required by most employers;
11. The individual has a barrier to employment such as a disability, medical condition, or legal issues that could prevent a return to employment in the same industry or occupation as outlined in the Employment Barriers Definitions (See Attachments tab); or
12. An unsuccessful job search suggests the individual is unlikely to regain employment in their previous occupation or industry.

## 2. Facility Closure or Substantial Layoff;

### 1. The individual:

1. Has been terminated or laid off, or has received notice of termination or layoff from employment due to a permanent closure of or a substantial layoff (defined below) at a plant, facility, or enterprise; or
  - a. Substantial layoff includes, but is not limited to, the following:
    - i. Layoffs resulting from Federal, State, or local disasters or emergencies (e.g., flood, tornado, fire, COVID, etc.);
    - ii. Documented State or Local Rapid Response layoff in the Illinois Employment Business System (IEBS); or
    - iii. Layoffs from sectors and occupations that are substantial or significant to the regional or local workforce or economy as identified by the local workforce innovation board (LWIB) in the regional/local plans.
2. Is employed at a facility in which the employer has made a general announcement that the facility will close within one hundred eighty (180) days; or
  - a. Customers determined eligible under this criterion may receive the full array of career services, training services, and supportive services, as appropriate.
3. For purposes of eligibility to receive basic career services, the individual is employed at a facility at which the employer has made a general announcement that such facility will close.
  - a. Customers determined eligible under this criterion are not eligible to receive individualized career services, training services, or supportive services unless it is within one hundred eighty (180) days of planned facility closure (at which time they become eligible under 2) above for all WIOA services.
  - b. LWIBs may develop policies and procedures to specify what constitutes a “general announcement” for plant closings;
    1. These policies and procedures could include policies and procedures for what constitutes a “general announcement” of a plant closing.
    2. General announcements apply only to those individuals who have received general notices of an impending layoff

## 3. Profiled to Exhaust Unemployment Insurance Benefits;

1. The individual is a profiled and referred Unemployment Insurance (UI) claimant whose UI profilee date is within the past calendar year of the WIOA application date;
  1. The state has determined as allowed per 680.130(b)(3), that UI profilees are eligible dislocated workers and is consistent with the definition of dislocated worker at WIOA Section 3(15).
  2. In such instances, no further documentation will be needed to establish the “Unlikely to Return to a Previous Industry or Occupation” criterion of WIOA section 3(15)(A)(iii).
  3. As a result, acceptance of UI profiling data to prove eligibility for meeting the requirements of 3(15) is the only standard. General eligibility requirements will still apply.

## 4. No Longer Self-Employed;

1. The individual is self-employed (including employment as a farmer, a rancher, or fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters;
  1. LWIBs may develop policies and procedures to specify what constitutes “unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters” for individuals who are self-employed, including family members and ranch hands.
  2. Eligibility determination for the self-employed is based on the following requirements:
    1. Formerly self-employed but currently unemployed, including individuals who have lost their business(es) due to a specified natural disaster or a specific economic condition.
    2. Self-employed and going out of business or in the process of going out of business due to specified events or conditions that provide evidence of impending business failure.

3. Family member of, or worker for a formerly self-employed individual including farm hands or ranch hands of persons in categories a. and b. above, provided that their contribution to the business constituted as least one (1) year of full-time work.
    4. This would include independent contractors or consultants who are not employees of an entity.
5. Displaced Homemaker; or
  1. The individual is a Displaced Homemaker which is defined as an individual who:
    1. Was dependent on the income of another family member and is no longer supported by the income of that family member; and
    2. Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
6. Spouse of Military Service Members.
  1. The individual is the spouse of a member of the Armed Forces on active duty as defined in section 101(d)(1) of Title 10, United States Code.
    1. Has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station; or
    2. Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Refer to WIOA Title IB General and Fund Source Eligibility Requirements and Documentation Sources for a list of allowable sources of documentation that can be accepted as evidence of dislocated worker eligibility. (See the Attachments tab.) Evidence of eligibility must be maintained in the participant's case file.

Additionally, a Dislocated Worker Eligibility Criteria Checklist to assist in determining eligibility is available. (See Attachments tab.)