



Joan Modrell.....Nebraska Department of Labor – Employment & Training Director  
 Stan Odenthal.....Nebraska Department of Labor – Employment & Training  
 Erin Porterfield.....Heartland Workforce Solutions  
 Thomas Ukinski.....Nebraska Department of Labor – Legal Counsel  
 Zoé Verboon.....Nebraska Department of Labor – Employment & Training

**Agenda Item #3 – Notice of Publication**

Amanda Felton, recorder for the Nebraska Workforce Investment Board, stated that notice of a public meeting was both posted and advertised in accordance with the Public Meetings Law. Notices were marked as exhibits and made part of the formal record of the meeting.

**Agenda Item #4 – Approval of Minutes**

Chair Moravec entertained a motion regarding the meeting minutes from June 20, 2014. Kerry Winterer moved to approve the June 20, 2014 minutes as presented; Brian Deakin seconded. No discussion ensued.

Roll Call vote follows:

**FOR: (17)**

John Albin	John McNally	Brad Schroeder
Cheryl Anderson	Mark Moravec	Jennifer Sedlacek
Brian Deakin	Don Nordell	Becky Stitt
Bud Fleischer	Michelle Olson	Carol Swigart
Michael Geary	Vern Powers	Kerry Winterer
Jim Hanson	Terri Ridder	

**ABSTAIN: (1)**

Dacia Kruse

**AGAINST: (0)**

**ABSENT: (12)**

Roma Amundson	Vanessa Brown	Lt. Governor John Nelson
Dennis Baack	Mindy Fisher	Mark Ondracek
Tammie Beck	Ronald Johns	Ann Rouch
Matt Blomstedt	M. L. Martin	Clyde Tyndall

**MOTION CARRIED**

Chair Moravec stated that dates, agendas, minutes and handouts for the full board, as well as the Executive Committee and the Performance Committee, can be found on the website at [www.dol.nebraska.gov](http://www.dol.nebraska.gov) under the heading “Workforce Investment Act.”

**Agenda Item #5 – New Business**

*a) Local Area Plan Modifications*

*i. Consent Agenda*

Chair Moravec invited Stan Odenthal, Program Coordinator with the Nebraska Department of Labor, forward to summarize and discuss the Consent Agenda. Mr. Odenthal informed the Board that local areas are allowed to transfer funds from the

Dislocated Worker (DLW) funds and the Adult funds. The WIA allows for transfers up to 20%, with Nebraska having a waiver that allows for a 50% transfer to or from these fund sources. Part of the waiver indicates that there is a quarterly cap of 25% that cannot be exceeded. This explains the various transfers from varying program years.

Mr. Odenthal continued on by reviewing the two local areas, Greater Omaha and Greater Nebraska, and the requested fund transfer amounts. The notified the Board that the State recommends approval of the consent agenda as follows:

**1.1 Approval Local Area Plan Modification for the Greater Nebraska Local Area.**

Greater Nebraska has requested to transfer the following amount of funds:

- o Transfer of \$194,526 from FY14 Dislocated Worker Funds to FY14 Adult Funds, effective 08/11/14.
- o Transfer of \$39,474 from FY14 Dislocated Worker Funds to FY14 Adult Funds, effective on 10/02/14.
- o Transfer of \$185,500 from FY15 Dislocated Worker Funds to FY15 Adult Funds, effective 10/01/14.
- o Transfer of \$185,500 from FY15 Dislocated Worker funds to FY15 Adult Funds, effective 01/15/15.

**1.2 Approval Local Area Plan Modification for the Greater Omaha Local Area.**

Greater Omaha has requested to transfer the following amount of funds:

- o Transfer of \$133,487 from FY14 Dislocated Worker Funds to FY14 Adult Funds, effective 11/01/14.
- o Transfer of \$38,235 from PY14 Dislocated Worker Funds to PY14 Adult Funds, effective 11/01/14.
- o Transfer of \$96,620 from FY15 Dislocated Worker Funds to FY15 Adult Funds, effective 11/01/14.

Chair Moravec explained that items listed on the consent agenda are considered non-controversial. The consent agenda provided a method for expeditious handling of items that do not require discussion. The items listed on the consent agenda were to be approved by a single roll call vote. Any item on the consent agenda may be removed by the Chair if a member of the public requests to speak on the matter or if there is a request by a board member.

It was moved by Bud Fleischer and seconded by Brad Schroeder to approve the consent agenda. No discussion ensued.

Roll Call vote follows:

**FOR: (18)**

John Albin  
 Cheryl Anderson  
 Brian Deakin  
 Bud Fleischer

Michael Geary  
 Jim Hanson  
 Dacia Kruse  
 John McNally

Mark Moravec  
 Don Nordell  
 Michelle Olson  
 Vern Powers

Terri Ridder  
Brad Schroeder

Jennifer Sedlacek  
Becky Stitt

Carol Swigart  
Kerry Winterer

**ABSTAIN: (0)**

**AGAINST: (0)**

**ABSENT: (12)**

Roma Amundson  
Dennis Baack  
Tammie Beck  
Matt Blomstedt  
Vanessa Brown

Mindy Fisher  
Ronald Johns  
M. L. Martin  
Lt. Governor John  
Nelson

Mark Ondracek  
Ann Rouch  
Clyde Tyndall

**MOTION CARRIED**

*b) Introduction to the Workforce Innovation and Opportunity Act (WIOA)*

Stan Odenthal was given the floor to discuss the changes regarding WIOA. Mr. Odenthal began by alerting the Board that there would be many changes ahead. He summarized the important dates including July 1, 2015 for when the Act goes into effect, and July 1, 2016 for when the State Unified plan and common performance accountability provision take effect.

Mr. Odenthal also covered the makeup of the WIOA Board. Changes to the new Board included the requirement of only one Senator and a 20% makeup of workforce representatives from in demand industries and occupations within the State. The increase in responsibilities of the Board was also a topic Mr. Odenthal reviewed. Some of these responsibilities included assisting the Governor in the development and updating of comprehensive state performance accountability measures, developing and implementing the State plan, and defining the role and contributions of one-stop partners, including equitable and efficient cost allocation. Mr. Odenthal indicated that additional information may arise when the regulations are released in January 2015.

*c) Dates For Upcoming Nebraska Workforce Investment Board (NWIB) Meetings*

Chair Moravec presented for the Board the proposed NWIB meeting dates for 2015. They were as follows:

Proposed Full NWIB Meeting Dates

- i. January 23, 2015
- ii. June 5, 2015

Proposed NWIB Performance Committee Meeting Dates

- i. February 18, 2015

ii. May 20, 2015

Proposed NWIB Executive Committee Meeting Dates

i. April 17, 2015

No objection arose to these dates.

d) *Grant Information*

i. *H-1B Ready to Work Partnership Grant*

Stan Odenthal took the floor to discuss the H-1B Ready to Work Partnership Grant. Mr. Odenthal discussed that the aim of this grant is to serve the long-term unemployed. Long-term unemployed are defined as individuals that have been unemployed for 26 weeks or longer. The Grant also focuses on training and supportive services leading to rapid employment in occupations and industries. In Nebraska, one of the leading specialty occupations fall in the Information Technology (IT) sector.

The strategy of the Nebraska partnership will be a partner-driven strategy that focuses on the reemployment of long-term unemployed workers and creates a systems reform effort to bridge the skills and education gaps between the available workforce and employment positions in the IT industry. Mr. Odenthal informed the Board that the current partners included Metropolitan Community College and the University of Nebraska, Omaha. Allowing for multiple entry points for individuals to receive training.

Mr. Odenthal went on to review the breakdown of the funds, the timeline of the Grant, and the rapid reemployment and training strategies if the partnership. The population served by the Grant will need to consist of at least 85% long-term unemployed individuals. The areas served by the Grant will be the Omaha Metropolitan Area. Bud Fleischer inquired as to how the Omaha Metro area was selected for the focus area. Mr. Odenthal explained that the area has a high number of long-term unemployed and has a need for IT sector employees. This would not, however, limit the participants or employers outside of the metro area from taking advantage of this Grant.

ii. *Job Driven National Emergency Grand (JDNEG)*

Chair Moravec gave the floor to Lorena Hernandez, Employment and Training Administrator with the Nebraska Department of Labor. Ms. Hernandez began by summarizing the background of the JDNEG grant. This included the goal of implementing local and regional job-driven partnerships to serve more dislocated workers and other unemployed populations by focusing on work-based trainings, job coaching, and job placement strategies.

She continued on by reviewing the project partners which included the Nebraska Department of Labor (NDOL), Nebraska Department of Education (NDE), Nebraska Department of Economic Development (DED), American Job Centers and One-Stop

System, Community Colleges, Industry Councils, and Employers. The Geographical location focus will include western Nebraska, northeast Nebraska, Lincoln, and Omaha areas.

Ms. Hernandez also reviewed for the Board the various services provided by the program. Included will be job coaching and job matching. The industry impact evaluations include the job coaching, work based training, and general industry impact. Since the grant is only for a two year period, the information should provide insight into what is to come for the industries.

*iii. Workforce Data Quality Initiative*

Chair Moravec informed the Board that Mary Findlay was unable to attend the meeting and that her presentation on the Workforce Data Quality Initiative would be discussed at another meeting.

*e) Nebraska Workforce Trends*

Joan Modrell, Director of the Employment and Training office with the Nebraska Department of Labor, was invited to present to the Board the Nebraska Workforce Trends publication. Ms. Modrell turned the Board's attention to the Trends packet that was included with their handouts. She let the Board know what a helpful resource the publication was as an insight into what is happening throughout the State. She also let the members know that if they are interested in receiving the monthly Labor Market Information publication, that we would be able to add their information to the mailing list.

*f) Update from the Local Workforce Investment Boards*

The Chair invited the Chairs of the local area Boards to present information on what was happening in their areas. Seth Fager, Employment and Training Administrator with the Nebraska Department of Labor, presented on behalf of the Greater Nebraska area in the absence of Local Chair, M. L. Martin. Mr. Fager began with summarizing the area Board's goal to work with community colleges to create training for soft skills.

He continued to discuss a financial coaching position that the area was applying for. The program would be sponsored by the Consumer Financial Protection Bureau and would provide assistance to transitioning veterans with financial coaching. Mr. Fager also highlighted the efforts on placing participants in H3 jobs throughout the area, the various layoffs occurring, and the upcoming re-certification of the One-Stop location in Grand Island.

Carol Swigart, Chair of the Greater Lincoln Board, then presented on behalf of her area. She began by taking a moment to pay tribute to Ron Joyce who had recently passed away. Ms. Swigart remarked on the important role that Ron had played with their area and that he would be greatly missed.

Ms. Swigart went on to discuss the recent Chambers business trade show, the start-up week celebrating local entrepreneurs, and the recently completed Tower Square located on P Street in downtown Lincoln. Other items of discussion included the areas accomplishment of meeting all of the negotiated standards on their Common Measure performance, the Make It Work for Lincoln program, and the areas preparation for WIOA. She ended with informing the member that the next Greater Lincoln Board meeting would take place on November 5, 2014.

For the Greater Omaha area, Jim Hansen filled in for Heartland Workforce Solutions Board Chair, Wendy Boyer. Mr. Hansen began with reviewing that their area also met all of their negotiated standards for their Common Measures. Mr. Hansen also discussed the Annie E. Casey Foundation recipient, working on a common intake data system with on and off-site service partners, and continuing to work on the mission, values, and goals of the organization. It was also mentioned that they are implementing steps to help prepare for WIOA as all of the areas are doing.

#### **Agenda Item #6 – Old Business**

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*a) Performance Committee Report*

*i. PY2013 Annual Report*

The Chair invited Becky Stitt, Chair of the Performance Committee, forward to review the PY2013 Annual Report. Ms. Stitt informed the Board that one of the key responsibilities of the Performance Committee is preparing the WIA Annual Report for submission to the United States Secretary of Labor. The Annual Report provides a wealth of information regarding the programs and activities under the WIA program in Nebraska. She emphasized that the presented report was only a draft for the Board to review. Ms. Stitt informed the Board that a finalized copy would be sent to members electronically in mid-November.

*ii. PY2013 Final Performance*

The Final Performance numbers were also presented by Ms. Becky Stitt. She discussed how reviewing the State and Local performance was another responsibility of the Performance Committee. Ms. Stitt reviewed how for Program Year 2013, the State exceeded its negotiated standard of performance in 7 of the 9 Common Performance Measures, and was very close to reaching the negotiated standard in the other two.

*b) Business and/or Partner Updates*

Chair Moravec then invited the members to discuss what was happening in their areas. The business and/or partners gave a brief snapshot of conditions in their industry, business or agency and any new initiatives or trends.

**Agenda Item #7 – Upcoming Meetings**

The Chair reminded the Board of the upcoming Executive Committee meeting on December 12, 2014.

**Agenda Item #8 – Adjournment**

It was moved by Bud Fleischer to adjourn. Brian Deakin seconded the motion. No discussion ensued. Motion carried by unanimous voice vote. Meeting adjourned at 12:10.

11/04/2014

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DRAFT

# Proposed Dislocated Worker Formula Change

## Current Formula:

Allocated Factor	Current Weight
UI	10%
Excess UI	20%
Long Term	10%
*Dislocated Workers	40%
Declining Industries	20%

\*Farmer-Rancher Economic Hardship included within the Dislocated Worker Category

## Proposed New Formula:

Allocated Factor	Proposed New Weight	Current Weight
UI	15%	10%
Excess UI	15%	20%
Long Term	20%	10%
Dislocated Workers	20%	40%
Declining Industries	5%	20%
Farmer/Rancher Hardship	5%	(Part of Dislocated Worker)
Enrollments in DW programs	20%	--
	100%	100%

### Definitions

**UI:** Regular UI claimants

**Excess UI:** Regular UI claimants plus UI claimants in Areas of Substantial Unemployment

**Long Term:** Individuals who have been unemployed for 15 weeks or more

**Dislocated Workers:** Individuals meeting the dislocated worker eligibility requirements, most commonly those that have been laid off due to employer closing or downsizing

**Declining Industries:** The reduction in the number of jobs within declining industries

**Farmer/Rancher Hardship:** Low income farmers and farm bankruptcies

**Enrollments in DW programs:** Number of enrollees in the WIA Dislocated Worker program

# Formula Requirements under WIOA

## **WIOA Section 133(b)(2)(B)**

### **(B) DISLOCATED WORKER EMPLOYMENT AND TRAINING**

#### **ACTIVITIES.—**

(i) ALLOCATION.—In allocating the funds described in paragraph (1)(B) to local areas, a State shall allocate the funds based on an allocation formula prescribed by the Governor of the State. Such formula may be amended by the Governor not more than once for each program year. Such formula shall utilize the most appropriate information available to the Governor to distribute amounts to address the State’s worker readjustment assistance needs.

(ii) INFORMATION.—The information described in clause (i) shall include *insured unemployment data, unemployment concentrations, plant closing and mass layoff data, declining industries data, farmer-rancher economic hardship data, and long-term unemployment data.*

(iii) MINIMUM PERCENTAGE.—*The local area shall not receive an allocation percentage for fiscal year 2016 or a subsequent fiscal year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years.* Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

## Performance Committee's Review of the Dislocated Worker Formula

In making this recommendation, the Performance Committee met three times (August 20, 2014, October 31, 2014, and January 14, 2015) and reviewed the following items:

- The formulas other states are using for Dislocated Worker funding;
- Average weights for each Dislocated Worker formula criterion nationwide;
- Additional weights other states are including in their formulas outside of the required weights listed in the law;
- Definition of Farmer-Rancher Economic Hardship and data resources used to gather such information;
- Previous employment of Dislocated Worker participants in Nebraska within a farming or ranching occupation;
- Declining Industries outlook for Program Year 2015 fund allocation;
- The percentage of available Dislocated Worker funds spent on the Dislocated Worker Program by each local area on a year to year basis; and
- Frequency Nebraska's local areas transferred Dislocated Worker funds to the WIA Adult program and the amounts transferred.

## Hypothetical Calculation of Past Dislocated Worker Allocations using the Proposed Formula (with Hold Harmless applied):

Greater Nebraska			
	PY14	PY13	PY12
<b>TOTAL (Proposed Formula)</b>	<b>\$739,240</b>	<b>\$775,969</b>	<b>\$821,411</b>
<b>Percent (Proposed Formula)</b>	<b>44.51%</b>	<b>51.27%</b>	<b>54.63%</b>
<b>Raw Calculation Without Hold Harmless</b>	<b>\$739,240</b>	<b>\$618,996</b>	<b>\$657,020</b>

Greater Omaha			
	PY14	PY13	PY12
<b>TOTAL (Proposed Formula)</b>	<b>\$699,369</b>	<b>\$542,322</b>	<b>\$460,063</b>
<b>Percent (Proposed Formula)</b>	<b>42.11%</b>	<b>35.83%</b>	<b>30.60%</b>
<b>Raw Calculation Without Hold Harmless</b>	<b>\$699,369</b>	<b>\$669,935</b>	<b>\$618,591</b>

Greater Lincoln			
	PY14	PY13	PY12
<b>TOTAL (Proposed Formula)</b>	<b>\$222,301</b>	<b>\$195,098</b>	<b>\$222,214</b>
<b>Percent (Proposed Formula)</b>	<b>13.38%</b>	<b>12.89%</b>	<b>14.78%</b>
<b>Raw Calculation Without Hold Harmless</b>	<b>\$222,301</b>	<b>\$224,458</b>	<b>\$228,264</b>

**Motion to Recommend a Dislocated Worker Allocation  
Formula Change to the Governor  
January 23, 2015 Meeting of the  
Nebraska Workforce Investment Board**

**Proposed Dislocated Worker Formula Change:**

After review and analysis of available data surrounding Nebraska’s Dislocated Worker allocation formula, the Performance Committee has voted to make a recommendation to the Nebraska Workforce Investment Board to change the existing formula. Pursuant to Section 133 of both Workforce Investment Act (WIOA) and the Workforce Innovation and Opportunity Act (WIOA), the allocation formula is prescribed by, and can only be amended by the Governor. Approval of this motion would constitute a formal recommendation to the Governor to change the existing Dislocated Worker formula.

**Proposed New Formula:**

Allocated Factor	Proposed New Weight	Current Weight
UI	15%	10%
Excess UI	15%	20%
Long Term	20%	10%
Dislocated Workers	20%	40%
Declining Industries	5%	20%
Farmer/Rancher Hardship	5%	(Part of Dislocated Worker)
Enrollments in DW programs	20%	--
	100%	100%

- ❖ The State has acted in a fact-finding capacity for the Performance Committee in the gathering of requested data.