



**SOUTH FLORIDA WORKFORCE INVESTMENT BOARD**

**ECONOMIC DEVELOPMENT AND INDUSTRY SECTOR (EDIS) COMMITTEE MEETING**

**Wednesday, June 16, 2010  
3:00 PM**

South Florida Workforce Investment Board Headquarters  
7300 Corporate Center Drive  
5th Floor - Conference Room 3  
Miami, Florida 33126

**AGENDA**

1. Call to Order and Introductions
2. Approval of EDIS Committee Meeting Minutes
  - A. April 14, 2010
3. Information – EDIS Subcommittee Update
4. Information – SFWIB Digital Divide Project Update
5. Information – Elevate America Update
6. Information – SFWIB-PACT First Source Hiring Agreement
7. Recommendation as to Approval of a SFWIB Standardized Refund Policy

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2.

**SFWIB - Economic Development and Industry Sector Committee**

*June 16, 2010*

**Minutes of SFWIB Economic Development and Industry Sector Committee Meeting April 14, 2010**

South Florida Workforce Investment Board  
 Economic Development and Industry Sector Committee  
 April 14, 2010, 3:00 P.M.  
 South Florida Workforce Headquarters  
 7300 Corporate Center Drive, Suite 500  
 Miami, FL 33126

COMMITTEE MEMBERS IN ATTENDANCE	OTHER BOARD MEMBERS	OTHER ATTENDEES
1. Andre “Andy” Perez – <i>Chair</i> 2. Harder, Jackie 3. Ludwig, Phillip 4. Regueiro, Maria Cristina 5. Roth, Thomas	Jennings, Dr. Donna Manrique, Carlos  <b>SFW STAFF</b> Beasley, Rick Edwards, Phillip Glancy, Anne Jean-Baptiste, Antoinette Kavehersi, Cheri	Girnun, Arnie – <i>New Horizons</i> Guasgon, Shelley – <i>HCSF</i> Johnson, Danny – <i>Greater Miami Service Corp. (GMCC)</i> Llerena, Luis – <i>CBT</i> Marino, Nayibe – <i>American Advanced Technicians Institute (AATI)</i> Olorunnipa, Toluse – <i>Miami Herald</i>
<b>COMMITTEE MEMBERS NOT IN ATTENDANCE</b> 6. Brecheisen, Bruce 7. Diggs, Bill 8. Harder, Jackie, <i>Vice Chair</i> 9. Russo, Monica 10. Wiedman, Holly		

Agenda items are displayed in the order they were discussed.

**1. Call to Order and Introductions**

Mr. Andy Perez, Committee Chairperson greeted all those present at 3:10pm and began with introductions.

**2. Approval of EDIS Committee Meeting Minutes**

Mr. Ludwig moved the approval of the minutes dated December 16, 2010 and February 17, 2010. It was seconded by Mr. Roth; **Motion Passed.**

Mr. Perez recommended we proceed to item# 5.

5. **Recommendation as to Approval of Greater Miami Chamber of Commerce, Inc. using Previously Awarded Funds to Consult with Healthy Communities Institute Corporation and The Health Council of South Florida, Inc.'s Miami Matter web tool for as Education Study**

Barry Johnson from the Greater Miami Chamber of Commerce (GMCC) and Shelley Glasgow from Miami Matters, Health Council of South Florida presented the item.

Ms. Harder asked if the site is an aggregator and will there also be a "Monroe Matters." The response was, "yes."

Ms. Harder further inquired about the indicators as she wanted to know will Monroe County have the same as Miami-Dade. Ms. Glasgow responded that the indicators might be similar across sites, but some will be specific to the needs of individual counties. She also inquired about the information gathering for creating the indicators for Monroe County. In addition, she asked, how many other counties in Florida have implemented this new tool. Their response was, Miami-Dade County will be the first to have this new tool; however, Pinellas and two other counties are in the discussion and negotiation stages. Ms. Harder further asked if we can use this tool for comparing data with other counties. The response was "yes" and with other states, but state comparison only; not individual counties.

Mr. Perez made a comment that he recalls the Greater Miami Chamber of Commerce having a hard time getting the initial investment approved due to several committee members' various concerns. He requested to review the entire new plan and he asked, (1) what is the purpose of this plan now that the "shift" has change; (2) what will they use to maintain the website after the initial investment; and (3) how much is the website going to cost. Their responses to his questions were that the start-up cost to include staff time and licensor is about \$170,000 with a 3 year sustainability window. The start-up cost to launch is already covered and there will be no additional dollars requested, so this would be a one-time investment. As they get additional requests from other agencies/groups to expand the data, they will be required to pay for expansions.

Mr. Roth asked will the \$50,000 go towards the \$170,000 and is the balance fully covered already. Ms Glasgow responded saying that a portion of the \$50,000 will go towards the \$170,000, the balance is fully covered and the site is set to launch May 18, 2010.

Ms. Harder asked if this replaces their earlier proposal and Mr. Johnson responded saying that this would be a transformation of the original proposal that'll allow an on-going study with real numbers and more community collaboration.

Mr. Ludwig inquired about Pappas Consulting Group, Inc. Their response to him was that Pappas would transition into this new web tool.

Mr. Roth asked the chairman, "What's specifically different now from what was previously approved if this were a red line version verses what was approved in the past?" Mr. Perez had Ms. Regueiro answer Mr. Roth's question; however, she responded saying the goal is to enhance the quality and education of Dade County, but she feels that this is far from the original proposal and it doesn't align with the goal. Furthermore, funds may not be available to support this new initiative.

Ms. Harder, however, likes the idea and requested to move forward with the plan to include Monroe County. It was seconded by Mr. Roth. **Motion Passed;** 3 ayes and 1 nay

Mr. Perez stepped out of the meeting and left Mr. Harder, Co-Chairperson to continue leading. She proceeded to item #3.

**3. Information – Training Providers Performance Reporting Requirements**

Mr. Beasley presented the item to inform the Committee that letters were sent out to training providers requesting additional supporting documents in order to verify performances were met. The providers were given a deadline of Friday, April 16, 2010.

Ms. Harder asked if all the providers are on the list. If not, “Why weren’t all of them listed?” Mr. Beasley’s response was only those that didn’t meet performances are listed.

Ms. Harder made a suggestion to revisit the performance reporting requirements as the last review was done in 2003.

Mr. Beasley responded saying he will provide an updated report by next meeting.

Ms. Regueiro commented on the threshold policy from 2003 mentioning the current changes.

Mr. Beasley will verify the policy and provide an update to the Board at the next meeting.

**4. Information – Employed Worker Training Program Update**

Mr. Beasley presented the item. He made them aware of his authority to approve any items that are \$50,000 or less, but he’s required to bring them back to the Board. As such, he presented all the projects he’s approved.

Mr. Roth inquired about the allocation period and wanted to know what will happen to the funding source. Mr. Beasley responded that it goes back into a pool of carryover dollars as part of the budgeting process.

Mr. Perez came back to the meeting and discussed Microsoft launching “Elevate America” which is a pilot project that was approved by the Board to refurbish computers and donate them to those in need of computer skills training and home computers. There’s allocation of \$3 million from the State to purchase Microsoft vouchers, plus another \$2 million to buy hardware and internet service.

Potential Criteria Established for this project:

- Target Age Group - 45yrs and Older,
- Low Income and Unemployed
- Offender Population and Refugee/Immigrants
- “Hardest to Serve”
- Non Profits

**Meeting was adjourned by Mr. Perez at 4:45 P.M.**



3.

**SFWIB – Economic Development & Industry  
Sector (EDIS) Committee**

*June 16, 2010*

**EDIS Subcommittee Update**

**Informational Item**

**BACKGROUND**

The EDIS Subcommittee held its inaugural meeting on May, 24, 2010. Adult continuing education subject matter experts Max Ketterman, Project Director, Commission for Independent Education, Florida Department of Education (DOE) and John McNeely, State College Liaison, Career and Adult Education, DOE, participated via teleconference. During that meeting, members of the Subcommittee reviewed a Standardized Refund Policy, a Training Vendor Performance Reporting Policy, a Training Vendor Performance Chargeback Policy and statutory and regulatory provisions governing providers of training services.



4.

**SFWIB - Economic Development & Industry Sector (EDIS) Committee**

*June 16, 2010*

**SFWIB Digital Divide Project Update**

**Informational Item**

**BACKGROUND**

SFWIB in partnership with PerScholas, Inc. (PerScholas), a non-profit social venture committed to delivering access to technology to low-income communities, launched the Digital Divide Project in October 2009. This partnership manifests SFWIB's strategic goal of improving the economic development of South Florida via a digitally literate workforce.

SFWIB's role in the partnership is to supply 405 old computers from its Career Centers, identify 405 eligible low-income families who have at least one household member between the ages of 14 and 21 and pay for AT&T internet access. While PerScholas is to refurbish the computers, provide OS and Office 2003 software, three hours of basic technology training and a full year of technology support. The families will be selected from work-ready Temporary Assistance to Needy Families (TANF) participants throughout Region 23. The SFWIB has allocated \$83,215.35 in TANF dollars to fund the Digital Divide Project.

To date, 173 families have completed training and received a refurbished computer. Of that number, 58 families have been setup with AT&T internet access.



5.

**SFWIB - Economic Development & Industry Sector (EDIS) Committee**

***June 16, 2010***

**SFWIB Elevate America Update**

**Informational Item**

**BACKGROUND**

As part of its efforts to bridge the digital divide in South Florida, the SFWIB in partnership with Microsoft Corporation, Workforce Florida, Inc., and the Agency for Workforce Innovation is participating in the Elevate America Project. The Project provides free technology training to individuals in Region 23. SFWIB will distribute approximately 7,000 vouchers, including 3,000 general E-learning vouchers, 3,000 certification exam vouchers and 800 IT Professional vouchers. The vouchers are available on a first-come basis.

To date, 684 vouchers have been issued. SFWIB has targeted customers of the following organizations to sign-up for a voucher:

- Greater Miami Service Corps.
- City Year, Inc.
- Miami Job Corp.
- Key Largo Chamber of Commerce, Inc.
- Miami Beach Latin Chamber of Commerce, Inc.
- AARP Inc.
- Vietnam Veterans of America, Inc.
- City of Miami
- Sant La Haitian Neighborhood Center
- Employ Florida Marketplace.



6.

**SFWIB - Economic Development & Industry  
Sector (EDIS) Committee**

***June 16, 2010***

**SFWIB-PACT First Source Hiring  
Agreement**

**Informational Item**

**BACKGROUND**

SFWIB in collaboration with PACT, Inc., Miami-Dade's largest grass roots organization, is drafting a first source hiring agreement ordinance for the Board of County Commissioners to consider. Under a first source agreement, new businesses, new construction or remodeling, and expanding businesses must hire local residents for both the construction and permanent jobs associated with the developments. The agreements are designed to bring the economic benefits of revitalization efforts in struggling communities to the local residents. Candidates for first source hiring will be taken from a first source register, composed of all those eligible for Workforce Investment Act services.

*Attachment*

## Excerpt from the City of Atlanta, Georgia - Code of Ordinances

### ARTICLE XI. FIRST SOURCE JOBS POLICY

#### DIVISION 1. GENERALLY

##### Sec. 2-1651. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Beneficiary* means the immediate recipient of any industrial revenue bonds, commercial or industrial abatement, urban redevelopment action grants or community development block funds administered by the city or agencies substantially controlled by the city, including the economic development corporation, urban residential finance authority. The term shall only apply to those entities benefiting from such city funds or administered funds in the amount of \$25,000.00 or more with 15 or more employees.

*Contractor* means an individual or entity employing 15 or more employees entering into any type of agreement with the city, including purchase orders, regardless of what they may be called, for the procurement or disposal of supplies, services, construction, professional or consultant services or the lease of space, which is funded in whole or part with city funds or city-administered funds in which the contractor is to receive \$50,000.00 or more in city expenditures or committed expenditures.

*Eligible project* means any project funded in whole or part with city funds or administered funds as set out in the definitions for beneficiary and contractor in this section.

*Employment agreement* means a contract executed by the city and the beneficiary or contractor, the terms of which shall include, among other provisions, details as to the number and description of each entry-level job for which the beneficiary or contractor is required to use the first source register and other applicable sections of this article.

*Entry-level job* means any non-managerial, nonprofessional or nontechnical position for which little or no prior work experience or vocational skill training is required to successfully perform the job tasks.

*First source register* means a listing of low-income city residents, including graduates of programs funded by the Workforce Investment Act (WIA).

*Low-income city resident* means any city resident who is eligible for Workforce Investment Act (WIA) services, which includes any recipient of food stamps or public assistance (AFDC, general assistance or SSI), any member of a household with a family income at or below the poverty level as defined by the Federal Office of Management and Budget (OMB) or anyone with a major barrier to employment such as the handicapped, veterans, teenage parents, high school dropouts, dislocated, laid-off or older workers. Such individuals must be at least 18 years old and, if not a high school graduate, must not have been enrolled in a secondary school or below within the past six months.

(Code 1977, § 5-8001; Ord. No. 2007-18(07-O-0354), § 1, 3-27-07)

**Cross references:** Definitions generally, § 1-2.

##### Sec. 2-1652. Severability.

If any provision of this article shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this article.

(Code 1977, § 5-8007)

Sec. 2-1653. Duties of office of contract compliance.

The duties of the office of contract compliance shall include:

- (1) Administration and enforcement of this article.
- (2) The establishment of written procedures to effectuate this article.
- (3) The determination in writing, with reasons therefore, as to whether potential beneficiaries or contractors for eligible projects are in compliance with this article.
- (4) Approval of employment agreements to which the city is a party with beneficiaries or contractors for compliance with this article.
- (5) Investigations of alleged violations of this article and issuance of written determinations following the investigations, stating the reasons therefor.
- (6) Provision of all necessary forms, applications, documents and papers necessary to comply with this article.
- (7) Determination as to whether any of the penalties set forth in section 2-1657 for noncompliance are appropriate.
- (8) Notification to an affected party by registered mail that the party has the right to appeal a determination of noncompliance with this article to the contract compliance hearing officer within seven days of receipt of the notice of noncompliance.
- (9) Notification to the chief procurement officer or other appropriate city officials of any determination of noncompliance with the requirements of this article and any appeal from such determination of noncompliance.
- (10) Review annually and report yearly to the council committee with legislative overview of this article to determine the need for its continued implementation.

(Code 1977, § 5-8006; Ord. No. 2002-71, § 42, 9-16-02)

Sec. 2-1654. First source register created.

(a) The City of Atlanta Workforce Development Agency (AWDA) shall compile and maintain a first source register.

(b) In compiling and maintaining the first source register, AWDA shall contact the state department of labor, community-based organizations, welfare agencies and any other agency whose primary target group is the economically disadvantaged.

(Code 1977, § 5-8002; Ord. No. 2007-16(07-O-0283), § 1, 3-27-07)

Sec. 2-1655. Employment agreement required.

(a) Under this article, the city shall require the immediate beneficiary or primary contractor for every eligible project to enter into an employment agreement with the city and the Atlanta Workforce Development Agency:

- (1) The first source for finding employees to fill all entry-level jobs created by the eligible project will be the first source register.
- (2) The goal of each employment agreement shall be that 50 percent of the entry-level jobs created by the eligible project will be hired from the first source register.

(3) Each beneficiary and contractor shall make a good faith effort to reach the goal of each employment agreement, and, after a reasonable time, each beneficiary or contractor shall be free to fill entry-level jobs from other sources.

(4) The first source agreement shall only apply to entry-level jobs created by the eligible project, but it is the intent of this article that the signatories to first source agreements shall comply with the spirit of this article beyond the duration of the first source jobs agreement and continue to make good faith attempts to hire employees of similar background to those appearing on the first source register.

(b) All bid specifications and other similar documents for other eligible projects subject to this article shall include the requirements of this article and a copy of this article.

(c) Each contractor and beneficiary performing work under an eligible project shall include this article and the employment agreement in every subcontract, lease or sublease so that this article will be binding upon each subcontractor, sub lessee or other ultimate recipient of the city funds or city-administered funds. Any subcontractor, sub lessee or ultimate recipient shall be exempt if not meeting the minimum size requirement as set out in the definitions of the terms "beneficiary" and "contractor" in section 2-1651.

(Code 1977, § 5-8003; Ord. No. 2007-17(07-O-0284), § 1, 3-27-07)

#### Sec. 2-1656. Effect of transfer of business on employment agreement.

Under this article, each employment agreement shall require that if during the term of an employment agreement the beneficiary or contractor should transfer possession of all or a portion of the beneficiary's or contractor's business concerns affected by the agreement to any other party by lease, sale, assignment or otherwise, the beneficiary or contractor as a condition of transfer shall require the transferee to agree, in writing, to the terms of the agreement. A new first source agreement shall be executed with the transferee prior to the effective date of the transaction.

(Code 1977, § 5-8004)

#### Sec. 2-1657. Penalties.

Upon a determination by the contract compliance officer that a beneficiary or contractor has failed to comply with any portion of this article, the city may impose any or all of the following penalties, based upon a determination of the severity of the noncompliance by the beneficiary or contractor:

(1) Withholding from the beneficiary or contractor in violation ten percent of all future payments under the involved eligible project until it is determined that the beneficiary or contractor is in compliance.

(2) Withholding from the beneficiary or contractor in violation of all future payments under the involved government-assisted project until it is determined that the beneficiary or contractor is in compliance.

(3) Refusal of all future bids on city projects or applications for financial assistance in any form from the city or any of its departments or divisions, until such time as the beneficiary or contractor demonstrates that there has been established and there shall be carried out all of the sections of this article.

(4) Cancellation of the eligible project.

(Code 1977, § 5-8005)

Secs. 2-1658--2-1675. Reserved.

## DIVISION 2. ADVISORY BOARD\*

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**\*Cross references:** Boards, councils, commissions and authorities, § 2-1851 et seq.

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Sec. 2-1676. Composition; qualifications; terms of office.

(a) The first source policy advisory board shall be composed of 11 members who shall select a chair from the membership of the board. Five members of the board shall be selected, one each, from the areas of job placement, job recruitment, social services, the business community, and education. Three of these members so selected shall be appointed by the mayor, and two shall be appointed by the president of the council. The mayor and president of the council shall have the responsibility for coordinating and ensuring that the classifications for membership are adhered to. The remaining six members of the board shall be selected from the public at large, one each, from a list of no more than three candidates provided by the council members from each of the paired districts from which an at-large councilmember is elected, and the members shall be residents of the district. The nominations by the council and council president shall be confirmed by a majority of the council present and voting on these nominations.

(b) Members of the board selected from paired council districts shall each serve a two-year term and until a successor for each is selected and approved.

(c) The successors from each of the paired council districts, the two members appointed by the president of the council and the three members appointed by the mayor shall serve one-year terms and until a successor for each is selected and approved.

(d) Vacancies shall be filled for an unexpired term in the same manner and from the same membership classifications as the initial appointment. No person shall serve as a member longer than four consecutive years or more than six years in the aggregate.

(Code 1977, § 5-8021)

Sec. 2-1677. Compensation.

Each member of the first source policy advisory board shall be paid \$25.00 for each meeting that the board member attends, but the total amount so paid any member shall not exceed the sum of \$300.00 in any one calendar year.

(Code 1977, § 5-8022)

Sec. 2-1678. Staff.

The executive branch shall provide such staff as is required for efficient operation of the first source policy advisory board.

(Code 1977, § 5-8023)

Sec. 2-1679. Functions and duties.

The first source jobs policy advisory board shall monitor the first source agreements, make recommendations to the council and mayor on related problems, hear complaints by citizens regarding employment and training secured under the first source agreement,

promote the first source register, hold an annual public hearing on the status of first source and assist in promoting the first source policy in the business community.  
(Code 1977, § 5-8024)  
Secs. 2-1680--2-1700. Reserved.



7.

**SFWIB - Economic Development & Industry Sector (EDIS) Committee**

*June 16, 2010*

**Approval of a SFWIB Standardized Refund Policy**

**RECOMMENDATION**

SFWIB staff recommends that the EDIS Committee recommend to the Board the approval of a Standardized Refund Policy.

**BACKGROUND**

The EDIS Subcommittee at its May 24, 2010, meeting discussed the SFWIB Standardized Refund Policy. Max Ketterman and John McNeely, Florida Department of Education adult continuing education subject matter experts, who participated at the meeting via teleconference, voiced that the proffered Standardized Refund Policy closely mirrors the State's.

SFWIB's training vendors met on May 25, 2010, wherein they discussed the current and proffered Standardized Refund Policy, performance reporting requirements and Individual Training Accounts. The attached Policy reflects staff, training vendor and State input.

The Standardized Refund Policy provides training vendors a uniform approach for the disbursement of refunds to SFWIB's Support Services Unit. The Policy explains the procedure to be followed for training vendors who apply either a pro-rated or drop/add refund formula. Moreover, the proffered Policy details the process training vendors must adhere to for entering withdrawal information into SFWIB's tracking system.

*Attachment*

**M. REFUNDS**

The Training Vendor shall follow the Refund procedures set forth herein for SFWIB participants enrolled in the Training Vendor’s training program(s):

A. REFUND TYPES

1. PRO-RATED REFUND: For training vendors that currently use a pro-rata refund formula the following applies:
  - a) In the event a SFWIB participant withdraws from the training within three (3) business days of signing the Training Vendor’s enrollment contract the Training Vendor shall refund all monies paid.
  - b) In the event a SFWIB participant withdraws from the training after the third (3<sup>rd</sup>) business day of signing the enrollment contract but prior to the first day of class, the Training Vendor shall refund all monies paid with the **exception of the registration fee.**
  - c) Where withdrawal occurs after classes have commenced, but prior to fifty percent (50%) completion of the training a pro-rated refund of tuition, **less the registration fee** is computed based on the following:
    - (1). Where the period of enrollment is computed on the basis of program-time elapsed, expressed in clock hours, the pro-rated refund of tuition computed on the number of hours completed to the total program hours.
    - (2). Where SFWIB pays for training per term, quarter, semester, the pro-rated refund of tuition is computed based on the number of hours completed per term, quarter or semester to the total hours per term, quarter, or semester.
    - (3). The guidelines listed below shall be followed by the Training Vendor when calculating the refund due SFWIB.

Percentage of Program

<b>Tuition Refund % Completion</b>	<b>Due to SFWIB</b>
1 to 10%	99 - 90%
11 to 20%	89 - 80%
21 to 30%	79 - 70%
31 to 40%	69 - 60%
41 to 50%	59 - 50%
Over 50%	0%

After completing fifty percent (50%) or more of the program shall result in no refund, unless the school's accreditation Board specifies a refund that is greater than 50%.

#### TERMINATION DATE

For refund computation purposes, the last date of actual attendance by the participant shall be used.

3. DROP/ADD REFUNDS -For training vendors that currently use drop/add the following applies:
  - (a) In the event a SFWIB participant withdraws from training within three (3) business days of signing the enrollment contract, the Training Vendor shall refund all monies paid by SFWIB.
  - (b) In the event a SFWIB participant withdraws from training after the third (3<sup>rd</sup>) business day of signing the enrollment contract but prior to the first day of class, the training vendor shall refund all monies paid with the **exception of the registration fee**.
  - (c) In the event a SFWIB participant withdraws from training on or before the first week of class (posted drop/add period) the training vendor will refund 100% of tuition paid. This does not include the registration fee.
  - (d) In the event a SFWIB participant withdraws after the posted drop/add period there is no refund due to SFWIB.
  - (e) In the event a SFWIB participant is withdrawn from a class due to a class cancellation, SFWIB is entitled to a full refund.

#### B. REFUND PROCESS

1. The Training Vendor shall enter into SAMS the withdrawal date within five (5) days **of the SFWIB participant's termination from training** for the refund calculation.
2. Secondly, the training vendor shall notify in writing within five (5) days, the SFWIB participant's career advisor at their career center that the participant has **been terminated/withdrawn from school** and that a refund is or is not due to SFWIB. The training vendor will complete the system generated drop/withdrawal form and indicate the reason for the drop/withdrawal and provide the refund calculation, reference Attachment 2, Electronic Drop/Withdrawal Form.
3. All refunds shall be submitted to SFWIB within thirty (30) days of the effective date of termination or withdrawal.