

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

Annual Statewide Performance Report Narrative

Program Year 2022

WE ARE YOUR DOL



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I. COMBINED PLAN STRATEGIC VISION AND GOALS

A. Workforce Development System Progress

The New York State (NYS) Combined State Plan for Program Years (PY) 2020-2023 envisions a unified workforce development system (“System”) that aims to ensure every business has access to a skilled labor force and that every New Yorker has access to job training opportunities that lead to high quality employment or career advancement. This vision is supported by goals and strategies that address business engagement, prioritize opportunities for individuals with barriers to employment, improve data integration and performance outcome metrics, support non-traditional education models and career pathways through apprenticeship and on-the-job training (OJT), and align workforce development strategies with regional stakeholders.

As a positive by-product of the COVID-19 pandemic, NYS continues to provide a hybrid model of both virtual and in-person services. As of June 2023, all Career Centers in NYS are open to serve customers both virtually and in-person. In addition, businesses and job seekers are being served through NYS’s Virtual Career Center (VCC), which connects businesses to qualified job seekers. Customers at the Career Centers are automatically enrolled in the VCC and work closely with a case manager to ensure their customer profile is crafted based on their skills and prior work experience. The goal is to train additional case managers in each region to ensure all staff is accustomed to serving customers virtually. The VCC integrates with NYS’s case management system, the One-Stop Operating System (OSOS), to track services provided to business and job seeking customers as well as related outcomes, and is inclusive of the following:

- **Virtual Meetings and Events Tool** – Virtual one-on-one appointments, small-group appointments, and large-scale workshops and presentations are conducted via video and audio chat providing customers throughout NYS with quality services without the need to physically come into a Career Center;
- **Virtual Career Fairs** – Large-scale career fairs are held entirely online, providing business and job seeking customers with the ability to connect via text and video chat, further improving employment outcomes for customers and hiring and retention rates for businesses;
- **Comprehensive Online Training Solution** – This provides unemployed New Yorkers with the training and tools to upskill and reskill so they can find the right job and career pathway in a post-COVID-19 workforce environment; and
- **Enhanced Job Search** – Increases and leverages machine learning and artificial intelligence to provide customers targeted job matches that align with their skills and experience.

To achieve dual job seeker and business customer service goals and the goals identified in the NYS Combined State Plan, NYS’s strategy is to build public-private sector partnerships and strategic alliances, creating a unified System that integrates and coordinates the work of local experts and stakeholders from government, education, and business, with priority given to individuals in special populations.

Various solicitations have been released or re-released across core programs that provide priority in scoring to applicants planning to serve individuals with barriers to employment. This includes the Consolidated Funding Application Workforce Development Initiative (CFA WDI), launched in PY 2018 and providing up to a total of \$175M in statewide funding for workforce investments, with NYSDOL’s contribution being \$75M through PY 2022. The CFA WDI is one of the most important pieces of the System and is discussed in more detail in later sections of this report.

The Workforce Innovation and Opportunity Act (WIOA) Interagency Team, originally consisting of staff from NYSDOL, the NYS Education Department (NYSED), the NYS Office of Children and Family Services/ NYS Commission for the Blind (OCFS/NYSCB), the NYS Office for the Aging (NYSOFA), the NYS Office of Temporary and Disability Assistance (OTDA), and the NYS Department of State (DOS), continued to meet quarterly in PY 2022. Additional State agencies and educational institutions with an interest in workforce development, including the State University of New York (SUNY), the City University of New York (CUNY), Empire State Development (ESD), the Workers’ Compensation Board (WCB), the Office of Mental Health

(OMH), and the Office for People With Developmental Disabilities (OPWDD), become members of the Interagency Team in PY 2021 and continued their integral partnerships in PY 2022.

The WIOA Interagency Team also has several workgroups, which will become the main focus of the Interagency Team moving into PY 2023. These workgroups include:

- **Training & Accessibility Assistance Workgroup (TAAG)** – Identifies opportunities for skills building across partner agencies in an effort to make NYS Career Centers and workforce development services more accessible and inclusive to all New Yorkers;
- **Business Engagement Workgroup** – Focuses on the development of a common system for agencies to track their engagement of businesses and new statewide policy across agencies, while also ensuring the work of the Regional Business Service Teams (RBSTs) continues to progress;
- **Combined Plan Workgroup** – Develops the four-year NYS Combined State Plan and required two-year modification;
- **Data Integration Workgroup** – Tasked with determining how NYS can best comply with WIOA's requirement for integrated data reporting. System partners continued to meet throughout PY 2022 to develop a statewide unique identifier and determine a method to best share and combine agency data;
- **Memorandum of Understanding (MOU) Workgroup** – Develops the guidance and template for the WIOA-required MOU; and
- **Youth Collaborative** – Works collectively to support the development of youth and young adults. After several years of inactivity in the wake of the COVID-19 pandemic, the WIOA Youth Collaborative re-convened in early PY 2023 to discuss new collaborations under the New York Youth Jobs Connector Program.

B. Meeting business needs to support economic growth and self-sufficiency

Functioning as the Career Center System's conduit to the business community and supporting WIOA's principles for a demand driven system, NYSDOL's Business Engagement team (the NYSDOL Business Services and NYSDOL Rapid Response units) directly engages new and repeat business customers to offer targeted programs, services, and job development. Integral to these efforts is strategic business outreach, which is built around an understanding of the unique needs of individual businesses, and a tailored service strategy to meet those needs.

II. SECTOR STRATEGIES AND CAREER PATHWAYS

A. Business engagement strategies

Regional Business Service Teams (RBSTs) and Alignment with Regional Economic Development

NYSDOL's Regional Business Services staff collaborate with Local Workforce Development Boards (LWDBs), WIOA partners, and Career Center staff to develop sector strategies and to align service to businesses in concert with regional industry cluster/sector strategies and the goals of the Regional Economic Development Councils (REDCs). RBSTs are established throughout NYS to support alignment of Career Center services with sector initiatives/strategies in the region. This structure brings Career Center staff, NYSDOL Business Services staff, local Business Services staff, and other State agency partners together to discuss common business engagement challenges and share promising practices. It also allows staff to share workforce intelligence and strategies for marketing services, as well as hiring and training incentives for businesses. Due to the COVID-19 pandemic, some of the job duties assigned to the RBSTs were temporarily suspended. However, a new

NYSDOL Workforce Development System Technical Advisory (WDS TA), #23-05: Regional Business Service Teams, was released in early PY 2023, with updated guidance for the RBSTs. These teams are being re-formed and the first quarterly meetings will occur before the end of 2023.

Strategic Business Engagement

The NYSDOL Business Engagement team works closely with many high-profile businesses on projects with significant job creation and sector impacts. These efforts include coordinating with businesses to create a customized recruitment plan and application process, followed by matching, referring, and assessing qualified candidates in NYSDOL's talent bank, along with the job seeking public.

Customized Recruitments and Career Fairs

Customized recruitments are no-cost, targeted hiring events built around the specific needs of each business. NYSDOL Business Services staff work directly with business customers to develop job specifics, search the talent bank for qualified candidates, and set up a hiring event where the business can interview these candidates.

Career Fairs provide businesses with the opportunity to interact one-on-one with job seekers. NYSDOL Business Services staff organize and participate in numerous career fairs around NYS each year at no cost to participating businesses. To support the ongoing critical needs of our business and job seeking customers during the COVID-19 pandemic, NYSDOL secured a virtual career fair platform to allow for the continuation of these connections, which continues into PY 2023.

Virtual Career Fairs offer a sophisticated job fair simulation where businesses and jobseekers can connect in a virtual setting in real-time, while keeping the familiar feel and positive outcomes of a physical recruitment event. In PY 2022, NYSDOL hosted 111 Virtual Career Fairs which brought 5,134* businesses offering 247,407 job openings together with 50,334* job seekers in a safe space to network and share opportunities (*these are not unique as many of the same businesses and job seekers come to multiple events each month).

As a workforce partner, NYSDOL provides extensive recruitment assistance and supportive services to hiring businesses in sectors with large impacts (e.g., emerging industry sectors or sectors that remain constant and critical (in-demand) in a region or the State as a whole), connecting individuals to employment. Examples of services and initiatives provided include:

- **VCC** – The NYS VCC is a job posting and talent sourcing platform using advanced artificial intelligence (AI) to connect businesses to candidates. This new and improved platform gives businesses and job seekers the ability to communicate throughout the hiring process. The NYS VCC streamlines talent acquisition with one platform from source to select, with everything from job calibration, candidate matching, screening, assessment, communications and job offer tracking all in one place. The platform launched in March 2023 and currently has over 300 business users.
- **Microsites** – A subset of the [NYS Job Bank](#), these sites help job seekers research specific employment needs they may have more efficiently.
 - **Child Care Opportunities Microsite** – NYSDOL partnered with OCFS to create the microsite [Child Care Opportunities](#). This site was launched in June 2023 to support the critical childcare worker needs throughout NYS and currently has over 800 jobs available.
 - **Seasonal Microsite** – The microsite [SeasonalWorks](#) highlights NYS's seasonal employment opportunities such as construction, retail, landscaping, and snow plowing, and currently has over 16,000 jobs available.
 - **Tourism Microsite** – NYSDOL partnered with ESD and their "I Love NY" team to develop the Tourism Microsite [NYTourism](#) to address the critical needs in the tourism and hospitality industry. The site currently has over 26,000 jobs available.

- **OJT** – In PY 2022, NYSDOL continued to work closely with the NYS Energy Research and Development Authority (NYSERDA) to operate the Energy Efficiency and Clean Technology OJT program to provide businesses with incentives to hire target populations, such as the long-term unemployed. During PY 2022, NYSDOL provided due diligence on 177 businesses applying to the NYSEDA OJT program and assisted 110 businesses to hire and train 464 individuals through the program.
- **Human Resources (HR) Consultation Services** – NYSDOL Business Engagement provides technical assistance at no cost to businesses with a variety of HR issues. These services include job analysis and descriptions, application processes, skills gap analysis, turnover analysis, employee handbooks, and help navigating rules and regulations.
- **Hiring and Training Incentives** – NYSDOL Business Engagement provides businesses with technical assistance to help them understand available employment-based tax credits and training incentives. By taking advantage of these incentives, businesses can save money by reducing tax liability or by using grant funds to offset the costs of training.

Additional Business Engagement Activities and Communication

NYSDOL's Business Engagement staff continued its core duty of engaging businesses in PY 2022, engaging an average of 1,059 businesses each week and providing services to 24,671 unique businesses. These numbers slightly decreased from PY 2021 due to the return of in-person events, job fairs, and recruitments, requiring staff to be back in the field on a more frequent basis.

B. Work-based learning (including apprenticeship)

Teacher Residency Program (TRP)

In PY 2022, NYSDOL released \$30M in State-level TRP funding to partially or fully fund master's degrees for teacher residents enrolled in a residency program registered with NYSED. These residents have to be graduate-level PK12 teacher candidates who will complete a residency within a public NYS school district or Board of Cooperative Educational Services (BOCES) program.

Under the TRP, school districts or BOCES could apply for up to \$30,000 per resident to cover tuition support for residents enrolled in a registered residency program at a SUNY, CUNY, and/or NYS private college or university who have partnered with public school districts/BOCES; books and fees mandatory for participation in the program; and stipends that provide residents with monetary assistance, affording them an opportunity to focus on their studies and continued participation in the registered residency program.

In response to the TRP Request for Applications (RFA), NYSDOL received 18 applications with a total funding request of \$29.7M to serve approximately 993 residents. To date, 15 applicants have been awarded, totaling \$16,832,195 for 566 residents.

I-81 Viaduct Workforce Development

NYS awarded \$1M in statewide activities funds to support Onondaga County's large-scale infrastructure project to redesign sections of the I-81 Viaduct in and around the city of Syracuse, and to refurbish others. The funds provided intensive career services, hands-on training, and supportive services to expand the availability of qualified job seekers in construction and transportation-related occupations; and assisted job seekers with employment barriers from Syracuse's historically marginalized communities for placement in local infrastructure employment. As of June 30, 2023, accrued expenditures were \$928,121.86 and 130 participants were placed into work-based learning opportunities including CDL A & B, Construction Trades, Electrical Maintenance Technician, and Welding/Fitter.

NYSERDA Energy Efficiency and Clean Technology Training Funding Opportunities

As detailed in Section II.A., NYSDOL Business Engagement assists NYSERDA with its Energy Efficiency and Clean Technology OJT program by providing technical assistance to businesses with the application process, hiring eligible candidates, skills gap analyses, and development of training plans. NYSERDA paid out over \$3.3M in OJT funding for new hires at energy efficiency/clean technology businesses in PY 2022 and NYSDOL helped 110 businesses hire and train 464 individuals through this program.

Consolidated Funding Application Workforce Development Initiative

As noted in Section I.A., PY 2018 saw the release of the CFA WDI on May 8, 2019, with the initiative continuing throughout the entirety of PYs 2019-2022. The application deadline for Round 1 was May 29, 2020, for Round 2 was April 15, 2022, and for Round 3 was June 30, 2023.

All three (3) Rounds were funded using State-level WIOA funds to support two (2) training programs:

1. **Existing Employee Training (EET)** – Trains incumbent workers in specific occupational skills that lead to job retention and/or advancement in middle-skills occupations; and
2. **Unemployed/Underemployed Worker Training (UWT)** – Trains un- and/or underemployed individuals in occupational skills to prepare them for full or part-time positions needed by businesses in the region, and to offer career development and supportive services to individuals with additional barriers to employment.

As of June 30, 2023, NYSDOL has made 39 awards totaling more than \$7M under Round 3. Additional applications for Round 3 are currently in review.

Registered Apprenticeship

NYS's economic well-being is developed and sustained by a highly skilled workforce and Registered Apprenticeship (RA) plays a leading role in ensuring a reliable and constant source of skilled workers for in-demand industries. NYSDOL has received six (6) apprenticeship-related grant awards since 2016:

a. Accelerator Grant	\$200,000
b. ApprenticeshipUSA State Expansion Grant	\$1,500,000
c. Expansion Grant Continuation Funding Staffing Grant	\$1,816,650
d. State Apprenticeship Expansion Grant	\$4,445,188
e. State Capacity to Expand Apprenticeship	\$450,000
f. State Apprenticeship Expansion Formula Grant	\$7,517,536

The first of these was a \$200,000 Accelerator Grant in June 2016 that served as a steppingstone toward the goal of apprenticeship expansion. Additionally, in 2016, NYSDOL received a \$1.5M ApprenticeshipUSA State Expansion Grant (AEG) from the United States Department of Labor (USDOL). NYSDOL received \$1.8M in additional funds in March 2018 through the Expansion Grant Continuation Funding Staffing Grant. These grant funds continued until October 2021.

NYSDOL has seen success with these grants, funding an initial RFA, in part with AEG funds. NYSDOL made an additional \$3.7M in WIOA Discretionary funding available for a second round of funding under the AEG-RFA, referred to as AEG-2, and NYSDOL then made an additional \$2M in WIOA Discretionary funding available during PY 2021 for continued Apprenticeship expansion. A total of 32 programs received funding under NYSDOL's AEG RFAs, including some large group programs such as the Manufacturers Association of Central New York (MACNY) and 1199SEIU League Training and Upgrading Fund.

In 2019, NYSDOL received approximately \$4.4M under the State Apprenticeship Expansion Grant program, which continued until June 30, 2023. Through these funds, NYSDOL released the Apprenticeship State Expansion Request for Applications (ASE-RFA), which utilized \$2.75M to support industry intermediaries in sponsoring RA programs in high growth industries such as Advanced Manufacturing, Healthcare, Information Technology (IT), Hospitality, Film, Transportation & Logistics, Sewing/Textiles, and other high-demand industries. Sponsors and signatories of Group NYS RA programs were able to apply for up to \$200,000 in funds (up to \$5,000 per apprentice) to support staff in the role(s) of Related Instruction Coordinator and OJT Job Developer. One (1) program was funded under the ASE-RFA. Due to the lack of interest in the ASE-RFA and the prior success of AEG funding, a new RFA was issued, AEG-3, which utilized \$2.55M in State Apprenticeship Expansion Grant funding. Under AEG-3, applicants could apply for up to \$300,000 in funds (up to \$15,000 per apprentice) to cover costs associated with training such as OJT, Related Instruction (RI), books, and tools. Similar to prior rounds of AEG funding, AEG-3 targeted industries such as IT, Healthcare, Advanced Manufacturing, and other in-demand occupations. Applications for AEG-3 were accepted through December 30, 2022. A total of 17 programs received awards under this RFA for a total of \$2,430,177.

NYSDOL was also awarded a \$450,000 State Capacity to Expand Apprenticeship base grant which supported new staff and marketing efforts and ended on June 30, 2023. Both the State Apprenticeship Expansion grant and the State Capacity to Expand Apprenticeship grant supported NYSDOL's efforts to further apprenticeship expansion in NYS.

On June 26, 2023, NYSDOL was awarded the State Apprenticeship Expansion Formula (SAEF) Grant for a total amount of \$7,517,536; of this, \$1,517,536 was in base funding and \$6M was in competitive funding. The base funding will be used for staffing, which will support the modernization of NYSDOL's RA database system, Equal Employment Opportunity (EEO) regulatory updates, the Community College Pilot Program, and to support and expand Direct Entry in NYS. The competitive funding will be used to support new and existing grant opportunities, and further support the database modernization project, which will aid in promoting further expansion of RA programs.

As mentioned, the SAEF Grant is being used to support new and existing grant opportunities, particularly the newly released Apprenticeship Expansion Grant (AEG-4) Request for Applications (RFA) where NYSDOL is making up to \$3M in funding available. The purpose of this RFA is to expand NYS RAs by increasing employment opportunities for approximately 130 apprentices, with a focus on underrepresented populations. These apprentices will enter trades in high-demand occupations, with a focus on the emerging fields of Advanced Manufacturing, Healthcare, Hospitality, and IT, as well as other in-demand occupations. Applicants may apply for up to \$300,000 for each award, where up to \$15,000 per apprentice is allowed to cover costs associated with training apprentices, including but not limited to RI, OJT, books, and tools. Applications for AEG-4 are being accepted through August 30, 2024.

In addition to these grants, NYSDOL continues to develop new trades and move more trades into alternative training approaches, allowing for further diversity and expansion into new and emerging industries. This includes a recent increase in the number of new programs in non-traditional trades. During the reporting period, NYSDOL approved 80 new programs and of those programs, 67 were in trades outside of building and construction. These numbers continue to rise and NYSDOL anticipates continuing this trend by further expanding apprenticeship beyond the traditional construction trades.

NYS's Empire State Apprenticeship Tax Credit (ESATC) Program has an annual state budget allocation of \$10M to provide tax credits beginning at \$2,000 for each qualified apprentice. Initial ESATC credits are available for apprentices who are hired and remain in an RA program for six (6) months. Additional or enhanced ESATC credits are available for each year the apprentice remains in the program, as well as for businesses that hire disadvantaged youth as apprentices, and for those who provide the apprentices with the support of a mentor. The ESATC focuses on encouraging new apprenticeship opportunities in in-demand occupations throughout NYS, and as such, most construction trade RA programs are excluded from the ESATC.

During the reporting period, NYSDOL worked closely with our business and educational partners, including NYSED and SUNY, to connect with prospective businesses and apprentices, and market to new and emerging industries. Our partnerships have helped increase awareness of RAs and support expansion efforts. Statewide apprenticeship industry roundtable marketing events were held throughout 2023 for prospective sponsors and workforce development stakeholders.

C. Work experiences for youth and adults

NYS is on track for spending 20% of local Title I Youth program funds on work experience. Most LWDBs have developed local work experience policies to assist providers in the implementation of work experience, including the educational components. NYS continues to provide reporting, programmatic, and fiscal guidance regarding work experiences. During monthly WIOA Youth Program “Bring Your Own Questions” calls, NYS has facilitated a community of practice discussion around work experiences and offered best practices to LWDBs.

NYSDOL continued the Gun Violence Prevention (GVP) effort as part of NYS’s first-in-the-nation gun violence disaster emergency and comprehensive strategy to build a safer NYS. This initiative treats gun violence as a public health crisis and includes short-term solutions as well as long-term strategies such as work experiences, career exploration, and occupational skills training to break the cycle of violence. Each program under the GVP effort is summarized below:

- **Consortium for Worker Education (CWE)** – \$12M in State funding was awarded to CWE to fund workforce training and job placement for youth residing in zip codes most impacted by gun violence in New York City (NYC). As of September 2023, 2,570 participants were enrolled in training; 2,241 participants completed training; 1,194 obtained credentials; 2,808 enrolled in workforce preparation services; and 1,359 participants were placed in employment.
- **GVP Local Initiative** – \$16M in state funding was awarded to 17 LWDBs to fund workforce training and job placement for 3,200 youth and young adults in 20 NYS locations outside of NYC most impacted by gun violence. As of June 30, 2023, 2,315 young adults were enrolled in the program and 1,463 participants were placed in subsidized and/or unsubsidized employment.
- **Summer Youth Employment** – For summer 2021, \$10.25M in WIOA Discretionary funding was utilized to augment OTDA’s Summer Youth Employment Program (SYEP). This funding supported the expansion of SYEP 2021 to an additional 2,877 participants as of September 2022. NYC received an extension to serve youth until December 2022, and as of June 30, 2023, 1,670 participants were served.

D. Transitional jobs

NYSDOL was previously awarded funding for an Opioid NDWG, which ended on June 30, 2022. A key component was the provision of disaster-relief employment aimed at alleviating the issues caused by the opioid crisis in affected communities. NYSDOL plans to re-apply for this grant in PY 2023, allowing interested local areas to obtain additional funding to assist eligible individuals with transitional jobs.

E. Incumbent worker training

As further discussed in Section II.B., the CFA WDI includes an EET, or incumbent worker, program. A total of \$25M in federal WIOA funding was made available for both Rounds 2 and 3 for EET and UWT on a first-come, first-serve basis, to provide occupational skills training commensurate with REDC priorities. EET funds were targeted to businesses seeking to train their incumbent workers for more skilled positions leading to promotions, increased pay, or increased earnings through more work hours.

At the completion of Round 2, NYSDOL made 23 EET awards totaling \$1.9M.

The EET program continued under Round 3 of the CFA WDI in PY 2022 and applications were accepted on a rolling basis through June 30, 2023. Thus far, NYSDOL has awarded 10 EET awards totaling over \$600,000. Additional EET applications will continue to be reviewed for award in PY 2023.

III. PERFORMANCE ACCOUNTABILITY SYSTEM

A. State performance measures or goals and progress towards meeting them

After the close of PY 2017, NYS developed and released a WIOA Primary Indicators of Performance Report to the LWDBs, and continued to do so through PY 2020. This report details the negotiated PY local area goals, local area performance on each of the WIOA Primary Indicators of Performance, and how that local performance relates to the NYS-level performance. Due to a technical issue, NYSDOL was unable to release these reports on a quarterly basis during PY 2021, but was again able to resume sending these quarterly reports for PY 2022. All PY 2022 quarterly reports are now available on NYSDOL's Performance Indicators & Goals [webpage](#). Additionally, NYSDOL staff offers and provides technical assistance to LWDBs in the form of webinars, one-on-one support, and OSOS guides. These quarterly reports are used to assess local area progress toward meeting the Primary Indicators of Performance and will continue to be released quarterly moving forward. NYSDOL uses these reports to assist the local areas with improving performance and to determine workforce training needs throughout the System.

In conjunction with the release of the Primary Indicators of Performance Report, NYSDOL also provides individual lists of customers in the Credential Attainment and Measurable Skill Gains (MSG) measures to allow local areas the ability to outreach to customers and collect outcomes. In the last quarter of PY 2021, NYSDOL also began providing the local areas with quarterly information on Adult Priority of Service and has seen the Statewide rate increase approximately 2-4% for that metric each quarter. NYSDOL provides technical assistance related to these lists to ensure data is entered accurately and offers individualized training to local areas in need of further guidance and technical assistance.

B. Any performance deficiencies on the primary indicators of performance

The Employment Rate in the 2nd and 4th Quarter after Exit measures were negatively impacted by the COVID-19 pandemic, and the Credential Attainment and MSG measures emerged as potentially difficult measures in NYS. To address this difficulty, NYSDOL developed and implemented a plan to work with local areas to improve performance on these measures, which included holding conversations with high performing local areas to determine best practices to share, while also scheduling meetings with struggling local areas to address any issues and share these best practices. Individual local area trainings were also developed as needed. This resulted in NYSDOL meeting the goals for these measures for PY 2022. Additional discussions and System-wide and individualized trainings will be offered to further improve performance on all measures.

C. Descriptions of any factors impacting performance

The calculation of the Credential Attainment and MSG measures is completely reliant on staff performing proper data entry because an administrative crossmatch method to gather this information does not currently exist. NYSDOL is actively working to improve data entry to ensure accurate performance is reported and to mitigate any potential negative impacts by continually providing staff training and updated OSOS guides.

NYSDOL staff developed and delivered extensive trainings in the form of customized live virtual training, webinars, and OSOS guides for local staff on proper data entry and its importance in calculating these measures. NYSDOL is also working with local staff to ensure they understand the reports of individuals included in these measures and are performing the appropriate outreach to collect and data enter this information. NYSDOL is monitoring these indicators and providing training on data entry to ensure that we continue to meet or exceed our goals for those measures.

D. Common exit policy

NYSDOL implemented a functional alignment policy for the WIOA Title I and Title III programs. Individuals 18 years of age or older who receive a service from a Career Center must be enrolled as a WIOA Adult, Dislocated Worker (DW) or Youth and are considered participants in both the WIOA Title I

and Title III Wagner-Peyser (WP) programs. Any participant who receives services funded in whole or in part from the WIOA Title I, Title III WP, Veterans Employment and Training Service (VETS), or Trade Adjustment Assistance (TAA) programs, sequentially or simultaneously, will be counted as a participant in each program, and will share a common “date of participation” and a common “date of exit” for federal reporting. Both Title I and Title III WP follow this common exit policy. If a participant receives services from multiple programs, the common date of exit for reporting on each program is the end date of the most recent service across all programs. Participation in any one program extends across all programs that share a common enrollment. Customers who do not receive a service within 90 days will exit enrollment effective the date of last service.

E. Negotiated performance levels for Local Areas for program years 2022-2023

For PYs 2022 and 2023, negotiated performance goals were established for local areas using the Statistical Adjustment Model. State negotiations with USDOL were also completed for PYs 2022 and 2023 by the end of PY 2021. Proposed and negotiated performance goals for the local areas are found on the Performance Indicators & Goals [webpage](#) on the NYSDOL website.

F. Data validations and data integrity

Now that the annual USDOL Data Element Validation (DEV) review is discontinued, to ensure data validation and data integrity, NYSDOL continues its annual Adult, DW, Youth, and TAA program monitoring reviews of NYS’s 33 LWDBs. These annual program monitoring reviews include DEV reviews of sampled OSOS case management participant records and files, with findings and required actions made, and technical assistance provided as necessary to improve compliance. Following the COVID-19 pandemic, Program monitoring staff returned to regular duties effective September 1, 2021, and DEV reviews recommenced. Program monitoring and DEV reviews of the LWDBs for the PY 2021 timeframe were completed during PY 2022. DEV reviews for the PY 2022 timeframe began in July 2023 and will be completed during PY 2023.

Additionally, in April 2023, NYSDOL issued WDS TA [#23-03](#): Data Element Validation (DEV) for Titles I and III under the Workforce Innovation and Opportunity Act (WIOA), National Dislocated Worker Grants (NDWGs), the Trade Adjustment Assistance (TAA) Program, and the Jobs for Veterans State Grants (JVSG) Program, to provide the System additional guidance in ensuring DEV is captured appropriately for every customer served.

IV. WAIVERS

A. Waivers in place for at least one program year

Waiver of the requirement to expend 75% of Governor’s reserve and local formula youth funds on Out-of-School Youth (OSY)

In PY 2022, NYS received approval for a USDOL waiver to support workforce development: Waiver associated with the requirement at WIOA Section 129(a)(4)(A) and 20 CFR 681.410 that the State and local areas expend 75 percent of Governor’s reserve and local formula youth funds on out-of-school youth (OSY). This waiver extended through the duration of PY 2022 and allowed NYS to lower the expenditure requirement for both Governor’s reserve and local funds to 50 percent for OSY. This waiver addressed an increase in local need for In-School Youth (ISY) services due to the COVID-19 pandemic, and allowed LWDBs to invest in preventative strategies and address the myriad of current needs within the ISY population.

B. Progress toward achieving the goals and performance outcomes in ETA approval letter and/or state's approval request

The waiver listed above allowed NYSDOL the ability to focus more State-level and local formula youth funds on the provision of services to ISY and focus on the following outcomes:

- Increased attainment of MSG, especially educational credentials such as high school diplomas;
- Decreased high school dropout rates;
- Increased participation in occupational skills training and work experience opportunities;
- Increased industry-recognized credential gains;
- The expansion of program outreach to middle school students to plant the seeds for career success; and
- Increased collaboration with partners to align workforce programs and promote trades, both generally and for women in trades.

C. Impacts on State and Local Area performance outcomes, if any

This waiver had a positive impact on NYS and local area performance outcomes. NYS achieved 77.4% of its Youth MSG goal for PY 2021, with 2,213 positive outcomes. NYS's PY 2022 statewide average adjusted goal for Youth MSG was 51.9%, and actual performance was 62.2% (119.8% of the adjusted goal).

Likewise, NYS achieved 78.1% of its Youth Credential Attainment goal for PY 2021, with 1,351 positive outcomes. NYS's PY 2022 statewide average adjusted goal for Youth Credential Attainment was 57.6%, and actual performance was 60.8% (105.5% of the adjusted goal).

D. Any available quantitative information

In addition to improvements in NYS and local area performance outcomes, Statewide ISY enrollments increased with the waiver, totaling 3,700 in PY 2021 and 2,523 in PY 2022.

E. Waivers in development/awaiting review

NYS drafted a waiver of the requirement to expend 75% of Governor's reserve youth funds and local formula youth funds on OSY for PY 2023, and submitted that waiver request to USDOL on November 16, 2023.

V. EFFECTIVENESS IN SERVING BUSINESSES

The WIOA Interagency Team's Business Engagement workgroup focuses on the development of a common system for agencies to track their engagement of businesses. Since its inception, the workgroup has strived to collaborate more closely at both the local and State levels to ensure all partners are included in the RBSTs and coordination of activities related to engaging businesses. The group focused on aligning cross-agency services for the purposes of federal reporting, utilizing OSOS for tracking all cross-agency services to business, and identifying key performance measures for engaging businesses.

NYS is utilizing the following methods to report on the Effectiveness in Serving Businesses measure:

A. Repeat business customers

This measure looks at the percentage of repeat business customers and is based on the total number of business establishments that received and utilized a service anytime within the prior three (3) years. During PY 2022, NYSDOL reported a repeat business customer rate of 65.3%.

B. Business penetration rate

This measure looks at the percentage of businesses using services out of all the businesses in NYS. During PY 2022, NYSDOL reported a business penetration rate of 5.2%.

C. Other measures/metrics used to assess employer engagement

Additional business engagement activities are recorded by NYSDOL staff in OSOS, which provides a location to store key information that will improve the effectiveness of contact with a certain business. Services have been added in OSOS for core partners to record business engagement activities throughout NYS, ensuring streamlined outreach with minimal duplication of efforts. NYSDOL, NYSED's Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR), OCFS/NYSCB, and local Business Engagement staff are encouraged to meet locally to discuss outreach efforts and determine the most effective manner of engaging businesses.

Successful engagement is evidenced by the multitude of businesses posting their jobs on the NYS Job Bank, which maintains a daily average of more than 310,000 job openings.

VI. CUSTOMER SATISFACTION

A. Information used for one-stop certification

NYSDOL's approach to customer satisfaction has been to allow LWDBs to implement their own processes catered toward their local area and the populations being served. During PY 2017 Career Center Certification, all 33 LWDBs indicated that a customer feedback process was in place and utilized, via the required continuous improvement component stating that local areas must have a customer feedback process in place.

Career Center Certification is required every three (3) PYs, but due to the COVID-19 pandemic and Career Centers being closed, the Certification process did not take place in PY 2020. However, NYSDOL required Career Center Certification in early PY 2023 and to date, 30 local areas have been fully certified with all 30 indicating they have a customer feedback process in place.

NYSDOL is also in the process of developing a Statewide customer satisfaction survey for use in PY 2023 and beyond.

B. Methodologies

NYSDOL has placed a priority on embedding a customer service focus into the service delivery model for both job seekers and businesses. The programs offered to job seekers in the Career Centers all follow a continuous engagement model. Traditionally, customers were continuously invited into the Career Center for a variety of services, including one-on-one appointments, workshops, on-site recruitments, and mini job fairs. With the onset of the COVID-19 pandemic, the System began providing services virtually to customers, conducting one-on-one appointments with customers via a Virtual Contact Center solution to ensure customers in need of assistance received these services. The System now continues to provide in-person services in conjunction with virtual services. Continuous engagement and individualized case management allow staff to provide the necessary services to customers while giving customers multiple opportunities to provide feedback, which leads to customer satisfaction. Staff are evaluated on the services provided to their customers and Career Center Managers use individual level performance data to provide consistent feedback. This ensures customers receive the necessary services to help them reach their employment and training goals.

VII. EVALUATION AND RELATED RESEARCH PROJECTS

A. Weekly/monthly Reports

NYSDOL produces several weekly, quarterly, and monthly reports designed to evaluate the programs, initiatives, and solicitations implemented under WIOA Titles I and III in NYS.

NYSDOL responds to a substantial volume of LWDB reporting requests on a quarterly, monthly, and ad-hoc basis. Reports provided include aggregate and individual reporting on performance, cohort demographics and characteristics, services, and outcomes to assist local areas with developing more effective service strategies.

NYSDOL focuses efforts on serving customers with barriers to employment, including justice-involved individuals. A report developed for the Work for Success program shows the number of formerly incarcerated participants in NYS that were served or hired during specific timeframes. The report also shows NYS job development with businesses interested in hiring participants in the program. Lastly, the report shows services and employment outcomes for justice-involved individuals referred to NYSDOL by the NYS Department of Corrections and Community Supervision (DOCCS) in several pilot locations including Albany, Buffalo, Syracuse, Bronx, and Brooklyn, as well as Nassau County (Hicksville, Hempstead, and Massapequa) and Orange County (Middletown and Newburgh).

NYSDOL actively operates several federally funded grants. Programmatic narrative reports are submitted on a quarterly basis describing project activities related to grant goals and objectives. NYSDOL leadership also receives narrative reports on State-level projects. The federal grants and State-level projects, as well as the information submitted in the reports, include, but are not limited to:

- **New York Systems Change and Inclusive Opportunities Network (NY SCION)** – The report includes a summary of grant progress including participants served, total grant allocations, and accrued expenditures;
- **COVID-19 Disaster Recovery (DR) and Employment Recovery (ER) NDWGs** – Quarterly reports include a summary of grant progress including total expenditures; challenges and concerns; key issues and technical assistance needs; and significant activities, accomplishments, and success stories. Internal bi-weekly reports are also compiled by NYSDOL staff and reviewed to track grant progress;
- **Syracuse I-81 Project** – The bi-weekly reports include a summary of grant progress with participants served, total grant allocations, and accrued expenditures;
- **Fidelity Bonding Demonstration Grant** – The report included cumulative bonds purchased within a quarter; the number of bonds issued within a quarter; any issues or concerns related to grant implementation; and outreach, education, and marketing activities directed to stakeholders within NYS regarding the Federal Bonding Program. This four-year grant concluded on June 30, 2023;
- **JVSG** – The report includes information about outlays, expenditures, and obligations related to the budget; staffing expenses; performance goals and outcomes; the individualized career services rate for JVSG staff; services to non-veterans rate; staffing changes and vacancy information; and best practices for the Hire a Veteran Medallion Program;
- **Fostering Access, Rights, and Equity (FARE)** – NYSDOL reports quarterly on outreach activities to women workers under the USDOL Womens' Bureau's FARE grant. The report includes a summary of outreach activities performed, leveraged resources, accrued expenditures, challenges encountered, and success stories. The report also captures the number of women reached, the type of audience, and demographic information (e.g., women of color, those with disabilities, justice-involved, low wage earners, veterans, LGBTQIA+, immigrants/refugees, and women with dependent children);
- **NYSDOL TRP** – An internal weekly report compiled by NYSDOL staff includes a summary of grant progress, including the number of residents to be enrolled in a residency program registered with NYSED and total grant allocations;

- **Reemployment Services and Eligibility Assessment Grant (RESEA)** – This quarterly report includes a summary of how many customers were scheduled for and completed mandatory reemployment services meetings with Career Center staff in comparison to the annually projected goals; and
- **Education Stabilization Fund-Reimagine Workforce Preparation (ESF-RWP) US Education Department Grant** – This quarterly report includes a narrative of short-term trainings that are being offered to participants, impactful supportive services, and credentials earned. In addition to the narrative quarterly report, ESF-RWP State partners also submit participant data information every quarter that includes the total number of enrolled participants, total number of participants who completed training, credentials earned, and income 2nd quarter after exit.

VIII. ACTIVITIES PROVIDED BY STATEWIDE FUNDS

A. Rapid response activities and layoff aversion

The NYSDOL Rapid Response Program functions as part of the Career Center System, working cooperatively with LWDB Directors and Career Center Managers to serve affected workers before layoffs occur. NYSDOL Rapid Response is alerted when businesses submit a Worker Adjustment and Retraining Notification (WARN) Act notice to NYSDOL 90 days in advance of layoffs. The program also receives alerts regarding upcoming or sudden layoffs via Career Center leads, Contact Center customer inquiries, media reports, and other business intelligence. At that time, follow-up is made with the business for planning intensive job placement assistance. These alerts are initially categorized as expeditious response and are sometimes recategorized as Rapid Response if the layoffs trigger the WARN threshold.

NYS's Rapid Response Program saw an increase in the number of WARN filings and associated impacted workers in PY 2022 with 174 WARNs filed impacting 22,668 workers. This is a 346% increase from PY 2021 when only 39 WARN filings were recorded.

Rapid Response sought out opportunities to serve businesses and workers impacted by smaller layoff and closure events (non-WARN) referred to as expeditious responses. In PY 2022, Rapid Response staff identified 269 expeditious response events, impacting 5,917 workers. Rapid Response is initially focused on layoff aversion by advising the downsizing/closing business of the Shared Work Program, which is discussed in more detail later in this Section. When layoffs cannot be averted, onsite service orientations are scheduled for customer registration in OSOS and messaging. This includes:

- Providing intensive 1:1 job placement assistance;
- Issuing customized job lead templates for customers' initial consideration based on WARN job titles attachment (continuous customer engagement job leads follow);
- Providing ongoing job lead templates as the customer relationship evolves;
- Developing a skill-based resume;
- Advocating to a hiring business on the behalf of a customer who submitted an employment application to that business;
- Coaching employment interview techniques based on an upcoming job interview;
- Providing alerts for upcoming recruitments and job fairs (also, introducing customers to specific businesses strongly interested in the labor pool);
- Sharing business and customer testimonials;
- Discussing local Career Center services available;

- Sharing basic information on filing a UI claim and, if an anticipated need, use of a remote UI content expert available to answer technical questions; and
- Arranging for a NYS Marketplace Navigator to present affordable health care options.

As identified in Section I.B., the Rapid Response Unit is part of NYSDOL's Business Engagement Team. Plans for service are initially drafted for downsizing/closing businesses and are subject to modification based on continuing discussion with HR management. Alignment with sector strategies is a point of emphasis toward brokering the labor pool with businesses in expansion mode. The NYSDOL Rapid Response and NYSDOL Business Services units regularly communicate about the Rapid Response customer skill sets and work experience to identify appropriate job leads, in addition to conducting dedicated job fairs.

Business prospecting research tools and methods used by Rapid Response include, but are not limited to:

- Prospecting hiring businesses:
 - Quarterly Expanding Businesses Report;
 - NYS Employment Graph indicating hiring trends;
 - Internet mining;
 - Ongoing interaction with Business Services and Career Center staff; and
 - Leads as provided by served customers.
- Prospecting downsizing or closing businesses:
 - Quarterly Contracting Business Report;
 - Quarterly Dun and Bradstreet Distressed Business Report;
 - Internet mining;
 - Leads as provided by customers calling the NYSDOL Contact Center; and
 - Early Warning Report.
 - New regular UI Benefit Claims, by region and single-site establishment firms, with five (5) or more current week claims in NYS, referencing current week and seven (7) previous weeks trend.

Daily goals are established for Rapid Response staff to outreach to businesses and customers. Rapid Response staff resumed daily outreach at the start of PY 2021, with emphasis placed on customer outreach to aide those impacted by the COVID-19 pandemic in returning to work. Virtual orientations were the primary delivery model for job search, healthcare marketplace, and applying for UI information throughout the PY. At the close of the PY, Rapid Response returned to offering on-site services, and business customers now have the option to receive virtual or on-site services based on the needs of their workforce.

Results are shared weekly with Rapid Response's ten (10) regional units (28 field staff). During PY 2022, service activities produced:

- 3,254 unique businesses engaged;
- 9,250 unique number of total customers engaged;
- 7,244 unique total customers engaged (number attached to Rapid Response/Expeditious Response accounts); and
- 2,569 placements.

TAA is also highly considered when there is a possibility of layoffs due to foreign competition (directly or indirectly). However, effective July 1, 2022, USDOL ceased the certification of petitions. Although petitions are not being certified, NYSDOL continues to review downsizing/closing events for possible Trade-related impacts and has filed 18 petitions for consideration once the program is reauthorized. NYSDOL continues to serve Trade-affected workers from petitions certified prior to July 1, 2022. Benefits to a customer when a petition is certified by USDOL include:

- Job training (classroom, online, OJT, and apprenticeship);
- Income support payments;
- Job search and moving allowances;
- A tax credit to help pay for health insurance; and
- A wage supplement for customers age 50 or older, who return to work at a lower pay rate.

Rapid Response asks the business key fact finding questions to determine if a TAA petition should be filed with USDOL, including:

- Is the company doing business in other countries? If yes, where?
- Has the company recently been sold or purchased by another company that does the same or similar type of work? If yes, who?
- Do they compete with products/services from other countries? If yes, who and/or what?
- Does the worker know the name(s) of their competitors? If yes, who?
- Has the worker trained replacement workers based in other countries prior to the layoff? If yes, what countries?
- Has the worker or co-workers traveled to other countries to train workers? If yes, what countries?

The Shared Work Program

The Shared Work Program helps businesses retain valued employees during temporary downturns, which is more important than ever in today's economy. It can also be used as part of a seasonal re-opening strategy. With Shared Work businesses keep their trained, valued employees and avoid layoffs by reducing work schedules. While on a reduced schedule, employees receive reduced pay from the business and a percentage of their unemployment benefit rate.

Retaining employees means the business can gear up quickly when conditions improve. They can also save the expense of recruiting, hiring, and training new employees. Plus, employees are spared the hardship of full unemployment and are shown they are valued as team members.

On September 6, 2021, new legislation was passed to make the Shared Work program even more valuable, removing the 26-week allowance of Shared Work benefits to now allow eligible participants to collect 26 times their benefit rate. In most cases, this will allow participants to remain on Shared Work longer.

NYSDOL received a USDOL grant on June 11, 2021, for improvements and promotion of the Shared Work Program. Below are some key successes of the grant:

- Programming and updates were made to reflect the legislative change to the cap on Shared Work benefits by eliminating the 26-week limitation of benefits to a maximum of 26 times an individual's weekly benefit rate;
- Maintained enhancements to the processes, online services, and front-end customer service experience, especially regarding responsiveness and convenience;

- Submission and approval of employer plans and the filing and approval of initial and continued short-term compensation (STC)/Shared Work Program claims have been automated;
- Enhancements have been made to the online plan application to allow an employer to manage their plan more easily;
- Plans are approved within 1-2 business days;
- Email campaigns are strategically timed and targeted using business intelligence collected by the Shared Work Promotional team. Targeted businesses include those experiencing supply chain issues, seasonal businesses, financial institutions, and mortgage lenders impacted by rising interest rates, manufacturing businesses, and small businesses; and
- NYSDOL's working relationship with the NYS Chamber of Commerce and business associations has grown tenfold.

Rapid Response staff assists with actively promoting the use of the Shared Work Program to distressed businesses. A business may submit a Shared Work plan even if it has already submitted a WARN Act notice.

During PY 2022, 464 Shared Work plans were approved to begin, and 10,391 participants were registered.

B. Activities provided under the Wagner-Peyser Act Employment Service section (7b)

NYSDOL is responsible for the delivery of federally funded WP services (otherwise referred to as Employment Service programs), in coordination with other workforce partners and their programs through the Career Center System. These responsibilities include:

- Maintaining and strengthening the public labor exchange through the operation of a central, statewide job bank and talent bank matching system;
- Providing Reemployment Services for UI customers; and
- Providing service to special target populations.

All Adult customers served by Career Centers must be co-enrolled in WP and WIOA. Each of the 33 LWDBs developed a Local Plan outlining how Career Center service delivery is integrated across all programs. In PY 2022, individuals attended 70,727 virtual appointments and 140,135 in-person appointments, and 179,553 individuals had a self-service activity.

During PY 2022, NYSDOL worked to update its Initial Assessment policy and corresponding intake documents. The new WDS TA, [#23-06: Initial Assessment in the Career Center System](#), and intake forms were issued to the System in October 2023. In the policy, Career Center customers across NYS are required to receive an initial assessment to determine the best way to service their individual reemployment needs. This policy emphasizes the value of providing quality job leads and referrals to customers to speed their entry into employment. It also emphasizes the value of identifying customers in need of a more comprehensive assessment to make informed decisions about additional reemployment services they would benefit from.

To help supplement the WP program, NYS administers the RESEA program to serve all UI claimants, with priority shown to customers profiled as most likely to exhaust benefits. RESEA is framed around four (4) major customer service principles to provide intensive case management and a heightened level of services to UI claimants: (1) expeditious entry into the System; (2) assessment/identification of needs; (3) individual reemployment plans; and (4) continuous engagement.

The RESEA program, which follows a calendar year reporting period, operates in 65 select Career Center locations in all 33 local areas and all ten (10) economic development regions of NYS. The program design has been shown to increase RESEA participants' competitive advantage by returning claimants to work earlier than non-RESEA claimants. NYS received just over \$28M in 2023 RESEA funding, and \$24M in 2022.

In accordance with the statutory provisions for the RESEA program contained in the Social Security Act (SSA), states began conducting evaluations of RESEA interventions and service delivery strategies in Fiscal Year (FY) 2020 to support building new evidence of effective RESEA interventions that can be utilized in future RESEA program design and delivery. As part of the study, states are required to conduct an evaluation of the RESEA program to support current program designs. NYSDOL is collaborating with the Connecticut Department of Labor to carry out the RESEA evaluation. NYS selected 40 of its 65 Career Centers implementing RESEA to participate in the impact study which represents large, medium, and small Centers located in urban, suburban, and rural areas. The Connecticut Department of Labor included all five (5) of their RESEA Career Centers in the evaluation and will combine results with NYS to allow for a larger sample for analysis. Both states randomized a total of 161,000 customers into different treatment groups, including a control group. Each of the four (4) treatment groups provided customers with a different number of mandatory RESEA appointments and services to ascertain if reemployment outcomes are more favorable for those who receive more services. NYS has contracted with SUNY Rockefeller to evaluate the impact that mandatory RESEA Career Center appointments and reemployment services have on customer outcomes, which is measured by analyzing participants' reemployment rate after second quarter of program exit, median earnings in second quarter after program exit, and overall UI benefit duration. The participant enrollment process concluded in December 2022 and data has been transferred to the evaluator for analysis. By the end of 2024, a formal report will be published summarizing the study outcomes.

C. National Dislocated Worker Grants (DWGs)

COVID-19 DR NDWG

On April 15, 2020, NYSDOL was awarded a \$12M COVID-19 DR NDWG by USDOL. The full modified application was submitted on July 12, 2021. These funds were made available to assist the hardest hit sections of the US to recover from the swath of worker dislocations in the wake of the global COVID-19 pandemic. NYSDOL's COVID-19 DR-NDWG grant had two components of funding for staffing and program activities throughout the April 10, 2020 – March 31, 2023 period of performance:

1. **UI Temporary Staffing** – In PY 2021, NYSDOL's Division of Employment and Workforce Solutions (DEWS) worked with the UI Division to fund the temporary employment of NYSDOL UI staff. Up to \$6.1M was allocated for UI Temporary Staffing. During the pandemic, NYSDOL processed over 7.5M UI customers (including pandemic-specific programs) and made over \$65B in payments.
2. **Local Disaster Relief Employment Projects** – NYSDOL allocated up to \$5.9M for awards to LWDBs. These sub-awards were made to approved LWDB plans, via Notice of Obligational Authority (NOA), that identified local needs and design projects for local disaster relief employment projects. Eight (8) LWDB plans were received and approved. LWDBs coordinated with worksite businesses to fund eligible participants as temporary workers in roles including, but not limited to, contact tracing, vaccination work, and other humanitarian efforts addressing the COVID-19 pandemic disaster at the local level.

COVID-19 ER NDWG

On September 1, 2020, NYSDOL was awarded a \$12M COVID-19 ER NDWG by USDOL. The full modified application was submitted on April 22, 2021. These funds were made available to assist the hardest hit sections of the US to recover from the swath of worker dislocations in the wake of the global COVID-19 pandemic. NYSDOL's COVID-19 ER-NDWG grant had two components to fund program activities throughout the August 27, 2020 – September 30, 2023 period of performance:

1. **Virtual Training Services Statewide** – NYSDOL has partnered with Coursera, an industry leader in virtual learning, to provide a virtual training platform with 4,300 courses from 215 universities and private companies. These courses, and corresponding certificates, allow eligible participants to rapidly prepare for re-employment while maintaining reduced density in physical workforce training facilities. NYSDOL made two (2) annual installments of \$2M, fulfilling the \$4M partnership commitment. Over 1.6M learning hours have been logged by over 150,000 New Yorkers through this partnership.

2. **Services for Eligible Career Center Customers** – NYSDOL also obligated a total of \$8M to New York’s 33 LWDBs to provide career, training, and supportive services to eligible Career Center customers impacted by the disaster. \$4M was distributed to all 33 LWDBs in December 2020 with an additional \$4M allocated in April 2021 to offset the additional expenses incurred through the sudden and sustained increase in demand for services due to the pandemic. These additional funds were limited to the local areas most severely impacted by the COVID-19 pandemic or with greatest expressed need. Through June 30, 2023, 1,349 eligible participants were enrolled and served, generating expenditures of \$4,689,423.86.

CAREER NDWG

On September 17, 2021, NYSDOL was awarded \$3M in funding for the Comprehensive and Accessible Reemployment Through Equitable Employment Recovery (CAREER) NDWG by USDOL to upgrade technology systems necessary to connect unemployed individuals to reemployment. NYSDOL’s CAREER grant had several components to fund program activities throughout the September 13, 2021 – September 12, 2024 period of performance:

1. **Annual maintenance and upgrade costs for the VCC** – NYSDOL partnered with Eightfold to create the first VCC in our State, offering advanced technology backed by robust artificial intelligence that provides job leads that target and accurately match a job seeker’s skills and experience.
2. **Licenses for the Virtual Call Center** – The Verizon Virtual Call Center is a tool used by NYSDOL staff to conduct Career Center appointments over the phone. The system allows calls to be monitored and tracked to ensure appropriate services are provided.
3. **Subscription to Northstar Digital Literacy** – Career Centers and partner District offices were provided a license for Northstar’s assessment and curriculum tool, which is designed for mid-level learners requiring career development and digital literacy services.
4. **Upgrades to accessibility equipment** – Career Centers received updated Job Access With Speech (JAWS) and ZoomText assistive technology software to assist blind and low-vision individuals.

D. Technical assistance needs of the NYS workforce system

NYSDOL continues to provide training and capacity-building activities and technical assistance to NYS’s workforce development and Career Center System. Training opportunities are provided to all levels of workforce professionals, from NYS and LWDB members to front-line direct service delivery staff in the Career Centers, program providers, and stakeholders. Capacity-building activities will continue to be delivered to workforce professionals statewide through a variety of methods, including videoconferencing, conference calls, webinars, classroom training, and WIOA Interagency Partner meetings.

Training needs throughout NYS are regularly assessed through continuous communication, analysis of performance data, and the work of the TAAG workgroup. Trainings are developed based on the identified need. NYSDOL also maintains a Programs and Tools for Workforce Professionals [webpage](#), which includes guides for a multitude of programs, appropriate data entry practices, and fact sheets.

E. At-risk and priority populations served

OSY;

- NYS continues to build the capacity of local areas to help retain OSY. The NYSDOL Youth Unit continues to host a monthly “Bring Your Own Questions” call to address WIOA Youth program providers’ immediate data entry, policy, program, and practice questions. During these calls providers also get to network and learn from each other’s best practices for recruitment of OSY. In addition, “All About WIOA” youth trainings and resources are offered with peer support structures to onboard new WIOA youth staff at the local level. Along with one-on-one and group online technical assistance,

NYSDOL's Youth Unit has started to meet virtually with LWDB youth programs to support local staff efforts with OSY. Many Local Workforce Development Areas (LWDAs) also co-enroll WIOA youth with NYSDOL's GVP local initiative to recruit and extend career development and work experiences for underserved youth. Statewide partnerships will be forged for continued collaboration with the LWDBs and entities that serve youth with multiple barriers to employment, including those living in areas affected by gun violence.

Low-income adults;

- As required in WIOA, low-income adults are given priority for career and training services in Career Centers. WDS TA #[23-01](#): Serving Priority Populations and Priority of Service under the Workforce Innovation and Opportunity Act (WIOA) Title I Adult Program, was issued in PY 2022, as well as multiple training opportunities for staff Statewide on this topic.

Dislocated workers;

- NYSDOL continues to apply for, and be awarded, NDWGs to serve greater numbers of DWs. Additionally, Program Guidance Letter (PGL) #[22-01](#): New York State Department of Labor (NYSDOL) guidance and interpretation on the Workforce Innovation and Opportunity Act (WIOA) definition of Dislocated Worker (DW) and recording DWs in the One-Stop Operating System (OSOS), was issued in PY 2022, providing the System NYSDOL's interpretation of the WIOA DW definition.

Individuals who are basic skills deficient;

- Local areas have started to use simplified, valid, and reliable assessment(s) to determine basic skills deficiency (BSD) of individuals for eligibility purposes, instead of using rigorous National Reporting System-approved tests. This allows providers to offer tests that are relevant to the customers' needs and capacity, while ensuring equitable enrollment for eligible youth. Should Education Functioning Level (EFL) or grade-level equivalent be needed during service provision or outcome documentation, local areas will work with existing education-focused partners to support the assessments and education of BSD individuals.

Individuals with limited language proficiency;

- Individuals with limited English language proficiency receive language assistance to access Career Center services. Language interpretation services are provided in more than 200 languages, including American Sign Language, and vital NYSDOL documents are translated into the 16 most commonly spoken languages in NYS. Information on these services is provided in WDS TA #[17-02.2](#): Language Interpretation Services Available at Career Centers.

Individuals with disabilities;

- On October 21, 2021, NYS Governor Kathy Hochul announced NY SCION, a commitment of \$11.1M in federal workforce development funding through December 31, 2026, to expand the already successful network of Disability Resource Coordinators (DRCs) to all 33 LWDAs to increase the capacity of their service delivery and better serve individuals with disabilities. NY SCION aims to improve education, training, and employment opportunities and outcomes for youth and adults with disabilities, including those receiving Social Security disability benefits. As of June 30, 2023, there are 26 DRCs covering 46 counties in NYS. To date 6,637 individuals with disabilities have been served under the program and 2,282 have been placed in unsubsidized employment.
- By 2020, all NYS Career Centers were equipped with a range of assistive technology that includes text scanning and reading software for individuals who are blind or low-vision, adaptive computer systems and hardware, and accessible workstations. This technology was updated at the end of PY 2023, with funding from the CAREER Grant, to ensure customers are able to use the most up-to-date vision software.

Veterans;

- Veterans' services in NYS are delivered through the Career Centers either under priority of service or through JVSG. A maximum total of 86 Disabled Veterans' Outreach Program Specialists (DVOPs) and Local Veterans Employment Representatives (LVERs), funded through the \$9M JVSG, are located in NYS Career Centers. DVOPs only serve those veterans and eligible persons with significant barriers to employment, ages 18-24; Vietnam Era veterans; or other populations as defined by the Secretary of Labor. Veterans and eligible persons ineligible to meet with a DVOP are served on a priority basis by other Career Center staff. The DVOP specialist service delivery model provides early intervention, services tailored to individual customer needs, and expedited referral of those who need additional assistance to services available within the workforce System. Through a continuous engagement of one-on-one appointments and between appointment contacts, customers receive a comprehensive assessment, an individual employment plan (IEP), and customized job search support by a DVOP specialist. DVOP customers are provided with resume assistance, career guidance, coaching, job leads, and referrals to ensure suitable job placement. During PY 2022, 10,489 veterans were served, with 2,713 of them (26%) served by DVOPs. The DVOP specialists and LVER staff coordinate their services for a thorough and wholistic approach. LVER staff's primary functions are to advocate for the hiring of veterans and eligible persons with businesses, as well as conduct job matching, job referral, job placement, and business outreach on behalf of all covered persons served by their Career Center.

Long-term unemployed (LTU);

- NYSDOL Business Services staff outreach to businesses with job opportunities that align with targeted LTU customers. The purpose of this outreach is to build relationships with area businesses and increase the number of employment leads for customers, as well as customize recruitments and targeted career fairs, and create multiple opportunities to connect qualified candidates with businesses.

Other individuals with barriers to employment, including:**Justice-involved individuals:**

- NYSDOL administers USDOL's Federal Bonding Program (FBP) in NYS to provide fidelity bonding to businesses that hire individuals who meet one (1) of the eight (8) eligibility criteria of the program. Fidelity bonding protects businesses from losses such as theft, larceny, or embezzlement due to employee dishonesty. Businesses receive these fidelity bonds free-of-charge as an incentive to hire applicants with barriers to employment. Bonding coverage begins at a default amount of \$5,000 and increases by increments of \$5,000 to a maximum of \$25,000, depending on the amount of coverage the employer would like to have. Fidelity coverage is free and lasts for six (6) months. In most situations, the coverage can be renewed with the business for an additional six (6) months at no charge. During the period of July 1, 2022 to June 30, 2023, NYSDOL issued bonds to five (5) businesses for a total of \$65,000 in coverage.
- As referenced in Section II.C, the GVP initiatives will also support many individuals involved in the justice system through coordination with local partners.
- NYSDOL has designated Local Bonding Coordinators (LBCs) in almost every NYSDOL Career Center in the State. A current list of all LBCs is found on the NYSDOL website at: <https://dol.ny.gov/federal-bonding-program-0>. The NYS Bonding Coordinator is responsible for ensuring that all new bonding coordinators receive training and that the website reflects personnel changes.
- On June 14, 2019, NYSDOL was awarded a four-year Fidelity Bonding Demonstration Grant (FBDG) from USDOL in the amount of \$100,000. The program provided NYSDOL with 850 fidelity bonds specifically designated to assist individuals with criminal records, including individuals recovering from opioid and other drug addictions that impacted their legal history and resulted in barriers to employment. This grant also provided funding to market the FBP in NYS, including creating customized FBP fact sheets for various stakeholder groups; updating the FBP Brochure for a business audience; creating and disseminating social media and email blasts to different stakeholder groups;

partnering with other NYS agencies to further market content; disseminating printed information to all NYSDOL stakeholders who provide or support reentry services; working with Business Engagement staff to promote the FBP directly to businesses; conducting presentations on the FBP to additional stakeholder groups; and creating a FBP video highlighting a testimonial from a business owner and a job seeker who benefited from the program.

- Under Work for Success, first identified in Section VII.A. of this report, NYSDOL developed a pilot program for implementation, working in conjunction with local Career Centers in pilot locations and DOCCS to promote and increase the employment of formerly incarcerated individuals. Career Centers provide liaisons from the program, known as Reentry Employment Specialists, who assist job seekers in overcoming barriers to employment due to incarceration, as well as matching formerly incarcerated individuals to job openings. RBSTs are working to educate businesses about available hiring incentives and providing job development services. As a result of staff outreach, 5,794 businesses employed eligible candidates, with 12,542 jobs being held by program participants in PY 2022.

Displaced Homemakers:

- NYSDOL administers the NYS Displaced Homemaker program, which is funded with \$1.62M in non-federal, State funds. In 2022, NYSDOL issued funding to ten (10) organizations in Albany, Bronx, Brooklyn, Nassau, Oneida, Schenectady, Schoharie, Suffolk, Tompkins, and Westchester counties. Additionally, under WIOA, displaced homemakers are considered DWs. This makes them eligible for all WIOA DW services, including but not limited to, career pathway development and counseling; help applying for jobs with interview preparation, resume, and cover letter writing; job search strategies, readiness, and referrals; career and computer workshops; information about training and educational services; and referrals to supportive services to address needs such as childcare, medical, housing, transportation, and financial literacy. In total, 1,026 Displaced Homemakers were served during PY 2022, a slight drop of less than 1% (1,033) from PY 2021.

At Risk and Priority:

Youth and Young Adults living in areas affected by gun violence

- A multifaceted approach is used to address the gun violence crisis, which is described in more detail in Section II.C. of this document.

Youth and Young Adults in Foster Care (FC), have run away or experienced homelessness (RHY), and who also may some type of juvenile justice-involvement

- NYSDOL and OCFS have partnered to expand career preparation and exploration services for FC and RHY youth in the three (3) pilot LWDAs of the Capital Region (Albany-Rensselaer-Schenectady), Monroe, and Tompkins through Systems-change and collaboration efforts. Additionally, NYSDOL and OCFS have begun to consider direct WIOA Youth Program enrollment for youth in juvenile justice facilities.

F. Challenges the NYS workforce system faces

1. **Limited funding and fragmented federal guidance** – At current levels, federal appropriations for WIOA funding reach only a fraction of the need, and with little or no adjustment for inflation, this is essentially a cut to the program. When significant cuts are proposed at the federal level, it makes it impossible to meet the full potential of the statute. Fragmented federal guidance further exacerbates this issue. When federal policy guidance and requirements are delivered to each partner individually it results in:
 - a. Conflicting information;
 - b. Continual and necessary front-line staff training;
 - c. Essential cross-training for all System partners on cross-program knowledge and requirements;

- d. Reduction of staff availability to focus on collaborative efforts;
 - e. The need for new processes, forms, and policies; and
 - f. Significant modification to data collection systems.
2. **Influx of Asylum Seekers to NYS** – In late PY 2022, NYS Governor Hochul issued an Executive Order, declaring a State of Emergency in response to the immediate influx of asylum seekers and migrants to NYS. Since that time, the Governor has secured over \$1B in funding to support NYC’s efforts to shelter asylum seekers and directed NYSDOL to help connect asylum seekers to employment opportunities so they can begin working immediately after obtaining federal work authorization. In response to this, NYSDOL has also launched a portal to enable businesses to inform the State that they welcome newly-work authorized individuals into their workforce. However, NYS cannot solely shoulder this influx and requires additional federal resources and assistance to support these individuals appropriately.
 3. **The NYS System partners lack a unified case management system** – The reporting requirements under WIOA are difficult because each core partner uses a different system to collect and report data; different agencies collect different identifying data; and frequent changes in reporting requirements make it difficult to commit to a solution. These data and reporting systems do not currently communicate with one another, making collecting and aggregating data from multiple partners challenging. The WIOA Interagency Team’s Data Integration workgroup was established in PY 2019 to address data and reporting challenges and determine a strategy moving forward. Workgroup meetings resumed in PY 2020 following the COVID-19 pandemic and continued quarterly through PY 2022. A subcommittee was established to further research and investigate what other states have done to effectively share data, discuss a unique identifier that could be used to identify customers across Titles, and develop a plan that will help NYS accomplish the goal of joint reporting. The WIOA Interagency Team’s Business Engagement workgroup has also addressed this, using OSOS for tracking business engagement activities across multiple core partners.
 4. **Supporting individuals with disabilities** – As stated throughout this document, NYS DRCs have made great strides in improving services to individuals with disabilities through the NYS DEI projects and more recently under NY SCION, with NY SCION funding extended through December 31, 2026. However, more work is to be done. The NYSDOL Special Populations team will continue to address challenges in providing services to individuals with disabilities, including the need for greater business and public awareness that people with disabilities can and do participate in the workforce and meaningfully contribute to a business’s bottom line; the need for more staff training related to serving individuals with disabilities; and creating more training opportunities for career development, specifically designed for individuals with intellectual and developmental disabilities.
 5. **FBP utilization** – Compared to other states, the FBP is extremely underutilized by businesses in NYS, which could have a significant impact on the employment outcomes for individuals who are justice-involved. NYS provided more fidelity bonding before, during, and right after the COVID-19 pandemic to businesses who hired eligible job seekers, than in PY 2022. Despite receiving a \$100,000 Fidelity Bonding Demonstration Grant, conducting numerous presentations to stakeholders across NYS, and creating a FBP promotional video and other marketing materials, information about the FBP is still not resonating with businesses. The FBP would greatly benefit from a stronger connection to NYS business service activities, support to link bonding to other NYS hiring incentives (e.g., the Work Opportunity Tax Credit) and work experience programs (e.g., apprenticeships, OJT), and linkages to NYS priority initiatives (e.g., Jails to Jobs).

G. Strategies/policies relating to Pay-for-Performance contracting

NYSDOL was a recipient of the \$12M Workforce Investment Act Pay-for-Success Pilot Project Grant to serve formerly incarcerated individuals, which ran from October 1, 2013 – September 30, 2017. This Pilot Project also included a second, non-federally funded phase for services which ran through September 30, 2018. This experience informed NYSDOL's strategies and policies relating to Pay-for-Performance contracting initiatives, including those funded with State-level and local-level WIOA funds and non-federal funds. To date, NYSDOL awaits additional guidance from USDOL on how to implement WIOA Pay-for Performance contracting.

However, in early 2020, NYSDOL made two (2) awards totaling \$1,140,000 under a non-federally funded Pay for Success Pay-for-Performance initiative in collaboration with the Governor's Office of Workforce Development and the CFA WDI program. Contract development was delayed due to the COVID-19 pandemic. As of early October 2023, both contracts have been executed, services subject to performance-based outcome payments were delivered, and one (1) contract is now closed. The following outcomes were achieved for the first closed-out contract:

- Sixteen (16) participants completed the training portion of the program, achieving 100% of the contract's training performance goal;
- Of the 16 participants, seven (7) were placed into full time employment related to their training, achieving 58% of the contract's placement performance goal of 12 participants;
- Of the seven (7) participants placed in employment, five (5) retained employment for six (6) months, achieving 63% of the contract's retention performance goal of eight (8) participants; and
- Based on this performance, out of a total contract award of \$180,000, 82.2% of the funds or \$147,920 was disbursed to the contractor to support this Pay for Success program.

Final outcomes will be reported when the second Pay for Success contract ends on July 27, 2024.