



CITY OF OAKLAND



OFFICE OF ECONOMIC AND WORKFORCE DEVELOPMENT
OAKLAND WORKFORCE DEVELOPMENT BOARD (OWDB)

DIRECTIVE #: 23-002
TO: All Workforce Innovation and Opportunity Act (WIOA) Funded Oakland Workforce Development Board (OWDB) Service Providers
EFFECTIVE: November 2, 2023
SUBJECT: OWDB Local Board Determination Training Policy

Purpose

The State of California allows for **Local Board Determination Training**, whereby a participant enrolled in a WIOA training program can receive training from a local provider not on the Employment Training Panel List (ETPL) upon determination of the local board.

OWDB has developed guidance to implement use of the Local Board Determination Training through our America’s Job Centers of California (AJCC) partners, to expand access to training opportunities for jobseekers, and to increase training expenditures which contribute to OWDB’s 30% training expenditure requirement.

Background

On September 29, 2017, the State of California, Employment Development Department (EDD) issued WSIN 17-09 regarding the use of CalJOBS Enrollment Activity Code 330-Local Board Determination Training. The definition was reaffirmed with EDD Directive WSD19-06 issued December 27, 2019, which defined Activity Code 330 as follows:

Activity Code	Code Title	Code Definition
330	Local Board Determination Training	A participant enrolled in a training program that can bypass the CA ETPL upon the determination of the Local Workforce Development Board (LWDB) for reasons, such as higher education, lack of providers, barriers to employment, etc. This activity code requires staff to provide justification in CalJOBS under case notes.

The guidance allows Local Workforce Development Boards to develop a policy to allow America’s Job Centers of California (AJCC) service providers to engage with trainers that are not included on the State of California Eligible Training Provider List, expanding the training options available for WIOA clients. Local Workforce Development Boards must approve policy to detail criteria and procedure for WDB staff approval prior to allowing service providers to refer WIOA participants to training providers not listed on the ETPL.

Policy

Use of CalJOBS enrollment Activity Code 330-Local Board Determination Training will be allowed for OWDB WIOA-funded Adult and Dislocated Worker programs. CalJOBS Enrollment Activity Code 330-Local Board Determination Training will be allowed when the following conditions have been met:

- A) When the training leads to the attainment of an industry-valued certificate, credential, or degree; and
- B) When the training is focused toward one of the OWDB's Priority Industry sectors; and
- C) When there is a general lack or limited number of training providers listed on the ETPL that are located in OWDB's Local Area or within a reasonable travel distance for the participant; or
- D) When the individual participant has significant barriers to employment that can be more effectively addressed during training by an institution or training provider that possesses specialized knowledge and/or the capacity to provide the assistance required, including language capacity or accommodation of a disability.

OWDB's priority industry sectors are:

- Advanced Manufacturing
- Healthcare
- Information Communication Technology
- Transportation & Logistics
- Construction
- Government
- Hospitality, Leisure, and Retail

WIOA Training funds available for Local Board Determination Training are capped at a maximum of \$6,000 per client.

Graduates of non-ETPL construction industry training programs will meet recognized standards for job opportunities, as applicable, such as a MC3 certificate, or be accepted into accredited joint apprenticeship training programs.

A report on the status of non-ETPL training programs will be provided to the Board on an annual basis.

Process

Service providers must follow the following process and procedures for local board approval of the non-ETPL training provider.

- 1) The service provider must follow all the steps detailed in the OWDB Individual Training Account (ITA) Policy and Procedures (Directive # 22-002) to determine if the client meets the eligibility requirements to receive training through WIOA Funds, including but not limited to assessment, use of WIOA funds as a last resort, research of providers for most appropriate fit for skills interests and aptitude, and documentation of training in CalJOBS.

- 2) The service provider must determine that local ETPL training providers are not available or appropriate to provide the same or similar level and quality of training leading to industry-recognized certification, credentialization, or degree for the identified client. ETPL training is the first and primary source for WIOA client training. The service provider must determine that the client would best be served by a non-ETPL training provider based on the conditions listed above. Use of Local Board Determination Training is to be used as a final option for providers after all other sources of funding for training have been explored.
- 3) The service provider must determine that training funds are available to cover the cost of training.
- 4) The service provider must complete the OWDB Local Board Determination Training request form (Attachment 1) in its entirety.
- 5) The service provider will submit the OWDB Local Board Determination Training request form to OWDB staff for review and approval and include any relevant ETPL printouts to support claims of limited availability, high costs, a physical location that is a barrier for the client, or other factors inhibiting the use of an ETPL-approved training provider.
- 6) OWDB will reply with an approval or denial of the request to the service provider contact within two weeks of receipt of the OWDB Local Board Determination Training request form.
- 7) In the event that the request is denied, OWDB staff will provide an explanation for the denial. Service providers will have the opportunity to respond with additional information and/or documentation to make the case that the non-ETPL training provider is the most appropriate fit for the identified client. If the request is ultimately denied, the service provider and participant may opt to consider a training provider listed on the ETPL.

Local Area Monitoring Responsibilities

Trainings provided through non-ETPL providers will be subject to the same forms of monitoring as all other WIOA-funded trainings.

Any discrepancies arising between OWDB policy and or procedures with federal and state provisions due to current or future revisions will default to the current minimum federal and state regulations and guidance available. OWDB policy and or procedures may set forth stricter requirements than provided by federal and state guidance, but in no case will OWDB policy and or procedures not meet minimum federal and state policy.

Action Required

This information should be disseminated to all current OWDB WIOA service providers and their staff.

Inquiries

Questions regarding this policy should be directed to the Oakland Workforce Development Board:

City of Oakland Economic & Workforce Development
c/o Executive Director – Workforce
250 Frank Ogawa Plaza, Suite 3315
Oakland, CA 94612
or
OWDB@oaklandca.gov

Attachment(s)

Attachment 1 – OWDB Local Board Determination Training Request Form