NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
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David A. Paterson
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Local Commissioners Memorandum

Section 1

Transmittal:	09-LCM-09
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	July 9, 2009
Subject:	OTDA Green Jobs Corps Program
Contact Person(s):	Program Related Questions: Susanne Haag at (518) 486-6291 Susanne.Haag@otda.state.ny.us or Employment and Advancement Technical Advisor Claiming Related Questions: James E. Carroll (Regions 1-4) 1-800-343-8859, ext 4-7549 James.Carroll@otda.state.ny.us Michael Borenstein (Region 5) 631-854-9704 Michael.Borenstein@otda.state.ny.us Marian Borenstein (Region 6) 212-961-8250 Marian.borenstein@otda.state.ny.us
Attachments:	Attachment A: Subsidized Employment Programs Matrix Attachment B: Program Award Guidelines Attachment C: Budget Instructions Attachment D: Program Narrative Attachment E: Budget Form Attachment F: Budget Narrative
Attachments Available On – Line:	Yes

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise social services districts (districts) that the enacted State Fiscal Year (SFY) 2009-10 Budget contains funding for three new initiatives to support subsidized employment. This funding will be used to support services provided through the Green Jobs Corps, the Health Care Jobs program, and the Transitional Jobs program. The attached Subsidized Employment Programs Matrix provides a summary of each program model (see **Attachment A**). This LCM provides program instructions and funding award information for the Green Jobs Corps program. Separate LCMs are being released concurrently to provide program instructions and funding information for the Health Care Jobs program and the Transitional Jobs program.

A total of $7 million - $5 million in Temporary Assistance for Needy Families (TANF) funds and $2 million in State funds - will be awarded to districts on a competitive basis to support comprehensive employment services to establish the **Green Jobs Corps** designed to provide education, training and subsidized employment placements of up to 35 hours a week in "green" jobs such as, but not necessarily limited to, those in the fields of weatherization, energy efficiency, environmental conservation, renewable energy and natural resource preservation and beautification. The Green Jobs Corps program will provide public assistance recipients and other low income individuals with employment opportunities in "green" jobs. **Attachment B** includes funding award guidelines, including the maximum value of the plan that each district may submit with additional funding guidance in section V.C below.

II. Background

Subsidized employment can serve as an important component of any district's employment services by providing an effective placement for individuals lacking an adequate or demonstrated work history, who have other barriers to employment, or when employment opportunities in the community are limited. The Green Jobs Corps provides an effective mechanism for entrance into unsubsidized employment by providing participants additional skills through employment skills training, providing the opportunity to develop and demonstrate positive work skills to current or prospective employers and by improving employment skills through on-the-job training. Subsidized employment opportunities made available through the Green Jobs Corps program are expected to enable participants to gain skills in an occupational sector that is expected to experience future job growth. Additionally, paid employment provides participants financial and other incentives to participate fully in employment and education/training services. The fact that participants are paid for hours worked reinforces the message that "work pays" and enables participants to access earned income tax credits and other tax credits to further supplement their income.

III. Program Overview

Funds are being made available to establish a Green Jobs Corps program to provide subsidized employment linking low or no income individuals, particularly those facing significant barriers to employment, to job skills training, basic education, GED preparation, job placement, job retention, and career advancement opportunities in entry-level high-growth "green" jobs.

A "green job" is an ambiguous term because there is no standard for defining "green" across the many different businesses and organizations that market and promote this term. In defining green jobs, the New York State Department of Labor recommends identifying the industries/sectors of interest, and then the occupations within those industries/sectors.

The OTDA Green Jobs Corps program comprises efforts to provide participants with subsidized employment in industries or jobs such as those that strive to improve energy efficiency and increase use of renewable energy sources, act to secure environmental improvements and conservation and to protect and preserve natural resources. The New York State Department of Labor has also found that most jobs in "green" sectors require the same range of education and skills as jobs in the parent sector, with the difference being incremental training specific to the green aspect of the sector. Therefore, in some instances a "green job" may be in a "green" sector such as renewable energy, while in another instance a "green job" may be a traditional sector that is applying "green" techniques such as building trades using enhanced energy efficiency techniques and materials. Green jobs also include traditional occupations such as the weatherization of buildings, natural resource beautification and preservation and recycling.

Districts establishing a Green Jobs Corps program are expected to provide job readiness and occupational skills training to prepare participants for subsidized employment placement, and to provide employment opportunities of up to 35 hours per week at the minimum wage or higher. Preferred programs are those that offer participants the opportunity for placement in jobs that provide higher wages or that offer advancement opportunities in high-growth green industries through on-the-job training or other means.

Districts awarded funds to establish a Green Jobs Corps program will be required to (directly or through agreements or contracts with other organizations):

Identify "green job" employment opportunities that exist or that can be created in the public or private sector in industries such as, but not necessarily limited to, those that improve energy efficiency, enhance the use of renewable energy sources, promote environmental improvements and conservation and preserve or enhance natural resources. Districts are encouraged to use this opportunity to establish and/or build upon linkages with local Weatherization Assistance Program (WAP) subgrantees and with vendors that perform weatherization work and/or repair and replace inoperable heating equipment under the Home Energy Assistance Program (HEAP).

Districts may subsidize the job for up to 35 hours a week and for up to one year with funding made available through OTDA's Green Jobs Corps program. Districts will determine the length of the subsidy period, the hours of subsidized employment up to 35 hours weekly, and the subsidy amount, which may vary by employer or position.

Funding made available through the OTDA Green Jobs Corps program may not be used to replace existing funding and subsidized employment positions may not replace staff doing equivalent work pursuant to Social Services Law sections 336-e and 336-f.

Provide Job Preparation Training to prepare individuals for placement into the Green Jobs Corps program subsidized employment position and/or for unsubsidized employment. Such training shall include, but not be limited to:

- Soft skills training such as attitudinal training, career development, and introduction to basic computer literacy.
- Occupational skills training such as basic construction, (electrical, plumbing and carpentry), environmental remediation, weatherization, building retrofits, renewable energy, and natural resource preservation.

Districts may provide such training before and/or after placement in the subsidized employment position but in all instances are required to ensure that program participants are provided soft skills and occupational skills training needed to support eventual unsubsidized employment. Training that offers industry-recognized skills and/or certificates is preferred. The length and type of training may vary depending on the targeted occupation and the needs of the employer. The training component may be funded through the Green Jobs Corps program, but districts are encouraged to leverage training opportunities that are separately funded, with the Green Jobs Corps program supporting other program benefits including wage subsidies and case management services. Districts are encouraged to provide training that will give the prospective employee the level of basic skills needed for him/her to benefit from the addition of on-the-job training and to succeed in the employment placement. Districts may also fund or otherwise support the ability for program participants to participate in additional education (such as adult basic education and GED preparation) or job skills training prior to or following placement in the subsidized job. The hours that program participants engage in the training and education may be paid or unpaid.

Provide Support Services to program participants as necessary to support program participation and completion. Services may include, but are not limited to, child care, transportation, and other necessary services.

Districts are encouraged to collaborate with local non-profit agencies experienced in providing workforce development services to low-income populations facing barriers to employment such as those having criminal histories and periods of incarceration.

Participants in the Green Jobs Corps program will receive continuous supportive services from a case manager assigned from the first day that they begin the program to address issues that affect an individual's ability to retain employment and progress with skills training such as housing, transportation, child care, and substance abuse or mental health treatment. Districts are encouraged to also arrange for mentors that can help program

participants establish and maintain employment goals and develop strategies to address circumstances that could interfere with continued employment or training activities.

Districts are expected to ensure that program participants are provided information on the availability of earned income tax credits and other credits that they may access once working. Additionally, as with all individuals who go to work, districts are expected to facilitate access to transitional benefits including health insurance and transitional child care and Supplemental Nutrition Assistance benefits.

Plans must detail the overall structure of the program, including the type of training to be provided, who will be providing the training, the types of jobs being targeted, the range of wages to be paid, and the length of the subsidy period. Plans should also identify the employers targeted to provide the subsidized employment opportunities.

IV. Program Implications

Eligible participants

Funding available for the OTDA Green Jobs Corps program consists of a combination of $5 million in TANF funds and $2 million in State General Funds.

In all instances, priority shall be given to enrolling public assistance recipients in the Green Jobs Corps program, although other individuals are eligible as outlined below.

Green Jobs Corps program participants supported with TANF funds must be eligible for TANF nonassistance services and may include the following categories of individuals:

- Individuals in receipt of TANF/Family Assistance (case types 11 or 12) and Safety Net MOE Assistance (case types 16 or 17 with state charge code 63 or 64);
- Individuals in two-parent cases with children receiving Safety Net Assistance (as described in 06 LCM-09); and
- Individuals not in receipt of public assistance but who are determined TANF eligible based on TANF 200% of Poverty guidelines included in 00 LCM-20. Safety Net Assistance recipients in households without children may be eligible for TANF funded services due to being a noncustodial parent of a minor child as outlined in 00 LCM-20 and districts are strongly encouraged to determine such eligibility and serve these individuals through the Green Jobs Corps program.

Green Jobs Corps program participants supported with State General Funds should be targeted toward non-TANF eligible individuals in receipt of Safety Net Assistance in households without children (i.e., Safety Net singles).

In all instances, priority for participation in the Green Jobs Corps program shall be given to eligible public assistance recipients. Districts should also target services to formerly incarcerated individuals, including non-custodial parents who were formerly incarcerated or who have a criminal history and who are determined eligible under the TANF 200% of Poverty guidelines.

Up to twenty-five percent of program participants may be eighteen to twenty-four (18-24) year olds, including individuals not in receipt of public assistance who are eligible under TANF 200% of Poverty guidelines.

V. Plan Format

Districts submitting applications must complete a program narrative, budget form and budget narrative to OTDA for approval (see **Attachments D, E and F**).

A. Evaluation Criteria

This funding will be awarded to local social services districts on a competitive basis. A review team consisting of OTDA staff will evaluate and rate all plans submitted within the established timeframe. In addition to cost effectiveness and overall fiscal appropriateness, plans will be assessed and ranked according to the criteria outlined below.

- **Employment Opportunities**

The district should describe the expected employer(s) in the public or private sector and the district's strategy for engaging employers in the Green Jobs Corps program. Districts should identify how the employer/job duties are consistent with the definition of "green jobs" as defined in this LCM. Districts should describe the jobs in which individuals will be placed, including available information regarding the job duties, expected rate of pay, and average weekly hours of employment. In recognition of the difficulties of securing employment for individuals with lower skill levels, particularly during times of relatively high unemployment, jobs subsidized through the Green Jobs Corps program are not required to be permanent positions. However, permanent employment is the goal for every participant, and preference in the scoring of proposals will be given, as noted below, to district plans that include permanent employment opportunities for participants either with the subsidized employer or as achieved through other job placement efforts. In addition, preferred programs are those that offer participants the opportunity for placement in jobs that provide higher wages or that offer advancement opportunities in high-growth green industries through on-the-job training or other means. Districts should describe how the proposed subsidized employment positions provide opportunities for wage growth, if applicable.

Subsidized positions must adhere to non-displacement and other provisions contained in sections §336-e and §336-f of the Social Services Law.

- **Job Training**

The district should describe the soft skills and occupational skills education and training that will be provided to individuals to prepare them for placement into the Green Jobs Corps program and/or for unsubsidized employment. Training can be provided as an unpaid activity intended to prepare individuals for placement into the subsidized position. Training may also be provided during the subsidized employment placement to better equip participants with the necessary job skills to support job retention and advancement, with a portion of the individual's time spent performing work and a portion in training or education services.

In all instances program participants must be provided with both:

- Work readiness training that prepares individuals for work including topics such as the ability to interact effectively with a supervisor and co-workers, an understanding of employer expectations and career exploration.
- Skills training related to the job or sector in which the individual will become employed through the Green Jobs Corps program. Districts should describe the content and length of the training. The training may be provided prior to placement in the subsidized position or concurrent with the subsidized work (with the training component either paid or unpaid).

Districts may also provide Green Jobs Corps participants the ability to participate in adult basic education, English language instruction and GED preparation as a program component. Training components of the program may be paid or unpaid. If unpaid, districts may want to consider incentive payments or other methods to encourage attendance and/or educational outcomes.

Pre- or post-employment training that provides participants with clearly defined education or job skills credentials/completions is preferred. In some instances within "green sectors" labor market conditions are expected to adjust as related policy and funding investments are implemented and even if immediate post-subsidy permanent job placement within the sector is not an option, educational attainments and skills credentials will provide participants with a tangible resource to support future employment in these sectors.

- **Engagement of Program Participants**

Districts may enroll TANF eligible individuals and Safety Net adults in households without children. Districts may also enroll non-public assistance TANF-eligible individuals. Enrollments must be consistent with the eligible participant guidelines provided above (section IV). In all instances, priority is to be provided to public assistance recipients, previously incarcerated individuals, and disconnected youth between the ages of 18 and 24.

Districts should describe the target population for the program and how appropriate individuals will be identified for enrollment in the program. As part of this description, districts should describe how they will maximize enrollments by eligible Safety Net adults in households without children and individuals between the ages of 18 and 24 (with not more than 25 percent of program participants being between 18 and 24 years of age).

- **Support Services**

The district should describe the support services that will be provided to program participants, including necessary child care and transportation supports, case management services to support job retention and efforts to ensure participants receive earned income tax credits and transitional or ongoing program benefits for which they are eligible. Districts are encouraged to provide support services to the extent the individual is eligible for such supports both while on public assistance and in those instances where the case

closes due to earnings. Districts are encouraged to also arrange for case managers and/or mentors that can help individuals establish and maintain employment goals and develop strategies to address circumstances that could interfere with continued employment or training activities.

- **Job Placement and Job Retention Services**

Districts should describe the job retention services, including case management that will be provided to program participants to help ensure individuals remain engaged in the subsidized position.

Districts should describe specifically how the district will help those placed in subsidized positions secure permanent jobs, either with the employer that provides the subsidized employment or with other employers.

- **Program Cost**

Proposal selection will take into consideration the extent to which the program proposal's cost is reasonable given the extent of participant training and numbers of individuals served through the subsidized employment and training program.

B. **Budget and Budget Narrative Forms**

The budget and budget narrative forms (see **Attachment E** and **Attachment F**) should identify staff and services to be funded through the program and the estimated cost (see **Attachment C** for instructions regarding budget preparation).

C. Funding

A total of $7 million ($5 million in TANF, $2 million in state funds) is available to fund Green Jobs Corps projects. Districts should plan that awards will be 71% TANF funds and 29% State General Funds. Preference shall be given to districts with opportunities for "green" jobs and to counties with unemployment rates that exceed the statewide average. Attachment B includes funding award guidelines, including the maximum value of the plan that each district may submit.

Funding will be awarded to districts on a competitive basis. All districts are encouraged to submit plans for consideration. Counties within an area of the state with unemployment rates that exceed the statewide average will receive some preference in the scoring of proposals. Districts may choose to issue a Request for Proposal or to enter into agreements with other public entities to provide for the local delivery of services and, if so, the district should identify this expectation and the program and budget descriptions should identify what the district's competitive bid or solicitation would expect of funding applicants.

OTDA expects to provide up to 22 Green Jobs Corps grants with district awards consistent with the guidelines provided in Attachment B. To determine the categories in Attachment B, we added the distinct populations of TANF/SNA MOE Combined Nonexempt and SN Non-Moe (Singles Only) Nonexempt together and ranked the

districts from small to large. Any district falling below the median was determined to be in the small district category, any district over the average was determined to be in the large district category and all other districts were determined to be in the medium category.

Districts should note that OTDA reserves the right to fund plans for less than the requested funding amount due to reasons including but not limited to the specific size of the district within the district size grouping and the quality of the plan received. OTDA may also shift funds between funding levels as determined appropriate to accommodate the funding of additional proposals based on the number and quality of plans received.

Districts must ensure that these funds are used for increased costs associated with operating a new or expanded subsidized employment program. These funds may not be used to supplant costs associated with current subsidized employment programs operated by or currently funded by districts.

A review team consisting of OTDA staff will evaluate and rate all plans submitted within the established timeframe based on the Evaluation criteria described above (V A).

Projects receiving funding are expected to begin on October 1, 2009 and end on September 30, 2010 with the claiming deadline of November 15, 2010. In the event these funds are not reappropriated in the 2010-11 State budget, final claims for this program will be due by August 15, 2010.

D. Plan Submission Processing and Deadline

Completed district plans must be submitted by September 2, 2009 to be eligible for consideration for funding under the Green Jobs Corps program.

Plans should be e-mailed no later than September 2, 2009 to Susanne Haag at Susanne.Haag@otda.state.ny.us or mailed to the below address in time to reach OTDA no later than September 2, 2009. Plans received either electronically or by mail after September 2, 2009 will not be evaluated for funding for the Green Jobs Corps program.

Ms. Susanne Haag
NYS Office of Temporary and Disability Assistance
Employment and Advancement Services Bureau
40 North Pearl Street, 11-A
Albany, New York 12243

Green Jobs Corps program expected time-line:

- July 9, 2009 - Release of LCM
- September 2, 2009 - Deadline for receipt of district plans
- September 3 to September 15, 2009 - OTDA internal plan review
- September 20, 2009 - District award notification
- October 1, 2009 - Green Jobs Corps program cycle begins
- September 30, 2010 - Green Jobs Corps program cycle ends
- November 15, 2010 - Green Jobs Corps claiming deadline

E. Reporting

Districts will be required to report on an individual basis (Client Identification Number and name), case type (if applicable), age, the dates of enrollment, the date of placement in subsidized employment, the rate of hourly pay, scheduled average weekly hours of employment and the type of education/training provided the participant. In addition, districts will be required to report the number of individuals who transition to unsubsidized employment following the subsidy period, including those that transition to unsubsidized employment with the same employer or with another employer following the subsidized job.

OTDA will provide the reporting format upon plan approval.

VI. Claiming Instructions

All expenditures against the Green Jobs allocation should be claimed in accordance with the local social services district's Green Jobs approved plan. Local districts may claim reimbursement for Green Jobs expenditures made from October 1, 2009 through September 30, 2010. Final claims must be received by November 15, 2010. These deadlines are contingent upon re-appropriation authority in the SFY 2010-2011 budget. If not reappropriated, final claims must be submitted by August 15, 2010.

The administrative and/or contracted costs associated with approved plans should be reported in the F-17 function (Other Reimbursable Programs) on the Schedule D, DSS Administrative Expenses Allocation and Distribution by Function and Program (LDSS-2347). These costs will carry forward to the Schedule D-17, Distribution of Allocated Costs to Other Reimbursable Programs, (LDSS-3274), and be reported in a column labeled Green Jobs. These expenditures will support Form LDSS-3922, Reimbursement Claims for Special Projects. The LDSS-3922 project name box label should be entitled Green Jobs.

Local district staff not working fulltime on Green Jobs must be time studied and only those related costs should be charged to Green Jobs. These costs would then be claimed for Federal or State reimbursement in proportion to the percentage of TANF and Safety Net clients served as reported on the monthly program report submitted to CEES. (See Section V above for reporting requirements.)

The LDSS-3922 for Green Jobs should be submitted on a monthly basis to the Bureau of Financial Services using the TRACS system. Districts must retain the signed LDSS-3922 which supports the claims submitted via TRACS for audit purposes. Instructions for completing the Schedule D-17 are found in the Fiscal Reference Manual (FRM) Volume 3 (Volume 4 for New York City), Chapter 18. Instructions for completing the LDSS-3922 are found in FRM, Volume 2, Chapter 3. The expenditures should be entered in the non-Administration / Administration Costs columns based on the guidelines below.

According to TANF regulations, costs considered to be program are:

- Direct costs, including salaries and fringe benefit costs for staff providing program services
- Direct administrative costs associated with providing these services (e.g., supplies, equipment, travel, postage, utilities, rental costs, and maintenance)
- Contracts devoted entirely to program activities

According to TANF regulations, administrative costs include:

- Contract costs that are not excluded totally or in part as program activities
- All indirect or overhead costs (i. e., A-87 costs)
- Activities related to eligibility determinations

See Chapter 10 of Volume 3 (Volume 4 for New York City) of the Fiscal Reference Manual for detailed information on TANF administrative expenditure requirements.

Under these guidelines the local districts should enter their expenditures in the proper column of the LDSS-3922. Most of the activities incurred under this program should be reported in the Non-Administration Costs column. Overhead and A-87 costs should be entered in the Administration Costs column. There is no available state funding for A-87 costs. Expenses should be reported on the appropriate lines of the LDSS-3922, with the amount of the actual work subsidy entered on line 12, Assistance Direct to Client.

Costs associated with TANF eligible clients should be claimed at 100% Federal and costs associated with Safety Net should be claimed at 100% State.

Costs in excess of the allocation may be claimed on the Schedule D-3 Allocation and Claiming of Administrative Costs for Employment Programs (LDSS-2347-B1) as Direct Charge Costs (Line 7) under TANF Program (Column 2) for TANF eligible clients or under Non-Federal Employment Program (Column 8) for Safety Net recipients.

Issued By:

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