Workforce Investment Council

Louisiana Workforce Investment Council Meeting
Tuesday, March 23, 2010
9:30 a.m.
Baton Rouge, Community College Board Room
2001 Community College Drive

Members of the Council Present:
Alden Andre
Terry Baugh
Jacqueline Beauchamp
Kathy Bobbs
Keith Brand
Rosemary Davis designee for James Bulot
Julie Cherry
Dr. Lisa Vosper designee for Sally Clausen
Curt Eysink
Art Farve
Whalen Gibbs designee for Jimmy LeBlanc

Members of the Council Absence:
Camille Conaway
Sue Anne Cox
Janet Durden
Clarence Fields
Richard “Rick” Gremillion, Jr.
Cameron Henry
Ginger Laurent
Charles Moniotte
Stephen Moret
Keith Myers
Kristy Nichols
Richard Noles
Thomas O’Neal
Neil Riser
Patricia Smith
John Young, Jr.

LWC Staff Members Present:
Kami McDonald, WIC Executive Director
Margie J. Williams, Administrative Assistance
Mike Morris, LWIA #40
Dara Antee, Rapides Business Career Solutions Ctr.
Patty Granier, LWC-LMI
Raj Jindal, LWC IT Director
Jason Parks, Rapides WIB
Michael Garvey, LWIA #11
Rob Roux, LWC

Guest in Attendance:
Jim Patterson, LABI
Call to Order:
The meeting of the Workforce Investment Council was brought to order by Edward Rispone, Chairman of the WIC. Chairman Rispone introduced newly appointed member, Alden Andre, representing the General Business Community. Jason Dedon and Representative Patricia Smith were not present for their introduction.

The minutes from the February 25, 2010 meeting were approved on good faith with no opposition.

Review of WIC Member Agency Filed Bills was rendered as follows:

*Louisiana Workforce Commission/ Curt Eysink, Executive Director – The general legislation had been discussed previously, but now there is Bill numbers and sponsors. He went over the Senate Bills that was listed in the handout.*

1. **SB 328** Clean up on the membership the Occupational Forecasting Conference the entity that is currently in the Law doesn’t exist. Senator Murray is sponsoring SB328 to name a new entity that will represent, the Louisiana Minority Supplier Developer Council.

2. **SB 105** Filed by Senator Riser is the reauthorization of the Louisiana Workforce Commission. This has to be done every five years.

3. **SB 537** clean up legislation on the Apprenticeship Bill, Senator Nevers is sponsoring it. It corrects the known legislature and some component with Federal Statue in there also.

4. **HB 1198** sponsored by Senator Katz, integrates major portions of Louisiana Rehabilitation Services into the Workforce Commission from the Department of Social Services.

5. **SB 99** Expands training that is approved for people who are receiving unemployment benefits. It doesn’t pay for the training, its just doesn’t allowed them to be disqualified from unemployment benefits for taking the training.

6. **SB 398** Remove a prohibition between unemployment insurance and workers’ compensation. Information can be shared when investigating fraud between the two organizations.

Chairman Rispone inquired some clarification on SB 99, we are reviewing these Bills that the council wants to support and the association in Workforce Development had a question. If a person is on unemployment insurance and they go into full time training they will not be disqualified from unemployment insurance if they are in training for a demand occupation. But if someone is already in training for a four year degree, they are considered not eligible for unemployment benefits. If they are getting a Pell grant for instant to pay for their education they are eligible for unemployment benefits. This allows them to continue to receive their benefits during the regular time, while they are in this approved training. It prepares people for an occupation that’s going to be there. If they weren’t receiving these benefits it would be more difficult because a lot of them would not be able to get the training. You have to be laid off in order to receive unemployment benefits.

7. **SB 106** sponsored by Senator Riser that was actually pursued last year does a number of things in workers’ comp. It allows a direct order for independent medical examination when there is a dispute over treatment. It require people to report what they expect is fraud and misleading statement within 60 days. It allows for the
investigation of these allegations. It allows for the electronic funds transfer, electronic payment of workers’ comp benefits.

8. HB 1138 is a companion bill; it is the same measure of SB 106.

9. HB 818 is a W.C. Sole Proprietor Exclusion is sponsored by Representative Ponti. The sole proprietor can opt out of workers comp with the agreement with the insurer, the carrier. This is a clean up bill.

10. HB 1223 sponsored by Representative Edwards is a measure to make the workers’ comp second injury fund a reemployment mechanism. It will create a register for injured workers to opt into. If they were hired off of that registry by an employer knowing that they have an injury then the second injury fund can limit the liability on the employer if they get a success with injury. It’s an attempt to make injury workers more employable.

11. SB 639 is a companion measure to HB 1223.

12. HB 1038 sponsored by Representative Ponti makes workers comp mediation voluntary, it is now mandatory.

13. HB 1129 Workers Comp Confidentiality measure which allows the posting of those who carries workers’ comp. Whether you carry it or not are now confidential and we would like to make that open like most other states.

14. HB 1045 is a measure that allows exchange of certain data between Workers’ Comp and the Department of Revenue for fraud detection and investigation.

The Administration is proposing HB 1198. It is mainly a vocational rehabilitation which is a work related program for people with disability. We want to make it a part of the Workforce Commission so that the roll of the expertise that is now present in that program be integrated with the Workforce Commission ability to place people in jobs and improve the placement rate in the out come.

Chairman Rispone proposed a statement on SB 99; there could be opportunities where in particular our trainees and our apprentices, when they are out of work they can go to class fulltime even if it only for two months and still get some kind of compensation and they could catch up on the education side of the program. This is intended to be cover by this Bill. Chairman Rispone asked that Keith Brand and ABC and the Community Technical Colleges look at this Bill and see if it will have that flexibility to help these young people when they are out of work get some kind of compensation and catch up on their class work.

Department of Public Safety & Corrections/Whalen Gibbs – Some of the important pieces of legislation that the Department of Corrections is focusing on were discussed as follows:

1. HB 376 is actually clean up language regarding technical probation and parole violators. Current Law technical violators are required to serve 90 days of incarceration. What they want to do is exclude from this group sex offenders that are required to register and notify. We do not feel that sex offenders that are required to register notify should be eligible for the 90 day replication program.

2. HB 5 Regarding excepting credit cards for payment of fines and fees this is more designed to move the Department of Corrections to the 21st century. Currently they are required to pay by money order, which is costly. We may be able to collect a little more if we are able to accept credit cards and debit cards.

3. HB 990 Creation of a Reentry Council with Workforce Development as a component with Workforce Development work release for certain offenders that are incarcerated with the Department of Corrections. Currently the council is designed more for Workforce Development. We are looking to move the council more into a reentry council that addresses reentry issues globally rather than just one factitive with Workforce Development and also bring addition members on board. And also guide local community as it relates to reentry, the council would develop a strategic plan and they would also assist local entities in so as to developing reentry for their areas as well.
Chairman Rispone asked the question would this particular Bill enter phrase with WIC Council as far as bringing recommendations. What about in the demand occupation of construction, restaurants whatever it is it would behoove us to get a since where this is going. Where are the major jobs, and will it suits and where the training is going.

Whalen Gibbs stated that this is something that the department is actually focused on, and as part of original legislation which was under HB 106 is does require the secretary and the council to work with WIC Council.

Chairman Rispone stated that if there is any uniqueness in work release that we need to get behind for whatever reason political or otherwise is good to know that. And what associations need to be engage to support on make the changes that are required.

Mike Palamone asked how do this affect the local WIB’s? Working with this council is good but the WIB’s is for putting folks back to work.

Whalen Gibbs stated that currently probation and parole does work with the local WIB’s. They developed a program called JCore about five years ago, and there is an on going collaboration with local probation and parole and the WIB’s in their local districts.

4. HB 359 to allow for credit for time served in certain ramifications.
5. HB 418 Requesting that the Warden become an ex-officio member of the board of parole. This mainly to get a point of view from the Warden as that person appears before the parole board.
6. HB 918 Allowing for credit for time served, a good time credit, but a certain offender who was here before is not eligible to earn good time credit. And here we are still excluding violent offenders and sex offenders, but there are some offenders that become habitual offenders.

Department of Education - Patrick Dobard was not available to comment on the handout from the Department of Education. Don Trahan comment on SB 297, Senator Donahue’s Bill which eliminates the division of adult and community education within the Department of Education and transfers the responsibility for adult education programs from BESE to LCTCS. Jimmy Sautell was available from LTCTS to make a comment that this Bill is still in discussion for this transition so that it would take place in the manner that it would be timely and expedited.

For years Adult Education has been under the department of education and now it will go to LTCTS. The significant of the advantages in this program under community technical college is because you are dealing with adults in trying to get not only their GED but some formal training in the technical colleges or the community colleges so that they can continue the process of training.

Chairman Rispone stated that there were more initiatives in the packet from the Department of Education on the Bills that were meeting the WIC Strategic Plan, but we just didn’t have anyone present to explain them to the council.

Curt Eysink stated that while looking through the education packet there are some key things that are in line with the Workforce Investment Council strategy that are not legislated but budget related. Top American Graduates and the funding for that, High School Redesign and ensuring literacy and numeracy for all. These are all very important things that we are trying to get done. These are budgetary items it doesn’t take any legislative approval.

Curt Eysink stated that the Sunset Legislation, the LRS Integration, the approved training and the second injury fund, those Bills are directly aimed at improving the workforce in significant ways. One of our chief focus is the Workforce Commission line of all the sources of people and all the sources of funding that address workforce issues that are solely in that rim. The Workers’ Comp fraud provisions are important for improving the business climate and allowing business growth to happen, but the workforce issues are the ones that are dismissed.

Board of Regents- Dr. Lisa Vosper- the Board of Regents is working on supporting the Governor’s LA GRAD-Act, which stands for Granting Resources and Autonomy for Diplomas which the Governor held a press conference on and parents spent some time with us at our last meeting. The LA GRAD-Act points to several things that impact the work that this council is responsible for and have expressed an interest through the Strategic Planning process. Specifically limited tuition and fee authority to maximize how post secondary education is funded and work. This is going to be included in the
GRAD-Act. There is the autonomy component that the Governor is very interested in and with the support of operational flexibility and greater flexibility to conduct the day to day activities. There are fifteen goals that are lined out in the GRAD-Act. One that specifically focused on the community and technical colleges’ ability to demonstrate progress toward increasing the number of students placed in jobs. In specifically the Governor’s package talks about the performance of an associate degree recipient and how they make their transition to the workforce and to universities. And their passage rate on certification examines including work keys.

Board of Regents is also supporting the Governor’s package on increasing the annual 5 percent cap of cutting dedicated fund budgetary units to 10 percent. And allowing the Governor to tap 10 percent of the support fund of AG and Millennium trust funds for educational purposes during deficit years; this is a new budget package that is forth coming. SB sponsored by Sen. Mike Michot.

The Board of Regents support the authorization of greater health and human service investments by increasing the deposit cap (from 25% to 75%) for the Louisiana from monies resulting from the Master Settlement Agreement. SB sponsored by Sen. Joel Chaisson

They also suppose the effort to allow the Board of Regents and BESE greater flexibility to stabilize their respective education budgets by unlocking dedicated revenue for pressing education needs during very lien and deficit years. SB sponsored by Sen. Mike Michot.

**Action Item** - Workforce Investment Act- Instructions for Online Training- Greg Declouet, Louisiana Workforce Commission discussed the instructions for online training. Online training for the workforce, deals with the public workforce system. This training has been given to all Workforce Investment WIB’s throughout the state of Louisiana. Their board members are currently participating in the online training through a company called Dynamic Works that work with all WIB Boards throughout the United States. It provides training from the front line staff to the board members. It’s takes about two to three hours to complete. There is a test taken at the end of the training consisting of six questions at the end and you get a certificate after you answer these questions. As WIC Council Members by law you have to participate in the online training for the Workforce Investment Act.

**Action Item** – Strategic Plan – Workforce Goal and Benchmarks-Curt Eysink, Executive Director, LWC-Goal #4 of Louisiana Workforce Strategic Plan is to develop a Comprehensive System that Credibly Forecasts and Effectively Communicates Workforce Demand and Identifies Priority Workforce Education and Training Needs.

The Louisiana Workforce Commission vision, mission and values, are to help businesses find people and people find jobs. The Legislation requires us to fill a leadership role, a role of Workforce Development. To make sure that Workforce Development services and customer’s needs are coordinated that they are integrated.

Invigorating and strengthen the LWIA frame work, which gets to the certification of the good books, certifications of the one-stops, training for the WIC, developing stronger and regional partnership and providing better tools at the local and regional level to be successful. We need better information on labor, supply and demand. Better forecast to up the demand and what our needs are going to be. Better coordination on the supply side and better encouragement and use of that forecast to drive people into areas that are going to be in demand or to minimize that mismatch.

Major Workforce challenges are considered generally things that are beyond the scope of a single local workforce investment area or a single agency to address. These could be major layoffs, major hiring events and changes in the economic and could coordinate those efforts to get the best outcome.

One of major drivers is to enlarge the workforce; there are too few people to pick from for hiring. All the strategies we are engaged in some ways address this issue.

Customer Service needs a guide on how we interact with our customers. It’s about getting the results in the time frame our customers require.

To address the budget issues, we have to cut our overhead and keep and eye on it. We need to cut the funding in the field as much as we can.
In about twenty years we are projected as a country to be 30 million people short of the workforce we need to maintain economic health, vitality and growth. A big part of that is driven by baby boomers, aging out of the workforce; if you don’t have people the jobs will go somewhere else. Our workforce is too small to support the kind of growth that we want and the income levels that we want in the state. The number of jobs that are out there is greater than people we have trained for these jobs. That’s the mismatch in our economic and that’s the issue with the labor supply being too small. What we are trying to do is identify what that demand is and to line up the supply of people, resources and training to meet that demand as best as we can.

1. The unemployed- the unemployment system has been well connected to the workforce development system. Before technology there was a better connection than there has been in the last several years because people had to show up somewhere and claim their benefits and they had to register for work. With the advent of call centers and chief of technology some of those connections have been broken and we are trying to reestablish those. We are developing a system that would co-register people when they call for their benefits it co register them for work services. About 60,000 are being paid unemployment benefits every week. Another in the high 20 getting federal funded benefits because have exulted state benefits. There are about 80 to 90 thousand people who are available to work and are not working. We have to integrate them in a better way into the workforce.

2. Injured workers through the workers’ comp system - the mission of the workers’ comp insurance is to protect the integrity of the funds in paid benefits when due.

3. People that are on government aide, food stamps are another tremendous source of labor. They have been disconnected for the workforce. We have a pilot in Lafayette that is exploring ways to better integrate those folks back into the workplace that have been fairly successful. We intend to expand this out to the rest of the state this year.

4. Unengaged people – people working for cash, working part-time or maybe not working at all. We attend to reach these people through our integration with the Department of Social Services and the food stamp program. Also though community and faith based organizations can redirect them to work services.

5. Boomers and Out of State Workers - We will have to develop strategies to keep boomers in the workforce longer. We might have to recruit people from out of state for key jobs that would allow us to create more jobs in Louisiana.

High school alignment is critical for the workforce, we had some presentations from the Department of Education of the things we are doing together to address the dropout issue, the career diploma issue and make sure that the occupations that the students are being exposed to are the demand occupations and that the exposure is there.

The Jobs Outlook is 36,000 new jobs a year through year 2016. A total about 80,000 jobs a year in Louisiana when you add replacement, these are people who retired or moved.

Incumbent Workers Training Program cost about $500 per participant. They experience a 14 percent increase in wages. We trained about 70,000 people through this program. We are partnership with LTCTS and about 70 percent of the training is held through LTCTS through incumbent workers training program.

Workers’ Comp – In 2008 the Governor sat out to create a better business climate in Louisiana. Workforce Development was one of the three key measures in this. The Fraud Investigation in Workers’ Comp is the key to establishing a level playing field through legitimate employers. The number of investigations is up from 2,000 to nearly 3,000 in a year

OSHA Safety Unit is housed in Workers’ Comp and the number of visits to employers is up. By created a more safe work environment; is to keep people out of that system.

The key improvement in workers comp last year is the adoption of approval of medical treatment guidelines. Once these guidelines are put in place they would reduce the dispute time and the number of cases disputed over medical treatment from about 18 months down to about 50 days. We will have a medical director settling disputes involving medical claims, medical treatment issues instead of insurer and other people that are not necessary in the best position to do that. The implementation for those guidelines will be late this year.

Unemployment Insurance – In 2008 we was below 25,000 people a week claiming benefits. In 2009 there was an increase in people claiming benefits a week. In the first two weeks of 2010 we peak at 70,000 people claiming benefits. Since the second week of the year the number of people claiming benefits has been dropping. By the end of 2009 we paid out about
$500,000,000 in unemployment insurance claims and the federal government paid out about $190,000,000 in unemployment insurance claims.

Looking at our budget; historically for the current year, our budget is about $328,000,000 excluding the unemployment claims that comes out of the trust fund, which is not part of this budget. It’s held by the federal treasury it’s not in the state budget. The $328,000,000 is to fund unemployment fund administration, workers’ compensation administration and workforce development administration. Our reduction in staffing has gotten more efficient over the last several years and we are responding to reduction in staff funding.

There are a lot of different initiatives on the way. What we doing in all of our departments are to retool our agency and to work with other agencies to aim at our primary mission to prepare people for the workforce and get them employed. The leadership role at the Workforce Commission as put in by the Legislation goes beyond just the people we touch, its leadership over the system.

Our goal in the WIC Strategic Plan is to deal with Workforce Commission’s performance. The Occupational Forecasting is what defines demand for us. The Legislation requires that we develop a comprehensive demand driven workforce development system. The WIC plays an integral role in this too. Goal #5 the accountability system measures how that is being done as a whole.

The Louisiana Workforce Commission is proposing that Goal #4 be changed to develop a comprehensive, demand-driven workforce development system. That the benchmarks objectives and implementation strategies be changed also.

Some of the objectives:
1. To define demand – The forecast
2. The integration that is required to have the impact that we need.
3. To increase workforce participation

Implementation strategies:
1. Realigning unemployment and workers’ comp to be reemployment services in additional to the statutory mission.
2. To coordinate all job placement and business engagement activities across state agencies.
3. Integrate Louisiana Rehabilitation Services into the LWC.
4. Support training for jobseekers at line up with demand occupation.
5. Support implementation of credible portable credentials and skill assessments.
6. Increasing the awareness of business and industry of the value of what we would typically consider non-traditional sources of labor to their enterprises.

Question: Louis Riene - When seeking unemployment and the question is asked are you in school and you answered yes, you are disqualified for unemployment. Some people don’t know if you are in school training for a job you are not suppose to answer the question as being yes, because you are in training for employment. Is there someway that we can address that in the system where people can understand that these are approved training, you can go there and still get your benefits through the system and not answer the question are you in school when you fill out for benefits?

There are a number of things that are being done to correct some of the bad answers that the agency gets because there are bad questions in that whole claims process. We have been doing some focus groups with claimants and we are rewriting the language. That will be one that we will address also.

Question: Jorge Tarajano – At some point can we come back as a commission and selectively look at completion scores that might be lower if someone is running a training program where they are looking to get a lot of nurses trained. And the chances for nurses maybe to make $60,000 a year, they may not keep them all, we may loose some to other states. But if there is a driver in occupational forecast, would we consider lowering the completion score of those groups through WIA’s, so that we can get the training dollars going where they are needed. There is a barrier right now to some groups and training programs that are concerned while being kept at 60 percent retention.

The targets for these are in negotiation with the feds who sends the money down. As the economy changes there is room to renegotiate, so they don’t get deem for circumstances beyond their control.
Chairman Rispone proposed as far as the strategic plan that the executive committee take up in the April 6th meeting, instead of trying to cover it all at this meeting with comments from the council, if you have any comments. We will rewrite and bring it back for the full council approval on the April 20th.

Mike Mitternight stated at the last meeting we stated that we would look at Goal #6 and Goal #7 at this meeting. Chairman Rispone stated that we will address that at the April 6th meeting with the executive committee.

Dr. Lisa Vosper added that is might not be necessary to consider the goal that she originally talked about, Curt included it in the implementation strategies.

Goal #6 will still be on the table at the April 6th meeting.

**Action Item:** *Industry Based Certifications- Review IBC Council Recommendations-Dr. James Owens, Dept. of Education*

There is currently 45 Industry Based Certifications on the IBC Focus List. Dr. Owens presented to the WIC Council the IBC Proposed Fall 2009 along with representation from each organization.

1. AutoCAD 2009
2. General Service Technician (GST)
3. Barbering
4. Certified Junior Culinarian
5. CompTia Network
6. Meat Processing
7. QuickBooks Certified User

All Certifications for all the IBC Proposal was met at the IBC Council meeting except for the Meat Processing Certification. Dr. Lisa Vosper has some concerns about the certification on the meat processing certifications and the IBC Focus List.

Dr. Paul Theriot addressed the concerns about the certification process and the certification that would be awarded. They have been working with the Louisiana Association of Meat Processing (LAMPA) who basically agreed to be the certifying agent for this certificate. The curriculum was developed in conjunction with some of the local teachers as well as Texas A&M input along with Mr. Aucion who is the agriculture program consultant at the department. In addition to the curriculum a mandatory examine was developed. It is both written and performances based and in establishing that examine sharing that information with the meat processing association for them to award that certificate. They feel that they have addressed the concerns that were raised when they met with the IBC Council.

Dr. Vosper did have some concerns about the Meat Processing Certification, not that she was opposed to it. She was very impressed at the February 23rd meeting of the Industry Based Certification Council that it met many of the criteria. The only concerned is that a credential does not exist on Meat Processing. This cannot be approved by IBC Council because by definition this credential does not yet exist.

Dr. Vosper believe that what LAMPA and the department is preparing to do is still in the developing stages and will become the credential that can mend the issue, but at the time that we reviewed it and even today there is not an issuable credential at that moment. Those that was at the council meeting was very encouraged and educated by the professionals that came and what they shared with us. There a great need for this certification, but we need the credential. And once we have the credential, it should be the first thing that we should do in terms of getting it approved to be included on the focus list. Dr. Vosper recommended that the council would be cautious in establishing this credential. Otherwise we are violating our policy and procedure.

Chairman Rispone suggested that council vote on all of the certifications except of the Meat Processing and then come back and vote on the Meat Processing.

Motion was made by Louis Riene and second by Julie Cherry that the WIC Council accept the certifications for the AutoCAD 2009, General Service Technician (GST), Barbering, Certified Junior Culinarian, CompTia Network, and QuickBooks Certified User be added to IBC Focus List. All was in favor.
Motion was made by Alden Andre that the WIC Council would delay action on the Meat Processing Certification and that it would be put on an agenda for a future day, second by Dr. Lisa Vosper. All in favor said I.

**Action Item** - Review Adult Education State Plan Extension-Debi Faucette, Department of Education – The two action items proposed by the Louisiana Adult Education proposes to the Louisiana State Plan for Adult Education and Family Literacy for FY 2010-2011 are:

1. To requests the permission to amend the FY09-10 extension to the state plans for adult education.
2. The approval of the proposed state extension plan for FY10-11.

The reason why you have two is we came before you last year and got the FY09-10 approved. It is intended for the 09-10 that we would just do a continuation of funding for that period. With the Governor’s announcement that to the proposing legislation changes the government of adult education. We thought is would be in the best interest of all parties if we held an open competition for funds. With a change in govern we want to open of the doors and let all pretentious eligible agencies apply for funds. In order to do that we have to start the process in the FY09-10 year, so that’s why the US Department of Education said you need to go back an amend the current agreement because you made no mention that you would begin the process for an open competition. The amendment simply said that we are going to start the process for open competition for funds and because we are doing this the FY09-10 year we needed to amend the existing extension of the state plan.

We annually come before the WIC Council and request your comment, because one of the rules that we have when we send this extension of the state plan we also have to send along the Governor’s comments about our rules. The Governor years ago designated you as a body to make comments that we would send forth. So what you see in the FY2010-2011extension Those of the two things that you have before you that I’ going to ask for you approval that we present a packet and send it along with all the other assurances and documents that must submit by April 1st to ensure that we get our federal funds of the state plan we did not change any micro use we will govern business as usually based upon the 2008 competition submitted to us by July 1st.

Debi Faucette did not have a copy of the proposed state extension plan for FY10-11 to give to everyone, but she let each member view the copy that she had for their approval. The FY09-10 literally scratched through the words that says; “continuation supplements”, which meant that we would not have a competition and changed it to “an open competition for funds” which the process would begin. This process has not been done yet, but the applications have been released to determine the public programs for July 1st of this year.

Motion to approve this action item was made and approved by all WIC Council Members present.

Next WIC Council meeting will be Tuesday, April 20, 2010.

Executive Committee Meeting will be April 6, 2010 at 9:30 a.m.

Meeting Adjourned at 11:35 a.m.