

## Employment Security Department State Centennial Accord Plan

As mandated in the *Centennial Accord*, each state agency shall “establish a procedure by which the government-to-government policy shall be implemented. This procedure should be called the “*Centennial Accord Plan*” and will be developed by each state agency in conjunction with the tribes. In the development of these plans, the guiding principles and critical elements identified above in this Section should be utilized. Please feel free to submit attachments.

The key components of the *Centennial Accord Plan* should include:

### **1. Programs**-List of programs and/or services available to tribes.

#### **WorkFirst**

Consistent with the goals of the federal welfare law, WorkFirst goals are to encourage personal responsibility and work opportunities for needy, low-income families on public assistance, and reinforce the temporary nature of welfare. Workfirst is committed to working with tribes, employers, local government, the business community, labor and educational institutions to create adequate educational and work opportunities to lift families out of poverty.

WorkFirst Program features include:

- Job Search Assistance – WorkFirst provides an intensive 30-hour workshop where participants learn how to conduct an effective job search. Topics covered in the workshop include: goal setting and skills assessment, employer expectations and keeping a job, job search techniques, employment applications and resumes and employment interviews. The workshop is the first step in a structured 12-week program called Job Search.
- Job Success Coach Initiative –Personal Job Success Coaches work with WorkFirst participants after they have entered employment to help them stay on the job and advance in wages. Coaches guide WorkFirst job seekers out of entry level positions to higher paying jobs by providing them with intensive one-on one-services. They help WorkFirst participants create individual and training plans for achieving their work goals, then support and encourage them as they develop their careers. Coaching services are targeted toward those who are most likely to return to TANF or lose employment without intervention.
- Customized Training for a Particular Job - WorkFirst emphasizes the importance of gaining skills through job training in helping families support themselves. The state community and technical colleges provide short-term training designed specifically for local employers who hire from the training classes.
- Earned Income Tax Credit – WorkFirst provides information and assistance to participants regarding the Federal Earned Income Tax Credit (EITC). EITC assistance is part of WorkFirst’s total package to help participants advance out of

poverty. The EITC provides up to \$3,888 a year for low-income workers. Workers with children can opt to receive part of their EITC with their regular paychecks and **1.**

**1. Programs continue:**

claim the remainder at tax time. Moreover, if a family's EITC benefit exceeds its income tax liability, the IRS will refund the difference.

WorkFirst Post-Employment Labor Exchange (WPLEX) – WPLEX is a telephone call center that contacts WorkFirst participants who have gone to work to offer them services to get better paying jobs. WPLEX makes services available to clients in their own homes at their convenience, including evenings and weekends. Services WPLEX provides include:

- Job referrals, interview techniques and resume writing
- Direct referrals to community and technical colleges to explore training options
- Facts about the Earned Income Tax Credit, which can give clients a bigger annual refund or increased take-home pay
- Information pertaining to food stamps, medical assistance, childcare, transportation and other assistance programs

**Unemployment Insurance**

UI benefits are intended to provide partial wage replacement for workers who are unemployed through no fault of their own to temporarily meet expenses while looking for work; benefits are not paid based on financial need.

Unemployment Insurance is funded by taxes paid by employers. The money to pay unemployment insurance benefits comes from a state payroll tax levied on employers. The amount employers pay depends on the number of their employees who actually receive benefits from the program. Although most employers are liable for payment of the tax, some are exempt and some can choose to reimburse the state for actual benefits paid out instead of participating in the tax program.

In accordance with Guide Update 3-01, businesses owned by Indian Tribes, including tribal enterprises like casinos, as well as schools and medical clinics, will have the option to choose either a taxable or reimbursement payments method.

The Washington State Legislature has passed Engrossed Substitute Senate Bill (ESSB) 6007 to require that benefits be paid to employees of tribally-owned businesses in the same amount, on the same terms and subject to the same conditions as benefits paid to all other claimants covered under Title 50 RCW.

**Labor Exchange**

Local centers statewide provide information, access to technology and services to job seekers and businesses.

Services for job seekers include:

- ◆ free use of computers, copiers, phones, faxes, and other career resources
- ◆ Internet access to jobs
- ◆ Job referral and placement
- ◆ Classes on how to get and keep a job

- ◆ Information on the fastest growing jobs and wages
- ◆ Referral to training and other community services

**1. Programs continue-**

- ◆ Access to Unemployment Insurance
- ◆ Translation services

Services for businesses include:

- ◆ Computer job-matching
- ◆ Electronic job postings and resume banks
- ◆ Help with recruitment and layoffs
- ◆ Assistance arranging customized training
- ◆ Information on business, industry and economic trends
- ◆ Workplace consultations

In addition, services are delivered to customers and employers across the state in a variety of ways, including:

- ◆ Self-directed efforts, such as kiosks or via the Internet
- ◆ Group programs and activities, such as workshops
- ◆ One-on-one consultations
- ◆ Training programs and business consultations

**Workforce Investment Act (WIA)**

The purpose of WIA is to develop employment and training programs designed to prepare low income adults and youth facing serious barriers to employment for entry or re-entry into the labor force. It also provides retraining and reemployment assistance to eligible dislocated workers.

In addition to offering the services listed under the Labor Exchange section, WIA provides funding for the following services to those individuals who do not find employment through Core Services:

- ◆ Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, such as diagnostic testing and use of other assessment tools; and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- ◆ Development of an individual employment plan to identify the employment goals, appropriate achievement objectives, and appropriate combination of services to achieve the goals;
- ◆ Group counseling;
- ◆ Individual counseling and career planning;
- ◆ Case management for participants seeking training;
- ◆ Short-term pre-vocational services, such as development of learning skills, communication skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training.

Training Services are available for eligible individuals who did not get a job from Core Services or after Intensive Services.

## 1. Programs continue-

Training may include:

- ◆ occupational skills training in a local demand occupation
- ◆ on-the-job training
- ◆ private sector training programs
- ◆ combined workplace training with related instruction
- ◆ skill upgrade and retraining
- ◆ entrepreneurial training, job readiness training
- ◆ adult education and literacy
- ◆ customized training

Supportive services to help complete training and get a job are also included.

WIA funding also provides youth ages 14 through 21 with the tools necessary to make sound decisions regarding their future and career choices.

## 2. Funding Distribution-List of funding distribution methods currently available to tribes.

**WorkFirst** – Tribes can obtain services in three ways:

1. Federally recognized Tribes can opt to obtain and administrate their own federal funds to provide TANF assistance to their tribal members. Tribal TANF plans are approved by the federal government and can receive funding directly from the federal government.
2. Should a Tribe choose not to deliver one or more TANF service(s), their tribal members will be eligible to receive those services through local WorkFirst offices statewide.
3. Tribes can also contract with WorkFirst to provide services to tribal members. Tribal government to government contracts recognize that tribes are the best entity to provide services to Tribal members. Contracts have been successful, as the Tribes have been able to assist their members in going to work.

**Unemployment Insurance** - Businesses owned by Indian Tribes will have the option to choose either a taxable or reimbursement payments method.

**WIA-** The majority of funds that come to the State for WIA are passed through to local Workforce Development Councils (WDCs) to establish one-stop systems and serve WIA eligible priority adults, dislocated workers and youth. There are twelve geographic workforce development areas in the state of Washington, each of which has a Council. At the state level, these programs are administered and funds awarded in pass through grants by the Employment Security Department in Washington State.

Funds for Native American Programs are made directly available to tribes and tribal organizations from the Department of Labor. The programs are administered and operated locally by Indian Tribes, tribal organizations, or qualified Indian –controlled **Funding Distribution continue:**

organizations and administered by the Department of Labor. Those awarded funds are considered Native American Grantees.

**3. Definitions-**Detailed definitions of relevant terms as they apply to agencies

**Benefits** – the compensation payable to an individual with respect to his unemployment.

**Contracts** – Government to Government procedures.

**Dislocated Worker-** Laid off workers with outdated skills. Workers who are unemployed due to a mass layoff and/or business closure.

**ESD-** Employment Security Department

**JSCI** – Job Success Coach Initiative

**Reimbursable Employer** - Certain nonprofit organizations, State or local government and political subdivisions which elect or are required to pay into the State unemployment fund a sum in lieu of contributions as provided in the State unemployment compensation law.

**TANF-** Temporary Assistance for Needy Families

**Taxable Payroll** - The dollar value of all wages subject to the unemployment insurance tax.

**Youth-**Individuals age ages 14 through 21.

**WIA-**Workforce Investment Act of 1998. A major Federal reform of the nation's job training system.to increase the employment, retention and earnings of participants, and increase occupational skill attainment by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation.

**WorkFirst-** The state’s welfare reform program which provides support services and activities to TANF recipients and low-income families so they can find jobs, keep jobs, and become self-sufficient.

**WPLEX-** WorkFirst Post Employment Labor Exchange

**4. Consultation Process-Procedures** (including policy development, program development and implementation of funds distribution).

Employment Security Department (ESD) is committed to the consultation process as outlined in Section II, of the Government to Government Implementation Guidelines.

#### **4. Consultation Process-Procedures continue:**

ESD will work on strengthening its relationship with Tribal leaders and work cooperatively on issues of mutual concerns. An ESD Indian Policy Coordinator designated by the Commissioner is charged with the overall coordination of department relations with American Indian governments, communities and participants.

The ESD Indian Policy Coordinator is committed to:

- Consult the tribes on matters that directly impact them,
- Build upon already established relationships and on going relationships,
- Respond and participate in the consultation process,
- Recognize that tribes are traditionally, culturally and administratively different from each other,

The ESD Indian Policy Coordinator shall be present at:

- Indian Policy Advisory Committee meetings,

#### **Consultation Process-Procedures continue -**

- Government to Government meetings, and
- Meetings that address Employment Security Department and tribal issues.

The ESD Indian Policy Coordinator shall continue to visit the reservations and meet with Tribal leaders as needed to maintain open lines of communication and resolve issues of mutual concern.

#### **5. Dispute Resolution Process-**Describes dispute resolution processes and outlines when particular processed may be used.

A dispute between the parties shall be processed in the following manner:

Disputes shall be determined by a Dispute Board in the following manner: Each party to this Agreement or any Program Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, contract terms, and applicable statutes and regulations and make a determination of the dispute. As an alternative to the Dispute Board, either of the parties may request intervention by the Governor prior to or following determination by the Dispute Board. These dispute resolution procedures shall not modify or reduce either party's rights to judicial proceedings.

It is recognized that these Plans will vary among state agencies. However, the basic policy and guidance included in these *Government-to-Government Implementation Guidelines* should govern the development of these Plans and be embraced by both state

and tribal officials. Each state agency *Centennial Accord Plan* should be completed prior to the Annual State/Tribal Centennial meeting. These Plans will be included as attachments to this document and reviewed annually and updated as necessary.