

**Local Area Subsequent Designation and
Local Board Recertification Application
For Program Year 2023-25**

Local Workforce Development Area

NOVA Workforce Development Area

Application for Local Area Subsequent Designation and Local Board Recertification

This application will serve as your request for Local Workforce Development Area (Local Area) subsequent designation and Local Workforce Development Board (Local Board) recertification for Program Year (PY) 2023-25 under the *Workforce Innovation and Opportunity Act* (WIOA).

If the California Workforce Development Board (CWDB) determines the application is incomplete, it will either be returned or held until the necessary documentation is submitted. Please contact your [Regional Advisor](#) for technical assistance or questions related to completing and submitting this application.

NOVA Workforce Development Area

Name of Local Area

456 West Olive Avenue

Mailing Address

Sunnyvale, CA 94088

City, State, ZIP

May 24, 2023

Date of Submission

Marléna Sessions, NOVAworks Director

Contact Person

(408) 730-7837

Contact Person's Phone Number

Local Board Membership

The WIOA Section 107(b)(2)(A) through (E) states the requirements for nominating and selecting Local Board members:

1. Provide the names of the individuals appointed for each membership category listed below or
2. Attach a roster for the current Local Board.

Category: Business – WIOA Section 107(b)(2)(A) requires that business members constitute a simple majority of the Local Board, and WIOA Section 107(b)(3) states that the chairperson shall also be a member under this category. Specifically, a majority of the Local Board’s business members shall constitute the following representatives under this membership category:

- Owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority.
- Representatives of businesses, including small businesses or business organizations.
- Individuals appointed by those who have been nominated by local business organizations and business trade associations.

Please list the Local Board’s business members and identify the chairperson by typing CHAIR after their name:

LOCAL BOARD BUSINESS MEMBERS				
Name	Title	Entity	Appointment Date	Term End Date
Thomas Baity	Market Manager	Manpower Group	2021	2025
Greg Biggs	CEO	Vander-Bend Manufacturing	2022	2026
Christopher Galy	Consultant	Findem	2021	2025
Stephen Levy	Director	Center for Continuing Study of CA Economy	2021	2025
Anita Manwani	Founder and Principal	Carobar Business Solutions	2022	2026
Jennifer Morrill (CO-CHAIR)	Legal	Watershed	2022	2026
Michelle Nemits	Executive Director	Biocom California	2021	2025
Stacey Porter	V.P. of People Operations	Outset Medical	2022	2026
Andy Switky (CO-CHAIR)	Founder/Healthcare Strategy & Design Consultant	Code Name Collective	2021	2025
Kirk Vartan	General Manager	Slice of New York	2021	2025
Mrinalini Vittal	Senior V.P. and Chief People Officer	PROCEPT BioRobotics	2022	2026
Nate Williams	Director & Operating Executive	THL	2021	2025

Category: Labor – At least 20 percent of the Local Board members shall be labor representatives from the Local Area’s workforce. Specifically, the Local Board shall have labor representatives under this membership category from the following entities (WIOA 107[b][2][B]):

- Labor organizations (for a Local Area in which employees are represented by labor organizations) and who have been nominated by local labor federations, or (for a Local Area in which no employees are represented by such organizations) other representatives of employees.
- A member of a labor organization or a training director from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists.

Members may be representatives from community-based organizations with demonstrated experience and expertise in addressing the employment needs of individuals with barriers to

employment, veterans, or individuals with disabilities; and organizations with demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth and/or out-of-school youth.

California Unemployment Insurance Code (CUIC) Section 14202(b)(1) further requires and specifies that at least 15 percent of Local Board members shall be representatives of labor organizations unless the local labor federation fails to nominate enough members. For a Local Area in which such organizations represent no employees, other representatives of employees shall be appointed to the Local Board, but any Board that appoints representatives of employees not nominated by local labor federations must demonstrate that no employees are represented by such organizations in the Local Area.

List the Local Board’s labor members:

LOCAL BOARD LABOR MEMBERS				
Name	Title	Entity	Appointment Date	Term End Date
David Bini	Executive Director	Labor/SCC and SBC Building & Construction Trades Council	2021	2025
Jean Cohen	Executive Officer	Labor/South Bay Labor Council	2022	2026
Julie Lind	Secretary/Treasurer	Labor/SMC Central Labor Council	2022	2026
Brian Murphy	Director of Training	Labor/Pipe Trades Training Center/Registered Apprenticeship	2022	2026
Russell Brunson	Director of Administrative Services	Move to Work and P.R.I.D.E. (SCC Housing Authority)	2021	2025
Poncho Guevara	Executive Director	Sacred Heart Community Service	2021	2025

Category: Education – WIOA Section 107[b][2][C] requires that each Local Board include members who represent entities that administer education and training activities in the Local Area. Specifically, the Local Board shall have education representatives under this membership category from the following entities:

- Eligible Title II adult education and literacy providers; and
- Institutions of higher education providing workforce investment activities.

Members may be representatives from local educational agencies and community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment.

List the Local Board’s education members:

LOCAL BOARD EDUCATION MEMBERS				
Name	Title	Entity	Appointment Date	Term End Date
Christine Berdiansky	Program Administrator	Santa Clara Adult Education	2022	2026
Judy Miner	Chancellor	Foothill-De Anza Community College District	2020	2024

Category: Economic and Community Development – WIOA Sections 107[b][2][D] and [E] require each Local Board to include governmental, economic, and community development representatives under this membership category from the following entities:

- Economic and community development organizations.
- The state’s employment service office under the *Wagner-Peyser Act*.
- Programs carried out under Title I of the federal *Rehabilitation Act*.

A Local Board may have representatives from transportation, housing, and/or public assistance agencies; philanthropic organizations; and/or an individual or representatives of entities determined to be appropriate by the local CEO.

List the Local Board’s economic and community development members:

LOCAL BOARD ECONOMIC AND COMMUNITY DEVELOPMENT MEMBERS				
Name	Title	Entity	Appointment Date	Term End Date
Rosanne Foust	President & CEO	San Mateo County Economic Development Association	2020	2024
Nelson Leonor	Employment Program Manager	CA Employment Development Department	2021	2025
Theresa Woo	Regional Director of SF and SJ District	CA Department of Rehabilitation	2022	2026

Performed Successfully

The Local Area hereby certifies that it has performed successfully, defined as having an Individual Indicator Score of 50% or higher in PY 20-21 OR PY 21-22, as described in Workforce Services Directive *Calculating Local Area Performance and Nonperformance* (WSD20-02) dated September 18, 2020, for the following primary indicators of performance:

- Employment Rate 2nd Quarter After Exit
- Median Earnings

Note: Please report your “performance score” rather than the “adjusted level of performance.”

PY 20-21 Individual Indicator Scores		
Indicators of Performance	Adults	Dislocated Workers
Employment Rate 2 nd Quarter After Exit	<u>52.0%</u>	<u>56.5%</u>
Median Earnings 2 nd Quarter After Exit	<u>\$11,722</u>	<u>\$20,492</u>
PY 20-21 Individual Indicator Scores		
Indicators of Performance	Youth	
Employment or Education Rate 2 nd Quarter after Exit	<u>84.5%</u>	
Median Earnings	<u>\$4,622</u>	

PY 21-22 Individual Indicator Scores		
Indicators of Performance	Adults	Dislocated Workers
Employment Rate 2 nd Quarter After Exit	<u>59.4%</u>	<u>66.1%</u>
Median Earnings 2 nd Quarter After Exit	<u>\$14,662</u>	<u>\$22,570</u>
PY 21-22 Individual Indicator Scores		
Indicators of Performance	Youth	
Employment or Education Rate 2 nd Quarter after Exit	<u>82.0%</u>	
Median Earnings	<u>\$5,377</u>	

Sustained Fiscal Integrity

The Local Area hereby certifies that it has not been found in violation of one or more of the following during PY 20-21 or PY 21-22:

- *Final determination of significant finding(s)* from audits, evaluations, or other reviews conducted by state or local governmental agencies or the Department of Labor identifying issues of fiscal integrity or improperly expended funds due to the willful disregard or failure to comply with any WIOA requirement.
- *Gross negligence* – defined as a conscious and voluntary disregard of the need to use reasonable care, which is likely to cause foreseeable grave injury or harm to persons, property, or both.
- *Failure to observe accepted standards of administration* – Local Areas must have adhered to the applicable uniform administrative requirements set forth in Title 2 *Code of Federal Regulations* (CFR) Part 200.

Certify No Violation:

Engaged in Regional Planning

Engaged in regional planning is defined as participating in and contributing to regional planning, regional plan implementation, and regional performance negotiations. The Local Area hereby certifies that it has participated in and contributed to regional planning and negotiating regional performance measures in the following ways:

The NOVA Workforce Development Area has actively engaged in regional planning and regional plan implementation. Activities include:

- Served in a leadership role, on behalf of the three workforce boards in the Bay-Peninsula RPU (BPRPU) region, for the past six years. In addition, NOVA is providing Regional Organizer responsibilities.
- Provided leadership in the development of the regional plan that was approved by the NOVA Workforce Board on January 25, 2023, and by the Sunnyvale City Council (CEO) on March 21, 2023.
- Participated in negotiating WIOA performance measures as a region representing three workforce boards.
- Took part in regular meetings and conversations with the workforce board directors in the region to discuss regional plan implementation strategies and to create a more cohesive regional service-delivery system.

- The NOVA Workforce Area has been actively engaged in the planning and delivery of many regional initiatives, which have helped to align industry engagement, support the development of regional career pathways, and implement the Regional Plan. For example, for the Regional Plan Implementation (RPI) 4.0 grant, BPRPU launched an innovative systems-change initiative, "Advancing Equity through Skills Based Hiring" to train employers, using the Markle Foundation "Skillful" methodology, promoting skills-based hiring versus credential-based hiring to reduce hiring biases and promote greater equity and inclusion. BPRPU partnered on the federal "Comprehensive and Accessible Reemployment through Equitable Employment Recovery" (CAREER) grant to provide employment services to dislocated workers impacted by COVID-19 and other barriers. BPRPU partnered on the Regional Equity and Recovery Partnership (RERP) grant to deliver training and career paths for diverse populations in cybersecurity, mechatronics, and cloud computing sectors. And, finally, the region is partnering on the State of California Community Economic Resilience Fund (CERF) initiative to promote a sustainable and equitable economic future for the region's jobseekers, employers, and community stakeholders.

Local Area Assurances

Through PY 23-25, the Local Area assures the following:

- A. It will comply with the applicable uniform administrative requirements, cost principles, and audit requirements (WIOA Section 184[a][2] and [3]).

Highlights of this assurance include the following:

- The Local Area's procurement procedures will avoid acquisition of unnecessary or duplicative items, software, and subscriptions (in alignment with Title 2 CFR Section 200.318).
- The Local Area will maintain and provide accounting and program records, including supporting source documentation, to auditors at all levels, as permitted by law (Title 2 CFR Section 200.508).

Note that failure to comply with the audit requirements specified in Title 2 CFR Part 200 Subpart F will subject the Local Area to potential cash hold (Title 2 CFR Section 200.338).

- B. All financial reporting will be done in compliance with federal and state regulations and guidance.

Highlights of this assurance include the following:

- Reporting will be done in compliance with Workforce Services Directive *Monthly and Quarterly Financial Reporting Requirements* (WSD19-05), dated December 4, 2019.

- All close out reports will comply with the policies and procedures listed in *WIOA Closeout Requirements* (WSD16-05), dated July 29, 2016.

Note that failure to comply with financial reporting requirements will subject the Local Area to potential cash hold (Title 2 CFR Section 200.338).

- C. Funds will be spent in accordance with federal and state laws, regulations, and guidance.

Highlights of this assurance include the following:

- The Local Area will meet the requirements of the *CUIC Section 14211*, to spend a minimum of 30 percent of combined total of WIOA Title I adult and dislocated worker formula fund allocations on training services.
 - The Local Area will not use funds to assist, promote, or deter union organizing (WIOA Section 181[b][7]).
- D. The Local Area will select the America's Job Center of CaliforniaSM operator(s) through a competitive procurement process, such as a Request for Proposals, unless designated or certified as an operator with the agreement of the local CEO and the Governor (WIOA Section 121[d][2][A] and 107[g][2]).
- E. The Local Area will collect, enter, and maintain data related to participant enrollment, activities, and performance necessary to meet all CalJOBSSM reporting requirements and deadlines.
- F. The Local Area will comply with the nondiscrimination provisions of WIOA Section 188 and 29 CFR Part 38, including the collection of necessary data.
- G. The Local Area will engage in and contribute to, regional planning and regional plan implementation (for example, the Local Area has participated in regional planning meetings and regional plan implementation efforts, and the Local Board and local CEO have reviewed and approved the regional plan and two-year modifications).
- H. The Local Area will participate in regional performance negotiations.
- I. The Local Area will comply with CWDB policies and guidelines, legislative mandates and/or other special provisions as may be required under federal law or policy, including the WIOA or state legislation.
- J. Priority shall be given to veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career and training services funded by WIOA Adult funding (WIOA Section 134[c][3][E] and *Training and Employment Guidance Letter* [TEGL] 10-09, and TEGL 19-16).

Application Signature Page

By signing the application below, the local CEO and Local Board Chair request subsequent designation of the Local Area and recertification of the Local Board. Additionally, they agree to abide by the Local Area assurances included in this application.

Local Workforce Development Board Chair

Local Workforce Development Board Chair

Signature

Jennifer Morrill

Name

NOVA Workforce Board Co-Chair

Title

Date

Signature

Andy Switky

Name

NOVA Workforce Board Co-Chair

Title

Date

Local Chief Elected Official

Signature

Honorable Larry Klein

Name

Mayor, City of Sunnyvale

Title

Date