Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Friday, April 08, 2011 3:09 PM
To: 'Doug Swanson'
Cc: Alisha Ashley, National Representative
Subject: RE: Cancel Monday Meeting

You too Grandpa - even though I suspect your Grands require a little more, since they're older. See you next seek. BF.

From: Doug Swanson [mailto:swanson@aft-wisconsin.org]
Sent: Friday, April 08, 2011 2:55 PM
To: Franks, William - DWD
Cc: Alisha Ashley, National Representative
Subject: Re: Cancel Monday Meeting

thanks Bill

enjoy the weekend, get that grandson out shooting some hoops

doug

Sent from my iPad

On Apr 8, 2011, at 2:07 PM, "Franks, William - DWD" <William.Franks@dwd.wisconsin.gov> wrote:

> Doug - we have the same room same time. Let's see how the other Stewards respond. BF.
>
> ---
>
> **From:** Doug Swanson [mailto:swanson@aft-wisconsin.org]
> **Sent:** Friday, April 08, 2011 2:06 PM
> **To:** Franks, William - DWD
> **Cc:** Alisha Ashley, National Representative
> **Subject:** RE: Cancel Monday Meeting
>
> a different room really wont mater but I would like to get together again on Thursday. if it has to be after work, I'll buy the first beer
>
> thank you for all that you do
>
> doug
>
> ---
>
> **From:** Franks, William - DWD [mailto:William.Franks@dwd.wisconsin.gov]
> **Sent:** Friday, April 08, 2011 1:54 PM
> **To:** Doug Swanson
> **Cc:** Alisha Ashley, National Representative
> **Subject:** RE: Cancel Monday Meeting

Lemme see what the rooms looks like - I'll try and schedule same one, same time if possible. BF.

From: Doug Swanson [mailto:swanson@aft-wisconsin.org]
Sent: Friday, April 08, 2011 1:53 PM
To: Franks, William - DWD
Cc: Alisha Ashley, National Representative
Subject: RE: Cancel Monday Meeting

Thank Bill, I got your voice mail as well. Room 303 Tuesday Noon to 1:00 with the DCF and DWD stewards. Can we do a follow up debrief on Thursday, same time and place to learn what you all are hearing?

In Solidarity,

doug

From: Franks, William - DWD [mailto:William.Franks@dwd.wisconsin.gov]
Sent: Friday, April 08, 2011 11:04 AM
To: Doug Swanson
Subject: Cancel Monday Meeting

No GEF I Meeting on Monday - Tuesday with DCF & DWD Stewards (GEF I) Noon - 1:00 PM. BF.

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Friday, April 08, 2011 8:25 AM
To: Palzkill, Bruce R - DWD
Cc: Lopez, Juan Jose - DWD; Duffin, Jamie - DWD
Subject: FW: MOA 2010-2012

Attachments: MOA 2010-2012_Transmittal Letter.doc; MOA 2010-2012_Table of Contents.doc; MOA 2010-2012_Introduction.doc; MOA 2010-2012_Element 1.doc; MOA 2010-2012_Element 2.doc; MOA 2010-2012_Element 3.doc; MOA 2010-2012_Element 4.doc; MOA 2010-2012_Element 5.doc; MOA 2010-2012_Element 6.doc; MOA 2010-2012_Element 7.doc; MOA 2010-2012_Element 8.doc; MOA 2010-2012_Element 9.doc

Bruce if you have time, please look at Elements "Into", "I" & "II" most of the Wagner Peyser references are in those portions. The Table of Contents has everything. If you need to see Exhibits, let me know. Thanks. BF.

From: Lopez, Juan Jose - DWD
Sent: Thursday, April 07, 2011 4:53 PM
To: Pawasarat, Jane - DWD; Rozek, Allison J - DWD; Denis, Gary J - DWD
Cc: Cox, Brian D - DWD; Franks, William - DWD; Tranchita, JoAnn M - DWD; Valentine, Rosemary - DWD; Trimble, Julie - DWD
Subject: MOA 2010-2012

Jane, Allison and Gary,

The following is a draft of the 2010-2012 MOA. Please review and send me any comments you may have. As a reminder, we plan to submit an electronic copy to the CRC on Monday, April 11th, 2011.

Electronic copies of all of the documents for the MOA can be accessed at <S:\DET\BPMITC\Civil_Rights \Methods of Administration(MOA)-DOL\METHODS OF ADMINISTRATION 2011-2013>

Thank you.

Transmittal Letter:

MOA
012_Transmitta

Table of Contents:

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)12_Introductio

Element 1 - Narrative:

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Element 2 – Narrative

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)12_Element 2.c

Element 3 – Narrative

MOA
)12_Element 3.c

Element 4 – Narrative

MOA
)12_Element 4.c

Element 5 – Narrative

MOA
)12_Element 5.c

Element 6 – Narrative

MOA
)12_Element 6.c

Element 7 – Narrative

MOA
)12_Element 7.c

Element 8 – Narrative

MOA
)12_Element 8.c

Element 9 – Narrative

MOA
)12_Element 9.c

Juan José López
Bureau Director
Department of Workforce Development

Division of Employment & Training
201 E. Washington Ave., Room G-100
Madison, WI 53707
608.266.0002
608.261.8506 Fax
JuanJose.Lopez@dwd.wisconsin.gov
Wisconsin is Open for Business!

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Friday, April 08, 2011 8:17 AM
To: 'JK Wilkes'
Subject: RE: Wis. Supreme Court...County corrects vote, gives Prosser 7500 vote lead; officials question system reliability

Stay tuned is right. Until we have a final tally, I'm going to behave as if this is not even happening - this has a long way to go, even longer now, in the face of this debacle (human error indeed.) BF.

From: JK Wilkes [mailto:12jkwilkes17@charter.net]
Sent: Thursday, April 07, 2011 9:56 PM
Subject: Wis. Supreme Court...County corrects vote, gives Prosser 7500 vote lead; officials question system reliability

Wis. Supreme Court Race: County corrects vote, gives Prosser 7500 vote lead; officials question system reliability

A conservative-leaning Wisconsin county is correcting its count and giving an unofficial 7,500-vote lead to the incumbent in the hotly contested state Supreme Court race seen as a referendum on Republican Gov. Scott Walker's divisive union rights law.

Waukesha County Clerk Kathy Nickolaus said Thursday that the correct number of votes weren't reported to The Associated Press on Tuesday due to "human error...

Nickolaus' decision to go it alone in how she collects and maintains election results has some county officials raising a red flag about the integrity of the system.

Nickolaus said she decided to take the election data collection and storage system off the county's computer network - and keep it on stand-alone personal computers accessible only in her office - for security reasons...

Director of Administration Norman A. Cummings said because Nickolaus has kept them out of the loop, the county's information technology specialists have not been able to verify Nickolaus' claim that the system is secure from failure.

OK, whiplash time.

Yesterday when AP reported total vote with Kloppenburg ahead by 204, Prosser's campaign posted an ad seeking funds for a recount. Now they are asking support for a "Victory Fund."

Everybody's talking recount here. And since two GOP counties have now revised their totals in favor of Prosser (the other was Winnebago County), reports are coming through that Clerks in various counties are now "canvassing" their counts.

It may not be Florida 2000 again, but it could be more like the 2008 US senate race in which a protracted recount battle ultimately sent Democrat Al Franken to DC.

We'll see. Stay tuned....KW

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Thursday, April 07, 2011 3:29 PM
To: 'chiefsteward@hotmail.com'
Subject: FW: PRESS RELEASE!
Attachments: PR.AnotherProsecutorLayoffNotice.doc; OSER.OpenLett.toDirector.doc; OSER Layoff Notice.pdf; OSER.MOU.Cover.Letter.pdf

---

From: Franks, Barbara N. [mailto:Barbara.Franks@da.wi.gov]
Sent: Thursday, April 07, 2011 3:17 PM
To: bnfranks@chorus.net; Franks, William - DWD
Subject: FW: PRESS RELEASE!

From: DeCecco, Joe
Sent: Thursday, April 07, 2011 1:17 PM
To: *DA ALL PROSECUTORS
Subject: PRESS RELEASE!

Sent out a few minutes ago.

Joe

OFFICE OF THE DISTRICT ATTORNEY
SHEBOYGAN COUNTY

Joe DeCecco
District Attorney

615 North 6th Street
Sheboygan, WI 53081-4692

Telephone (920) 459-3040
Fax (920) 459-4383

Deputy District Attorney
James P. Van Akkeren

Assistant District Attorneys
•Jennifer A. Bork •James A. Haasch
•Nathan Haberman •Christopher W. Stock
•Joel Urmanski •Mary T. Wagner

PRESS RELEASE

DATE: **April 7, 2011**
RELEASE: **IMMEDIATE**
CONTACT: **Joe DeCecco/(920) 459-3040**
RE: **State Bullying, Intimating Prosecutors Yet Another Permanent Lay-Off Notice**

Sheboygan County District Joe DeCecco today condemned the Office of State Employee Relations [OSER] for issuing the second permanent lay off notice to state prosecutors in two months (the first by Governor Walker when he couldn't get his Budget Repair Bill passed). Prosecutors throughout the state were notified by OSER Director Gregory Gracz yesterday that, unless the prosecutors agree to take an additional six (6) days of unpaid furloughs by *June 30, 2011*, they will face re-classification affecting all their benefits including vacation, sick, and holiday leaves, state contributions to their pension funds and, in some cases, force prosecutors to contribute 50% to their health care premiums. DeCecco noted that prosecutors are finishing up their agreed to 10 day unpaid furloughs for the current two year budget.

"This is intimidation, pure and simple in my mind," DeCecco stated. "If prosecutors don't agree to waive their negotiated limit of five (5) days furlough per year, *which the State agreed to in their current contract*, OSER will reduce their classifications affecting not only their pay, but all benefits."

DeCecco noted that the previous OSER administration tried the same threat of permanent lay-offs last year, but, after public coverage and the support of law enforcement agencies and District Attorneys from around the state, quietly dropped their demand. "Now, with a new Administration in power, OSER has decided to threaten state prosecutors again with their arrogant, bullying tactics, and to implement the additional six days furlough within two and a half months. Don't they realize the havoc that will create in the criminal justice system? Do they have any concern about public safety or is their bottom line only to embrace the 'state is broke' phrase?", DeCecco asked.

In an open letter to OSER Director Gracz [*attached*], DeCecco pointed out that state prosecutors are the last link in the criminal justice chain, that only prosecutors may file and prosecute criminal charges regardless of the number or high quality of law enforcement investigations and arrests. DeCecco also emphasized the severe state prosecutor shortage of 117 prosecutors, as determined by the non-partisan Legislative Audit Bureau [LAB], that has forced many District Attorney offices around the state to minimally function in the exercise of their sworn duties, and notes that his seven member office has been determined to be five (5) full-time prosecutors shy of what their case load demands by the LAB.

"When will this pummeling of state prosecutors end?," asked DeCecco. "Is public safety so low on this Administration's list that they will lay-off prosecutors?

END

[Open Letter to OSER, OSER Letters to Prosecutors, OSER proposed MOU, all attached to Email]

OFFICE OF THE DISTRICT ATTORNEY
SHEBOYGAN COUNTY

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District Attorney

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Assistant District Attorneys
•Jennifer A. Bork •James A. Haasch
•Nathan Haberman •Christopher W. Stock
•Joel Urmanski •Mary T. Wagner

April 7, 2011

Gregory L. Gracz, Director
Office of State Employment Relations [OSER]
101 E. Wilson Street, 4th Floor
P.O. Box 7855
Madison, WI 53707-7855

RE: **Permanent Lay-Off of State Prosecutors**

Dear Director Gracz:

I am in receipt of copies of two of your letters dated April 6, 2011 addressed to Association of State Prosecutors President David Feiss, as well as your proposed Memorandum of Understanding [MOU]. As the elected District Attorney of Sheboygan County, I must express my outrage over your threats and, quite frankly, bullying tactics to force Assistant District Attorneys [ADAs] to accept an additional six (6) days of furlough *prior to June 30, 2011.*

You should know full well that state prosecutors negotiated their current contract to limit all such unpaid furloughs to five (5) days per year (10 per budget), not the eight (8) days per year (16 per budget) you are demanding. To my knowledge, that contract provision is the only contract provision of any state group with such a limitation. You should also know that a proposed Memorandum of Understanding [MOU] was soundly rejected by prosecutors last year. Yet you insist that these additional six (6) days now must be taken by state prosecutors in District Attorney Offices across this state *prior to June 30, 2011,* which offices are, and have been, severely understaffed for the better part of a decade. According to the non-partisan Legislative Audit Bureau [LAB] analysis, there is a need for 117 additional full time prosecutors state-wide to keep pace with increasing case loads, with Sheboygan County needing five (5) additional prosecutors to my current 7 member prosecutor staff.

You should also know that requests by District Attorneys to have the furlough pay deductions spread out evenly over the course of the two year current budget, in order to make the financial impact as easy as possible, was rejected by your Office. Over this current two year budget, prosecutors have been taking their ten day unpaid furloughs, but have had their take-home pay drastically reduced each pay period in which the took the furlough

day(s), thanks to that OSER rejection which was prompted, I believe, by the prosecutors' refusal to agree with the previous MOU.

Your letters clearly spell out what will happen to prosecutors if they do not accept OSER's tardy demand to give up their 5 day per year unpaid furloughs, *accepted and agreed to by the State*, and agree to, and take, an additional 6 days unpaid furlough days within the next two and a half months, namely, that there will be a 20% reduction in prosecutors' full time status.

> Accrual of paid leave (e.g., sick leave, vacation, holidays) will be pro-rated based on employees' new (status). In addition, employees who fall below 50% (full time employment) as a result of this reduction will be required to pay 50% of the total health premium for their selected plan effective with premiums taken from their June 16, 2011 paychecks. Further, contributions to employees' pension accounts will also experience a reduction commensurate with their decreased gross salaries.
> **Letter to David Feiss dated April 6, 2011, from OSER Director.**

The working status of prosecutors, as to whether their individual position in full-time or otherwise, is established, authorized and enacted by our State Legislature. I am unaware of *any* state agency's or state office's legal ability to affect that Legislature designation of prosecutor status.

Be that as it may, as an elected official, your proposal does not directly affect me, but it does effect the prosecutors in my office and my office's ability to function, even to a minimal degree, to prosecute crimes. Do you not understand that prosecutors are the final link to bring criminals to justice? That all the law enforcement investigation in the world doesn't result in crimes being charged until a prosecutor charges it? That, without prosecutors, there is simply no "justice" in the criminal justice system? That public safety and the public's overriding interest in having criminals held accountable for their crimes is seriously jeopardized not just by the severe current understaffing of prosecutors, but also by eliminating their effective work hours to do their sworn duties?

At long last, is there no concern for public safety left in your Office, or are you only concerned with threatening prosecutors based on your concept of the state's "dire economic situation"?

Finally, I wish to respectfully inform you that, if your scare tactics succeed in intimating prosecutors to agree to your proposed Memorandum of Understanding, that the implementation of specific additional furlough days will be determined by the elected District Attorneys for their own staff. Neither OSER nor any other state Agency will determine those days nor will OSER or any other State agency "work with employees to approve individual employee furlough plans", both of which conditions appear in Item 1 of the proposed MOU. District Attorneys, complying with the furlough guidelines currently in effect, will make that determination as we are in the optimum position to determine when furloughs can be taken by our prosecutorial staff based on court schedules and case loads, as we have been doing for the last two years.

Joe DeCecco
District Attorney
Sheboygan County

STATE OF WISCONSIN
Office of State Employment Relations

Scott Walker, Governor

Gregory L. Gracz, Director

SERVING PEOPLE
WHO SERVE WISCONSIN

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Madison, WI 53707-7855
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FAX (608) 267-1020
TTY: Call Relay 711
http://oser.state.wi.us

SENT VIA E-MAIL

April 6, 2011

David Feiss
President, Association of State Prosecutors
821 West State Street, Room 405
Milwaukee, WI 53233-1485

Dear Mr. Feiss:

In accordance with Article X of the labor agreement, the Office of State Employment Relations hereby notifies the Association of State Prosecutors (ASP) of impending layoffs involving members of your bargaining unit across all prosecutorial units.

This action is necessary in order to make-up the remaining furlough days required under former Governor Doyle's Executive Order # 285 Relating to Furloughing State Employees in Response to the Emergency Economic Situation Facing Wisconsin. As you are aware, these furloughs were ordered in response to the budget deficit and the dire economic situation that exists for the State of Wisconsin. As you're also aware, employees of state agencies and the University of Wisconsin, including faculty and academic staff, were required to take 16 furlough days over the course of the 2009-2011 biennium pursuant to the aforementioned Executive Order. However, Assistant District Attorneys (ADAs) to date have only scheduled ten furlough days pursuant to contractual temporary layoff provisions. For this reason, the remaining six days will be accomplished through the use of permanent layoffs in the form of a reduction in the full-time equivalency (FTE) of all ADA positions. That percentage decrease in FTE is estimated at 20%, prorated based on current FTE.

While the Employer would prefer that ADAs take the remaining six furlough days as opposed to layoffs, ASP membership did not approve the furlough memorandum of understanding (MOU) to which the parties had agreed in the fall of 2009. Most other state unions did approve furlough MOUs and, as a result, the State could be liable for more than $11 million in payouts to state employees who took the required eight days each year and whose MOU includes a provision that requires furlough parity across all covered bargaining units.

Please also note that while benefits were not affected for employees taking furlough days under the MOUs, benefits *will* be affected by the ADA layoffs. Accrual of paid leave (e.g., sick leave, vacation, holidays) will be prorated based on employees' new FTE. In addition, employees who fall below 50% FTE as a result of this reduction will be required to pay 50% of the total health insurance premium for their selected plan effective with premiums taken from their June 16, 2011 paychecks. Further, contributions to employees' pension accounts will also experience a reduction commensurate with their decreased gross salaries.

As stated above, this layoff in the form of a reduction in FTE will affect all employees represented by ASP. The agency will notify employees individually according to the provisions of the collective bargaining agreement. The scheduled effective date of these layoffs is May 8, 2011.

Please contact me if you have questions concerning these layoffs.

Sincerely,

Gregory L. Gracz, Director
Office of State Employment Relations

cc: Phil Werner, State Prosecutors Office

STATE OF WISCONSIN
Office of State Employment Relations

Scott Walker, Governor

Gregory L. Gracz, Director

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http://oser.state.wi.us

April 6, 2011

David Feiss, President
Association of State Prosecutors
821 West State Street, Room 405
Milwaukee, WI 53233-1485

Dear Mr. Feiss:

For your consideration, enclosed please find a proposed Memorandum of Understanding (MOU) under which ASP agrees that the Assistant District Attorneys (ADAs) will take six furlough days no later than June 30, 2011. As stated in the MOU, if ASP agrees to take the six furlough days, it will avoid the Employer imposing permanent layoffs in the form of a reduction in the full-time equivalency (FTE) of all ADA positions. Also, please note that the 30-day notice of these layoffs is also enclosed with this correspondence.

As you're aware from recent discussions concerning this issue, this action is necessary in order to make up the remaining furlough days required under former Governor Doyle's Executive Order # 285 Relating to Furloughing State Employees in Response to the Emergency Economic Situation Facing Wisconsin. These furloughs were ordered in response to the budget deficit and the dire economic situation that exists for the State of Wisconsin. Employees of state agencies and the University of Wisconsin, including faculty and academic staff, were required to take 16 furlough days over the course of the 2009-2011 biennium pursuant to the aforementioned Executive Order. However, ADAs to date have only scheduled ten furlough days pursuant to temporary layoff provisions. The available options for resolution of this issue are either ASP agrees that all ADAs schedule the remaining six furlough days during the remainder of this biennium or the remaining six days will be accomplished through the use of permanent layoffs in the form of a reduction in the FTE of all ADA positions. That percentage decrease in FTE is currently estimated at 20%, prorated based on FTE.

The remaining six ASP furlough days must be accounted for in some way. Most state unions approved furlough MOUs which include a "me too" clause that provides if any other bargaining unit takes a reduced number of furlough days, that reduced number will also apply to employees represented by that union. As a result of these "me toos," the State could be liable for more than $11 million in payouts to state employees who did take the required eight furlough days each fiscal year.

A significant disadvantage of layoffs versus scheduling furlough days is that benefits will be affected by the layoffs. Accrual of paid leave (e.g., sick leave, vacation, holidays) will be prorated based on employees' new FTE. In addition, employees who fall below 50% FTE as a result of this reduction will be required to pay 50% of the total health insurance premium for their selected plan. Further, contributions to employees' pension accounts will also experience a reduction commensurate with their decreased gross salaries. Benefits are *not* affected for employees taking furlough days under MOUs.

Please review the enclosed MOU with your Board and let me know if there are additional questions regarding the MOU or the information included in this correspondence. Should the Board decide to submit the MOU to your membership for vote, please let me know whether there is anything OSER can do to assist you in expediting this process.

Sincerely,

Gregory L. Gracz, Director
Office of State Employment Relations

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Thursday, April 07, 2011 2:38 PM
To: Trimble, Julie - DWD; Atkinson, Rita - DWD; Eilks, Nancy J - DWD; Thomas, Jody - DWD; Duffin, Jamie - DWD; Nelson, Maria V - DWD; Tegen, Gloribel - DWD; Ortega, Rosa - DWD
Cc: Lopez, Juan Jose - DWD
Subject: RE: Governor's Weekly Report for the Week Ending April 8, 2011

MOA 2010 - 2012 to be trasmitted to the feds April 11, 2011. BF.

From: Trimble, Julie - DWD
Sent: Thursday, April 07, 2011 1:16 PM
To: Atkinson, Rita - DWD; Eilks, Nancy J - DWD; Thomas, Jody - DWD; Duffin, Jamie - DWD; Franks, William - DWD; Nelson, Maria V - DWD; Tegen, Gloribel - DWD; Ortega, Rosa - DWD
Cc: Lopez, Juan Jose - DWD
Subject: Governor's Weekly Report for the Week Ending April 8, 2011

If you haven't already done so, please send me your information for this report by noon on Friday, April 8th. Even if you do not have anything to report, please let us know.

Thank you

<< File: Bureau Report - Week Ending 040811.doc >>

Julie Trimble
DET/ Bureau of Program Management
and Special Populations
201 E. Washington Ave., Rm. G100
Madison, WI 53702
Telephone: 608-261-4418
Fax: 608-261-6968
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Check out the new **JobCenterOfWisconsin.com**

Bernstein, Howard I - DWD

From: Franks, William - DWD

Sent: Thursday, April 07, 2011 2:35 PM

To: Duffin, Jamie - DWD; Lopez, Juan Jose - DWD

Subject: FW: EO Officers

Attachments: MOA 2010-2012_Element 1M.doc

Jaime - this the EO Officers list (Element 1M) except for a correct telephone number for Paul Wechter. Rosemary's getting us our other PD info (as of 5 minutes ago.) BF.

WISCONSIN WORKFORCE INVESTMENT ACT EQUAL OPPORTUNITY OFFICERS 2011-2013

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Neenah WI, 54956
Phone: 920-720-5600, Ext 15
cwelch@fvwdb.com
Website: http://www.foxvalleywork.org

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Thursday, April 07, 2011 12:01 PM
To: Denis, Gary J - DWD
Cc: Lopez, Juan Jose - DWD; Duffin, Jamie - DWD
Subject: RE: MOA 2010-2012 Draft

Thanks Gary - we'll incorporate them - any questions will get back to you. Thanks. BF.

From: Denis, Gary J - DWD
Sent: Thursday, April 07, 2011 8:47 AM
To: Franks, William - DWD
Subject: RE: MOA 2010-2012 Draft

I have sent 3 files individually. Those are the entirety of my comments. Thanks.

Gary Denis
Deputy Administrator, Division of Employment & Training
Wisconsin Department of Workforce Development
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gary.denis@dwd.wi.gov
Wisconsin is Open for Business!

From: Franks, William - DWD
Sent: Thursday, April 07, 2011 8:04 AM
To: Denis, Gary J - DWD; Lopez, Juan Jose - DWD; Duffin, Jamie - DWD
Subject: FW: MOA 2010-2012 Draft

<< File: MOA 2010-2012_Element 5.doc >> << File: MOA 2010-2012_Element 6.doc >> << File: MOA 2010-2012_Element 6A.doc >> << File: MOA 2010-2012_Element 5A.doc >> << File: MOA 2010-2012_Element 6B.doc >>
Gary - if time permits, please critique Elements 5 & 6 & Exhibits. Thanks in advance. BF.

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Thursday, April 07, 2011 8:04 AM
To: Denis, Gary J - DWD; Lopez, Juan Jose - DWD; Duffin, Jamie - DWD
Subject: FW: MOA 2010-2012 Draft

Attachments: MOA 2010-2012_Element 5.doc; MOA 2010-2012_Element 6.doc; MOA 2010-2012_Element 6A.doc; MOA 2010-2012_Element 5A.doc; MOA 2010-2012_Element 6B.doc







MOA)12_Element 5.d | MOA 12_Element 6.d | MOA 12_Element 6A | MOA 12_Element 5A | MOA 12_Element 6B

Gary - if time permits, please critique Elements 5 & 6 & Exhibits. Thanks in advance. BF.

WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT

2010-2012 MOA

ELEMENT 5 - NARRATIVE

SECTION 504 OF THE REHABILITATION ACT OF 1973

DET was created July 1, 2007. DET last conducted On-site Compliance Monitoring reviews in calendar years 2008 and 2009. These reviews determined that status of compliance with this Element at that time. Subsequently, DET will again need to assess compliance with Section 504 during the upcoming on-site compliance reviews scheduled for later this calendar year in Element 7.

The 2008 – 2009 on-site reviews referenced the "disability navigators" who were assigned to each of the job center areas. The navigators are intended to serve as ombudsmen for disability issues and concerns arising in job centers. Since then, funding for the navigators eliminated. We provided several templates developed for use by workforce development boards to better provide access to job centers. These templates are included as exhibits 5A and 5B and were developed in cooperation with Bobby Silverstein, now with the Center on Study and Advancement of Disability Policy. The intention is to offer consistent policy language for workforce development areas to address WIA 188 and Wisconsin's effort to achieve universal access to serve all Wisconsin citizens. The templates serve to offer both physical and programmatic accessibility. For example, a One Stop may have a TTY to better serve persons who are deaf and hard of hearing. However, if staff is not trained on how to use the TTY, the accommodation does not serve its purpose. The templates point out that annual training is needed to ensure quality services.

Glenn Olsen serves as the high-risk population specialist for the DWD. His unit spearheads disability issues such as accessible workstations, partnerships with Vocational Rehabilitation, and represents DET on high level task forces that focus on people with disabilities.

Local WIA Equal Opportunity Officers review the detailed information provided in these results prior to monitoring subgrantee and subcontractor compliance with the nondiscrimination assurances in their contracts/grants. The designated Equal Opportunity Officer for the State of Wisconsin's Workforce Investment Act also refers to this documentation prior to EO onsite monitoring reviews.

WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT

2010-2012 MOA

ELEMENT 6 – NARRATIVE

DATA AND INFORMATION COLLECTION AND MAINTENANCE

The EO Officer is able to retrieve and cross reference data from the ASSET Reporting system by accessing specific data fields with demographic and training activity information. This reporting system allows the EO Officer to conduct an analysis of the data for EO monitoring and evaluation. The ASSET Users' Guide provides an overview of the system. The Users' Guide Overview is provided in Exhibit 6A. The Case Management Functions section provides a detailed description of each of the case management functions, including how the worker uses ASSET to document the services and develop customer information necessary for program management and federal reporting. Detailed information about case management functions can be found in the Asset Users' Guide. The content of the Asset Users' Guide can be accessed from the index provided in Exhibit 6B. For purposes of compliance with 29 CFR Part 29.37, a participant or registrant for services for data collection purposes is considered at the point which he or she submits personal information in response to a request by the funding recipient for such information. They are defined as:

Participant: An individual who has been determined eligible to participate in the program and has received a staff-assisted service or better funded by that program in either a physical location (e.g., a Job Center or affiliate site) or remotely through electronic technologies.

Registrant: An individual who is in the process of being determined eligible for the WIA Title 1 Adult, Dislocated Worker or Youth Programs. Registrants may receive Self-Service and Informational activities and Design Framework youth program activities prior to becoming a participant.

Recipients including local EO Officers have been instructed regarding data collection and record-keeping as well as the requirement to maintain a complaint log. Recipients were also advised of the requirement to inform DET and the Civil Rights Center (CRC) of any administrative enforcement action taken against them on the basis of discrimination. Since 2007, Wisconsin has not received any WIA Discrimination complaints.

All program participant data collected by the DET is retained for a period of 7 consecutive years after the participant exits from U.S. DOL funded programs, or until the resolution of any complaints or outstanding litigation connected with the participation if 7 consecutive years have already passed. Complaint logs are reviewed during compliance reviews and when required under an appeal action. Complaint logs contain the name and address of the complainant, the basis for the complaint, a description of the complaint, filing and other pertinent dates, dispositions and where the issues have been resolved, a dispositional statement. The EO Officer reviews complaint files during on-site compliance monitoring reviews to ensure the appropriate information is being

maintained and that the complaint logs accurately reflect what actions were taken. In accordance with the DET Workforce Programs Guide, grantees must inform DET, in writing, of any sanction imposed or any referral to other agencies for prosecution.

Participant records are maintained by the grantee and services are tracked electronically in ASSET. Requirements for confidentiality are included in the ASSET Security procedures. Access to ASSET is granted by the Department of Workforce Development. The Division of Employment and Training is responsible for setting up and monitoring access to the DET systems. System users are provided with logon and passwords for accessing the system (See Exhibit 6A).

To access demographic data the case manager uses a unique PIN that is automatically generated when an individual completes a registration on JobNet or by case manager input. The Data Warehouse is the repository for all customer data, particularly registrant and outcome information. In the event a report is required to review outcomes by demographic categories, this information would be accessed through the Data Warehouse.

The DET Workforce Programs Guide provides the requirements for records retention. The grantee must comply with the Wisconsin Open Records Statute and the Freedom of Information Act with the following exceptions: Grantees are not required to disclose the home address or home telephone number of program participants, and the grantee may not release any individual's social security number. UI collects demographic (race, age, sex etc.) information on all claimants, as part of the claims taking process.

ASSET Users' Guide

1-1 ____OVERVIEW____

ASSET supports the Workforce Investment Act (WIA) programs - encompassing the Adult, Dislocated Worker, and Youth programs under WIA Title 1 and the Wagner-Peyser funded labor exchange services (WIA Title 3) including case-managed services to Veterans, Migrant Seasonal Farm Workers (MSFWs), Unemployment Insurance (UI) Claimants, and Older Workers. ASSET also supports reporting for specialized Dislocated Worker programs such as Trade Adjustment Assistance (TAA) and NAFTA (North American Free Trade Assistance program) TAA, Special Rapid Response (SRR) and National Emergency Grants (NEG).

ASSET provides statewide, comprehensive data collection for job seeker registration, case management, and eligibility screening for program and provider services. It is web-based and can be accessed wherever an Internet connection is available, although a high-speed line (DSL or T1 connection) is advisable. This web site is designed and tested for use with Internet Explorer 6.0. Using other Internet Explorer versions may yield unpredictable results. ASSET is not available through other browsers. It can be accessed 24 hours a day, except for a few hours on Saturday afternoon for weekly maintenance on hardware and software.

It is important to track Job Center customer services in ASSET for the following reasons:

- **Federal Reporting for WIA**: ASSET is the sole source of information about our Title 1B and Wagner-Peyser program customers. The registrations and services reported in ASSET are used to create the mandatory federal reports, which in turn, provide Wisconsin with continued federal funding for these programs.
- **State Program Management**: ASSET information is the sole source of data about individuals eligible for WIA and other programs. DWD uses this information for resource planning, monitoring and evaluation, and general program management.
- **Local Program Management**: Data from ASSET can be used for making decisions on resource allocation, program management, or service options by Workforce Development Boards and Job Service districts. Additionally, local agency case managers can use ASSET to better serve their customers by giving them a statewide system that tracks customers wherever services are provided.

Return to Index -- Click Here

Obligation not to Discriminate on the Basis of Disability - WIA Sec188

Policy

Non Discrimination

- **Recipients are prohibited from discriminating on the basis of disability in the registration for and provision of aid, benefits, services, or training, including core, intensive, training, and support services including:**
    - Not denying individuals opportunities to participate in services, training, aid, benefits, or training;
    - Providing services, training, aid, benefits, or training equal to that provided to other participants;
    - Providing an individual with a disability an aid, benefit, service or training that is as effective in achieving the same result or experience as other participants;
    - Not providing different, segregated, or separate aid, benefits, services, or training to individuals with disabilities (unless such action is necessary to achieve the same result);
    - Offering opportunities for individuals with disabilities to participate as members of planning/advisory board; and
    - Not limiting an individual with a disability's enjoyment in any right, privilege, advantage, or opportunity enjoyed by others receiving benefits, services, or aid.

Template 1:
Recipient staff will ensure that all consumers and potential participants have access to the same information to help assess their needs and interests and receive the same opportunities to fully and equally participate in services. This greeting procedure may include:

- Requesting that consumers complete an intake/assessment form to determine needs and services,
- Offering all consumers (regardless of the *appearance* of a disability) assistance with completing forms,
- Displaying within close proximity written materials regarding the One-Stop services and programs available, and
- Requesting that consumers meet with an intake/referral specialist to assess an individual's needs, interests, and preferences in order to determine appropriate services and modifications/accommodations.

Template 2:
All recipient and sub-recipient staff will participate in a yearly training covering topics such as disability awareness, disability policy and legislation (ADA, Section 504 of the Rehab Act and Workforce Investment Act), confidentiality, assistive technology, and program/workplace modifications in order to enhance sensitivity to disability issues and increase universal access to services.

Template 3
The recipient must ensure universal program and space accessibility (arrangement of seats, computer stations, classroom/training areas, etc.) through the identification of specialized, professional staff to help consumers determine (based on intake/assessment information) the need for reasonable modifications, auxiliary aids, or services.

- **Recipient may not aid or support an individual or other entity (through contractual, licensing, or other arrangements) that discriminates on basis of disability.**

  Template 1:
  Administrative staff will distribute nondiscrimination and equal opportunity policy to all sub-contractors and other entities receiving One-Stop support or funding.

  Template 2:
  Each recipient will ensure that all grant partners/sub-recipients will be informed in writing of their obligations to adhere to nondiscrimination and universal accessibility requirements and policy including:
  - Reasonable accommodations and auxiliary aids/services;
  - Effective communications;
  - Accessible site selection; and
  - Ongoing program and site modification to ensure universal accessibility.

- **Each recipient will administer programs, services, and benefits such that all individuals with disabilities will have the opportunity to participate in activities despite the existence of separate or different services and programs.**

  Template 1
  Each individual with a disability will have the opportunity to complete an intake/assessment to identify his/her interests, preferences, and any needs for auxiliary aids and reasonable modifications.

  Template 2
  Each individual indicating a preference or need for specialized assistance to implement recommendations based on any modification/accessibility needs described in intake, will receive professional assistance to identify solution and implement these recommendations.

- **Recipients will not provide separate or different services, benefits, training, or programs to qualified individuals with disabilities unless doing so is necessary to provide the same level of services that others receive.**

  Template 1
  If consumers receive or are eligible for separate programs or services, recipient staff can demonstrate why these separate programs or services are necessary in order to provide a level of service just as effective as those provided for others.

  Template 2
  Recipient staff will communicate to consumers with disabilities that they are not required to participate in any separate or different service or program they become eligible for.

- **All recipient programs and activities will be administered in the most integrative setting appropriate.**

  Template 1
  Recipient staff will not rely solely on vocational rehabilitation services to assist consumers with disabilities and will ensure the administration of its programs, services, and benefits in the most integrative setting by exploring all potential solutions for all individuals with disabilities to participate in programs, services, and benefits before referring to specialized services (i.e. DVR, etc.).

  Template 2
  All individuals will have access to core services, especially those offered on a more "self-service basis" (i.e. computer work stations, etc.), through guidance and assistance provided by designated recipient staff.

- **Recipient will ensure that administrative standards, procedures, or criteria (either through contractual, licensing, or other methods) do not have the effect of discrimination.**

  Template 1:
  Recipient will develop a policy and procedure for administrative staff to handle requests for accommodations or modifications of administrative standards, procedures, or criteria to ensure nondiscrimination and universal access to services and programs.

  Template 2

Recipients and sub-recipients will employ a consistent orientation and intake process for consumers with and without disabilities including forms and intake and orientation processes.

- **In selecting contractors, One-Stop will not use criteria or processes that have the effect of discrimination.**

  Template 1

  Template 2

- **One-Stops will not use criteria that have a discriminating effect when selecting sites or locations of a facility.**

  Template 1
  One-Stop staff will select contractors that are accessible by public transportation and have access to alternate forms of communication including email and telecommunication devices for individuals with hearing impairments (TDDs/TTYs).

  Template 2
  One-Stops locations will select sites or locations that adhere to Uniform Federal Accessibility Standards (UFAS). Where sites do not meet these standards, One-Stops will incorporate other service and program delivery options to ensure universal access.

- **Avoid administering licensing or certification programs in discriminatory manners**

  Template 1
  Recipients will administer any tests or examinations to obtain licenses and certifications in a way such that the individual's abilities and skills are accurately measured despite the existence of any cognitive, physical, cognitive, or sensory impairment.

  Template 2
  Recipient will provide qualified individuals with disabilities modifications and accommodations to licensing or certification procedures (unless doing so significantly alters the program) and has a procedure in place which allows designated staff to assist consumers and participants to identify and implement the appropriate modification or accommodation.

- **Incorporate criteria, standards, administrative methods or procedures that do not have the effect of screening out individuals with disabilities (unless necessary for the provision of the aid, benefit, or service being offered).**

  Template 1
  Recipient elicits feedback from local resources and experts to determine whether administrative procedures and criteria have an effect of screening out individuals with disabilities.

  Template 2
  In determining eligibility for services and programs, the recipient administers any tests or other selection processes by measuring the ability or knowledge of the individual and not the individual's physical, cognitive, mental, or sensory impairment. This includes the provision of any appropriate modifications or auxiliary aids.

- **Do not place a surcharge on an individual with a disability to cover costs of auxiliary aids**

  Template 1
  Recipient must clearly outline in writing which entity or party is responsible for the cost of certain auxiliary aids as well as those that are determined to be a "hardship" for the recipient.

  Template 2
  In determining source of funding for auxiliary aids and modifications, recipient must take into consideration the availability of tax credits and deductions, outside financial assistance, as well as the number of persons aided, benefited, served, trained, or
  employed by the recipient.

- **Do not discriminate against individuals or entities that have a known relationship or association with an individual with a disability.**

  Template 1
  In providing information to or determining eligibility for services, benefits, or programs for individuals who have a known relationship with an individual with a disability, recipient staff may not use discriminatory criteria.

  Template 2
  Recipient staff may not arrange for work experiences and/or other job assistance services with local businesses based on previous record of assisting individuals with disabilities, but must make every effort to arrange for opportunities in the most integrated, competitive environment.

- **Individuals with disabilities are not required to accept an accommodation, aid, benefit, or service that he/she chooses not to accept.**

  Template 1
  Recipient staff must inform individuals with disabilities that they are not required to accept any or all of the separate or specialized services they become eligible for.

  Template 2
  Recipient staff may not prevent an individual with a disability who chooses not to accept an accommodation from participating in services or programs if his/her participation doesn't negatively impact that of others.

- **Ensure the provision of reasonable accommodations regarding the registration for and provision of aid, benefits, services or training (unless providing the accommodation would cause undue hardship)**

  Template 1
  Each One-Stop is committed to making reasonable accommodations for individuals with disabilities to provide full access to programs and services and has a written procedure in place for both consumers to request an accommodation and for One-Stop staff to handle these requests.

  Template 2
  Reasonable accommodation efforts and reasons for denial of reasonable accommodations due to hardship reasons must be clearly documented in order to demonstrate that the individual's civil rights were not violated. In cases where a reasonable accommodation is denied for hardship reasons, a written statement must be issued to the individual for whom the accommodation was being considered.

  Template 3
  Recipient staff informs all individuals and that if they have a disability, they may disclose their disability and request an reasonable accommodations, modifications, auxiliary aids or services; however, doing so is voluntary and information regarding disability will be kept confidential and in a separate file.

- **Ensure the provision of reasonable modifications regarding the policies, practices, and procedures for the registration for and provision of services, activities, or programs to individuals with disabilities (unless providing the accommodation would cause undue hardship).**

  Template 1

Recipient staff asks all interested applicants whether they would like assistance with application, intake, and/or registration for services, benefits, or programs.

Template 1
For initial applications for services or benefits which require an in-person intake procedure, modify policy to accommodate qualified individuals with disabilities (i.e. by phone, on-line, etc.) and determine best method for application process.

- **One-Stop will ensure that communications with individuals with disabilities are as effective as those with other individuals.**

  Template 1
  One-Stop staff will furnish appropriate auxiliary aids and services to ensure equal and effective participations for individuals with sensory disabilities and will give primary consideration to individuals' requests in determining the type of auxiliary aid or service needed.

  Template 2
  One-Stop will be equipped with telecommunication devices such as TDDs and TTYs as well as telephone relay services to communicate with individuals with hearing impairments. One-Stop staff will be trained on how to use this equipment effectively with individuals with sensory impairments.

- **One-Stop programs, services, and activities, when viewed as a whole, are accessible to individuals with disabilities.**

  Template 1
  One-Stop operates its programs and services such that they are accessible to individuals with disabilities and give priority to individual preferences through relocation of classes or meetings, redesign of equipment, assignment of aides or assistants, home visits, or redesign/reconstruction of certain facilities.

  Template 2
  The recipient has a procedure to elicit input and outline the involvement of individuals with disabilities and organizations supporting individuals with disabilities in its efforts to improve policy and programs for individuals with disabilities.

ASSET Users' Guide

INDEX

ASSET GUIDE UPDATES LOG

ASSET Guide Updates Log. Each time a new release of the ASSET Users' Guide is made the Updates log file will provide you with a summary of the changes.

INTRODUCTION

This section of the Guide covers all the information about becoming an ASSET user and other details about the system.

1-1 Overview

1-2 DET Security Procedures for ASSET Access

1-3 ASSET Sign On

1-4 Changing Your Password

1-5 System Time Out

1-6 ASSET Staff Information

1-7 ASSET Staff Search Function

OVERVIEW

The purpose of this section is to familiarize the ASSET user with the structure of ASSET and how to move through the system

2-1 Presentation of ASSET Information

2-2 Navigation within ASSET

2-3 Organization of Program Information

CASE MANAGEMENT FUNCTIONS

The purpose of this section is to provide the ASSET user with the detailed description of each function in Case Management, including how the worker uses ASSET to document the services and customer information necessary for program management and federal reporting.

3-1 Structure of System Functions

3-2 Manage Customer

3-3 Manage Employment

3-4 Manage Assessments

3-5 Manage Employability Plans

3-6 Manage Programs

3-7 Manage Services

3-8 Manage Exits

3-9 Manage Follow-ups

3-10 Manage Customer Notes

3-11 Manage Alerts

4-1 Staff Requests
This section explains the policy and process to be used when submitting data change requests to ASSET.

4-2 ASSET Job Matching Function
This section explains the process for matching an ASSET customer to job orders listed on JobNet.

SYSTEM REPORTS

Available in ASSET are reports that run in real-time. The list below provides instructions, by topic, on accessing those real-time reports.

5-1 Customer Summary Report
5-2 Customer Notes
5-3 Customer Employment History
5-4 Veterans Report
5-5 Case Managed Veterans
5-6 Youth Individual Service Strategy
5-7 Ineligible Youth Participants
5-8 Exit Warning Report
5-9 Exited Report
5-10 Case Managed DOC/CDP
5-11 Case Load Report
5-12 Employment Plan
5-13 UI Participant Report
5-14 Supplemental Data Report
5-15 TAA Financial Plan
5-16 Workshop Roster
5-17 TAA Waiver Deadline
5-18 Literacy/Numeracy Warning Report

APPENDICES

Appendix 01 – Frequently Asked Policy Questions about ASSET Fields and Reporting Requirements

EXIT ASSET

When you have completed using ASSET, click on "Exit ASSET." This closes the ASSET application and returns a page with a link to the DWD homepage. You may either click on this link or close the browser from this page. As a good security practice, closing the browser is the preferred way to ensure that you have completely left the ASSET system.

POSTING TOOLS

Workshop Posting: The function used by designated Re-employment Services Staff (RES) to locate or add a Workshop Search. These functions are visible on the ASSET menu to staff that are designated as RES Administrators, Case Managers, and Receptionists. RES staff can create and make changes to workshops, and update the Roster as needed.

Workshop Roster Update: The Roster is used by RES staff to make changes or to inactivate a scheduled workshop. This function provides staff the ability to conduct a Search for workshops that may be available in their respective areas. The Workshop Search is conducted by selecting the Workshop Type, Availability and Office Site.

ADMINSTRATION TOOLS

This function is available only to specified State and local staff who have the authority to perform administrative functions on the system. This option is not active for the majority of ASSET users, and will not appear on their menu tree.

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Wednesday, April 06, 2011 9:49 AM
To: O'Brien, Pamela - DWD
Cc: Lopez, Juan Jose - DWD
Subject: RE: STATE WIA PLAN -- MOA Revision

Pam - it'll take at least a couple of months for the approval, I suspect. We'll be submitting an electronic copy on the 11th with a hard copy to follow. You, Gary and Theresa will be included in the transmittal, for sure. BF.

From: O'Brien, Pamela - DWD
Sent: Wednesday, April 06, 2011 9:38 AM
To: Franks, William - DWD
Subject: RE: STATE WIA PLAN -- MOA Revision

Once you have submitted the new MOA, after April 11th, please forward to me. We will put it in the WIA State Plan (we will indicate it is pending approval, OR, change it "as approved" if the feds approve it before we submit the WIA State Plan anticipated at 15 June) Thanks Bill

---

From: Franks, William - DWD
Sent: Wednesday, March 23, 2011 12:50 PM
To: Denis, Gary J - DWD; O'Brien, Pamela - DWD; Lopez, Juan Jose - DWD; Duffin, Jamie - DWD; Haapakoski, Dana - DWD
Subject: RE: STATE WIA PLAN Development

I spoke with Pam and confirmed that the portions of the State Plan assigned to me require no modification. The MOA recertification re-submittal is April 11, 2011. BF.
<< File: State Plan Elements Notation for Staff.doc >>

From: Budde, Kristy - DWD **On Behalf Of** Denis, Gary J - DWD
Sent: Wednesday, March 16, 2011 11:07 AM
To: Rozek, Allison J - DWD; Roberts, Edward S - DWD (Steve); Phillips, Amelia - DWD; Gormican, Carolyn - DWD; Mentink, Gesina M - DWD; Kluge, Gerald - DWD; Zillmer, William A - DWD; Crary, Cathy - DWD; Grant, Ken G - DWD; Wurl, Mark W - DWD; Berge, Sharon - DWD; Preysz, Linda - DWD; Cruz, Evelyn - DWD; Black-Radloff, Rita - DWD; O'Brien, Pamela - DWD; Palzkill, Bruce R - DWD; Nekola, Annette - DWD; Morgan, Karen P - DWD; Grundvig, A Nelse - DWD; Eilks, Nancy J - DWD; Atkinson, Rita - DWD; Olsen, Glenn; Fromader, Scott - DWD; Franks, William - DWD; Loerke, Theresa - DWD; Pfeil, Karen - DWD
Cc: Pawasarat, Jane - DWD; Denis, Gary J - DWD; Tranchita, JoAnn M - DWD
Subject: STATE WIA PLAN Development

Division Administrator Jane Pawasarat has directed us to step-off a new Workforce Investment Act State Plan pending overarching workforce priorities and guidance from the DWD Secretary and Governor. In the interim, the Governor has submitted a request to the U.S. Department of Labor for continuation of the current WIA Plan. The requested timeline for submittal of a new Plan is June 30, 2011.

Attached is a list of your assignments for each of the required Plan elements. I expect you to answer all of the questions/issues in italics, relating to the WIA-related sections noted, in a substantive and concise manner. Use full paragraphs to explain the issue (not just bullet-points), and only use acronyms after you have initially provided the first spelled-out reference(s). This is a new Plan under a new Administration so previous Plan's language will not be accepted unless specific policies are still in effect, or, activities are current.

Once we receive the Governor's visions/priorities, I may be asking you to edit your sections based on that guidance. Also, we may be convening workgroups on certain topics. I will follow-up with you on that in order to meet the requirements of workforce partner's, (representatives of labor organizations, businesses, chief local elected officials, CWI, etc.) meaningful participation in the development/comment of the State Plan. All assignments are due by April 12, 2011. Please send your drafts to Pamela O'Brien.

<< File: State Plan Elements Notation for Staff.doc >>

Gary Denis
Director, Bureau of Workforce Training
Wisconsin Department of Workforce Development
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Wisconsin is Open for Business!

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Wednesday, April 06, 2011 9:02 AM
To: Gormican, Carolyn - DWD; Trimble, Julie - DWD; Duffin, Jamie - DWD
Cc: Lopez, Juan Jose - DWD
Subject: FW: element 7
Attachments: CIVIL RIGHT COMPLIANCE MONITORING ADMIN MEMO.doc; Job Center Complaint Coordinator Admin Memo Draft.doc

These are Drafty drafts of Administrator's Memos for the Monitoring Guide and the Job Center Complaint Coorination System (Update) Carolyn will walk Jane through this tomorrow when they meet. BF.

From: Franks, William - DWD
Sent: Tuesday, April 05, 2011 8:58 AM
To: Duffin, Jamie - DWD
Subject: RE: element 7

Element 7A Draft. Need to revise the red text. BF.

From: Duffin, Jamie - DWD
Sent: Monday, April 04, 2011 3:41 PM
To: Franks, William - DWD
Subject: element 7

Do you have the Administrators memo NUMBER for exhibit 7A? – local EO officers memo
Thanks!

Jamie Duffin
Foreign Labor Certification Coordinator
WI Department of Workforce Development
Division of Employment & Training
Bureau of Program Management & Special Populations
608.266.7426

Check out the new www.JobCenterOfWisconsin.com



Please consider the environment before printing my e-mail

DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF EMPLOYMENT AND TRAINING
ADMINISTRATOR'S MEMO SERIES

ACTION
X NOTICE XXX

ISSUE DATE: 04/06/11
DISPOSAL DATE:
12/31/2012

*PROGRAM CATEGORIES:
AS FM ML TR
XXCC FL NA XXW-2
XXCS IT XXRA XXWIA
XXCF JC TC
XXCR LM TA

To: Workforce Development Board (WDB) Directors
Workforce Development Equal Opportunity Officers

From: Jane Pawarsrat
Division Administrator

RE: Civil Rights Compliance Monitoring Plan

PURPOSE: To announce the Division of Employment and Training (DET) Civil Rights Compliance (CRC) Monitoring Plan for the period of July 1, 2006 through December 31, 2009.

BACKGROUND: All agencies that have contract/grant and related agreements with DET (hereafter referred to as recipients) are subject to periodic CRC monitoring by DET to assure compliance with Equal Opportunity, Affirmative Action and Limited English Proficiency requirements.
To fulfill DET CRC monitoring requirements, recipients may need to respond to special surveys or inquiries or provide self assessments for review by DET, or they may need to participate in on-site reviews conducted by DET.

DET CRC monitoring is led by the Civil Rights Unit in the Bureau of Program Management and Special Populations cooperation with the DET grant/contract managers. Programs funded under the Workforce Investment Act (WIA), and other state/federal

* PROGRAM CATEGORIES:
AS--Apprenticeship FM--Financial Management ML--Migrant Labor TR--Transportation
Standards Requirements NA--Native American Services W-2--Wisconsin Works
CC--Child Care FL--Foreign Labor Certification RA--Refugee Assistance WIA--Workforce
CS--Child Support IT--IT Systems TC--Tax Credit Programs Investment Act
CF--Children First JC--Job Center TA--Trade Assistance
CR--Civil Rights LM--Labor Market Information
DET-13961 (R. 07/2004)

programs/activities/services administered by DET may be included in CRC monitoring.

POLICY: All recipient agencies of DET are subject to monitoring for compliance with Section 188 of the Workforce Investment Act of 1998 and 29 Code of Federal Regulations (CFR) part 37 and Section 504 of the Rehabilitation Act of 1973.

These federal regulations require recipients to abide by the provisions of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990.

CRC monitoring requirements applicable to specific DET funding recipients are as follows:

- WIA Programs: Each Workforce Development Board (WDB) is subject to on-site monitoring by DET every other year at a minimum. Each WDB or other recipient of WIA funds is responsible for monitoring subgrants/contracts in accordance with the DET *Workforce Programs Guide* at http://www.dwd.state.wi.us/dwdwia/. Recipients are strongly encouraged to conduct an annual Self-Evaluation identified below.

DET will conduct CRC monitoring in accordance with the attached CRC Monitoring Plan.

ACTION SUMMARY STATEMENT: Recipients must be prepared to respond to DET CRC compliance monitoring requirements.

Recipient agencies where onsite monitoring visits are scheduled should refer to the Civil Rights Compliance and Equal Opportunity Monitoring Reviewer's Guide attached to this memo to prepare for the review.

All recipients may be required to submit a self-assessment or respond to other inquiries for review by DET.

CONTACT: William Franks, DET Equal Opportunity Specialist

Attachment(s): Civil Rights Compliance and Equal Opportunity Monitoring Reviewer's Guide

cc: WIA Local Program Liaisons
Gary Denis, DET, Deputy Division Administrator
Juan Jose Lopez, Director, Bureau of Program Management and Special Populations

DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF EMPLOYMENT AND TRAINING NOTICE
ADMINISTRATOR'S MEMO SERIES

X ACTION **08-01**
NOTICE

ISSUE DATE: 04/8/2011
DISPOSAL DATE:

*PROGRAM CATEGORIES:
AS FL ML TR
CR IT RA WIA
FM JC TC YA
LM TA

TO: Workforce Development Board Directors, Job Center Managers and Job Service Supervisors
FROM: Jane Pawasarat
Division Administrator

RE: Job Center Complaint Coordinator System

PURPOSE: Provide Updated Information on Wisconsin's Job Center Complaint Coordinator System

BACKGROUND: Section 121(d) of Title I of the Workforce Investment Act of 1998 (WIA) established the federal requirement that services and benefits under WIA be delivered through a one stop delivery system, known in Wisconsin as Job Centers.
Section 181 of the Act requires that,
"Each State and local area receiving an allotment under this title shall establish and maintain a procedure for grievances or complaints alleging violations of the requirements of this title from participants and other interested or affected parties."
Section 188 of the Act provides applicable nondiscrimination statutes and regulations be adjudicated through the procedures which the State and local area establish.

In September of 1998, Wisconsin, in conjunction with other partner agencies, implemented a system of centralized point of contact for anyone visiting a Job Center to go to with a complaint. *PROGRAM CATEGORIES:

--Apprenticeship Standards CR--Civil Rights	--Financial Management Requirements Foreign Labor Certification IT--IT Systems JC--Job Center	--Labor Market Information ML--Migrant Labor RA--Refugee Assistance TC--Tax Credit Programs TA--Trade Assistance	TR--Transportation --Workforce Investm YA--Youth Apprent

This system was called the Job Center Complaint Coordinator System (JCCCS). Complaint Coordinators referred complaints or acted as a conduit to make sure the complainant gets the resources they need, based on the type of complaint or particular program involved. Each Job Center was provided with Complaint Coordinator Posters showing English, Spanish and Hmong translations to display prominently at the site. Since then periodic updates of the Complaint Coordinators have been done, and the Role of the Complaint Coordinator has been reviewed for needed updates. This communication is the result of the most recent update conducted with the Workforce Development Boards with assistance from partner agencies.

The Department monitors the effectiveness of the JCCCS when conducting on-site visits with the Workforce Development Boards, and has available training for the coordinators upon request along with additional Complaint Coordinator Posters.

POLICY: Wisconsin's JCCCS will be utilized in Job Centers to provide a centralized point of contact for anyone visiting a Job Center to go to with a complaint. The Workforce Development Boards are responsible for assigning a Complaint Coordinator for each Job Center, for assuring that the Complaint Coordinator is knowledgeable of their roles and responsibilities as outlined in the attached document, and for assuring that the Complaint Coordinator Poster is prominently displayed in each Job Center.

ACTION SUMMARY STATEMENT: Workforce Development Boards must ensure the Complaint Coordinators in their Job Centers are appointed and knowledgeable of their role, and that the Job Center Complaint Coordinator Poster is prominently displayed at their Job Centers. If training or technical assistance is necessary related to this memo, contact:

William A. "Bill" Franks, Jr., Equal Opportunity Officer
Division of Employment and Training
Department of Workforce Development
201 East Washington Avenue, Room A200
P.O. Box 7972
Madison, WI 53707-7972
Telephone (608) 266-6889
TTY (886) 864-4585
Fax (608) 267-3240

This policy is located at http://dwd.wisconsin.gov/det/adminmemos/pdf/2007/070l.pdf **(UPDATE LINK BF We haven't included Sandi Fike in this loop yet but certainly can't publish unless she's involved – I'll get an Attachment A ready for placing on the S: Drive today)**

Attachments:
A. Job Center Complaint Coordinator Roles and Responsibilities
B. Job Center Complaint Coordinator Poster

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Tuesday, April 05, 2011 10:41 AM
To: Lopez, Juan Jose - DWD; Gormican, Carolyn - DWD; Pawasarat, Jane - DWD
Subject: RE: Policies on the Web

Yes. The Department has a LEP Policy and each Division has LEP Policies

In case of DWD, the Policy reflects our adherence to Title VI of the Civil Rights Act of 1964 (National Origin), as amended and Bill Clinton's Presidential Executive Order of 2000 http://www.justice.gov/crt/about/cor/Pubs/eolep.php.

In other words, this is an extremely bad idea and Allison is absolutely right to question the wisdom of this. I'm sure Georgina Taylor would as well. BF.

From: Lopez, Juan Jose - DWD
Sent: Tuesday, April 05, 2011 10:23 AM
To: Franks, William - DWD
Subject: FW: Policies on the Web

Any thought on this or is this for Carolyn? Thanks.

Juan José López
Bureau Director
Department of Workforce Development
Division of Employment & Training
608.266.0002
608.261.8506 Fax
JuanJose.Lopez@dwd.wisconsin.gov
Wisconsin is Open for Business!

From: Pawasarat, Jane - DWD
Sent: Tuesday, April 05, 2011 10:21 AM
To: Lopez, Juan Jose - DWD; Gormican, Carolyn - DWD
Subject: FW: Policies on the Web

Are either of you aware of this issue concerning the LEP policy?

From: Rozek, Allison J - DWD
Sent: Tuesday, April 05, 2011 10:05 AM
To: Fjelstad, Dane - DWD; Pawasarat, Jane - DWD; Fite, Nicole L - DWD
Cc: Dipko, John A - DWD; Baumbach, Scott C - DWD
Subject: Policies on the Web

Hey guys. I know we have a web meeting scheduled for this week and we can discuss this issue further; however, I wanted to make sure I asked the question before I forget....

HR has brought to my attention that certain HR policies are being taken off the web. Specifically the LEP policy. Can you please provide me with an understanding of why we are pulling policies?

Since ASD is the "keeper" and "administer" of the Department Policies and procedures, I have asked that Gene work with each of the ASD bureau directors to update existing policies. He has just scheduled meetings with them to review. For now, I would like to keep the policies on the web until we discuss further at out meeting. This ok?

Allison J. Rozek
Division Administrator
Wis. Department of Workforce Development
201 E. Washington Ave., A400
Madison, WI 53703
Phone: 608-261-4599
Email: allison.rozek@dwd.wisconsin.gov
Wisconsin is Open for Business!

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Tuesday, April 05, 2011 9:44 AM
To: Klopp, Mary A - DWD; 'wpec@aft-wisconsin.org'
Subject: RE: Follow - Prof.Dev

She's out today. I'll check with her tomorrow. BF.

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:41 PM
To: Klopp, Mary A - DWD; 'wpec@aft-wisconsin.org'
Subject: Follow - Prof.Dev

Jill - it appears Mary Klopp is in UI -C300 her telephonic contact is 261-0246 - I'll follow up tomorrow. BF.

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Tuesday, April 05, 2011 9:26 AM
To: McCabe, Fred - DWD; Verberkmoes, John - DCF; Calhoun, Jody - DCF; Murphy, Suzanne - DCF; Georg, Gregory R - DOR
Subject: RE: Work Rules Language in WPEC Contract

That's the way it usually works. Hard to pursue a case where the member opts out. BF.

From: McCabe, Fred - DWD
Sent: Tuesday, April 05, 2011 8:44 AM
To: Verberkmoes, John - DCF; Franks, William - DWD; Calhoun, Jody - DCF; Murphy, Suzanne - DCF; Georg, Gregory R - DOR
Subject: RE: Work Rules Language in WPEC Contract

Since DCF (none the Wieser) has no work rule regarding alternative work patterns the default should be the statue...however; since the member asked us to bow out I don't see any issue here??? Fred

---

From: Verberkmoes, John - DCF
Sent: Tuesday, April 05, 2011 8:39 AM
To: McCabe, Fred - DWD; Franks, William - DWD; Calhoun, Jody - DCF; Murphy, Suzanne - DCF; Georg, Gregory R - DOR
Subject: RE: Work Rules Language in WPEC Contract

If there are no work rules on alternative work patterns then I'd bring up s. 230.215 (a) and (d) which says all agencies should participate in alterernative work patterns. So, do we go with the statutes or the work rules?

JV

From: McCabe, Fred - DWD
Sent: Tuesday, April 05, 2011 6:44 AM
To: Franks, William - DWD; Calhoun, Jody - DCF; Verberkmoes, John - DCF; Murphy, Suzanne - DCF; Georg, Gregory R - DOR
Subject: RE: Work Rules Language in WPEC Contract

Sounds like the matter is resolved...

Fred L. McCabe, II
UI Field Auditor, Senior / WPEC Chief Steward
(414) 438-2122
fred.mccabe@wisconsin.gov

From: Franks, William - DWD
Sent: Thursday, March 31, 2011 1:19 PM
To: Calhoun, Jody - DCF; Verberkmoes, John - DCF; Murphy, Suzanne - DCF; Georg, Gregory R - DOR; McCabe, Fred - DWD
Subject: RE: Work Rules Language in WPEC Contract

She's obviously a big girl. Let her proceed accordingly. BF.

From: Calhoun, Jody - DCF
Sent: Thursday, March 31, 2011 1:04 PM
To: Verberkmoes, John - DCF; Murphy, Suzanne - DCF; Franks, William - DWD; Georg, Gregory R - DOR; McCabe, Fred - DWD
Subject: RE: Work Rules Language in WPEC Contract

Just to keep you posted...our member has an approved Disability Accomodation request (from a prior supervisor, dated 2004) that allows her to work from home one day/week

(she did not share this with me before today).

She has declined our assistance in filing a grievance. I offered our assistance in contacting Equal Rights on her behalf and she declined by stating to me "I told my supervisor that I was going to appeal it." I instructed her that the Disability Accomodation would 'override' DCF work rules, to be confident in her previous approval and that should she change her mind and require our assistance, she should feel free to contact us.

Jody

From: Calhoun, Jody - DCF
Sent: Thursday, March 31, 2011 9:43 AM
To: Moilanen, Pirkko - DCF
Cc: Verberkmoes, John - DCF; Murphy, Suzanne - DCF; Franks, William - DWD; Georg, Gregory R - DOR; McCabe, Fred - DWD
Subject: FW: Work Rules Language in WPEC Contract

Pirkko,

Please see Lynn's response, below. My impression of this, unless one of the other DCF stewards on record has written documentation from a member of management at the department level, is that Lynn was misinformed regarding the agency's telecommuting policy (within yours/various work units), i.e., working at home is something that your manager has allowed you to do and she is now being requested by her superiors to rescind a work rule that never existed (in HR or on paper, anyway).

Do you have anything in writing from her giving you telecommuting privileges? If she gave you approval above and beyond the non-existent work rules to telecommute and that privilege is now being rescinded, we could file a group grievance. I understand that you are not the only individual that this change would affect.

How would you like to approach this issue?

Jody

From: Wieser, Lynn - DCF
Sent: Thursday, March 31, 2011 7:52 AM
To: Calhoun, Jody - DCF
Cc: McCabe, Fred - DWD; Georg, Gregory R - DOR
Subject: FW: Work Rules Language in WPEC Contract

Jody,

I am assuming your March 17th email is related to this issue. As you may recall our response was:

Let me respond on behalf of Jill Chase and Randy Keys.

DCF made a conscious decision not to implement a telecommuting policy since it was established in June, 2008. It was determined by our Secretary that until such time it became appropriate, telecommuting would not be implemented. Our goal is to develop one in the future but none exists right now.

The DCF Work Rules have not changed either.

Please clarify what you are requesting.

If this is the individual that you were advising, please confirm. I will forward this email onto her so she has the information.

Thank you.

-Lynn

Lynn Wieser
Director, Human Resources Bureau
Department of Children and Families
Division of Enterprise Solutions
201 E. Washington Avenue, Room G200
Madison, WI 53703
Phone: (608)261-2601
Fax: (608) 261-6589

* * * * * * * * *
NOTICE: This E-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you received this E-mail in error, please notify the sender; delete the E-mail; and do not use, disclose or store the information it contains.

From: Moilanen, Pirkko - DCF
Sent: Thursday, March 17, 2011 1:05 PM
To: Chase, Jill D - DCF
Subject: FW: Work Rules Language in WPEC Contract

Jill, I contacted the union on the telecommuting issue. According to wpec, the contract is good until 6/30/11. Also, it sounds from the contract that the department has to notify the unions about the change in work rules prior to implementing it. I assume I can continue working from home on Fridays until this has happened (and hopefully get the WISCCRS user guide written).

From: Calhoun, Jody - DCF
Sent: Thursday, March 17, 2011 1:03 PM
To: Moilanen, Pirkko - DCF
Subject: RE: Work Rules Language in WPEC Contract

Yes.

From: Moilanen, Pirkko - DCF
Sent: Thursday, March 17, 2011 1:01 PM
To: Calhoun, Jody - DCF
Subject: RE: Work Rules Language in WPEC Contract

Does this mean that the new work rules won't be effective until the union has been notified?

From: Calhoun, Jody - DCF
Sent: Thursday, March 17, 2011 12:38 PM
To: Moilanen, Pirkko - DCF
Subject: Work Rules Language in WPEC Contract

This is the language in the contract that applies to any changes in work rules:

Section 14 Work Rules
9/14/1 The Employer agrees to establish reasonable work rules that shall not conflict with any of the provisions of this Agreement. The application of such

work rules shall recognize the professional nature of employees in this bargaining unit. Newly established work rules or amendments to existing work rules shall be reduced to writing and furnished to the Union thirty (30) days, where possible, but no less than seven (7) calendar days prior to the effective date of the rule(s). For purposes of this Agreement, work rules are defined as and limited to: "Rules promulgated by the Employer within its discretion which regulate the personal conduct of employees as it affects their employment, except that the Employer may enforce these rules outside the normal work hours when the conduct of the employee would prejudice the interest of the state as an Employer."
9/14/2 Work rules are to be interpreted and applied uniformly to all employees under like circumstances. The reasonableness of work rules which includes both the application and interpretation may be challenged through the grievance procedure contained in this Agreement.

OSER has agreed to abide by the above language; please show this to your supervisor.

Jody Calhoun
WPEC Local 4848 Steward
IS Systems Development Services Specialist
Department of Children and Families
State of Wisconsin
(608) 266-2287
jody.calhoun@wisconsin.gov

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:43 PM
To: 'Dianne Jones'; Barbara Smith; Aaron Crandall
Subject: RE: WPEC Convention

Dianne - this would be a great idea. I work with Sister Mandell on the Stewardship and Grievance Commitee and have found her quite dedicated to our Union. BF.

From: Dianne Jones [mailto:lacholita@sbcglobal.net]
Sent: Monday, April 04, 2011 8:39 PM
To: Barbara Smith; Aaron Crandall
Cc: Franks, William - DWD
Subject: Re: WPEC Convention

All,
Other than Tuesdays and Thursdays, I'm pretty much available to meet (over lunch, after work, etc). I spoke with Diane on several occassions and expressed my interest in joining the convention committee. She did not object to it, and although she was not overly open in relaying information, she did tell me I was welcome but insisted that there were no regular meetings, and she and the other individual mostly coordinated things via email.

I am perfectly willing to call her this week and 'check in' to see when I'll be needed. Unless any of you think that is a bad idea. ...I promise to be nice and not stir anything up; I'm not always a troublemaker :)

From: Barbara Smith <barbara@merr.com>
To: Aaron Crandall <aaron.crandall@yahoo.com>
Cc: lacholita@sbcglobal.net; William Franks <william.franks@dwd.wisconsin.gov>
Sent: Mon, April 4, 2011 8:18:37 PM
Subject: Re: WPEC Convention

I have a few ideas about the Convention. I agree that it would be too much of a burden for Diane Mandell to take this on alone. In fact, could we get a volunteer from outside of WPEC to babysit the table for a while that Saturday?

I'll think about some alternatives, and would be open to meeting this week.

I'd like to see an edition of the Insider go out to remind people about the Convention. It could be very simple, and we could do the layout ourselves to speed things up.

On 4/4/2011 7:40 PM, Aaron Crandall wrote:

> Barbara & Dianne,
>
> Ran into Diane M & she worried me a little because she said she's alone on the Convention Committee & since she's a "1 woman show, she can do what she wants." I think we need to intervene & try to have a brief mtg possibly later this week or this weekend to help Diane M out, etc. Who else might be interested?
>
> I think this convention could have great opportunity for us & we can't blow it by holding a typical WPEC convention & do business as usual. I think Diane could be easily worked with on our issues.
>
> Aaron

Internal Virus Database is out of date.
Checked by AVG - www.avg.com
Version: 8.5.449 / Virus Database: 271.1.1/2829 - Release

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:36 PM
To: Thompson, Andrea S - DWD
Subject: FW: MOA 2010-2012 Draft

Attachments: MOA 2010-2012_Table of Contents.doc; MOA 2010-2012 _Introduction.doc; MOA 2010-2012_Element 1.doc; MOA 2010-2012 _Element 2.doc; MOA 2010-2012_Element 3.doc; MOA 2010-2012 _Element 4.doc; MOA 2010-2012_Element 5.doc; MOA 2010-2012 _Element 6.doc; MOA 2010-2012_Element 7.doc; MOA 2010-2012 _Element 8.doc; MOA 2010-2012_Element 9.doc

FYI. BF.

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:02 PM
To: Peirce, Benjamin - DWD; Reid, Andrea - DWD; Solomon, Brian - DWD; Denis, Gary J - DWD; O'Brien, Pamela - DWD; Loerke, Theresa - DWD; Pfeil, Karen - DWD; Roberson, Cindi - DWD; Bernstein, Howard I - DWD; Duffield, Marlene - DWD; Cruz, Evelyn - DWD; Palzkill, Bruce R - DWD
Cc: Franks, William - DWD
Subject: FW: MOA 2010-2012 Draft

FYI. Let's see what ASD has to say. Our deadline to transmittal is April 11th. BF.

From: Lopez, Juan Jose - DWD
Sent: Monday, April 04, 2011 5:59 PM
To: Pawasarat, Jane - DWD; Rozek, Allison J - DWD
Cc: Cox, Brian D - DWD; Franks, William - DWD; Valentine, Rosemary - DWD; Tranchita, JoAnn M - DWD
Subject: MOA 2010-2012 Draft

Jane and Allison,

The following are drafts of the table of contents and the narrative portions of the MOA:

MOA)12_Table of Cc
MOA)12_Introductio
MOA)12_Element 1.
MOA 012_Element 2.
MOA 012_Element 3.
MOA 012_Element 4.
MOA 012_Element 5.
MOA 012_Element 6.
MOA 012_Element 7.
MOA)12_Element 8.
MOA 012_Element 9.

The MOA Drafts are for our meeting tomorrow at 3pm. Thank you.

Juan José López
Bureau Director
Department of Workforce Development
Division of Employment & Training
201 E. Washington Ave., Room G-100
Madison, WI 53707
608.266.0002
608.261.8506 Fax
JuanJose.Lopez@dwd.wisconsin.gov
Wisconsin is Open for Business!

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:03 PM
To: 'wpec@aft-wisconsin.org'; Franks, William - DWD
Subject: RE: Mary Klopp

Jill -First thing tomorrow morning. BF.

From: wpec@aft-wisconsin.org [mailto:wpec@aft-wisconsin.org]
Sent: Monday, April 04, 2011 5:47 PM
To: Franks, William - DWD
Subject: Mary Klopp

Hi Bill,

Can you look up Mary Klopp and see what her classification is? She signed up for Professional Development day but I don't find her in our bargaining unit. The state phone diretory lists her as working in DWD.

Thanks.

Jill

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:02 PM
To: Peirce, Benjamin - DWD; Reid, Andrea - DWD; Solomon, Brian - DWD; Denis, Gary J - DWD; O'Brien, Pamela - DWD; Loerke, Theresa - DWD; Pfeil, Karen - DWD; Roberson, Cindi - DWD; Bernstein, Howard I - DWD; Duffield, Marlene - DWD; Cruz, Evelyn - DWD; Palzkill, Bruce R - DWD
Cc: Franks, William - DWD
Subject: FW: MOA 2010-2012 Draft

Attachments: MOA 2010-2012_Table of Contents.doc; MOA 2010-2012 _Introduction.doc; MOA 2010-2012_Element 1.doc; MOA 2010-2012 _Element 2.doc; MOA 2010-2012_Element 3.doc; MOA 2010-2012 _Element 4.doc; MOA 2010-2012_Element 5.doc; MOA 2010-2012 _Element 6.doc; MOA 2010-2012_Element 7.doc; MOA 2010-2012 _Element 8.doc; MOA 2010-2012_Element 9.doc

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From: Lopez, Juan Jose - DWD
Sent: Monday, April 04, 2011 5:59 PM
To: Pawasarat, Jane - DWD; Rozek, Allison J - DWD
Cc: Cox, Brian D - DWD; Franks, William - DWD; Valentine, Rosemary - DWD; Tranchita, JoAnn M - DWD
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Jane and Allison,

The following are drafts of the table of contents and the narrative portions of the MOA:

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MOA)12_Introductio
MOA)12_Element 1.d
MOA 12_Element 2.d
MOA 12_Element 3.d
MOA 12_Element 4.d
MOA 12_Element 5.d
MOA 12_Element 6.d
MOA 12_Element 7.c
MOA)12_Element 8.d
MOA 12_Element 9.c

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Juan José López
Bureau Director
Department of Workforce Development
Division of Employment & Training
201 E. Washington Ave., Room G-100
Madison, WI 53707
608.266.0002
608.261.8506 Fax
JuanJose.Lopez@dwd.wisconsin.gov
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Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 4:12 PM
To: Duffin, Jamie - DWD
Subject: FW: element 7
Attachments: Job Center Complaint Coordinator MOA Element.doc
Complaint Coordinator Admin Memo Draft. BF.

From: Duffin, Jamie - DWD
Sent: Monday, April 04, 2011 3:41 PM
To: Franks, William - DWD
Subject: element 7

Do you have the Administrators memo NUMBER for exhibit 7A? – local EO officers memo
Thanks!

Jamie Duffin

Foreign Labor Certification Coordinator
WI Department of Workforce Development
Division of Employment & Training
Bureau of Program Management & Special Populations
608.266.7426

Check out the new www.JobCenterOfWisconsin.com



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DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF EMPLOYMENT AND TRAINING NOTICE
ADMINISTRATOR'S MEMO SERIES

X ACTION **08-01**
NOTICE

ISSUE DATE: 04/8/2011
DISPOSAL DATE:

*PROGRAM CATEGORIES:
AS FL ML TR
CR IT RA WIA
FM JC TC YA
LM TA

TO: Workforce Development Board Directors, Job Center Managers and Job Service Supervisors
FROM: Jane Pawasarat
Division Administrator

RE: Job Center Complaint Coordinator System

PURPOSE: Provide Updated Information on Wisconsin's Job Center Complaint Coordinator System

BACKGROUND: Section 121(d) of Title I of the Workforce Investment Act of 1998 (WIA) established the federal requirement that services and benefits under WIA be delivered through a one stop delivery system, known in Wisconsin as Job Centers.
Section 181 of the Act requires that,
"Each State and local area receiving an allotment under this title shall establish and maintain a procedure for grievances or complaints alleging violations of the requirements of this title from participants and other interested or affected parties."
Section 188 of the Act provides applicable nondiscrimination statutes and regulations be adjudicated through the procedures which the State and local area establish.

In September of 1998, Wisconsin, in conjunction with other partner agencies, implemented a system of centralized point of contact for anyone visiting a Job Center to go to with a complaint. *PROGRAM CATEGORIES:			
--Apprenticeship Standards CR--Civil Rights	--Financial Management Requirements Foreign Labor Certification IT--IT Systems JC--Job Center	--Labor Market Information ML--Migrant Labor RA--Refugee Assistance TC--Tax Credit Programs TA--Trade Assistance	TR--Transportation --Workforce Investm YA--Youth Apprent

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The Department monitors the effectiveness of the JCCCS when conducting on-site visits with the Workforce Development Boards, and has available training for the coordinators upon request along with additional Complaint Coordinator Posters.

POLICY: Wisconsin's JCCCS will be utilized in Job Centers to provide a centralized point of contact for anyone visiting a Job Center to go to with a complaint. The Workforce Development Boards are responsible for assigning a Complaint Coordinator for each Job Center, for assuring that the Complaint Coordinator is knowledgeable of their roles and responsibilities as outlined in the attached document, and for assuring that the Complaint Coordinator Poster is prominently displayed in each Job Center.

ACTION SUMMARY STATEMENT: Workforce Development Boards must ensure the Complaint Coordinators in their Job Centers are appointed and knowledgeable of their role, and that the Job Center Complaint Coordinator Poster is prominently displayed at their Job Centers. Please provide your updated Complaint Coordinators to

William A. "Bill" Franks, Jr., Equal Opportunity Officer
Division of Employment and Training
Department of Workforce Development
201 East Washington Avenue, Room A200
P.O. Box 7972
Madison, WI 53707-7972
Telephone (608) 266-6889
TTY (886) 864-4585
Fax (608) 267-3240

If training or technical assistance is necessary related to this memo, contact:

Attachments:
A. Job Center Complaint Coordinator Poster

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 4:08 PM
To: French, Gerald - DWD; Verberkmoes, John - DCF
Subject: RE: Catastrophic Leave

Jerry, Since Roger is WPEC represented, we'll start within our Members in DWD.

John Verberkmoes and I are the Union Approval Committee. Payroll usually verifies eligibility.
http://wi.aft.org/wpec/index.cfm?action=article&articleID=ed2dd1f2-eccd-469e-9b08-1b21d4ce6eb4

Please contact me if there are any questions. (608) 266-6889. BF.

From: French, Gerald - DWD
Sent: Monday, April 04, 2011 3:57 PM
To: Franks, William - DWD
Subject: Catastrophic Leave

Bill, Roger King from ASD BITS has gone on an extended medical leave and is requesting catastrophic leave. As far as I know, no application has been created. I haven't done this for WPEC before. What is needed to get this started? Thanks.

Jerry French
Employee Relations Specialist - Senior
DWD FMLA Coordinator
Wisconsin Department of Workforce Development
608.261.2139 Fax 608.261.0707
gerald.french@dwd.Wisconsin.gov
Wisconsin is Open for Business!

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 2:53 PM
To: McGaughey, Mark - ETF
Subject: RE: A religious experience...

You know you're in trouble when they make up jokes like this on you. BF.

From: McGaughey, Mark [mailto:Mark.McGaughey@etf.state.wi.us]
Sent: Wednesday, March 30, 2011 1:55 PM
To: Franks, William - DWD
Subject: FW: A religious experience...

From: Lebi, Claudius
Sent: Wednesday, March 30, 2011 1:41 PM
To: McGaughey, Mark; Blank, Mark
Subject: FW: A religious experience...

From: Lebi, Claudius
Sent: Wednesday, March 30, 2011 7:24 AM
To: Lebi, Claudius
Subject: FW: A religious experience...

> This is my kind of e mail.....
>
> The Pope and Gov Walker are on the same stage in Brewer Stadium in front
> of a huge crowd. The Pope leans towards Gov. Walker and said, "Do you
> know that with one little wave of my hand I can make every person in this
> crowd go wild with joy? This joy will ...not be a momentary display, but will
> go deep into their hearts and they'll forever speak of this day and rejoice!"
> Walker replied, "I seriously doubt that ~ with one little wave of your hand?
> Show me!" So the Pope backhanded him and knocked him off the stage.

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 10:48 AM
To: Kuechler, Mark W - DNR
Subject: FW: Are you in today?

From: Elwell, Robert H - DWD
Sent: Monday, April 04, 2011 10:45 AM
To: Franks, William - DWD
Subject: RE: Are you in today?

Yes, please. I would like to talk to someone today.

Thanks and have a nice day,
ROB

DWD Automation Security
608-266-7273

From: Franks, William - DWD
Sent: Monday, April 04, 2011 10:44 AM
To: Elwell, Robert H - DWD
Subject: RE: Are you in today?

Not until Thursday - I'm on a hard deadline. If you need to talk to a Steward before then, I will suggest one. BF.

From: Elwell, Robert H - DWD
Sent: Monday, April 04, 2011 10:42 AM
To: Franks, William - DWD
Subject: RE: Are you in today?

Do you get time for a break or is there someone I could please talk to today??

Thanks and have a nice day,
ROB

DWD Automation Security
608-266-7273

From: Franks, William - DWD
Sent: Monday, April 04, 2011 10:39 AM
To: Elwell, Robert H - DWD
Subject: RE: Are you in today?

Yeah, but I'm not available until Thursday.Working on a federal deliverable. BF.

From: Elwell, Robert H - DWD
Sent: Monday, April 04, 2011 10:38 AM
To: Franks, William - DWD
Subject: Are you in today?

Are you in today? Please let me know.

Thanks,
ROB

Robert Elwell

Bureau of Information Technology Services (BITS)
DWD Automation Security
608-266-7273
201 E. Washington Ave.
Madison, WI.
53703

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 10:04 AM
To: Trimble, Julie - DWD; Gormican, Carolyn - DWD; Lopez, Juan Jose - DWD; Duffin, Jamie - DWD
Subject: Administrator's Memo Update Job Center Complaint Coordinator System Draft - 1st of 3.

Attachments: Job Center Complaint Coordinator Admin Memo Draft.doc


Job Center
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DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF EMPLOYMENT AND TRAINING NOTICE
ADMINISTRATOR'S MEMO SERIES

X ACTION **08-01**
NOTICE

ISSUE DATE: 04/8/2011
DISPOSAL DATE:

*PROGRAM CATEGORIES:
AS FL ML TR
CR IT RA WIA
FM JC TC YA
LM TA

TO: Workforce Development Board Directors, Job Center Managers and Job Service Supervisors
FROM: Jane Pawasarat
Division Administrator

RE: Job Center Complaint Coordinator System

PURPOSE: Provide Updated Information on Wisconsin's Job Center Complaint Coordinator System

BACKGROUND: Section 121(d) of Title I of the Workforce Investment Act of 1998 (WIA) established the federal requirement that services and benefits under WIA be delivered through a one stop delivery system, known in Wisconsin as Job Centers.
Section 181 of the Act requires that,
"Each State and local area receiving an allotment under this title shall establish and maintain a procedure for grievances or complaints alleging violations of the requirements of this title from participants and other interested or affected parties."
Section 188 of the Act provides applicable nondiscrimination statutes and regulations be adjudicated through the procedures which the State and local area establish.

In September of 1998, Wisconsin, in conjunction with other partner agencies, implemented a system of centralized point of contact for anyone visiting a Job Center to go to with a complaint. *PROGRAM CATEGORIES:

--Apprenticeship Standards CR--Civil Rights	--Financial Management Requirements Foreign Labor Certification IT--IT Systems JC--Job Center	--Labor Market Information ML--Migrant Labor RA--Refugee Assistance TC--Tax Credit Programs TA--Trade Assistance	TR--Transportation --Workforce Investm YA--Youth Apprent

This system was called the Job Center Complaint Coordinator System (JCCCS). Complaint Coordinators referred complaints or acted as a conduit to make sure the complainant gets the resources they need, based on the type of complaint or particular program involved. Each Job Center was provided with Complaint Coordinator Posters showing English, Spanish and Hmong translations to display prominently at the site. Since then periodic updates of the Complaint Coordinators have been done, and the Role of the Complaint Coordinator has been reviewed for needed updates. This communication is the result of the most recent update conducted with the Workforce Development Boards with assistance from partner agencies.

The Department monitors the effectiveness of the JCCCS when conducting on-site visits with the Workforce Development Boards, and has available training for the coordinators upon request along with additional Complaint Coordinator Posters.

POLICY: Wisconsin's JCCCS will be utilized in Job Centers to provide a centralized point of contact for anyone visiting a Job Center to go to with a complaint. The Workforce Development Boards are responsible for assigning a Complaint Coordinator for each Job Center, for assuring that the Complaint Coordinator is knowledgeable of their roles and responsibilities as outlined in the attached document, and for assuring that the Complaint Coordinator Poster is prominently displayed in each Job Center.

ACTION SUMMARY STATEMENT: Workforce Development Boards must ensure the Complaint Coordinators in their Job Centers are appointed and knowledgeable of their role, and that the Job Center Complaint Coordinator Poster is prominently displayed at their Job Centers. If training or technical assistance is necessary related to this memo, contact:

William A. "Bill" Franks, Jr., Equal Opportunity Officer
Division of Employment and Training
Department of Workforce Development
201 East Washington Avenue, Room A200
P.O. Box 7972
Madison, WI 53707-7972
Telephone (608) 266-6889
TTY (886) 864-4585
Fax (608) 267-3240

This policy is located at http://dwd.wisconsin.gov/det/adminmemos/pdf/2007/0701.pdf **(UPDATE LINK BF)**

Attachments:

A. Job Center Complaint Coordinator Roles and Responsibilities
B. Job Center Complaint Coordinator Listing
C. Job Center Complaint Coordinator Poster

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:45 AM
To: McCabe, Fred - DWD
Subject: FW: developments on Jim's EEOC and WERC complaints!

We got a dog in this fight. BF.

From: JK Wilkes [mailto:12jkwilkes17@charter.net]
Sent: Sunday, April 03, 2011 3:31 PM
To: Franks, William - DWD; Verberkmoes, John - DCF; Tom Ellett
Subject: developments on Jim's EEOC and WERC complaints!

The EEOC may be filing an formal discrimination complaint against UW Colleges over the disputed hiring process that resulted in Jim's grievances and ERD hearing.

I've been in contact with the EEOC regional office in Milwaukee. Apparently they have spoken with UW legal counsel and are going forward. There's a possibility that Jim's complaint may result in a CLASS ACTION lawsuit. We're supposed to be getting a letter sometime soon, maybe in the next couple of weeks, but I wanted to give you a heads up. This is a maybe at this point. We'll have to wait to get the official determination in the mail.

WERC is doing something it never normally does: it has scheduled an informal conference over the recent ULP charge we filed concerning our "justice delayed" complaint against OSER and Scott Walker. Normally, they don't do that in cases involving complaints against the state, per Raleigh Jones at WERC. I'll be meeting with him and OSER's lawyer Bill Ramsey on May 26 at 11 a.m.

Kathy Wilkes

276 5930 home

Bernstein, Howard I - DWD

From: Franks, William - DWD
Sent: Monday, April 04, 2011 8:13 AM
To: Thomas, Jody - DWD
Subject: RE: Juan's #

Thanks. BF.

From: Thomas, Jody - DWD
Sent: Monday, April 04, 2011 8:13 AM
To: Franks, William - DWD
Subject: Juan's #

608-320-1473

Jody Thomas

WOTC Program Manager
Department of Workforce Development
Division of Employment and Training
Bureau of Program Management & Special Populations
201 E. Washington Ave
Madison, WI 53703
(608) 266-1903
Find employees or find a job at Job Center of Wisconsin