



Workforce Development Council
ONE-STOP CENTER CERTIFICATION REVIEW

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A review was completed on April 11, 2019.

ONE-STOP CENTER CERTIFICATION

FINDING #1: To improve cross-training, sharing of policy/procedure information, file maintenance, and performance, the required actions will be implemented during staff meetings.

Required Action #1: Review a participant file as a team once a month. Summarize findings identified and any questions related to the file for the Central Office. Send in the appropriate review worksheet(s) for the file based on program enrollment to the Director of Workforce training for two files for two months.

Required Action #2: Review predictive reports each month for each performance measure and program group. Send two month's summaries to the Director of Workforce Training which identifies the numerator and denominator totals each month for each performance measure and program group. In the summary, identify questions for the Central Office, action needed by staff related to the report, and what was learned.

Required Action #3: When policy memos are released, the Pierre Job Service will review these as a team during their staff meetings. Staff should review the memo before the meeting, so they can be prepared to discuss it. Questions identified should be submitted to the Central Office before the policy memo call as appropriate.

FINDING #2: Related to the provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system.

Required Action #4: To improve the partnership with The Right Turn, the Pierre Job Service will coordinate regularly scheduled visits during class time at least twice each month. This time will offer staff an opportunity to touch base with shared participants, recruit new participants, or provide career-related educational material for students. At least quarterly, the Pierre Job Service will hold a career exploration activity at The Right Turn to encourage students to see employment opportunities and potential as their knowledge increases. After coordinating with leadership at The Right Turn, send a schedule to the Director of Workforce Training.

FINDING #3: To improve the knowledge and build partnerships for all staff, the following required action must be implemented.

Required Action #5: A variety of staff will attend partner meetings and report back updates to other staff during regular staff meetings. The Pierre Job Service Manager will provide a list of individuals who attend the next three partner meetings.

FINDING #4: Implementation and provision of Career Services.

Required Action #6: The Pierre Job Service does not currently offer Financial Literacy, a career service offered by the One-Stop Center. The Pierre Job Service needs to identify partners in the community to build attendance for such a class. The Pierre Job Service needs

RESOLUTION

*Completed
March 12,
2020*

*Completed
March 12,
2020*

*Completed
March 12,
2020*

*Completed
July 19, 2019*

*Completed
July 19, 2019*

*Completed
July 19, 2019*

to identify a partnership to offer this class in the Pierre area. It is suggested taking this to a partner meeting to further discuss possibilities. Similarly, the Pierre Office needs to refer participants for the National Career Readiness Certificate and Bring Your A Game class. Again, identify community partners who also require soft skills training to create sufficient attendance for classes.

COMPLIANCE FINDINGS

FINDING #1: The Support Service Policy 5.34 in the WIOA manual was not being followed, Form 24 was not signed and uploaded to the obligation voucher. As a result, the service was not approved before the start of the activity.

Required Action #1: The Support Service Policy 5.34 must be reviewed in-depth by the DLR Pierre Job Service staff. As a result, the staff will understand how to calculate the allowed transportation cost in the future. A sign-in sheet and any questions from this meeting must be sent to the Director of Workforce Training.

Required Action #2: To improve the DLR Administrative Services Division process and understanding, the Pierre Job Service Manager and at least one other staff member from the Pierre office will meet with Deb Halling to review the DLR Administrative Services Division process.

FINDING #2: Employment Plan Policy 4.11 requires that Employment Plans must be signed, provided to the participant, and uploaded into SDWORKS document management system. Multiple files did not have an Employment Plan signed and uploaded into the system.

Required Action #3: Review of Employment Plan Policy 4.11 as a team. Provide a signature page of those in attendance. Each Employment Specialist will be required to send the Labor Program Specialist the name of a newly enrolled participant to review the Employment Plan with comprehensive objectives, view the signed plan that has been uploaded into SDWORKS to verify the policy has been followed.

FINDING #3: Assessment Policy 4.9 indicates that during the enrollment process, individuals must receive an Initial and Objective assessment. An Initial assessment is part of the overall intake process and paints the picture of the individual, their needs, and desires. The Objective assessment helps in the development of the Employment Plan. During this review, multiple files lacked an initial and or an objective assessment. An initial assessment was not found in the notes and there was no objective assessment completed in SDWORKS or a paper assessment uploaded in the SDWORKS document management system.

Required Action #4: Review Assessment Policy 4.9 as a team. Provide a signature page of those in attendance. Each Employment Specialist will be required to send the Labor Program Specialist the name of a newly enrolled participant to review the Initial and Objective Assessment with comprehensive objectives, view the signed plan that has been uploaded into SDWORKS to verify the policy has been followed.

FINDING #4: Case Notes Policy 5.3 outlines and provides examples of what a quality case note should contain. Case notes must be timely and entered within two working days from the date of contact. Based on the review, multiple files did not adhere to the Case Note Policy by entering the name of the service provided, as well as entering notes on a timely basis.

RESOLUTION

*Completed
June 24,
2019*

*Completed
June 24,
2019*

*Completed
June 6, 2019*

*Completed
June 6, 2019*

Required Action #5: Review Case Notes Policy 5.3 as a team. Provide a signature page of those in attendance. Each Employment Specialist will be required to send the Labor Program Specialist the name of a newly enrolled participant to review the timeliness of case notes.

*Completed
June 6, 2019*

FINDING #5: To determine if a participant is eligible to continue with SCSEP, including income attestations, sources of income, third-party family size attestation forms, and physical exam waivers must all be obtained in the recertification process. An income statement that calculates the participant's earnings must be the final document gathered to prove that the recertification process is complete. Only once the Labor Program Specialist signs and dates this form will official eligibility be determined. Income statements were not being created nor sent to the LPS for an official determination.

Required Action #6: During recertification, create an income statement using the correct lookback period (6 months annualized/12 months) and income earned during that period. Send to LPS for official approval.

*Completed
June 6, 2019*

FINDING #6: Case Management Policy 5.2 advises staff to maintain consistent contact with participants as appropriate to monitor a participant's progress towards their employment goals. In one file, the last case notes were from 10/03/2018 (over 180 days) with no recent case management note indicating when staff had last contacted the individual. Other files in the review also went for an extended time without case management.

Required Action #7: Review the Case Management Policy 5.2 as a team. Provide a signature page of those in attendance and provide a plan of how the office will improve case management practices.

*Completed
June 6, 2019*

AMERICANS WITH DISABILITIES ACT (ADA)

ADA FINDING #1 – MEDIUM EFFORT: A van accessible handicap parking space is not available.

ADA Required Action #1: Create a handicap parking space that is van accessible, as discussed.

*Completed
July 27, 2019*

ADA FINDING #2 – LOW EFFORT: The fire extinguisher protrudes more than four inches from the wall.

ADA Required Action #2: Place an object, such as a trash can or a plant, under it.

*Completed
July 29, 2019*

ADA FINDING #3 – LOW EFFORT: ADA compliant signs are not installed for the Resource Room and both Conference Rooms.

ADA Required Action #3: Order and install ADA compliant signs for both rooms.

*Completed
May 28,
2020*

ADA FINDING #4 – MEDIUM EFFORT: The reception counter is higher than 25 inches from the floor.

ADA Required Action #4: Install a new reception surface. In the interim, have clipboards

Completed

available for guests.

July 29, 2019

ADA FINDING #5 – LOW EFFORT: Pipes in the restrooms are not covered.

ADA Required Action #5: Order and install soft plastic coverings for the pipes in both restrooms.

Completed
May 15,
2020

ADA FINDING #6 – LOW EFFORT: Braille signs for both restrooms are out of compliance.

ADA Required Action #6: Order and install signs with braille for both restrooms.

Completed
May 27,
2020

ADA FINDING #7 – LOW EFFORT: Restroom accessible stall door handles are not installed correctly.

ADA Required Action #7: Install door handles on the inside of the stall in both restrooms.

Completed
May 28,
2020

ADA FINDING #8 – LOW EFFORT: The locking mechanism in the accessible stall of the women's restroom is not working correctly. Repair the locking mechanism.

ADA Required Action #8: Repair the locking mechanism on the accessible stall in the women's restroom.

Completed
May 28,
2020

EQUAL OPPORTUNITY (EO)

EO FINDING #1: ADEQUATE TRAINING (ELEMENT 1: DESIGNATION OF EO COORDINATOR). The Pierre Job Service on-site review showed indications training was needed for staff on the WIOA Title I Non-Discrimination Plan.

EO Required Action #1: The EO Coordinator must provide training to ensure staff is knowledgeable of the Non-Discrimination Plan and the methods used to provide equal services. The following are training areas to focus on:

1. DLR EO website - Staff is familiar with the DLR EO website including all the elements and supporting documents.
2. Providing Equal Services - All staff have the most updated information and training on how to use the auxiliary aids DLR uses for Limited English Proficiency (Language Link translating service) and individuals with hearing and vision impairments (Relay SD) readily available in his/her work area (see technical assistance). All staff must attend the EO training on LEP which will be scheduled with the manager and the EO Officer.
3. Complaint Process – Provide training on the new Complaint Process to ensure staff knows the complaint policy and procedure, including their role (training will be provided).

RESOLUTION

Completed
August 1 and
August 8,
2019

EO FINDING #2: LEP DATA COLLECTION (ELEMENT 6: DATA AND INFORMATION COLLECTION AND

MAINTENANCE). As of January 3, 2019, all One-Stop operators are required to record the limited English proficiency and preferred language of each applicant, registrant, participant, and terminatee. DLR is currently working with GSI to update SDWORKS to collect the data. As of now, at no fault of their own, no One-Stop operator is collecting the LEP data.

- 29 CFR 38.41 states in part that all One-Stop operators are required to record the limited English proficiency and preferred language of each applicant, registrant, participant, and terminatee.

EO Required Action #2: The EO Officer has created the LEP Form to collect the data. Until SDWORKS is capable of collecting the data, each One-Stop operator must use the LEP Form as a required form to complete at the beginning of the enrollment process and must be saved in the participant's file.

Completed August 27, 2019

EO FINDING #3: COMPLAINT LOG AND COMPLAINT PROCESS (ELEMENT 8: COMPLAINT PROCESSING PROCEDURES). The One-Stop Operator does not maintain the complaint log as required by the non-discrimination plan. During the on-site review, it was also indicated Pierre is not following the current complaint process.

- 20 CFR 658 – Employment Service Complaint System, section 410 – Establishment of local and State complaint systems; (c) states in part the manager of Employment Service office must ensure a central complaint log is maintained, listing all complaints taken.
- 20 CFR 658 – Employment Service Complaint System, section 410 – Establishment of local and State complaint systems; (j) states in part the manager must transmit an electronic copy of the quarterly complaint system log described in paragraph (c) to the EO Officer.

EO Required Action #3: The manager must maintain the complaint log with all complaints brought to the Pierre Job Service and create a new log quarterly in the designated shared folder. Training should be provided to all staff on the current process for handling complaints. A complaint process guide is being created and will be provided to the Job Service once complete. The Job Service manager should provide training on the complaint process guide once provided.

Completed August 26, 2019

DLR RECOMMENDATION

DLR recommends continuing with the American Job Center Affiliate Site Certification for this location.

Kendra Ringstmeyer, Director of Workforce Training
Department of Labor and Regulation

Date

CERTIFICATION

The Workforce Development Council (WDC) recognizes the criteria detailed in the Workforce Innovation and Opportunity Act (WIOA) One-Stop Career Center Certification (OSC) Policy 3.3, has been met. Therefore, certification for the Pierre Job Service is approved through June 30, 2024.

Signed and approved by the undersigned on behalf of the Workforce Development Council Members.

Lee Anderson, Chairman
Workforce Development Council

Date

A review was completed on March 10, 2020.

COMPLIANCE FINDINGS

FINDING #1: Employment Plan Policy 4.11 requires that Employment Plans must be signed, provided to the participant, and uploaded into SDWORKS document management system. Multiple files did not have an Employment Plan signed and/or uploaded into the system, and objectives were either missing or not broken down into steps to reach the goal.

Required Action #1: Review of Employment Plan Policy 4.11 as a team. Develop a sample Employment Plan during this meeting. Provide a signature page of those in attendance and a copy of the sample Employment Plan.

RESOLUTION

*Completed
June 5, 2020*

FINDING #2: Case Notes Policy 5.3 outlines and provides examples of what a quality case note should contain. Case notes must be timely and entered within two working days from the date of contact. Based on the review, multiple files did not follow Policy by entering the name of the service provided, as well as entering notes on a timely basis.

Required Action #2: Review Case Notes Policy 5.3 as a team. Provide a signature page of those in attendance.

*Completed
June 5, 2020*

FINDING #3: Several individuals should have been co-enrolled in the Adult and Youth program had no program service entry for the Adult program. Based on Youth Eligibility Policy 4.3, through the WIOA Youth enrollment process, Adult participation will be triggered for those over the age of 18 by staff entering the services identified in the youth enrollment process under the SDWORKS Adult application.

Required Action #3: Review the Youth Eligibility Policy 4.3 as a team. During this meeting, develop a sample service schedule provided to eligible youth between the ages of 18 and 24 that shows how they would become a participant of the Adult program before Youth participation. Provide a signature page of those in attendance and a copy of this sample service schedule.

*Completed
June 5, 2020*

FINDING #4: Several files reviewed did not assign weekly activities to objectives. Re-employment Services (RES) Policy 5.60 states that claimants who do not meet an exception need to make weekly job contacts and complete assigned activities.

Required Action #4: Review Re-employment Services (RES) Policy 5.60 and Re-employment Services Data Entry for SDWORKS Guide with all Employment Specialists that work with the program. During this meeting, identify a list of at least 20 meaningful activities that can be offered to a RES participant and included in an Employment Plan as a weekly activity. Provide a signature page of those in attendance and a list of possible weekly activities.

*Completed
June 5, 2020*

FINDING #5: Basic Skills Deficient Policy 4.8 requires an assessment to be completed within 60 days of the initial application to determine a participant’s basic skills level. Findings in this area were very high

for participants in RES and co-enrolled into the Title I Adult/Dislocated Worker program.

Required Action #5: As a team, review Basic Skills Deficient Policy 4.8. Provide a signature page of those in attendance and a plan to improve this process, including uploading assessment results to SDWORKS.

Completed
June 5, 2020

AMERICANS WITH DISABILITIES ACT (ADA)

ADA FINDING #1 – LOW EFFORT: Entrance doors on the east and west side of the building take less than five seconds to close, per ADA Standards.

ADA Required Action #1: Adjust the door to take at least five seconds to close from an open position of 90 degrees to a position of 12 degrees from the latch.

RESOLUTION

Completed
May 12, 2020

ADA FINDING #2 – LOW EFFORT: Braille signs are not installed outside of permanent rooms and/or spaces not likely to change over time.

ADA Required Action #2: Order and install approved braille signs for the following rooms: Crazy Horse Room, Badlands Room, Dakota Room, Resource Room, Testing Room, Centennial Room, and Business Resource Center.

Completed
June 18,
2020

EQUAL OPPORTUNITY (EO)

EO FINDING #1: Element 6: Data and Information Collection and Maintenance. Rapid City Job Service is not in compliance with Element 6 - Data and information collection and maintenance. Rapid City staff, at no fault of their own, include medical and disability information in case notes. The current process does not discourage staff from including medical and disability information in case notes. This practice is not compliant with federal regulations.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (3):* states in part, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e. password protection).

EO REQUIRED ACTION #1: DLR Central Office must update the process for documenting medical and disability information to be compliant with regulations. Currently, SDWORKS, which is the platform DLR uses to collect and store data, does not have a way to password protect documents or case notes. DLR, along with other staffs using Geographic Solutions, Inc. (GeoSol), has requested an update in SDWORKS to allow us to password protect medical and disability information. DLR is working on a temporary solution and once finalized, by no later than January 1, 2021, will provide guidance. Rapid City office should limit medical and disability information within case notes while waiting for the new process.

RESOLUTION

Completed
May 27, 2020

EO FINDING #2: Element 6: LEP Data Collection. Rapid City Job Service is not in compliance with Element 6 - LEP Data Collection. Rapid City does not collect LEP data in SDWORKS. An email was sent

to all field staff on November 1, 2019, to inform them of a new process to collect LEP data in SDWORKS effective November 1, 2019. However, the email did not clearly explain the requirement to collect LEP data and the process to do so. As a result, none of the local offices have been collecting the LEP data.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (2)*: states in part, beginning January 3, 2019, each recipient must also record the limited English proficiency (LEP) and preferred language of each applicant, registrant, participant, and terminnee.
- *29 CFR 38.4 Definitions (hh)*: Limited English proficient (LEP) individual means an individual whose primary language for communication is not English and who has limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communication (e.g. speaking or understanding) but still be LEP for other purposes (e.g. reading or writing).

EO Required Action #2: Rapid City Job Service must collect LEP data from all participants. A new memo will be sent to all job service offices clearly explaining the requirement and process. A training guide has been created on the topic of LEP. The Rapid City manager must attend training on the LEP guide during an in-person/video conference manager's meeting. The manager must also present the training to staff.

*Completed
May 27, 2020*

DLR RECOMMENDATION

DLR recommends continuing with the American Job Center Affiliate Site Certification for this location.

Kendra Ringstmeyer, Director of Workforce Training
Department of Labor and Regulation

Date

CERTIFICATION

The Workforce Development Council (WDC) recognizes the criteria detailed in the Workforce Innovation and Opportunity Act (WIOA) One-Stop Career Center Certification (OSC) Policy 3.3, has been met. Therefore, certification for the Rapid City Job Service is approved through June 30, 2024.

Signed and approved by the undersigned on behalf of the Workforce Development Council Members.

Lee Anderson, Chairman
Workforce Development Council

Date

A review was completed on March 9, 2020.

COMPLIANCE FINDINGS

FINDING #1: Employment Plan Policy 4.11 requires that Employment Plans must be signed, provided to the participant, and uploaded into SDWORKS document management system. Multiple files did not have an Employment Plan signed and/or uploaded into the system, and objectives were either missing or not broken down into steps to reach the goal.

Required Action #1: Review of Employment Plan Policy 4.11 as a team. Develop a sample Employment Plan during this meeting. Provide a signature page of those in attendance and a copy of the sample Employment Plan.

Additional Required Action #1: Thank you for the Employment Plan that was provided in your response. However, the objectives in the sample Employment Plan were not specific and measurable. Please review the [RES Guide](#) for an example and submit a plan that provides specific and measurable objectives.

FINDING #2: Case Notes Policy 5.3 outlines and provides examples of what a quality case note should contain. Case notes must be timely and entered within two working days from the date of contact. Based on the review, multiple files did not follow Policy by entering the name of the service provided, as well as entering notes on a timely basis.

Required Action #2: Review Case Notes Policy 5.3 as a team. Provide a signature page of those in attendance.

FINDING #3: Selective Service Policy 4.6 states that male individuals enrolled in Title I must be registered with Selective Service. Several files did not have documentation to verify or support enrollment into Selective Services uploaded in the SDWORKS Document section of a participant's file.

Required Action #3: Review Selective Service Policy 4.6 as a team. Provide a signature page of those in attendance.

FINDING #4: Several files reviewed did not assign weekly activities to objectives. Re-employment Services (RES) Policy 5.60 states that claimants who do not meet an exception need to make weekly job contacts and complete assigned activities.

Required Action #4: Review Re-employment Services (RES) Policy 5.60 and Re-employment Services Data Entry for SDWORKS Guide with all Employment Specialists that work with the program. During this meeting, identify a list of at least 20 meaningful activities that can be offered to a RES participant and included in an Employment Plan as a weekly activity. Provide a signature page of those in attendance and a list of possible weekly activities.

RESOLUTION

*Completed
August 27,
2020*

*Completed
June 16,
2020*

*Completed
June 16,
2020*

*Completed
June 16,
2020*

FINDING #5: Assessment Policy 4.9 states that all assessments or determinations must be made within 60 days of the initial application. Findings in this area were very high for participants in RES and co-enrolled into Title I Adult/Dislocated Worker program.

Required Action #5: Review Assessment Policy 4.9 as a team. Provide a signature page of those in attendance and a plan to improve this process, including uploading assessment results to SDWORKS.

*Completed
June 16,
2020*

FINDING #6: Intake and Orientation Policy 5.5 requires anyone who is enrolled in Title I or Title III to complete the intake and orientation forms 1, 2, and, 3. Multiple files were missing intake forms and if it isn't uploaded into SDWORKS, we can't take credit for signing the forms. Additionally, DLR needs a record of the Release of Information Form to prove our ability to provide the services.

Required Action #6: Review Intake and Orientation Policy 5.5 as a team. Provide a signature page of those in attendance. As a team, discuss ways to ensure these forms are completed and uploaded into SDWORKS. Share your plan to improve this process in your response to this letter.

*Completed
June 16,
2020*

FINDING #7: Several individuals should have been co-enrolled in the Adult and Youth program had no program service entry for the Adult program. Based on Youth Eligibility Policy 4.3, through the WIOA Youth enrollment process, Adult participation will be triggered for those over the age of 18 by staff entering the services identified in the youth enrollment process under the SDWORKS Adult application.

Required Action #7: Review the Youth Eligibility Policy 4.3 as a team. During this meeting, develop a sample service schedule provided to eligible youth between the ages of 18 and 24 that shows how they would become a participant of the Adult program before Youth participation. Provide a signature page of those in attendance and a copy of this sample service schedule.

Additional Required Action #2: Please review page 33 of the SDWORKS Title III and Title I Enrollment Guide. Review this with your team. In your response, include a sample service schedule showing a participant over the age of 18 and eligible for the youth program to become an adult before becoming a youth participant. If needed, reach out to Youth LPS for an explanation to ensure full understanding.

*Completed
August 27,
2020*

FINDING #8: A participant was never assigned a case manager in the Wagner-Peyser application; however, they had a Title I case manager. Case Management Policy 5.2 states that all participants, even Wagner-Peyser participants, must be assigned a case manager.

Required Action #8: Review Case Management Policy 5.2 as a team. Provide a signature page of those in attendance.

*Completed
June 16,
2020*

AMERICANS WITH DISABILITIES ACT (ADA)

RESOLUTION

ADA FINDING #1 – HIGH EFFORT: The slope of the accessible parking space(s) and access aisles are steeper than 1:48 in all directions.

ADA Required Action #1: Regrade the parking space(s) to meet the ADA standard of a 1:48 grade slope.

*Pending
lease
renewal*

ADA FINDING #2 – MEDIUM EFFORT: The slope of the accessible ramp is 2:24 and raises more than 6". Currently, there is not a handrail on the ramp.

ADA Required Action #2: Decrease the ramp slope to meet the ADA Standard of 1:20 and lowered to 6" from the highest point to the ground. A handrail also needs to be added to the ramp. See the diagrams below for ADA Standard modification/installation guidelines.

*Pending
lease
renewal*

ADA FINDING #3 – LOW EFFORT: Access aisles and handicap parking space(s) are not marked as to discourage parking in them.

ADA Required Action #3: Repaint the handicap parking space and access aisles.

*Pending
lease
renewal*

ADA FINDING #4 – LOW EFFORT: Braille signs designating permanent rooms and spaces not likely to change over time were not present.

ADA Required Action #4: Order and install ADA Standard approved braille signs per guidelines for the following rooms: Job Seeker Resource Room, Assessment Room, Business Resource Room, Business Resource Room, and Manager's Office.

*Completed
June 22,
2020*

ADA FINDING #5 – LOW EFFORT: The doors equipped with hardware are not operable with one hand and do not require tight grasping, pinching, or twisting of the wrist.

ADA Required Action #5: Replace all door hardware in the office to ADA Standard hardware.

*Completed
June 30,
2020*

ADA FINDING #6 – LOW EFFORT: The reception counter is not accessible per ADA Standards.

ADA Required Action #6: Make a clipboard available for the public to utilize.

*Completed
June 22,
2020*

ADA FINDING #7 – LOW EFFORT: The accessible restroom does not have an ADA Standard braille sign stating it is accessible.

ADA Required Action #7: Order a Family Restroom sign with a Handicap Accessibility symbol and install per ADA Standards.

*Completed
June 22,*

ADA FINDING #8 – LOW EFFORT: The operable parts of the towel dispenser are 51.5” above the floor.

ADA Required Action #8: Relocate the towel dispenser to 48” from the floor per ADA Standards.

*Pending
lease
renewal*

ADA FINDING #9 – LOW EFFORT: Although not required, coat hooks are not installed in the Family Restroom.

ADA Required Action #9: Install coat hooks in the restroom per ADA Standards.

*Pending
lease
renewal*

EQUAL OPPORTUNITY (EO)

EO FINDING #1: ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE. Spearfish Job Service is not compliant with Element 6 - Data and information collection and maintenance. Spearfish staff, at no fault of their own, include medical and disability information in case notes. The current process does not discourage staff from including medical and disability information in case notes. This practice is not compliant with federal regulations.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (3):* states in part, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e. password protection).

EO Required Action #1: DLR Central Office must update the process for documenting medical and disability information to be compliant with regulations. Currently, SDWORKS, which is the platform DLR uses to collect and store data, does not have a way to password protect documents or case notes. DLR, along with other states using Geographic Solutions, Inc. (GeoSol), has requested an update in SDWORKS to allow us to password protect medical and disability information. DLR is working on a temporary solution and once finalized, by no later than January 1, 2021, will provide guidance. Spearfish office should limit medical and disability information within case notes while waiting for the new process.

RESOLUTION

*Completed
September 1,
2020*

EO FINDING #2: Element 6: LEP Data Collection. Spearfish Job Service is not compliant with Element 6 – LEP Data Collection. Spearfish does not collect LEP data in SDWORKS. An email was sent to all field staff on November 1, 2019, to inform them of a new process to collect LEP data in SDWORKS effective November 1, 2019. However, the email did not clearly explain the requirement to collect LEP data and the process to do so. As a result, none of the local offices have been collecting the LEP data.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (2)*: states in part, beginning January 3, 2019, each recipient must also record the limited English proficiency (LEP) and preferred language of each applicant, registrant, participant, and trainee.
- *29 CFR 38.4 Definitions (hh)*: Limited English proficient (LEP) individual means an individual whose primary language for communication is not English and who has limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communication (e.g. speaking or understanding) but still be LEP for other purposes (e.g. reading or writing).

EO Required Action #2: Spearfish Job Service must collect LEP data from all participants. A new memo will be sent to all job service offices clearly explaining the requirement and process. A training guide has been created on the topic of LEP. The Spearfish manager must attend training on the LEP guide during an in-person/video conference manager's meeting. The manager must also present the training to staff.

Additional EO Required Action #1: Develop a process for adequately collecting LEP data, as well as documenting and limiting information for medical and disability in case notes.

*Completed
September 1,
2020*

DLR Central Office has updated the process of collecting medical and disability information. 5.3 Case Notes Guide provides guidance on what information can be shared in case notes. A SharePoint folder has been created for each Local Office to put medical and disability files, including information not allowed in case notes. The SharePoint folders will only give access to individuals who need access to participants' sensitive information

DLR RECOMMENDATION

DLR recommends continuing with the American Job Center Affiliate Site Certification for this location.

Kendra Ringstmeyer, Director of Workforce Training
Department of Labor and Regulation

Date

CERTIFICATION

The Workforce Development Council (WDC) recognizes the criteria detailed in the Workforce Innovation and Opportunity Act (WIOA) One-Stop Career Center Certification (OSC) Policy 3.3, has been met. Therefore, certification for the Spearfish Job Service is approved through June 30, 2024.

Signed and approved by the undersigned on behalf of the Workforce Development Council Members.

Lee Anderson, Chairman
Workforce Development Council

Date

A review was completed on April 24, 2020.

COMPLIANCE FINDINGS

FINDING #1: Employment Plan Policy 4.11 states all Employment Plans must be signed, provided to the participant, and uploaded into SDWORKS document management system. Multiple files did not have a signed Employment Plan uploaded into the system. Also, multiple files did not have objectives, or the objective was not broken down into steps to reach the goal. The Employment Plan should be a comprehensive guide outlining the steps necessary for the participant to reach their goals. When developing an Employment Plan, identify objectives the Employment Specialist will complete assisting the participant.

Required Action #1: As a team, review Employment Plan Policy 4.11. Develop a sample Employment Plan during this meeting. Provide a signature page of those in attendance and a copy of the sample Employment Plan.

Additional Required Action #1: Thank you for the Employment Plan that was provided in your response. However, the objectives in the sample Employment Plan were not specific and measurable. Please review the [RES Guide](#) for an example and submit a plan that provides specific and measurable objectives.

FINDING #2: Case Notes Policy 5.3 states case notes must be entered within two working days from the date of contact. Based on the review, multiple files did not have the name of the service provided or case notes entered within two working days. In a few files, case notes were not entered for services provided. This was especially noted for the Service 204 Objective Assessment.

Required Action #2: Review Case Notes Policy 5.3 as a team. Provide a signature page of those in attendance. When completing an Objective Assessment, identify this was completed or uploaded in case notes.

FINDING #3: Several individuals should have been co-enrolled in the Adult and Youth program had no program service entry for the Adult program. Based on Youth Eligibility Policy 4.3, through the WIOA Youth enrollment process, Adult participation will be triggered for those over the age of 18 by staff entering the services identified in the youth enrollment process under the SDWORKS Adult application.

Required Action #3: Review the Integrated Service Delivery for Job Seekers Policy 3.14 and Youth Eligibility Policy 4.3 as a team. During this meeting, develop a sample service schedule provided to eligible youth between the ages of 18 and 24 that shows how they would become a participant of the Adult program before Youth participation. Provide a signature page of those in attendance and a copy of this sample service schedule.

FINDING #4: Several files reviewed did not assign weekly activities to objectives. Re-employment Services (RES) Policy 5.60 states that claimants who do not meet an exception need to make weekly job contacts and complete assigned activities.

RESOLUTION

*Completed
August 10,
2020*

*Completed
June 16,
2020*

*Completed
June 16,
2020*

Required Action #4: Review Re-employment Services (RES) Policy 5.60 and Re-employment Services Data Entry for SDWORKS Guide with all Employment Specialists that work with the program. During this meeting, identify a list of at least 20 meaningful activities that can be offered to a RES participant and included in an Employment Plan as a weekly activity. Provide a signature page of those in attendance and a list of possible weekly activities.

Completed
June 16,
2020

FINDING #5: Basic Skills Deficient Policy 4.8 states all assessments or determinations must be made within 60 days of the initial application. Findings in this area were very high with individuals who are co-enrolled for RESEA and Title I Adult and Dislocated Worker program.

Required Action #5: As a team, review [Basic Skills Deficient Policy 4.8](#). Provide a signature page of those in attendance. Have staff review each other's files to ensure that assessments are completed for the Adult and Dislocated Worker Programs. Scores must be uploaded in the document management system.

Completed
June 16,
2020

FINDING #6: Several files were missing the required documentation and monthly monitors are not being completed. Occupational Skills Training (OST) Policy 5.27 states OST's must be made available to Title I Youth as one of the 14 youth service elements. Individual eligibility related to the program must be justified in the SDWORKS case note. Additionally, monthly monitors must be completed for any type of training that is beyond 30 days to evaluate the progress to date and identify issues of concern to ensure successful training. The monitoring of progress must be done every month using the OST Training Monitor ([Form 22](#)).

Required Action #6: Schedule a one-hour virtual meeting with Aaron Morlock, the Youth Program Specialist, to review OST requirements. In your response letter document the date, this meeting took place.

Completed
June 8, 2020

AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act (ADA) compliance review was waived due to COVID-19.

EQUAL OPPORTUNITY (EO)

EO FINDING #1: ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE. The Vermillion Job Service offices are not compliant with Element 6 – Data and information collection and maintenance as seen with the following indicators:

1. Staff, at no fault of their own, including medical and disability information in case notes. The current process does not discourage staff from including medical and disability information in case notes. This practice is not compliant with federal regulations.
 - *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (3):* states in part, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e. password protection).

RESOLUTION

EO Required Action #1: DLR Central Office must update the process for documenting medical and disability information to be compliant with regulations. Currently, SDWORKS, which is the platform DLR uses to collect and store data, does not have a way to password protect documents or case notes. DLR, along with other states using Geographic Solutions, Inc. (GeoSol), has requested an update in SDWORKS to allow us to password protect medical and disability information. DLR is working on a temporary solution and once finalized, by no later than January 1, 2021, will provide guidance. Vermillion offices should limit medical and disability information within case notes while waiting for the new process.

Completed
September 1,
2020

EO FINDING #2: ELEMENT 6: LEP DATA COLLECTION. The Vermillion Job Service offices are not compliant with Element 6 – LEP Data Collection. The Vermillion offices do not collect LEP data in SDWORKS. An email was sent to all job service office staff on November 1, 2019, to inform them of a new process to collect LEP data in SDWORKS effective November 1, 2019. However, the email did not clearly explain the requirement to collect LEP data and the process to do so. As a result, none of the local offices have been collecting the LEP data.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (2):* states in part, beginning January 3, 2019, each recipient must also record the limited English proficiency (LEP) and preferred language of each applicant, registrant, participant, and terminnee.
- *29 CFR 38.4 Definitions (hh):* Limited English proficient (LEP) individual means an individual whose primary language for communication is not English and who has limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communicating (e.g. speaking or understanding) but still, be LEP for other purposes (e.g. reading or writing).

EO Required Action #2: The Vermillion offices must collect LEP data from all participants. A new memo will be sent to all job service office staff clearly explaining the requirement and process. A training guide has been created on the topic of LEP. The office manager must attend training on the LEP guide during an in-person/video conference manager's meeting and present the training to staff.

Completed
September 1,
2020

DLR RECOMMENDATION

DLR recommends continuing with the American Job Center Affiliate Site Certification for this location.

Kendra Ringstmeyer, Director of Workforce Training
Department of Labor and Regulation

Date

CERTIFICATION

The Workforce Development Council (WDC) recognizes the criteria detailed in the Workforce Innovation and Opportunity Act (WIOA) One-Stop Career Center Certification (OSC) Policy 3.3, has been met. Therefore, certification for the Vermillion Job Service is approved through June 30, 2024.

Signed and approved by the undersigned on behalf of the Workforce Development Council Members.

Lee Anderson, Chairman
Workforce Development Council

Date

A review was completed on April 24, 2020.

COMPLIANCE FINDINGS

RESOLUTION

FINDING #1: Employment Plan Policy 4.11 states all Employment Plans must be signed, provided to the participant, and uploaded into SDWORKS document management system. Multiple files did not have a signed Employment Plan uploaded into the system. Also, multiple files did not have objectives, or the objective was not broken down into steps to reach the goal. The Employment Plan should be a comprehensive guide outlining the steps necessary for the participant to reach their goals. When developing an Employment Plan, identify objectives the Employment Specialist will complete assisting the participant.

Required Action #1: As a team, review Employment Plan Policy 4.11. Develop a sample Employment Plan during this meeting. Provide a signature page of those in attendance and a copy of the sample employment plan.

*Completed
July 21, 2020*

FINDING #2: Case Notes Policy 5.3 outlines and provides examples of what a quality case note should contain. Case notes must be timely and entered within two working days from the date of contact. Based on the review, multiple files did not enter the name of the service provided or enter notes on a timely basis.

Required Action #2: Review Case Notes Policy 5.3 as a team. Provide a signature page of those in attendance.

*Completed
July 21, 2020*

FINDING #3: Several individuals should have been co-enrolled in the Adult and Youth program had no program service entry for the Adult program. Based on Youth Eligibility Policy 4.3, through the WIOA Youth enrollment process, Adult participation will be triggered for those over the age of 18 by staff entering the services identified in the youth enrollment process under the SDWORKS Adult application.

Required Action #3: Review the Integrated Service Delivery for Job Seekers Policy 3.14 and Youth Eligibility Policy 4.3 as a team. During this meeting, develop a sample service schedule provided to eligible youth between the ages of 18 and 24 that shows how they would become a participant of the Adult program before Youth participation. Provide a signature page of those in attendance and a copy of this sample service schedule.

*Completed
July 21, 2020*

FINDING #4: Several files reviewed did not assign weekly activities to objectives. Re-employment Services (RES) Policy 5.60 states that claimants who do not meet an exception need to make weekly job contacts and complete assigned activities.

Required Action #4: Review Re-employment Services (RES) Policy 5.60 and Reemployment Services Data Entry for SDWORKS Guide with all Employment Specialists that work with the program. During this meeting, identify a list of at least 20 meaningful activities that can be offered to a RES participant and included in an employment plan as a weekly activity. Provide a signature page of those in attendance and a list of possible weekly activities.

*Completed
July 21, 2020*

FINDING #5: Basic Skills Deficient Policy 4.8 requires an assessment to be completed within 60 days of the initial application to determine a participant’s basic skills level. Findings in this area were very high for participants in RES and co-enrolled into the Title I Adult/Dislocated Worker program who were lacking a basic skills assessment.

Required Action #5: As a team, review Basic Skills Deficient Policy 4.8. Provide a signature page of those in attendance and a plan to improve this process, including uploading assessment results to SDWORKS.

*Completed
July 21, 2020*

FINDING #6: Work Experience Policy 5.36 states monitors must be completed for any type of training service that extends beyond 30 days. Several files with a Work Experience service did not show that the monitor had been completed.

Required Action #6: As a team, review Work Experience Policy 5.36 and PROVIDE A SIGNATURE page for those in attendance. Submit a plan to ensure employment specialists are completing the monthly monitors. In the plan, provide a list of reasons why a monitor should be completed.

*Completed
July 21, 2020*

AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act (ADA) compliance review was waived due to COVID-19.

EQUAL OPPORTUNITY (EO)

EO FINDING #1: ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE. The Yankton/Lake Andes Job Service offices are not compliant with Element 6 – Data and information collection and maintenance as seen with the following indicators:

1. Staff, at no fault of their own, including medical and disability information in case notes. The current process does not discourage staff from including medical and disability information in case notes. This practice is not compliant with federal regulations.
 - *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (3):* states in part, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e. password protection).

EO Required Action #1: DLR Central Office must update the process for documenting medical and disability information to be compliant with regulations. Currently, SDWORKS, which is the platform DLR uses to collect and store data, does not have a way to password protect documents or case notes. DLR, along with other states using Geographic Solutions, Inc. (GeoSol), has requested an update in SDWORKS to allow us to password protect medical and disability information. DLR is working on a temporary solution and once finalized, by no later than January 1, 2021, will provide guidance. Yankton/Lake Andes offices should limit medical and disability information within case notes while waiting for the new process.

RESOLUTION

*Completed
September 1,
2020*

EO FINDING #2: ELEMENT 6: LEP DATA COLLECTION. The Yankton/Lake Andes Job Service offices are not compliant with Element 6 – LEP Data Collection. The Yankton/Lake Andes offices do not collect LEP data in SDWORKS. An email was sent to all job service office staff on November 1, 2019, to inform them of a new process to collect LEP data in SDWORKS effective November 1, 2019. However, the email did not clearly explain the requirement to collect LEP data and the process to do so. As a result, none of the local offices have been collecting the LEP data.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (2):* states in part, beginning January 3, 2019, each recipient must also record the limited English proficiency (LEP) and preferred language of each applicant, registrant, participant, and terminnee.
- *29 CFR 38.4 Definitions (hh):* Limited English proficient (LEP) individual means an individual whose primary language for communication is not English and who has limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communicating (e.g. speaking or understanding) but still, be LEP for other purposes (e.g. reading or writing).

EO Required Action #2: The Yankton/Lake Andes offices must collect LEP data from all participants. A new memo will be sent to all job service office staff clearly explaining the requirement and process. A training guide has been created on the topic of LEP. The office manager must attend training on the LEP guide during an in-person/video conference manager's meeting and present the training to staff.

*Completed
September 1,
2020*

DLR RECOMMENDATION

DLR recommends continuing with the American Job Center Affiliate Site Certification for this location.

Kendra Ringstmeyer, Director of Workforce Training
Department of Labor and Regulation

Date

CERTIFICATION

The Workforce Development Council (WDC) recognizes the criteria detailed in the Workforce Innovation and Opportunity Act (WIOA) One-Stop Career Center Certification (OSC) Policy 3.3, has been met. Therefore, certification for the Yankton/Lake Andes Job Service is approved through June 30, 2024.

Signed and approved by the undersigned on behalf of the Workforce Development Council Members.

Lee Anderson, Chairman
Workforce Development Council

Date

A review was completed on April 24, 2020.

COMPLIANCE FINDINGS

FINDING #1: Employment Plan Policy 4.11 states all Employment Plans must be signed, provided to the participant, and uploaded into SDWORKS document management system. Multiple files did not have a signed Employment Plan uploaded into the system. Also, multiple files did not have objectives, or the objective was not broken down into steps to reach the goal. The Employment Plan should be a comprehensive guide outlining the steps necessary for the participant to reach their goals. When developing an Employment Plan, identify objectives the Employment Specialist will complete assisting the participant.

Required Action #1: As a team, review [Employment Plan Policy 4.11](#). Develop a sample Employment Plan during this meeting. Provide a signature page of those in attendance and a copy of the sample Employment Plan.

RESOLUTION

Completed
July 30, 2020

FINDING #2: Case Notes Policy 5.3 outlines and provides examples of what a quality case note should contain. Case notes must be timely and entered within two working days from the date of contact. Based on the review, multiple files did not enter the name of the service provided or enter notes on a timely basis.

Required Action #2: Review [Case Notes Policy 5.3](#) as a team. Provide a signature page of those in attendance.

Completed
July 30, 2020

FINDING #3: Several individuals should have been co-enrolled in the Adult and Youth program had no program service entry for the Adult program. Based on Youth Eligibility Policy 4.3, through the WIOA Youth enrollment process, Adult participation will be triggered for those over the age of 18 by staff entering the services identified in the youth enrollment process under the SDWORKS Adult application.

Required Action #3: Review the [Integrated Service Delivery for Job Seekers Policy 3.14](#) and [Youth Eligibility Policy 4.3](#) as a team. During this meeting, develop a sample service schedule provided to eligible youth between the ages of 18 and 24 that shows how they would become a participant of the Adult program before Youth participation. Provide a signature page of those in attendance and a copy of this sample service schedule.

Completed
July 30, 2020

FINDING #4: Several files reviewed did not assign weekly activities to objectives. Re-employment Services (RES) Policy 5.60 states that claimants who do not meet an exception need to make weekly job contacts and complete assigned activities.

Required Action #4: Review [Re-employment Services \(RES\) Policy 5.60](#) and [Re-employment Services Data Entry for SDWORKS Guide](#) with all Employment Specialists that work with the program. During this meeting, identify a list of at least 20 meaningful activities that can be offered to a RES participant and included in an Employment Plan as a weekly activity. Provide a signature page of those in attendance and a list of possible weekly activities.

Completed
July 30, 2020

FINDING #5: Basic Skills Deficient Policy 4.8 requires an assessment to be completed within 60 days of

the initial application to determine a participant's basic skills level. Findings in this area were very high for participants in RES and co-enrolled into Title I Adult/Dislocated Worker program who were lacking a basic skills assessment.

Required Action #5: As a team, review [Basic Skills Deficient Policy 4.8](#). Provide a signature page of those in attendance and a plan to improve this process, including uploading assessment results to SDWORKS.

Completed
July 30, 2020

FINDING #6: Follow-up Services Policy 5.23 states Follow-up Services must be made available to all WIOA Title I Adults, Dislocated Worker, Trade Adjustment Assistance (TAA), and Youth participants. Several files did not have a follow-up service and/or case note.

Required Action #6: As a team, review [Follow-up Services Policy 5.23](#) and develop a plan to ensure follow-up services are made available and provided timely. Provide a signature page of those in attendance and a copy of the plan.

Completed
July 30, 2020

AMERICANS WITH DISABILITIES ACT (ADA)

ADA FINDING #1 – MEDIUM EFFORT: Access aisles are not clearly marked to discourage parking within them.

ADA Required Action #1: Repaint the handicap parking space and access aisles as well as parking spaces throughout the rest of the parking lot.

RESOLUTION

Pending
completion
by Landlord

ADA FINDING #2 – HIGH EFFORT: The accessible parking spaces and access aisles slope is 3:48.

ADA Required Action #2: Regrade parking spaces to the ADA standard of 1:48 grade at the main entrance.

Pending
completion
by Landlord

ADA FINDING #3 – LOW EFFORT: The bottom of the handicap and van accessible signs to meet the ADA standard of 60 inches above the ground.

ADA Required Action #3: Raise the handicap and van accessible signs to meet the ADA standard of 60 inches above the ground.

Completed
September 3,
2020

ADA FINDING #4 – LOW EFFORT: The time for doors throughout the building to close varies from three to six seconds.

ADA Required Action #4: Adjust all doors closers to a minimum of five seconds to close, per ADA standards.

Completed
September 3,
2020

ADA FINDING #5 – LOW EFFORT: The elevator needs to have floor number indicators and tactile star for the door jams of the elevator.

ADA Required Action #5: Order and install signs with floor number indicators and a tactile star the door jams of the elevator.

Pending
installation

ADA FINDING #6 – LOW EFFORT: Doorknobs throughout the office do not meet ADA standards.

ADA Required Action #6: Replace all door handles in the office with a lever style.

*Pending
installation*

ADA FINDING #7 – LOW EFFORT: The main countertop does not meet ADA standards

ADA Required Action #7: Have a clipboard(s) available to guests for filling out paperwork.

*Completed
September 3,
2020*

ADA FINDING #8 – LOW EFFORT: Doors exceed the maximum force used to open.

ADA Required Action #8: Adjust doors so that no more than five pounds of force is needed to open.

*Pending
remodel by
Landlord*

ADA FINDING #9 – HIGH EFFORT: Neither men’s nor women’s restroom has a handicap accessible stall.

ADA Required Action #9: Remove one stall in each restroom to allow enough room for an accessible stall. The remainder of the restroom and fixtures also need to meet ADA standards.

*Pending
remodel by
Landlord*

EQUAL OPPORTUNITY (EO)

EO FINDING #1: ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE. Aberdeen Job Service is not compliant with Element 6 – Data and information collection and maintenance. Aberdeen staff, at no fault of their own, include medical and disability information in case notes. The current process does not discourage staff from including medical and disability information in case notes. This practice is not compliant with federal regulations.

- *29 CFR 38.41* Collection and maintenance of equal opportunity data and other information, (b) (3) states in part, any medical or disability-related information obtained about a particular individual, including information that could lead to the disclosure of a disability, must be collected on separate forms. All such information, whether in hard copy, electronic, or both, must be maintained in one or more separate files, apart from any other information about the individual, and treated as confidential. Whether these files are electronic or hard copy, they must be locked or otherwise secured (i.e. password protection).

EO Required Action #1: DLR Central Office must update the process for documenting medical and disability information to be compliant with regulations. Currently, SDWORKS, which is the platform DLR uses to collect and store data, does not have a way to password protect documents or case notes. DLR, along with other states using Geographic Solutions, Inc. (GeoSol), has requested an update in SDWORKS to allow us to password protect medical and disability information. DLR is working on a temporary solution and once finalized, by no later than January 1, 2021, will provide guidance. Aberdeen's office should limit medical and disability information in case notes while waiting for the new process.

RESOLUTION

*Completed
September 1,
2020*

EO FINDING #2: ELEMENT 6: DATA AND INFORMATION COLLECTION AND MAINTENANCE. Aberdeen Job Service is not compliant with Element 6 – LEP Data Collection. Aberdeen does not collect LEP data in SDWORKS. An email was sent to all job service offices on November 1, 2019, to inform them of a new process to collect LEP data in SDWORKS effective November 1, 2019. However, the email did not clearly explain the requirement to collect LEP data and the process to do so. As a result, none of the local offices have been collecting the LEP data.

- *29 CFR 38.41 Collection and maintenance of equal opportunity data and other information, (b) (2):* states in part, beginning January 3, 2019, each recipient must also record the limited English proficiency (LEP) and preferred language of each applicant, registrant, participant, and terminatee.
- *29 CFR 38.4 Definitions (hh):* Limited English proficient (LEP) individual means an individual whose primary language for communication is not English and who has limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communication (e.g. speaking or understanding) but still be LEP for other purposes (e.g. reading or writing).

EO Required Action #2: Aberdeen Job Service must collect LEP data from all participants. A new memo will be sent to field staff clearly explaining the requirement and process. A training guide has been created on the topic of LEP. The Aberdeen office manager must attend training on the LEP guide during a manager's meeting. The manager must also present the training to staff.

Completed
September 1,
2020

DLR Central Office has updated the process of collecting medical and disability information. 5.3 Case Notes Guide provides guidance on the information that can be shared in case notes. A SharePoint folder has been created for each Local Office to put medical and disability files, including information not allowed in case notes. The SharePoint folders will only give access to individuals who need access to participants' sensitive information.

DLR RECOMMENDATION

DLR recommends continuing with the American Job Center Affiliate Site Certification for this location.

Kendra Ringstmeyer, Director of Workforce Training
Department of Labor and Regulation

Date

CERTIFICATION

The Workforce Development Council (WDC) recognizes the criteria detailed in the Workforce Innovation and Opportunity Act (WIOA) One-Stop Career Center Certification (OSC) Policy 3.3, has been met. Therefore, certification for the Aberdeen Job Service is approved through June 30, 2024.

Signed and approved by the undersigned on behalf of the Workforce Development Council Members.

Lee Anderson, Chairman
Workforce Development Council

Date