



Glossary of Terms

Department: Office of Economic & Workforce Development

Effective Date: July 1 2007

Directive # 12-07

Supersedes: N/A

The Workforce Investment Act proposes a common delivery of services through the establishment of a series of One-Stop Business and Career Centers that provide employment, training, and information to a universal customer. To ensure that services are measured in a consistent manner common definitions are presented in the attached Glossary of Terms.

Periodically, this directive will be updated to include new or additional definitions applicable to the delivery of services.

ACTION

These definitions shall remain in effect until such time that a revision is required.

INQUIRIES

Inquiries should be addressed to the OEWD Director of Operations at 415-701-4848 or workforce.development@sfgov.org.

OEWD and its service providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.

GLOSSARY OF TERMS

Accrued Expenditures (*DOL Regulations 29 CFR 95 and 97; WIA Section 159; WIA Regulations 20 CFR 652*) – The charges incurred by the grantee during a given period requiring the provision of funds for:

- (1) Goods and other tangible property received;
- (2) Services performed by employees, contractors, subgrantees, subcontractors, and other payees; and
- (3) Other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

Acquisition Cost of Equipment (*DOL Regulations 29 CFR 95.2, 29 CFR 97.3*) - The net invoice price of the equipment, including the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the property usable for the purpose for which it was acquired. Other charges, such as the cost of installation, transportation, taxes, duty, or protective in-transit insurance, shall be included or excluded from the unit acquisition cost in accordance with the recipient's regular accounting practices.

Administrative Costs (*WIA Regulations 20 CFR 667.220*) -- (a) The costs of administration are that allocable portion of necessary and reasonable allowable costs incurred by the One Stop Operator that are associated with those specific functions identified below and which are not related to the direct provision of workforce investment services, including services to participants and employers. These costs can be both personnel and non-personnel and both direct and indirect.

The costs of administration are the costs associated with performing the following functions:

1. Performing the following overall general administrative functions and coordination of those functions under WIA title I:
 - a. Accounting, budgeting, financial and cash management functions;
 - b. Procurement and purchasing functions;
 - c. Property management functions;
 - d. Personnel management functions;
 - e. Payroll functions;
 - f. Coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;
 - g. Audit functions;
 - h. General legal services functions; and

- i. Developing systems and procedures, including information systems, required for these administrative functions;
2. Performing oversight and monitoring responsibilities related to WIA administrative functions;
3. Costs of goods and services required for administrative functions of the program, including goods and services such as rental or purchase of equipment, utilities, office supplies, postage, and rental and maintenance of office space;
4. Travel costs incurred for official business in carrying out administrative activities or the overall management of the WIA system;
5. Costs of information systems related to administrative functions (for example, personnel, procurement, purchasing, property management, accounting and payroll systems) including the purchase, systems development and operating costs of such systems.
6. Awards to subrecipients or vendors that are solely for the performance of administrative functions are classified as administrative costs.
7. Personnel and related non-personnel costs of staff who perform both administrative functions specified in paragraph (b) of this section and programmatic services or activities must be allocated as administrative or program costs to the benefitting cost objectives/categories based on documented distributions of actual time worked or other equitable cost allocation methods.
8. Specific costs charged to an overhead or indirect cost pool that can be identified directly as a program cost are to be charged as a program cost. Documentation of such charges must be maintained.
9. Continuous improvement activities are charged to administration or program category based on the purpose or nature of the activity to be improved. Documentation of such charges must be maintained.

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- (1) Goods and other tangible property received;
- (2) Services performed by employees, contractors, subgrantees, subcontractors, and other payees; and

- (3) Other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

Administrative Requirements (*DOL Regulations 29 CFR 97.3*) - Those matters common to grants in general, such as financial management, kinds and frequency of reports, and retention of records. These are distinguished from *programmatic* requirements, which concern matters that can be treated only on a program-by-program or grant-by-grant basis, such as kinds of activities that can be supported by grants under a particular program.

Adult (*WIA Section 132*) --The term "adult" means an individual who is not less than age 22 and not more than age 72.

Adult Education (*WIA Section 203 (1)*) - The term "adult education" means services or instruction below the postsecondary level for individuals—

- (A) who have attained 16 years of age;
- (B) who are not enrolled or required to be enrolled in secondary school under State law; and
- (C) who--
 - (i) lack sufficient mastery of basic educational skills to enable the individuals to function effectively in society;
 - (ii) do not have a secondary school diploma or its recognized equivalent, and have not achieved an equivalent level of education; or
 - (iii) are unable to speak, read, or write the English language.

Advance (*DOL Regulations 29 CFR 95.2*) - A payment made by U.S. Treasury check or other appropriate payment mechanism to a recipient upon its request either before outlays are made by the recipient or through the use of predetermined payment schedules.

Advanced Training (*State Directive WIAB01-121; Job Training Automation System, Client Forms Handbook, May 2002*) - Advanced training is an occupational skills and employment or training program, not funded under WIA Title I, which does not duplicate training received under WIA Title I. Advanced training does not include training funded partially or wholly with WIA funds. An example of advanced training is a community college program that does not lead to an advanced degree.

Training that leads to an academic degree (e.g., AA, AS, BA, BS) should be categorized as post- secondary education, and not reported as advanced training.

Age (*WIA Sections 101(1), 134(d)(3), 101(13)*)

Title I Adult Program, Section 101(1) – 18 years or Older
Title I Dislocated Worker Program, Section 134(d)(3) – 18 years or Older
Title I Youth Program, Section 101(13), 14-21 years

Application (*WIA Regulations 20 CFR 663.105, 664.215*) - The process for collecting information for supporting a determination of eligibility. All adults and dislocated workers who receive services funded under Title I of WIA, other than self-service or information or informational activities (Core A Services), must fill out an application, be determined eligible, and then enroll into the WIA program

Note: Equal Employment Opportunity (EEO) data must be collected on individuals during the application process (e.g., age, sex, race/ethnicity, and disability). (Ref: 20 CFR 663.105)

Area of Substantial Unemployment (*WIA Section 127*) -The term "area of substantial unemployment" means any area that is of sufficient size and scope to sustain a program of workforce investment activities carried out under this subtitle and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months, as determined by the Secretary. For purposes of this subparagraph, determinations of areas of substantial unemployment shall be made once each fiscal year.

Area Vocational Education School (*WIA Section 101 (3)*) - The term "area vocational education school" has the meaning given the term in Section 521 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2471).

Auditee (*OMB Circular A-133; State Directive WIAD01-3*) – A nonfederal entity that expends federal awards that must be audited under the circular.

Awarding Agency (*OMB Circular A-133; State Directive WIAD01-3*) - The party that awarded the subgrant or contract.

Basic Literacy Skills Deficient (*WIA Sections 203(12), 101(19), 101(13)*) - Basic Literacy Skills Deficient shall be defined as:

- (a) Computes or solves, reads, writes or speaks English below grade level 9.0; or
- (b) Lacks basic life skills and/or basic computer skills as demonstrated by the individual's performance of basic tasks at or below the benchmark levels established on functional skills competency tests (Basic Life Skills /Computer Literacy).

Basic Skills Deficient (*WIA Section 101(4)*) - This definition is used ONLY when determining if a youth is to be served under the "5% Window" as an individual who is basic skills deficient or

when determining whether an eligible youth is a basic skills deficient for purposes of determining their "out-of-school youth" status:

An individual who has English reading, writing, or computing skills below grade level 9.0 on a generally accepted standardized test or a comparable score on a criterion-referenced test.

Basic Skills Goal (*WIA Regulations 666.100*) - Measurable increase in basic education skills including reading comprehension, math computation, writing, speaking, listening, problem solving, reasoning, and the capacity to use these skills.

Below Grade Level (*WIA Section 129(c)(5)(C)*) - Individuals with educational attainment that is one or more grade levels below the grade level appropriate to the age of the individuals.

Bidder's List (*DOL Regulations 29 CFR 97.36*) - means the pre-qualified list of persons which is used in acquiring goods and services. The Bidders' List shall be kept current and include sufficient qualified sources to ensure maximum free and open competition.

Bilateral Modification means a change to a contract that requires the agreement and signature of both parties involved.

Breach of Contract means the nonperformance of any contractual duty of immediate performance

Case Management (*WIA Section 101(5)*) – The provision of a client-centered approach in the delivery of services, designed--

1. To prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and
2. To provide job and career counseling during program participation and after job placement.

Catalog Price is a price published in a catalog, price list, schedule or other form regularly maintained by a manufacturer or supplier and is published or made available for inspection by buyers. To represent a valid indicator and serve as a point of reference, the prices must be those that a substantial number of purchasers in the general public are currently paying.

CFDA Number (*DOL Regulations 29 CFR 99.105*) - The number assigned to a Federal program in the Catalog of Federal Domestic Assistance (CFDA).

Chief Elected Official (*WIA Section 101(6)*) -The term ``chief elected official" means—

- A. the chief elected executive officer of a unit of general local government in a local area; and
- B. in a case in which a local area includes more than one unit of general local government, the individuals designated under the agreement described in section 117(c)(1)(B).

Citizenship/Right to Work (*WIA Section 188(5)*) - Participation in programs and activities financially assisted in whole or in part under the Workforce Investment Act is open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

Cognizant Agency (*OMB Circular A-87*) - The Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals developed under this circular on behalf of all Federal agencies. OMB publishes a listing of cognizant agencies. Ordinarily, the Federal agency providing the bulk of the funding is the cognizant agency.

Cognizant Agency for Audit (*DOL Regulations 29 CFR 99.400(a)*) - The Federal awarding agency that provides the predominant amount of direct funding to a direct recipient unless OMB makes a specific agency cognizant for audit.

Commercial Organization (*DOL Regulations 29 CFR 95.2*) - Any business entity organized primarily for profit (even if its ownership is in the hands of a nonprofit entity) with a place of business located in or outside the United States. The term includes, but is not limited to, an individual, partnership, corporation, joint venture, association, or cooperative.

Common Measures (*DOL Training and Employment Guidance Letter 28-04 dated April 15, 2005*) - Common performance measures are a management tool. The value of implementing a set of common performance measures is the ability to describe in a similar manner the core purposes of the workforce system—how many people found jobs; did they keep their jobs; and what were their earnings. Key attributes include:

- Universal language for measuring performance.
- Employment-focused measures for adult programs, and skill attainment measures for youth programs.
- Designed in partnership with other federal employment and training agencies.

Common Rule (*OMB Circular A-87*) - The *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; Final Rule*, originally issued at 53 FR 8034-8103 (March 11, 1988).

Community-Based Organization (*WIA Section 101(7)*) - The term "community-based organization" means a private nonprofit organization that is representative of a community

or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce investment.

Competitive Sealed Bidding or Formal Competitive Bidding (*DOL Regulations 29 CFR 97.36*) – means the procurement method whereby MOEWD drafts the specifications, schedule and other conditions for award and sends the bid package to interested bidders and/or publishes an announcement in local periodicals. To be considered, bids shall conform to the IFB. Bid opening is a formal, public procedure where the award is made to the lowest responsible, responsive bidder. Award is not generally made at bid opening; rather the prices are read publicly and, after evaluation, the award is made.

Contract - means (except as used in the definitions of “grant” and “subgrant”) a procurement contract under a grant or subgrant and means a procurement subcontract under a contract. A contract is a legally binding agreement between a public procurement entity and a contractor or between a contractor and a subcontractor.

Contractor – means any person having a contract with MOEWD. For purposes of the Workforce Investment Act of 1998 (WIA) and the One-Stop System, the term includes local Workforce Investment Areas, subrecipients, and/or administrative entities, their subrecipients and vendors and any other entity that receives federal and/or state dollars for the operation of employment and training programs and delivery of services, either directly or indirectly.

Corrective Action (*DOL Regulations 29 CFR 99.105*) - Action taken by the auditee that (1) corrects identified deficiencies, (2) produces recommended improvements, or (3) demonstrates that audit findings are either invalid or do not warrant auditee action.

Corroborative Witness (*State Directive WIAD04-18*) - A person who personally knows or can identify the WIA applicant and who is reasonably likely to be able to verify the applicant's statement. Such verification may be accomplished by the witness signing an Applicant Statement Form or by the completion of a Telephone Verification/Document Inspection Form.

Note: In taking an applicant statement, it is not necessary to obtain collaboration unless there is reason not to believe the applicant.

Core Services (*WIA Section 134*) – Those activities mandated to be available to individuals who are adults or dislocated workers through the one-stop delivery system. Such services include:

- Self-Services – Informational no registration required (Core A):
 1. Determination of eligibility to receive assistance under WIA Title IB;

2. Outreach, intake (which may include WPRS referrals) and orientation to the One-Stop Center;
 3. Initial assessment of skill levels, aptitudes, abilities and need for supportive services;
 4. Employment statistics information including job vacancy listings, job skill requirements for job listings, and information on demand occupations;
 5. Performance information on eligible training providers;
 6. Performance information on the local One-Stop delivery system;
 7. Information on supportive services and referral to supportive services;
 8. Information regarding filing for unemployment compensation;
 9. Assistance in establishing eligibility for welfare-to-work activities and other training and education programs;
 10. Resource Room usage;
 11. Internet browsing (job, information and training searches);
 12. Internet accounts (Career Kit, Personnel Kit);
 13. Initial development of employment plan;
 14. Talent referrals (informational, e.g., talent scouts, labor exchange referrals of resumes without further screening); and
 15. Workshops and job clubs.
- Staff Assisted – registration required (Core B):
 1. Staff assisted job search and placement assistance, including career counseling;
 2. Follow-up services, including counseling regarding the workplace;
 3. Staff assisted job referrals (such as testing and background checks);
 4. Staff assisted job development (working with employer and jobseeker); and
 5. Staff assisted workshops and job clubs.

Cost (*OMB Circular A-87*) - An amount as determined on a cash, accrual, or other basis acceptable to the Federal awarding or cognizant agency. It does not include transfers to a general or similar fund.

Cost Allocation Plan (CAP) (*OMB Circular A-87*) - Central service cost allocation plan, public assistance cost allocation plan, and indirect cost rate proposal.

Cost Analysis (*DOL Regulations 29 CFR 97.36*) is the review and evaluation, element by element, of the cost estimate supporting an organization's proposal for the purpose of pricing a contract.

Cost Objective (*OMB Circular A-87*) - A function, organizational subdivision, contract, grant, or other activity for which cost data is needed and for which costs are incurred.

Cost Reimbursable (*DOL Regulations 29 CFR 97.36*) (sometimes referred to as cost reimbursement contract) where the awarding agency reimburses all reasonable, allowable, and allocable costs incurred in performing the work up to a predetermined ceiling that the awardee may not exceed (except at its own risk) without the approval of the Contracting/Agency.)

Cost Sharing or Matching (*DOL Regulations 29 CFR 97.3*) - The value of the third party in-kind contributions and the portion of the costs of a Federally assisted project or program not borne by the Federal government.

Cost-Type Contract (*DOL Regulations 29 CFR 97.3*) - A contract or subcontract under a grant in which the contractor or subcontractor is paid on the basis of the costs it incurs, with or without a fee.

Costs Recommended for Disallowance are costs identified by auditors that are supported by accounting records but are a violation of law, regulation or contract, or are determined unreasonable by the auditor.

Credential – Nationally recognized degree or certificate or State/locally recognized credential. Credentials include, but are not limited to, a high school diploma, GED or other recognized equivalents, post-secondary degrees/certificates, recognized skill standards, and licensure or industry-recognized certificates. States should work with local Workforce Investment Boards to encourage certificates to recognize successful completion of the training services listed above that are designed to equip individuals to enter or re-enter employment, retain employment, or advance into better employment.

Customized Training (*WIA Sections 101(8), 134, 136, 181, 188; WIA Regulations 20 CFR 663.300-663.320, 663.700-663.710, 663.715-663.720, 665.220, 667.272-667.275*) – Training:

- That is designed to meet the special requirements of an employer (including a group of employers);
- That is conducted with a commitment by the employer to employ an individual on successful completion of the training; and
- For which the employer pays for not less than 50 percent of the cost of the training.

Date of Dislocation – The last day of employment at the dislocation job. If there is not a date of dislocation, date of registration will be used instead.

Disability - see entry under "Individual with a Disability"

Disadvantaged Youth (*WIA Section 127*) - Subject to paragraph (3), the term "disadvantaged youth" means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

- (i) the poverty line; or
- (ii) 70 percent of the lower living standard income level.

Disallowed Costs (*DOL Regulations 29 CFR 95.2*) - Those charges to an award that the DOL determines to be unallowable, in accordance with the applicable Federal cost principles or other terms and conditions contained in the award.

Dislocated Worker (*WIA Section 101(9); State Directive WIAD04-18*) – An individual who-

1. Has been terminated or laid off, or who has received a notice of termination or layoff, from employment;
2. Is eligible for or has exhausted entitlement to unemployment compensation; or
 - has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop operator, attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that was not covered under a State unemployment compensation law; and
 - is unlikely to return to a previous industry or occupation;
3. Has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
 - is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
 - for purposes of eligibility to receive services other than training services, intensive services described, or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;
4. Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters; or

5. Is a displaced homemaker.
6. Has voluntarily terminated employment, and is receiving, or has been determined eligible to receive unemployment compensation or has subsequently exhausted entitlement to unemployment compensation since terminating employment voluntarily, and is unlikely to return to a previous industry or occupation.

Note 1: An individual who has not been enrolled in the WIA program remains eligible for assistance after dislocation as long as the individual has:

- *Not been employed in a job since dislocation that paid a wage defined by the WISF as self-sufficient or leading to self-sufficiency: or*
- *Been engaged only in stopgap employment. (If the employment the individual is engaged in is determined to be "stopgap," then the wage earned by the individual is irrelevant for eligibility determination purposes; the individual is to be considered as not employed.)*

Note 2: Once an individual is enrolled in the WIA program as a dislocated worker, the individual remains a dislocated worker until exited from the program regardless of employment status or earnings. If the participant becomes employed in a full-time, permanent job that pays a wage defined by the WISF as self-sufficient or leading to self-sufficiency, the participant may continue to be served in the program until he/she is formally exited from the program

Displaced Homemaker (WIA Section 101(10)) - An individual who has been providing unpaid services to family members in the home **and** who has been dependent on the income of another family member but is no longer supported by that income; **and** is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Documentation - The maintenance of physical evidence, in participant files, that is obtained during the eligibility determination process. Such evidence may include copies of first source documents, completed *Telephone/Document Inspection Forms* (collateral contacts), and signed *Applicant Statement Forms*.

Economic Development Agencies (WIA Section 101(11)) -The term "economic development agencies" includes local planning and zoning commissions or boards, community development agencies, and other local agencies and institutions responsible for regulating, promoting, or assisting in local economic development.

Eligible Provider (WIA Regulation 20 CFR 662.220) – used with respect to—

- Training services, a provider shall be—

1. A postsecondary educational institution that—
 - (i) is eligible to receive Federal funds under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and
 - (ii) provides a program that leads to an associate degree, baccalaureate degree, or certificate;
 2. An entity that carries out programs under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or
 3. Another public or private provider of a program of training services.
- Intensive services shall be—
 1. Provided through the one-stop delivery system directly through one-stop operator; or
 2. Through contracts with service providers, which may include contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.
 - Youth activities shall be—
 1. Selected by awarding grants or contracts on a competitive basis, based on the recommendations of the youth council and on the criteria contained in the State plan; or
 2. Other workforce investment activities offered through a public or private entity selected to be responsible for such activities.

Eligible Training Provider List (ETPL) (*WIA Section 134(d)(4)(F)*) - The Workforce Investment Act (WIA) of 1998 requires that customers of One-Stop Centers must have access to a state approved list of eligible training providers. Following is the web site address to view the State of California's ETPL: <http://etpl.edd.ca.gov/wiaetplind.htm>. Please note, however, that WIA funds may **not** be spent on a training program unless they are on the Eligible Training Provider List.

Eligible Youth (*WIA Section 101(13)*) – an individual who—

- Is not less than age 14 and not more than age 21;
- Is a low-income individual; and

- Is an individual who is one or more of the following:
 1. Deficient in basic literacy skills.
 2. A school dropout.
 3. Homeless, a runaway, or a foster child.
 4. Pregnant or a parent.
 5. An offender.
 6. An individual who requires additional assistance to complete an educational program, or to secure and hold employment.

Note: Up to five (5) percent of participants served by the WIA Youth Program may be individuals who do not meet minimum income criteria if they are within one or more of the following categories:

- *School dropout*
- *Basic skills deficient (as defined in WIA Section 101(4))*
- *Are one or more grade levels below the grade level appropriate to the individual's age*
- *Pregnant or Parenting*
- *Possess one or more disabilities, including learning disabilities*
- *Homeless or runaway*
- *Offender*
- *Face Serious Barriers to Employment as defined by the WISF*

This five percent exception will also be referred to as the "5% Window."

Employed

(DOL's WIA Title I-B Standardized Record Data (WIASRD), Item 115; State Directive WIAD04-18)

- An employed individual is one who is currently working as a paid employee or who works in his or her own business, profession or farm, or works 15 hours or more as an unpaid worker on a farm or in an enterprise operated by a member of the family, or is one who is not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time off, and whether or not seeking another job.

Note: This information is to be collected from the registrant at registration, not from wage records.

Also see Not Employed.

Employed at Registration – An employed individual is one who, during the 7 consecutive days prior to registration:

- Did any work at all as a paid employee in his or her own business, profession, or farm;
- Worked 15 hours or more as an unpaid worker in an enterprise operated by a member of the family, or
- Is one who was not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time-off, and whether or not seeking another job.

Employed in Quarter After Exit Quarter – The individual is considered employed if Unemployment Insurance wage records for the quarter after exit show earnings greater than zero. Unemployment Insurance Wage records will be the primary data source for tracking employment in the quarter after exit. When supplemental data sources are used, individuals should be counted as employed if, in the calendar quarter after exit, they did any work at all as paid employees (i.e., received at least some earnings), worked in their own business, profession, or worked on their own farm.

English Literacy Program The term "English literacy program" means a program of instruction designed to help individuals of limited English proficiency achieve competence in the English language.

Equipment (*OMB Circulars A-21, A-87, A-122; DOL Regulations 29 CFR 95.3 and 97.3; WIA Regulations 20 CFR 667.260*) - Tangible nonexpendable personal property, including exempt property charged directly to the award, having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. However, consistent with recipient policy, lower limits may be established. Equipment includes, but is not limited to, equipment acquired before the publication of these regulations and equipment transferred from prior years. A grantee may use its own definition of equipment provided that such definition at least includes all equipment defined above.

Excess Property (*DOL Regulations 29 CFR 95.2*) - Property under the control of the DOL that, as determined by the Secretary of Labor, is no longer required for its needs or the discharge of its responsibilities.

Exempt Property. (*DOL Regulations 29 CFR 95.2*) - Tangible personal property acquired in whole or in part with Federal funds, where the DOL has statutory authority to vest title in the recipient without further obligation to the Federal government.

Exit – Determined as follows:

1. A participant who has a date of case closure, completion or known exit from WIA-funded or non-WIA funded partner service within the quarter (hard exit); or

2. A participant who does not receive any WIA Title I funded or non-WIA funded partner service for 90 days and is not scheduled for future services except follow-up services (soft exit).

Exit Date – The last date on which WIA Title I funded or partner services were received by the individual excluding follow-up services.

Exit Quarter – The quarter in which the last date of service (except follow-up services) takes place.

Family (*WIA Section 101(15b)*) – Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A husband, wife, and dependent children.
- A parent or guardian and dependent children.
- A husband and wife.

Family Literacy Services (*WIA Section 203(7)*) -The term "family literacy services" means services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:

(A) Interactive literacy activities between parents and their children.

(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

(C) Parent literacy training that leads to economic self-sufficiency.

(D) An age-appropriate education to prepare children for success in school and life experiences.

Federal Financial Assistance (*OMB Circular A-133; State Directive WIAD01-3*) - Assistance received directly by Federal awarding agencies or indirectly by recipients to carry out a program. It does not include procurement contracts used to buy goods or services from vendors.

Final Determination (*WIA regulations 20 CFR 667.200(b), 667.500(a); State Directive WIAD01-3*) - The awarding agency's final decision to disallow the cost and the status of nonmonetary (administrative) findings.

Fixed Price Agreement is an agreement where the price and payment is contingent on delivery of the specified goods or service.

GAAP (*DOL Regulations 29 CFR 99.105*)- Generally Accepted Accounting Principles. Accounting rules and procedures established by authoritative bodies or conventions that have evolved through custom and common usage. Has the meaning specified in generally accepted government auditing standards (GAGAS). [OMB Circular A-133] Issued by the American Institute of Certified Public Accountants (AICPA).

GAGAS (*DOL Regulations 29 CFR 95.2*)- Generally Accepted Government Auditing Standards issued by the Comptroller General of the United States, which are applicable to financial audits.

High School Diploma Equivalent – A GED or high school equivalency diploma recognized by the State.

Homeless (*WIA Section 101(13)(C)(iii); Stewart McKinney Homeless Assistance Act, Section 103*) - An individual who lacks a fixed, regular, and adequate nighttime residence; and who has a primary nighttime residence that is:

- A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); **or**
- An institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

Indirect Cost Rate Proposal (OMB Circular A-87) - The documentation prepared by a governmental unit or component thereof to substantiate its request for the establishment of an indirect cost rate as described in Attachment E of the circular. Indirect cost rates are not unique to governmental agencies and are addressed in all the OMB cost circulars.

Individual of Limited English Proficiency (WIA Section 203(10)) - The term "individual of limited English proficiency" means an adult or out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language, and--

(A) whose native language is a language other than English; or

(B) who lives in a family or community environment where a language other than English is the dominant language.

Individual with a Disability (*WIA Section 101(17); WIA Regulations 20 CFR 664.250; Americans with Disabilities Act of 1990, Section 3*) - An individual with a disability is one who has a physical or mental disability which, for such individual, constitutes or results in a substantial handicap to employment

Note: Suggested definition for substantial handicap to employment: A loss of occupational choices of a class or group of jobs due to a disability (i.e., significant diminishment of occupational choices).

Individual Service Strategy (ISS)/Individual Employment Plan (IEP) (WIA Section (c)(1)(B)) - A service strategy shall identify an employment goal (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into the account the objective assessment.

Note: All participants that are receiving WIA funded training services or services funded by non-WIA sources but overseen (case managed) by a WIA funded staff position, must have an ISS/IEP contained in his/her file.

Individual Training Accounts (ITAs) (WIA Regulation 20 CFR 663.410) - An "Individual Training Account (ITA)" is voucher used by the WIA service provider to pay for (or obligate) the occupational classroom training costs of an individual adult WIA client.

1. The ITA is for tuition costs only. All other training related costs may be paid for, but they are not a part of the ITA.
2. The dollar amount of each ITA varies based on local WIA service provider policy and identified tuition costs.

The ITA may only be redeemed by schools and vendors for programs that meet both the WISF Vendor procurement requirements and the State requirements for inclusion on the State ETPL (Eligible Training Provider List).

Initial Determination (WIA regulations 20 CFR 667.200(b), 667.500(a); State Directive WIAD01-

3) - A preliminary decision on whether to allow or disallow questioned costs and resolve nonmonetary findings.

Intensive Services (WIA Regulations 20 CFR 663.200) – Activities available to adults and dislocated workers:

- Who are unemployed and are unable to obtain employment through core services; and
- Who have been determined by a one-stop operator to be in need of more intensive services in order to obtain employment; or

- Who are employed, but who are determined by a one-stop operator to be in need of such intensive services in order to obtain or retain employment that allows for self-sufficiency.

These activities include:

1. Comprehensive and specialized assessment, such as diagnostic testing and interviewing;
2. Full development of an individual employment plan;
3. Group counseling;
4. Individual counseling and career planning;
5. Case management;
6. Short –term pre-vocational services; and
7. Follow-up services, including counseling for registrants (those previously receiving intensive/training services) after entering employment.

Internal Control (*DOL Regulations 29 CFR 99.105*)- A process, effected by an entity's management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories: (1) effectiveness and efficiency of operations, (2) reliability of financial reporting, and (3) compliance with applicable laws and regulations.

Internal Control Pertaining to the Compliance Requirements for Federal Programs (Internal Control Over Federal Programs) (*DOL Regulations 29 CFR 99.105*) - A process, effected by an entity's management and other personnel, designed to provide reasonable assurance regarding the achievement of the following objectives for Federal programs. (1) Transactions are properly recorded and accounted for to (a) permit the preparation of reliable financial statements and Federal reports; (b) maintain accountability over assets; and (c) demonstrate compliance with laws, regulations, and other compliance requirements. (2) Transactions are executed in compliance with (a) laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on a Federal program; and (b) any other laws and regulations that are identified in the compliance supplement. (3) Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

Internships - A planned, structured learning experience that is provided through contractual supervised worksite training by an employer in the public, private nonprofit, or private sector.

An Internship will not generally exceed 1,040 hours and will be designed to provide the experience needed to explore careers and to secure higher paying, higher skilled employment.

Labor standards apply in any internship where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

There is no expectation that the trainee will be retained in employment after the training period.

Invitation for Bid (IFB) (*DOL Regulations 29 CFR 97.36*) – means all documents, whether attached or incorporated by reference, used in soliciting bids.

Labor Market Area (*WIA Section 101(18)*) - An economically integrated geographic area within which individuals can reside and find employment within a reasonable distance or can readily change employment without changing their place of residence. Such an area shall be identified in accordance with criteria used by the Bureau of Labor Statistics of the DOL in defining such areas or similar criteria established by a Governor.

Leasehold Improvements (*GAAP*) - Improvements to leased property made by the lessee that usually revert to the lessor at the end of the life of the lease. If the lessee constructs new buildings on the land or reconstructs and improves existing buildings, the lessee has the right to use such facilities during the life of the lease, but they become the property of the lessor when the lease expires.

Literacy (*WIA Section 203*) – An individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

Local Area (*WIA Section 101(20)*) - A Local Workforce Investment Area (LWIA) designated under Section 116.

Local Performance Measure (*WIA Section 101(22)*) – The core indicators of performance for employment and training activities shall consist of—

- Adults and Dislocated Workers –
 1. Entry into unsubsidized employment;
 2. Retention in unsubsidized employment 6 months after entry into the employment;
 3. Earnings received in unsubsidized employment 6 months after entry into the employment; and
 4. Attainment of a recognized credential relating to achievement of educational skills, which may include attainment of a secondary school diploma or its recognized equivalent, or occupational skills, by participants who enter unsubsidized employment, or by participants who are eligible youth age 19 through 21 who enter Postsecondary education, advanced training, or unsubsidized employment.

- Eligible youth age 14 through 18) –
 1. Attainment of basic skills and, as appropriate, work readiness or occupational skills;
 2. Attainment of secondary school diplomas and their recognized equivalents; and
 3. Placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment, or qualified apprenticeships.

- Customer satisfaction indicators --The customer satisfaction indicator of performance shall consist of customer satisfaction of employers and participants with services received from the workforce investment activities authorized under this subtitle. Customer satisfaction may be measured through surveys conducted after the conclusion of participation in the workforce investment activities.

- Additional indicators

Low-Income Individual (*WIA, Section 101(25)*) – An individual who—

- Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;

- Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, cash payments under a Federal, State, or local income-based public assistance program, and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of—
 1. The poverty line, for an equivalent period; or
 2. 70 percent of the lower living standard income level, for an equivalent period;

- Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

- Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

- Is a foster child on behalf of whom State or local government payments are made; or

- In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in the first or second criteria listed above, but who is a member of a family whose income does not meet such requirements.

Lower Living Standard Income Level (LLSIL) (*WIA Section 101(24)*) – That income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary of Labor.

Major Program (*DOL Regulations 29 CFR 99.105*) - A Federal program determined by the auditor to be a major program in accordance with Section 99.520 or a program identified as a major program by a Federal agency or pass-through entity in accordance with Section 99.215(c). A threshold of \$300,000 or 3 percent of total Federal expenditures is the usual standard, subject to the requirement of the regulations.

Market Price is the price currently established in the usual and ordinary course of trade between buyers and vendors (sellers) and for which the parties free to bargain. The price must be established from sources independent of the vendor.

Military Service – Reporting for active duty.

Negotiated Procurement (a/k/a Competitive Proposal Procurements) (*DOL Regulations 29 CFR 97.36*) – means a process similar to the competitive sealed bidding procurements except that offerors and MOEWD discuss or negotiate aspects of the proposal, such as price. Negotiations are held with all offerors in the competitive range based upon the evaluation factors set out in the RFP.

Nonmonetary Finding (*State Directive WIAD01-3*) - An audit conclusion concerning deficiencies in the auditee’s management or financial controls, procedures or systems.

Nonprofit Organization (OMB Circular A-122) - Any corporation, trust, association, cooperative, or other organization which (1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (2) is not organized primarily for profit; and (3) uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term “nonprofit organization” excludes (a) colleges and universities; (b) hospitals; (c) State, local, and Federally recognized Indian tribal governments; and (d) those nonprofit organizations that are excluded from coverage of this circular in accordance with Paragraph 5. The organizations excluded from coverage are large and operate as commercial concerns for purposes of applicability of cost principles. They are listed in Attachment C to the circular.

Nontraditional Employment (*WIA Section 101(26)*) – Occupations or fields of work for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.

Not Employed (*DOL's WIA Title I-B Standardized Record Data (WIASRD), Item 115; State Directive WIAD04-18*) - An individual who does not meet the definition of employed or who, although employed, has received notice of termination of employment, or has been engaged in stopgap employment since dislocation.

Objective Assessment (*WIA Section 129(c)(1)(a)*) - An assessment of the academic levels, skill levels, and service needs of each participant, which shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs.

Obligation (*DOL Regulations 29 CFR 95 and 97; WIA Section 159; WIA Regulations 20 CFR 660.300*) – The dollar amount representing orders placed, contracts and subgrants awarded, goods and services received, and similar transactions during a given period that will require a payment by the grantee within the same period each program year. In the case of orders, contracts and awards, this generally is in the form of an official document. Staff salaries and related costs, or other ongoing internal operations costs are generally obligated as they are incurred.

Occupational Skills Goal – Primary occupational skills encompass the proficiency to perform actual tasks and technical functions required by certain occupational fields at entry, intermediate or advanced levels. Secondary occupational skills entail familiarity with and use of set-up procedures, safety measures, work-related terminology, record keeping and paperwork formats, tools, equipment and materials, and breakdown and clean-up routines.

Offender (*WIA, Section 101(27)*) - Any adult or juvenile:

- A. Who is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; **or**
- B. Who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Offeror – means a person that submits a proposal in response to a Request for Proposal.

Older Individual (*WIA Section 101 (28)*) – An individual age 55 or older.

OMB (*DOL Regulations 29 CFR 97.3*) - The United States Office of Management and Budget.

On-the-Job Training (*WIA, Sections 101(31), 134, 136, 181, 188; WIA Regulations 20 CFR 663.300-663.320, 663.700-663.710, 667.272, 667.275*) – Training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- Provides knowledge or skills essential to the full and adequate performance of the job;
- Provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the training; and
- Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

One-Stop Operator (*WIA Section 101(29)*) - One or more entities designated or certified under Section 121(d).

One-Stop Partner (*WIA Section 101(30)*) - (a) An entity described in Section 121(b)(1); and (b) an entity described in Section 121(b)(2) that is participating, with the approval of the local board and chief elected official, in the operation of a One-Stop delivery system.

Operating Lease (*GAAP*) - A lease that does not qualify as a capital lease.

Out-of-School Youth (*WIA, Section 101(33); DOL's TEGL 14-00, Change 1; State Directive WIAD04-18*) – Out-of-School Youth are defined as all eligible youth:

- Except those who are attending any school and have not received a secondary school diploma or its recognized equivalent; and
- Except those who are attending post-secondary school and are not basic skills deficient.

Outlays (Expenditures) (*DOL Regulations 29 CFR 95 and 97; WIA Section 159; WIA Regulations 20 CFR 652*) – Charges made to the project or program. Outlays are to be reported on an accrual basis. For reports prepared on an accrued basis, outlays are the sum of actual cash disbursements, the dollar amount of indirect expenses incurred, the value of in-kind contributions applied, and the new increase (or decrease) in the amounts owed by the grantee for goods and other property received, for services performed by employees, contractors, subgrantees, subcontractors, and other payees, and other amounts becoming owed under programs for which no current services or performance are required, such as annuities, insurance claims, and other benefit payments.

Participant (*WIA Section 101(34); WIA Regulations 20 CFR 660.300*)– An individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services authorized under Title I of the Workforce Investment Act) under a program authorized by Title I of the Workforce Investment Act. Participation shall be deemed to commence on the first day, following determination of eligibility, on which the individual began receiving subsidized employment, training, or other services provided under Title I of the Workforce Investment Act.

Planned Gap in Services – No participant activity of greater than 90 days due to a delay before the beginning of training or a health/medical condition that prevents an individual from participating in services.

Post-Secondary Education (*WIA Section 101(35)*) – A program at an accredited degree-granting institution that leads to an academic degree (e.g., AA, AS, BA, BS). Does not include programs offered by degree-granting institutions that do not lead to an academic degree.

Poverty Line (*WIA Section 101(36)*) -The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

Pregnant or Parenting (*WIA Sections 101(13), 129(c)(5)(D)*) - An individual (not less than 14 and not more than age 21) who is pregnant or a youth (male or female) who is providing custodial care for one or more dependents under the age of 18.

Price Analysis (*DOL Regulations 29 CFR 97.36*) is the process of examining and evaluating a price without looking at the estimate cost elements and proposed profit of the offeror whose price is being evaluated.

Prior Approval (*OMB Circular A-122*) - Securing the awarding agency's permission in advance to incur cost for those items that are designated as requiring prior approval by the circular. Generally, this permission will be in writing. Where an item of cost requiring prior approval is specified in the budget of an award, approval of the budget constitutes approval of that cost.

Procurement (*DOL Regulations 29 CFR 97.36*)- For purposes of this policy, the term "procurement" includes any acquisition action which obligates Federal funds for the purchase of equipment, materials, supplies, and program or administrative services beginning with the process for determining the need and ending with contract completion and closeout. Non-grant procurement will be governed by either the requirements specific to federal or state granted funds or California Law for the public trust corporations, as appropriate.

Program Income (*WIA Section 195 (7)(A); Regulations 20 CFR 677.200; State Directive WIAD01-6*) - Gross income earned by a recipient or subrecipient that is directly generated by a supported activity or earned as a result of the award. Program income includes, but is not limited to, income from fees for services performed, the use of rental of personal property acquired under federally funded projects, the sale of commodities or items fabricated under an award, and license fees and royalties on patents and copyrights. For purposes of the Workforce Investment Act ((WIA) program income includes revenue in excess of costs incurred for services provided by a governmental or nonprofit entity (20 CFR 667.200(a)(6) and interest income earned on funds received under WIA (20 CFR 667.200(a)(7).

Program income does not include the receipt of rebates, credits, discounts, etc. or interest earned on any of them. Reimbursement of rent payments by One Stop Center partners is not program income. It is a credit to the rent line item of the contract and is not to be treated as program income.

Public Assistance (*WIA Section 101(37); State Directive WIAD04-18*)– The term public assistance means federal, state or local government cash payments for which eligibility is determined by a needs or income test. The statutory definition of public assistance contains a two-part test:

- (1) the program must provide cash payments, and
- (2) eligibility for the program must be determined by a needs or income test

Qualified Apprenticeship – A program approved and recorded by the ETA/Bureau of Apprenticeship and Training (BAT) or by a recognized State Apprenticeship Agency (State Apprenticeship Council). Approval is by certified registration or other appropriate written credential.

Questioned Costs (*OMB Circular A-133; State Directive WIAD01-3*) - Costs questioned by auditors that are not properly supported by accounting records, are related to a violation of law, regulation or contract, or appear unreasonable.

Rapid Response (*WIA Section 101(38)*) – An activity provided by a State, or by an entity designated by a State, with funds provided by the State under section 134(a)(1)(A), in the case of a permanent closure or mass layoff at a plant, facility, or enterprise, or a natural or other disaster, that results in mass job dislocation, in order to assist dislocated workers in obtaining reemployment as soon as possible, with services including:

- The establishment of onsite contact with employers and employee representatives:
 1. Immediately after the State is notified of a current or projected permanent closure or mass layoff; or
 2. In the case of a disaster, immediately after the State is made aware of mass job dislocation as a result of such disaster;

- The provision of information and access to available employment and training activities;
- Assistance in establishing a labor-management committee, voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of dislocated workers and obtaining services to meet such needs;
- The provision of emergency assistance adapted to the particular closure, layoff, or disaster; and
- The provision of assistance to the local community in developing a coordinated response and in obtaining access to State economic development assistance.

Real Property (*DOL Regulations 29 CFR 95.2; 97.3*) - Land, including land improvements, structures, and appurtenances thereto, excluding movable machinery and equipment. Real property includes, but is not limited to, real property acquired before publication of these regulations and real property transferred from prior years.

Reasonableness is a term that means that a cost or price is not greater than what one would expect an ordinarily competent and prudent person to charge when conducting business in a competitive environment.

Register (*WIA Regulations 20 CFR 660.300*) means the process for collecting information to determine an individual's eligibility for services under WIA title I. Individuals may be registered in a variety of ways, as described in 20 CFR 663.105 and 20 CFR 664.215.

Request for Proposal (RFP): (*DOL Regulations 29 CFR 97.36*) - The document that invites offers from service providers for the delivery of a specific type of service. It includes a description of the product(s) or service(s) desired that enable a potential contractor to submit a proposal. The RFP will include information necessary for an objective evaluation and comparison to similar proposals. The RFP is the specific term applied to a solicitation where negotiation is used.

This method is the most commonly used form of solicitation when:

- The nature of the service needed precludes developing a specification or purchase description so precise that all proposers would have an identical understanding or approach to the requirements; and
- Cost is not the only factor considered in making an award.

Request for Quotation (RFQ): A document that is used to acquire the price(s) and pertinent information needed from a vendor/supplier. Since the quotation is not a formal offer, the awarding agency must reach a bilateral negotiated agreement before a binding contract

exists. A RFQ differs from an RFP in that it simply asks for a price based on standard specifications that are generally known or apply industry wide.

It is appropriate to use an RFQ when:

1. A complete, adequate and realistic specification or purchase description is available; and
2. There are at least two responsible vendors who compete effectively for the award; and
3. The procurement lends itself to a firm fixed-price contract and selection of a contractor based wholly on price that is appropriate and reflective of the nature of the products or service being purchased.

Resource Sharing Agreement (*One-Stop Comprehensive Financial Management Technical Assistance Guide*) – Resource sharing is the methodology through which One-Stop partners will pay for, or fund, their equitable fair share of the costs for the operation of the One-Stop Center.

Response Rate – The percentage of people who have valid contact information who are contacted and respond to the questions on the survey.

Responsible entity is one that has been determined to: (1) have adequate financial resources to perform the contract or the ability to obtain such resources; (2) be able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and business commitments; (3) have a satisfactory performance record; (4) have a satisfactory record of integrity and business ethics; (5) have the needed organization, experience, accounting, operational control and technical skills or ability to obtain them; (6) have adequate production, construction or technical equipment and needed facilities or the ability to obtain them; and (7) be both qualified and eligible to receive the award under applicable law and regulation.”

Responsive proposal is the term used for a proposal or bid that meets all requirements of the solicitation adequately; and the submitted document does not constitute a substitute or counter offer. When a bidder substitutes a “like item,” the submittal is considered non-responsive when the like item fails to meet published specifications. The same principle holds when the proposal is a substitute or counter offer.

Sample – A group of cases selected from a population by a random process where everyone has an equal probability of being selected.

School Dropout (*WIA Section 101(39); WIA Regulations 20 CFR 664.310*) – An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

Note: Youth enrolled in alternative schools are not dropouts. A youth's dropout status is determined at the time of application

Secondary School (*WIA Section 101(40)*) - The term “secondary school” has the meaning given the term in Section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

Selective Service/Military Status (*WIA, Section 189(h)*) - Each individual participating in any program or activity established under WIA, or receiving any assistance or benefit under WIA, must comply with Section 3 of the Military Selective Service Act

All males who are at least 18 years of age and born after December 31, 1959, and who are not in the armed services on active duty must be registered. Click on the following website address for more information on who must register: <http://www.sss.gov/FSwho.htm>

Note: A youth who becomes 18 years of age while participating in a WIA program must register within 30 days of his 18th birthday; otherwise, he will become ineligible for services and must be exited from the program. For information pertaining to on-line access to DD 214 forms (Certificate of Release or Discharge from Active Duty), see "Veteran" below.

Self-Certification (*WIA Regulations 20 CFR 660.300*) - An individual's signed attestation that the information he/she submits to demonstrate eligibility for a program under Title I of WIA is true and accurate.

Self-Sufficiency (*WIA Section 134(d)(3)(A)(ii); WIA Regulations 20 CFR 663.230*) - Local WIBs (in California) must set criteria for determining whether employment leads to self-sufficiency. At a minimum, such criteria must provide that self-sufficiency means employment that pays at least the lower living standard income level (see reference above).

Service Provider (*WIA Section 142*) means a public agency, private nonprofit organization, or private-for-profit entity that delivers educational, training, employment or supportive services to grant participants. Awards to service providers may be made by subgrant, contract, subcontract, or other legal agreement.

Share (*DOL Regulations 29 CFR 97.3*) - When referring to the awarding agency's portion of real property, equipment, or supplies, means the same percentage as the awarding agency's portion of the acquiring party's total costs under the grant to which the acquisition cost of the property was charged. Only costs are to be counted, not the value of third-party in-kind contributions.

Solicitation: The practice of distributing an Invitation for Bid, Request for Proposal, or any other document, such as a Request for Quotation, issued by a purchasing agency for the purpose of soliciting offers to perform a contract.

Special Participant Population (*WIA Section 134*) - that faces multiple barriers to employment" means a population of low-income individuals that is included in one or more of the following categories:

- (I) Individuals with substantial language or cultural barriers.
- (II) Offenders.
- (III) Homeless individuals.
- (IV) Other hard-to-serve populations as defined by the Governor involved.

Stop Gap Employment (*State Directive WIAD04-18*) - Stopgap employment means work an individual does only because he has lost the customary work for which his training, experience or work history qualifies him (see underemployed). Employment would be considered "stopgap" if the salary were substantially below the salary of the individual's primary occupation and/or if he is working substantially under the skill level of his customary occupation (adapted from kansasjobs.org).

There may be times when stop gap employment provides a self-sufficient wage, e.g., contract employment or employment obtained through a temporary employment services agency. Such employment would not change the individual's dislocated worker status. The determination about whether or not an individual's employment since dislocation is stop gap employment must be made on a case by case basis and take into consideration an individual's personal, family, financial, and employment situation. (Individuals engaged in stopgap employment are reported as not employed.)

Subgrant (*WIA Regulations 20 CFR 660.300*) means an award of financial assistance in the form of money, or property in lieu of money made under a grant by a grantee to an eligible subrecipient. The term includes financial assistance when provided by contractual legal agreement, but does not include procurement purchases, or does it include any form of assistance that is excluded from the definition of Grant in this part.

Subrecipient (*WIA Regulations 20 CFR 660.300*) means an entity to which a subgrant is awarded and which is accountable to the recipient (or higher tier subrecipient) for the use of the funds provided. DOL's audit requirements for States, local governments, and non-profit organizations provide guidance on distinguishing between a subrecipient and a vendor at 29 CFR 99.210.

Supportive Services (*WIA Section 101(46)*) – Services such as transportation, child care, dependent care, housing, and needs-related payments, that are necessary to enable an individual to participate in activities authorized under this title, consistent with the provisions of this title.

Third-Party In-Kind Contributions *DOL Regulations 29 CFR 95.2*) - The value of non-cash contributions provided by non-Federal third parties. Third-party in-kind contributions may be in the form of real property, equipment, supplies, or other expendable property, and the value of goods and services directly benefiting and specifically identifiable to the project or program.

Training Services – WIA-funded and non-WIA funded partner-training services available to adults and dislocated workers:

- Who have met the eligibility requirements for intensive services and who are unable to obtain or retain employment through such services;
- Who after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training services;
- Who select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the adults or dislocated workers receiving such services are willing relocate;
- Who are unable to obtain other grant assistance for such services, including Federal Pell Grants established under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); or; require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants; and
- Who are determined to be eligible in accordance with the priority system, if any, in effect under subparagraph (E).

These services include:

1. Occupational skills training, including training for nontraditional employment; on-the-job training;
 2. On-the-job training;
 3. Programs that combine workplace training with related instruction, which may include cooperative education programs;
 4. Training programs operated by the private sector;
 5. Skill upgrading and retraining;
 6. Entrepreneurial training;
 7. Job readiness training;
 8. Adult education and literacy activities in combination with other training;
- and

9. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

Unemployed Individual (*WIA Section 101(47)*) -The term ``unemployed individual" means an individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

Underemployed (*DOL TEGL 14-00, Change 1; State Directive WIAD04-18*) - Underemployed means an individual who is:

- working part time but desires full time employment; or
- working in employment not commensurate with the individual's demonstrated level of educational attainment.

Unemployment Compensation Claimant (*WIA Information Bulletin, WIAB01-121; WIA Client Forms Handbook, Application Form, Item 63*) - An individual who is currently receiving unemployment compensation

Unemployment Compensation Exhaustee (*WIA Information Bulletin, WIAB01-121, WIA Client Forms Handbook, Application Form, Item 63*) - An individual who was receiving unemployment compensation, but has exhausted claim benefits.

Unilateral Modification means a modification made and signed solely by the contracting agency without consideration to the service provider/vendor.

Unilateral Right means a legal action that may be taken by the contracting agency without consideration to the service provider/vendor.

Unlikely to Return (*State Directive WIAD04-18*) - Dislocated Worker is considered unlikely to return if he/she:

- Has worked in a declining industry/occupation; or
- Has worked in an industry/occupation for which there are limited job orders in the EDD Job Match system; or
- Can document unsuccessful efforts to obtain employment in the prior industry/occupation; or
- Is insufficiently educated and/or do not have the necessary skills for reentry into the former industry/occupation; or

- Has physical or other problems that would preclude reentry into the former industry or occupation.

The client has been identified as a Dislocated Worker through the UI Profiling System.

Unliquidated Obligations (*DOL Regulations 29 CFR 95 and 97; WIA Section 159; WIA Regulations 20 CFR 652*)- For reports prepared on an accrued basis, this represents the amount of obligations incurred by the grantee (see definition above) for which an outlay (see definition above) has not been recorded or reported.

Obligations Less Outlays = Unliquidated Obligations

Unobligated Balance (*DOL Regulations 29 CFR 95 and 97; WIA Section 159; WIA Regulations 20 CFR 652*)- The portion of funds authorized that has not been obligated by the grantee and is determined by deducting the cumulative obligations (see definition above) from the cumulative funds authorized.

Funds Authorized Minus (-) Obligations = Unobligated Balance

Valid Contact Information – Information that leads the interviewer or surveyor to the location where the contact individual is located whether or not the individual responds and answers the questions.

Vendor (*WIA Regulations 20 CFR 660.300*) is an entity responsible for providing generally required goods or services to be used in the grant program. Distinguishing characteristics of a vendor include items such as: providing the goods and services within normal business operations; providing similar goods or services to many different purchasers, including purchasers outside the grant program; and operating in a competitive environment. Any entity directly involved in the delivery of program services not available to the general public, with the exception of an employer providing on-the-job training, will be considered a subrecipient rather than a vendor.

Vendors are not subject to the statutory and regulatory requirements of Federal Statutes. The vendor's responsibility is to meet the requirements of the award, as stated in the contract services called for by the agreement have been delivered and accepted

Veteran (*WIA Client Forms Handbook, March 2005*)

Disabled Veteran - A Disabled Veteran, for WIA purposes, is defined as a veteran entitled to disability compensation regardless of the rate (include those rated at 0%) for a disability under laws administered by the Department of veterans' Affairs (VA) or was discharged or released from active duty because of a service-connected disability. A veteran that is

"Special Disabled" is one who is 30% disabled or more by the VA, or at least 10 or 20 percent for a serious employment disability.

Other Campaign Veteran - An Other Campaign Veteran, for WIA purposes, is defined as a veteran who served on active duty in the US armed forces during a war or campaign or expedition for which a campaign badge or expeditionary medal has been authorized.

Recently Separated Veteran - A recently separated veteran, for WIA purposes, is defined as a veteran who applied for WIA Title I within 48 months after discharge or release from active US military, naval or air service.

Veteran - A Veteran, for WIA purposes, is defined as an individual who served in the active US military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable. For reporting purposes, WIA also requires a distinction between those veterans who meet the above definition for 180 days or less, and for those that served more than 180 days.

Vietnam Era Veteran - A Vietnam Era Veteran, for WIA purposes, is defined as a veteran who served in the active US military, naval, or air services, and who was discharged or released from such service under conditions other than dishonorable during the Vietnam Era. The Vietnam Era is the period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and the period beginning on August 5, 1964, and ending on May 7, 1985, in all other cases.

Note: For on-line access to DD Form 214 Military Records (Certificate of Release or Discharge from Active Duty), please visit the following:

<http://www.archives.gov/veterans/evetrecs/index.html>

Military veterans and the next of kin of deceased former military members may use this new on-line records system to request documents. (A signature verification form must still be sent.)

Vocational Education (WIA Section 101(50)) - The term "vocational education" has the meaning given the term in section 521 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2471).

Wagner-Peyser Act (WIA Regulations 20 CFR 660.300) The Wagner-Peyser Act of June 6, 1933, as amended, codified at 29 U.S.C. 49 et seq.

WARN (Workforce Tool Kit Glossary) - Worker Adjustment and Retraining Notification Act, which offers protection to workers, their families, and communities by requiring employers to provide written notice 60 days in advance of covered plant closings and covered mass layoffs. This notice must be provided to either affected workers or their representatives

(e.g., a labor union), to the Dislocated Worker Unit, and to the appropriate unit of local government.

Work Experience (*WIA Regulations 20 CFR 663.200*) - A planned, structured learning experience that is provided through contractual supervised work site training by an employer in the public, private nonprofit, or private sector.

Work Experience generally will not exceed 520 hours and will be designed to impart specific behavioral competencies. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists. There is no expectation that the trainee will be retained in employment after the training period.

Work Readiness Skills Goals – Work readiness skills include world of work awareness, labor market knowledge, occupational information, values clarification and personal understanding, career planning and decision making, and job search techniques (resumes, interviews, applications, and follow-up letters). They also encompass survival/daily living skills such as using the phone, telling time, shopping, renting an apartment, opening a bank account, and using public transportation. They also include positive work habits, attitudes, and behaviors such as punctuality, regular attendance, presenting a neat appearance, getting along and working well with others, exhibiting good conduct, following instructions and completing tasks, accepting constructive criticism from supervisors and co-workers, showing initiative and reliability, and assuming the responsibilities involved in maintaining a job. This category also entails developing motivation and adaptability, obtaining effective coping and problem-solving skills, and acquiring an improved self image.

Worker's Compensation (*WIA Section 181(b)(4); WIA Regulations 20 CFR 667.274*) - Some form of legally acceptable worker's compensation must be provided for WIA participants if they are engaged in any WIA sponsored work activity while enrolled in the WIA program.

In instances of OJT participation, the employer shall provide documentation of such coverage before the training period of the OJT contract begins.

For instances of other WIA sponsored work activities (e.g., work experience or internships), where the WIA service provider is the employer of record, such service provider shall provide compensation coverage through their compensation insurance carrier.

Working Capital Advance (*DOL Regulations 29 CFR 95.2*) - A procedure whereby funds are advanced to the recipient to cover its estimated disbursement needs for a given initial period.

Workplace Literacy Services (*WIA Section 203(18)*) -The term "workplace literacy services" means literacy services that are offered for the purpose of improving the productivity of the workforce through the improvement of literacy skills.

Youth Activity (WIA Section 101(52)) - An activity described in Section 129 that is carried out for eligible youth (or as described in