

STATE-TRIBAL COLLABORATION ACT
2016 AGENCY REPORT

New Mexico Department of Workforce Solutions

I. EXECUTIVE SUMMARY

- A. **Agency Overview.** In 2007, the New Mexico State Legislature passed House Bill 1280 thereby creating the New Mexico Department of Workforce Solutions (DWS). The legislation combined all functions and staff of the Governor's Office of Workforce Training & Development with all functions and staff of the New Mexico Department of Labor. Although DWS has experienced several name changes over the years, the mission of the department remains unchanged – to provide workforce services to the citizens of New Mexico.

The Department is comprised of five divisions, the Administrative Services Division, Business Services Division, Workforce Transition Services Division, Labor Relations Division, and the Workforce Technology Division. The Department adheres to the laws, regulations and policies set forth by the United States Department of Labor and the State of New Mexico. The United States Department of Labor provides 99% federal funding to the Department of Workforce Solutions. The remainder of funds is received from the State's general fund.

Administrative Services Division (ASD) provides a variety of fiscal, logistical and administrative support to DWS and partner agencies.

Business Services Division (BSD) was created to build a strong partnership between businesses and the public workforce system. BSD uses a combination of proven and innovative strategies to provide tools and services to the business community. The Business Development and Outreach Bureau administers valuable programs such as the Trade Adjustment Assistance Act, Work Opportunity Tax Credit program, and Rapid Response services. The Economic Research and Analysis Bureau produces labor market information including information about economic conditions and trends, unemployment rate, job growth, and wage levels. This information is used by many constituents for a variety of purposes.

Workforce Transition Services Division (WTSD) is the largest service branch that directly serves the public. This division provides comprehensive customer-centered and market driven workforce services as a valuable partner in the Workforce Connection Centers and also provides Unemployment Insurance benefits to New Mexicans who have lost their jobs, utilizing a centralized call center (1-877-664-6984) or online at www.jobs.state.nm.us. Assisting workers in securing employment and providing workforce training services are the primary functions of the Workforce Services Bureau. Located throughout the state, Workforce Connection Centers (WCCs) provide a variety of services to both job seekers and business. These WCCs are business driven and match local business needs with the available workforce. The

WCCs have access to a vast database of job listings from companies that have registered with NMDWS, as well as additional jobs nationally listed. Local offices help individuals with a wide variety of workforce services such as career or job counseling, completing a resume, and referrals to employers. The second bureau in this division administers the Unemployment Insurance program, which includes paying benefits to individuals who are out of work through no fault of their own, and collecting employers' unemployment insurance taxes.

Labor Relations Division (LRD) is charged with administering, enforcing and executing state labor laws regulating hours of labor, employment of minors, public works Minimum Wage Act, and the Apprenticeship and Training Act. The Human Rights Bureau (HRB) accepts and investigates claims of discrimination based on race, color, national origin, religion, ancestry, sex, age, physical and mental handicap, serious medical condition, and gender identity. The HRB also offers free training and technical advice to employer and employee groups about preventing discrimination in the workplace and the Human Rights Act.

Workforce Technology Division (WTD) provides a full range of information technology services and support to DWS. The division supports the Unemployment Insurance Tax and Claims sections, Workforce Services' Virtual One-Stop System, desktop support, and network security.

- B. **Mission Statement.** The Department's mission is to Educate, Empower and Employ.
- C. **Agency-specific and applicable/relevant state or federal statutes or mandates.** All divisions within NMDWS are governed by the state or federal law that governs individual programs such as the Workforce Investment Act, Wagner-Peyser Act, Section 903 of the Social Security Administration Act, New Mexico's Unemployment Insurance Act, Worker Adjustment and Retraining Notification Act (WARN), the state minimum wage act and the Human Rights Act. The U.S. Department of Labor, Veterans' Employment and Training Service (VETS), Title 38, Chapter 41 and 42, 20 CFR Part 1010, Priority of Service for Covered Persons; Final Rule for eligible veterans and eligible spouses.
- D. **Significant state-tribal issues, recommendations and/or priorities addressed in FY2016.** The NMDWS in partnership with the Workforce Boards manages the NM Workforce Connection Centers (WCC). There are eight workforce centers near Native American lands. A list of the NM WCC is provided below and available staff assisted services and business services are included.

NM WORKFORCE CONNECTION CENTERS AND TRIBAL COMMUNITIES			
WORKFORCE CONNECTION CENTERS	NATIONS, TRIBES OR PUEBLOS	TYPE OF ACTIVITIES (Job Seekers/Enterprise)	TRIBAL PARTICIPANTS IN ATTENDANCE
Lincoln WCC/Ruidoso	Mescalero-Apache Tribe	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
Bernalillo WCC/ Albuquerque	Acoma Pueblo Isleta Pueblo Laguna Pueblo Sandia Pueblo	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
Luna-Hidalgo WCC/Deming	Fort Sill Apache Tribe	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
McKinley WCC/ Gallup	Navajo Nation	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
Sandoval WCC/ Town of Bernalillo	Cochiti Pueblo Jemez Pueblo San Felipe Sandia Pueblo Santa Ana Pueblo Zia Pueblo	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
San Juan WCC/ Farmington	Navajo Nation	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
Santa Fe WCC/ Santa Fe	Pojoaque Pueblo Tesuque Pueblo	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members
Taos WCC/ Taos and Rio Arriba WCC/ Espanola	Jicarilla-Apache Nation Nambe Pueblo Ohkay Owingeh Pueblo Santa Clara Pueblo Taos Pueblo Eight Northern Pueblos	Workforce Training Employment Workshops Business Services Job/Recruitment Fairs Business Services Workforce Programs	Tribal Management Program Officers Tribal Members

The NMDWS Jobs for Veterans State Grant (JVSG) program staff conducted outreach during the 2016 Indian Day at the New Mexico State Legislature in February. JVSG program staff provided business outreach information to the Indian Nations, tribes and Pueblos and other Native American organizations that were in attendance.

The NMDWS JVSG program staff continued to conduct outreach to the Indian nations, tribes and pueblos in Bernalillo, Lincoln, McKinley, Rio Arriba, Sandoval, San Juan, Santa Fe, Taos and Valencia counties. The workforce and business outreach in these counties focuses on assisting Native American Veterans with employment services and other benefits. The NMDWS Veterans' section, in conjunction with federal, State, and local governments, businesses and non-profit organizations, hosted the annual Albuquerque, San Juan and Santa Fe Stand Down in October 2015 to assist homeless veterans with transitional housing, health and social services.

The New Mexico Workforce Connection Center staff representatives conducted business services outreach to the Five Sandoval Indian Council, Eight Northern Indian Pueblo Council and Navajo Nation Chapter Houses in San Juan County.

NM DWS Tribal Liaison conducted the agency workforce presentation to other agency Tribal Liaison and provided labor market information; attended the 2016 State-Tribal Leaders pre-summit and summit. During the pre-summit, the Tribal Liaison met with the Navajo Nation, Pueblos of Cochiti, San Felipe, Tesuque and Mescalero Apache Tribes to discuss workforce programs and develop collaboration and networking opportunities. On-going efforts to follow-up with tribal staff and representatives will continue in fiscal year 2017.

NM DWS provided services throughout the Workforce Investment Act (WIA), Unemployment Insurance, and Labor Relations are available to all New Mexicans who visit any local office statewide or utilize the online system. One area of continuing concern addressed during FY2016 was the Workforce Innovation Opportunity Act (WIOA) funding expenditure pattern of the Navajo Nation. The NMDWS receives annual appropriations from the U.S. Department of Labor to administer WIA and other federal programs. The Department serves as a pass through agency for WIA funding for the Navajo Nation. NMDWS has continued dialogue with the Nation to determine if there are any opportunities to partner and/or provide technical assistance to the Nation.

The Workforce Innovation Opportunity Act (WIOA) was signed into law on July 22, 2014 and replaced the Workforce Investment Act employment and training services for adults, dislocated workers, and youth, as well as Indian and Native American Programs with most of the provisions in WIOA taking effect in July 1, 2015. WIOA Section 166 support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals to promote the economic and social development in tribal communities. WIOA provides for continued collaboration with Native Americans and workforce partners to provide employment and business services in all of our communities.

E. **Narrative summary highlighting American Indian/Alaska Native (AI/AN) programs and services.** There were over seventeen thousand American Indian/Alaska Native (AI/AN) job seekers that were served or utilized the online self-service of the New Mexico Workforce Connection Online System during this report period.

AI/AN job seekers using the New Mexico Workforce Connection Online System have the opportunity to access Work Keys, Work Trainings and ProveIt Assessments to assist them with career guidance and job placements. Other benefits available are priority of service to eligible veterans and eligible spouses, Work Opportunity Tax Credits for employers to hire the unemployed, job training, apprenticeship programs, employment preparation workshops, job fair information and other labor market information.

The NM WCC AI-AN Report (Table 1) below is Native American job seekers utilizing employment services. The AI-AN Entered Employment (Table 2) is Native American job placements; the Native American veterans is estimated at 6% of the total veterans reported and 143 Native American veterans entering employment during the date range indicated or 52% entered employment rate.

A total of 7,843 female and 9,791 male AI/AN job seekers for a total of 17,634 AI-AN job seekers that were served in the NMWC.

NEW MEXICO WORKFORCE CONNECTION ONLINE SYSTEM https://www.jobs.state.nm.us				
AMERICAN INDIAN-ALASKA NATIVE (AI-AN) REPORT (July 1, 2015 – June 30, 2016)				
GENDER	AGE AT REGISTRATION	¹ TOTAL REGISTERED	² TOTAL SERVED	TOTAL STAFF ASSISTED
Female	Youth	117	141	80
Male	Youth	116	142	74
Female	19-44 years	1,275	5,441	3,266
Male	19-44 years	1,516	6,803	4,158
Female	45-54 years	212	1,437	957
Male	45-54	198	1,820	1,307
Female	55+	132	824	560
Male	55+	118	1,026	719
TOTAL		3,584	17,634	11,121
NOTES				
¹ Total Registered data is based on the individual's date of birth and date of registration in the NM Workforce Connection Online System.				
² Total Served data is based on the individual's date of birth and the first date the individual received staff assisted services in NM Workforce Connection Online System.				
<i>Source: NM Workforce Connection.</i>				

Table 1

A total of 3,888 AI/AN job seekers that were served in NMWC entered employment.

¹AI-AN ENTERED EMPLOYMENT	
AGE	ENTERED EMPLOYMENT
Youth	16
18-44	2,932
45-54	676
55+	264
TOTAL	3,888
Entered Employment Rate (Total)	36%
Entered Employment Rate (Vets only)	52%
¹ REPORT PERIOD	
07/01/2015 – 06/30/2016	
<i>Source: NM Workforce Connection, ETA 9002A, 9002D Report.</i>	

Table 2

Additional employment programs information and resources are available in the NM Department of Workforce Solutions website at www.dws.state.nm.us.

- F. Main agency accomplishments and challenges regarding tribes, AI/AN and/or Indian organizations.** The NMDWS Tribal Liaison attended the Indian Affairs Department Tribal Liaison quarterly meetings and attended the 2016 State-Tribal Leaders pre-summit and Annual Summit.

The Workforce Connection Centers located in Albuquerque, Espanola, Farmington, Gallup, Los Lunas, Santa Fe, Silver City and Taos continue to reflect a high frequency of employment services provided to and interactions with AI/AN job seekers. Several challenges the Department foresees regarding working with Tribes include the nature of most of the services provided by the Department are provided to individual citizens, and not necessarily to Tribes as a whole. While there are programs and technical assistance which can be provided directly to Tribes, the vast amount of services provided by NMDWS are to individuals and businesses.

- G. Goals for Fiscal Year 2017 relating to tribes, AI/AN and/or Indian organizations.** The Department is developing goals for FY2017 in partnership with the Indian Affairs Department (IAD) and other agencies and participating with the IAD and the tribe's workgroups. These goals and workgroups will be included as part of the revised Agency Policy.

NM DWS JVSG program has an opportunity to expand its Native American veterans outreach in tribal lands by submitting a proposal for special initiatives to designate two department veterans' employment representatives; one representative for the Navajo Nation and the other staff representative for the Tribes and Pueblos. This is in development stage pending receipt of Letters of Support from tribal leaderships.

II. AGENCY POLICY

NMDWS created and signed the agency State-Tribal Collaboration Act policy in December 2009.

III. AGENCY EFFORTS TO IMPLEMENT POLICY

Although NMDWS serves American Indians throughout the state via our local Workforce Connection Centers and in the Unemployment Insurance program, NMDWS has not engaged in formal tribal consultation primarily because of the nature of the services the agency provides. NMDWS does not have a formal policy to comprehensively notify Tribes of funding opportunities, RFPs, available grants, or training activities. We currently provide the IAD Public Relations Coordinator with email notifications of funding/grant opportunities, RFPs, training activities and available community services and resources.

IV. CURRENT AND PLANNED PROGRAMS AND SERVICES FOR AMERICAN INDIANS/ALASKA NATIVES

A complete list of current services provided to American Indians is provided in Appendix A. The Department will continue to provide these services. NMDWS has increased awareness of programs to all populations through outreach campaigns for Unemployment Insurance claimants and the New Mexico Workforce Connection Centers.

V. TRAINING AND EMPLOYEE NOTIFICATION

A. STCA TRAINING CERTIFICATION

Formal training relating to working with Tribes or American Indians is continuing throughout NMDWS. The Department will use the training component, which is currently available through IAD and the State Personnel Office, to serve as a basis for providing appropriate staff training.

B. EMPLOYEE NOTIFICATION ABOUT STCA

The Executive Management of NMDWS is aware of the provisions of the STCA and has designated the agency Tribal Liaison. The Tribal Liaison will develop strategies to focus our workforce staff and programs for appropriate outreach to the Tribes.

VI. KEY NAMES AND CONTACT INFORMATION

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VII. APPENDICES

A. Agreements, MOUs/MOAs with tribes that are currently in effect.

Tribe	Agency	Broad Activity	Agreement Name	Current Status	Contact	Phone #
Navajo Nation	States of New Mexico, Arizona, and Utah	Workforce Innovation and Opportunity Act. (WIOA)	MOU among the Navajo Nation and the States of Arizona, New Mexico and Utah and the US Department of Labor	In effect	Yolanda Montoya-Cordova	(505) 841-9450

B. Workforce services.

■ **Unemployment Insurance**

- Benefits application
- Weekly Certifications

■ **Job Seekers**

- New Mexico Workforce Connection Centers and Online System
- Workforce Connection Centers' staff support and resources
- Career Exploration
- Job Hunting Publications and Job Referrals
- Youth Career Services
- Training Resources

■ **Business Services**

- New Mexico Workforce Connection Centers and Online System
- Federal Bonding
- Work Opportunity Tax Credit for employers
- Rapid Response
- WorkKeys
- Trade Adjustment Assistance

■ **Labor Relations**

- Human Rights
- Wage and Hour
- Child Labor
- Public Works
- Apprenticeships

■ **Jobs for Veterans**

- Local Veterans' Employment Representative for Employer Outreach
- Priority of Employment Services to Veterans with Significant Barriers to Employment
- Veterans workshops and job clubs
- Federal Employment Preference referral
- Uniformed Services Employment, Reemployment referral
- Federal Contractor emphasis on veterans employment
- VA Vocational Rehabilitation Program partnership
- Homeless Veterans employment initiatives
- VA Work-Study program

■ **Labor Market Information**

- Wage survey
- Labor analysis, statistics and economic research