



## Division of Rehabilitative Services

### Employment Service Organization Steering Committee (ESOSC)

Due to the active state of emergency, this is an electronic meeting pursuant to Item 4-0.01 of the 2020 Appropriation Act.  
Tuesday, October 6, 2020  
10:00 a.m. – 1:00 p.m.

#### Minutes

**Members Present:** Shirley Lyons, Chuck McElroy, Alan Hargraves, Joanne Aceto, Megan Bergen, Chris Lavach, Jason Harper, Robin Metcalf, Jim Fenerty, Teresa Hall

**Guests Attending:** The ESOSC meeting was streamed live to You Tube for public viewing.  
[www.youtube.com/vadrs/videos](http://www.youtube.com/vadrs/videos)

**DRS Staff Attending:** Dale Batten, Donna Bonessi, Anita Mundy, Dionca Coleman (monitor)

#### Full Committee Call to Order and Introductions

**Shirley Lyons, Chair**

Chair Shirley Lyons called the meeting to order at 10:22 a.m. and welcomed members and guests. Shirley asked members and expected guests to acknowledge they were present when called.

#### Approve Meeting Minutes from July 21, 2020

**Shirley Lyons, Chair**

The Committee reviewed a draft of the Meeting Minutes dated July 21, 2020. There were no corrections to the Minutes. A motion was made by Chuck McElroy to approve the Minutes as written. Teresa Hall seconded the motion. The Committee members voted unanimously by roll call to approve the Meeting Minutes.

#### Approval of Agenda

**Shirley Lyons, Chair**

The Agenda was presented for approval. Robin Metcalf made a motion to accept the Agenda as proposed. Jason Harper seconded that motion. The Agenda was unanimously approved by the Committee with no changes.

#### Public Comment

**Shirley Lyons, Chair**

Public notice was posted prior to the meeting. Public comment was solicited and requested to be submitted by October 1, 2020. ESO Executive Directors, LTESS/EES Vendor Admins, and those who had previously requested to be on the email distribution list were notified that public comment was being accepted. No members of the public submitted public comment.

## **Election of Chair and Vice-Chair of the ESOSC**

**Anita Mundy, Staff to  
The Committee**

Per ESOSC Code of Virginia, Section D., the Committee shall elect a Chairman and Vice-Chairman from among its members. Anita Mundy explained the duties of these positions to the Committee and opened the floor for nominations.

Shirley Lyons was nominated by Chuck McElroy to continue her role as Chair of the Committee. Jim Fenerty seconded the nomination. There was no further discussion. The ten present Committee members voted unanimously for Ms. Lyons to continue her role as the FY2021 Chair of the Employment Service Organization Steering Committee.

The Committee then elected Jason Harper as the Vice-Chair of the Committee. Mr. Harper was nominated by Chuck McElroy and Joanne Aceto seconded the nomination. There was no further discussion. The ten present Committee members voted unanimously to elect Mr. Harper as the Committee's Vice-Chair.

These terms will be for one year and will become effective at the close of this meeting.

## **ESOSC Committee Member Replacement**

**Shirley Lyons**

Anita Mundy, staff to the Committee, has been in contact with Goodwill. Ms. Mundy was informed that They do have a recommendation to fill the Senate Appointment on the Committee but that an Application has not been submitted to the Senate for approval.

## **First Quarter Spending Report with Breakdown by Organization**

**Donna Bonessi  
Deputy Director, Employment Services  
& Special Programs, DRS**

Donna Bonessi provided an update on LTESS/EES First Quarter Spending with breakdowns by organization. Balances are being projected due to the COVID-19 shutdown that was issued by Governor Northam under Executive Order Number 51 (2020). There is a projected balance of \$1.7 million in LTESS funds and \$1.688 in EES funds. DARS is however, beginning to see a slight uptick in spending. Because decisions had to be made very quickly in the midst of the COVID pandemic, in SFY 20 an Emergency Relief Fund was created by DRS with an application process. Two rounds of Relief Funds were distributed during this period based on the information provided in the applications. Only about half of the ESO's requested relief from these funds. The Committee discussed a possible recommendation to offer the funds to ESOs as COVID relief funds. Ms. Bonessi asked the Committee to discuss and put forth a recommendation to the Commissioner on what guidance they would recommend being used to justify the distribution of any future projected relief funds. DARS would like this to be equitable for everyone involved.

## **Projected Fiscal Year Balance Discussion and Recommendation**

**Shirley Lyons**

Much discussion was had by the Committee regarding use of projected fiscal year balances. A motion was then put to the floor by Shirley Lyons. Jim Fenerty approved the motion and Robin Metcalf seconded the motion. The ten present Committee members unanimously approved the motion which reads as follows:

*It is recommended that the Commissioner of DARS provide an emergency relief fund to LTESS and EES organizations based on the percentage that FY 2021 allocations were calculated on for the unspent funds through the end of the 1<sup>st</sup> LTESS/EES quarter.*

*The initial payment would be provided to any organization that applies to a request from DARS. The organization would verify within its application that the funds would be used for employment related expenses within the current fiscal year. After the funds are disbursed, a report on how the funds were spent would be required within the designated timeframe to DARS.*

### **70 Hours Minimum EES Work Requirements**

**Shirley Lyons**

It was requested during the July ESOSC meeting that an analysis be conducted on the 70 hours minimum EES work requirements. Upon looking into this, Anita Mundy stated that it was noted that this past year 12 out of 30 organizations did not meet the 70 hour minimum work requirement. Ms. Mundy suggested that COVID-19 may have had much to do with this and that analyzing this data would paint an inaccurate picture of the situation at this time. Ms. Mundy proposed that instead, the Committee address how they think that this should be approached in the future and what recommendations would this Committee like to make in regard to Employment Service Organizations that do not meet the 70 hour minimum EES work requirements.

Upon discussion by the Committee, a recommendation was made by Jason Harper that the 70 Hours Minimum EES Work Requirements Rule not be enforced during the current COVID-19 state of emergency and that the Committee will review this again at the next meeting. Chuck McElroy made a motion to accept the recommendation. Jim Fenerty seconded the motion. All Committee members present voted unanimously to accept this recommendation.

### **Commissioner's Update**

**Dale Batten**

Dale Batten, the Director of the Division of Rehabilitative Services, gave a brief update and informed the Committee that DARS will strive to keep the SD category open through December 2020 and as long as the Agency can into 2021, but most likely it will not stay open past January. The Agency will be monitoring this and will keep it open as long as the Agency can do so. DARS will not see the expenditures from these funds until approximately 90 days so that will determine how much longer the category can stay open.

### **2021 ESOSC Meeting Schedule**

**Shirley Lyons**

Anita Mundy, Committee Staff, proposed the following meeting schedule to the Committee: January 12, 2021; April 13, 2021; July 13, 2021; October 12, 2021. The Committee approved these dates with no further discussion.

### **Upcoming Agenda Items, and Other Business**

**Shirley Lyons**

Anita Mundy reported to the Committee that the annual LTESS/EES System User Verification and DSA Security Awareness training is due by October 31, 2020 from all Employment Service Organizations who utilize LTESS/EES funding. Ms. Mundy has sent out notifications to all ESO's Vendor Admins. Organizations who do not submit all verifications will have their accounts deactivated until the information is received.

The next meeting of the Employment Service Organization Steering Committee is scheduled for

January 12, 2021. Agenda items recommended for this meeting include continued discussion on the 70 Hour Rule, the use of LTESS/EES Projected balances, and updates provided by DARS on relevant legislative information pertaining to the General Assembly.

**Adjournment**

The meeting adjourned at 12:37 p.m.

DRAFT