

**ATTENDANCE**

Brad Tisdale  
Jim Decker  
Andrea MacArthur  
Travis Crytzer  
Bobbie Jones  
Juanice Vega  
Chip Abramovic

**ABSENT**

**GUESTS**

Mike Costa  
Brenda Connelly  
Daniel Hornbake  
Atty. Joe Keebler  
Diona Brick  
Christine Grigsby  
Brett Wagner  
Elizabeth Wilson  
Letty Acosta

**STAFF**

Lisa Miller  
Susan Richmond  
Lisa Stalnaker  
Juanet Shefchunas  
Nancy Wisgirda  
Emily Cozzens  
Carrie Symes  
Deb O'Neil

**WELCOME/ROLL CALL**

Bobbie Jones called the meeting to order at 2:01 PM. Roll call was taken. It was noted there was a quorum. The meeting was recorded and the agenda was posted in the chat.

**VISITOR RECOGNITION/PUBLIC COMMENT**

Visitors were recognized. There was no public comment.

**SUMMARY OF COMPLAINT**

Bobbie Jones gave a summary of the complaint:

A complaint was received via email by the Operator, Elizabeth Wilson, on December 20<sup>th</sup>, 2023 at 5:51 pm by Brett Wagner of CNB Wagner Enterprises, LLC. (Hereafter referred to as CNB). For reference, CNB Wagner Enterprises is a third-party contractor through the Crawford Technical Center, which is also known as the Meadville Votech. The complaint contains the following issues:

- Candidates that CNB sent to the PA CareerLink® for funding were told on five separate occasions that they must go through PA Pride for CDL training.
- PA CareerLink® refused to pay for a training provided by CNB because PA CareerLink® staff said they “messed up the paperwork.”
- CNB is requesting a list indicating the number of people that obtained CDL training in Warren, Forest, Venango, Clarion, Crawford and Erie counties, respectively, through PA CareerLink®.
- CNB is requesting the training provider selected for CDL training and the number of participants that went to CNB and PA Pride for CDL training.
- CNB feels that the efforts made by the Operator to resolve these issues have been insufficient.

**REVIEW OF THE NWPA JOB CONNECT COMPLAINT POLICY**

Lisa Miller stated that the NWPA Job Connect Board’s Complaint Policy was followed in the sequence below:

- CNB filed a complaint with NWPA Job Connect.
- Complaint was received by the Operator.
- The Operator conducted an investigation.
- The Operator presented CNB with her findings.
- These findings were not satisfactory to CNB.

- The WDB Executive Committee has 30 days from receiving the complaint to conduct a hearing.
- The WDB Executive Committee has 30 days after the hearing to render a decision.
- These hearings have been tentatively scheduled for four consecutive Thursdays beginning today, which will exhaust the 30 days.

**Q & A FOR WDB EXECUTIVE COMMITTEE REGARDING NWPA JOB CONNECT POLICIES**

The following questions and responses were made regarding background of the complaint:

**Brad Tisdale:** How many providers are there?

**Carrie Symes:** Nearly all career and technology centers (CTCs) in the region offer CDL training; some use a third-party provider. The third-party providers in our local area are CNB and PA Pride.

**Brad Tisdale:** Is the selection of which provider to use based on the Participant's location?

**Carrie Symes:** Participants are given consumer choice to decide where they want to receive training.

**Juanice Vega:** What is the normal process when someone walks into the PA CareerLink® and asks for CDL training?

**Susan Richmond:** PA CareerLink® staff will pull the ETPL (Eligible Training Provider List) from the PA CareerLink® website and show the participant the list of all the CDL training providers in our area. There is a Training Selection form that every participant fills out and signs to demonstrate that consumer choice was given. The form asks for three training providers to be included, when possible.

**Andrea MacArthur:** Are PA CareerLink® staff given training in consumer choice? Is PA Pride on the ETPL?

**Lisa Miller:** Because CNB and PA Pride are third party providers, they are not directly on the list. The CTC is on the ETPL.

**Juanice Vega:** Are participants given the contact information of the training providers?

**Susan Richmond:** Since the information is on the website, it could easily be printed out and given to the participant.

**Juanice Vega:** So it could vary from counselor to counselor?

**Susan Richmond:** Correct.

**Travis Crytzer:** The two third party providers are not listed on the ETPL?

**Lisa Miller:** The CTC is what's on the list.

**Travis Crytzer:** How does a participant access contact information for the third-party providers?

**Brenda Connelly:** The third-party training provider and their contact information are listed on the ETPL for the CTC that they support.

**Travis Crytzer:** For this particular case, was only one provider shown or both options?

**Brenda Connelly:** This particular CTC only uses one provider, which is CNB. But they still have the option to use other choices.

**Juanice Vega:** Are those training selection forms kept at the PA CareerLink® office?

**Brenda Connelly:** Yes, they are kept in the participant file.

**Lisa Miller:** After the participant has made their training selection, what is the process?

**Brenda Connelly:** A packet of information is collected from the training provider which includes an acceptance letter with the start date, end date and location of training, as well as a cost breakdown. This letter is signed by the training provider, case manager, and the participant.

**Brad Tisdale:** Is one training provider cheaper than the other, and are you able to say which?

**Brenda Connelly:** CNB is a little cheaper.

**Brett Wagner:** Our program isn't a little cheaper—it's \$1500 cheaper - \$4,125 as opposed to \$5,500. Our training is a little different from PA Pride, but the results are exactly the same.

**Brad Tisdale:** CNB uses the word 'nepotism' in the complaint. What is the issue there?

**Lisa Miller:** I believe CNB is connecting that with the idea that he feels one provider is being promoted or recommended over the other.

### **REVIEW OF OPERATOR COMPLAINT PROCESS AND SUMMARY**

Elizabeth Wilson provided the following timeline for response to the complaint:

- December 20, 2023 complaint was received.
- Between December 21<sup>st</sup>, 2023 and December 27<sup>th</sup> 2023 Elizabeth and Letty Acosta met virtually with Equus's (the Title I provider), regional director, the Operations Manager, Quality Assurances manager, and the Interim Operations Manager. We met individually with five Talent Engagement Facilitators, one Talent Engagement Specialist.
- Elizabeth and Letty Acosta met with Brett Wagner, the complainant, and the BWPO Assistant Regional Director and supervisor on December 28, 2023.
- Elizabeth spoke to two participants whose names were given to her by Brett. On December 29, 2023 Elizabeth emailed Brett a summary of her findings. This summary stated that additional consumer choice training would be provided to PA CareerLink® staff throughout the month of January, 2024. The current procedure for workshop presentations is that staff are given a script to follow, in which they are to refrain from discussing specific providers. However, if staff are queried directly, they will answer those questions and share factual information. This emailed summary concluded with a request for a meeting with Brett Wagner, the Operator, and Carrie Symes. A meeting was also requested between Brett Wagner and Mike Costa from the Crawford CTC.
- On December 29<sup>th</sup>, 2023, Brett responded to the email agreeing to the meetings.
- On January 1, 2024, Elizabeth received four emails from Brett, the first and third being the same, sharing the name of a participant who had completed CDL training that was not paid for by PA CareerLink®, and the name of a participant who was told that he/she had to use PA Pride.
- On January 2, 2024, the Erie site administrator emailed Brett indicating that they had enough information and they would not reach out to the two participants. After that email was sent, it was determined that Elizabeth Wilson had already spoken to one of those participants.
- On January 2, 2024, a virtual meeting was held between Elizabeth Wilson, the Erie Site Administrator, Lisa Miller, NWPA Job Connect Executive Director, Carrie Symes, EO Officer, Susan Richmond Compliance and Policy Specialist, and the Interim Operations Manager for Title I.
- On January 3, 2024, there was a virtual meeting between the Operator, the Erie Site Administrator, the Interim Operations manager, and the Regional Manager for Title I.
- On January 3, 2024, Brett Wagner replied to the Erie Site Administrator's initial email, stating that he did not agree with the decision not to interview the two participants.
- On January 5, 2024, Elizabeth Wilson, the Erie Site Administrator, Mike Costa, Chrishell Wagner and Brett Wagner met at the Crawford County Technical School for two hours. Because

CNB is a subcontractor of the training provider and not a party in the payment process, Elizabeth Wilson stated that she could not make a recommendation for resolution, and that if the training provider believed there was a violation in the policy procedure process, the training provider could submit a complaint. That process was explained. Elizabeth Wilson also explained to Brett Wagner that the Department of Labor and Industry oversees participant information, and as a One Stop Operator, she does not have access to that information. Other miscellaneous topics were discussed, including a reiteration of consumer choice procedures, registration procedures, and invoicing. Elizabeth Wilson also stated in the meeting that even though PA CareerLink® staff might mention a training provider by name, that is not an indication of preference, and further, many staff who were working with participants at that time are no longer employed by the PA CareerLink® and therefore cannot be interviewed.

- On January 8, 2024, Elizabeth Wilson emailed Brett her official report, and followed up on January 9, 2024 by email.
- A second follow up was made by phone, at which time Brett indicated he did not know that information he was given by participants who came to him would be considered hearsay. He did not agree with that.
- On January 10, 2024, Brett Wagner emailed his response to Elizabeth Wilson regarding the report. *\*Email attached to this meeting agenda.*

Brett Wagner questioned Elizabeth Wilson regarding her investigation, asking specifically if she was able to substantiate his allegations that consumer choice is not being provided to individuals who request funding for CDL training under WIOA programs. Elizabeth responded that she believed that she already answered that question in her summary and had nothing else to add.

### **WAGNER RESPONSE TO THE OPERATOR REPORT**

Brett Wagner stated that he has been working on these concerns with PA CareerLink® for over one year without resolution. He expressed that he was told directly by PA CareerLink® staff that they had a contract with PA Pride and must send participants to that CDL training and that PA CareerLink® staff were unaware of his CDL training program. He noted that he provided names and contact information for those individuals who were told they must go to PA Pride and only two were contacted by the Operator. He noted he could bring those individuals to the meeting next week so that the group can hear from them first-hand.

He expressed his frustration with not getting fair treatment throughout this process. He further noted that the problem is obviously not fixed because he received a call this Monday regarding another individual being directed to PA Pride, as well as his discussion with Aaron Kline from Mercer County Career Center.

He disagrees with the Operator's position that he is not eligible to file a complaint. He stated that per the NWPA Job Connect Board's complaint policy, he has the right to file a complaint as an "other interested party" and that there were mistakes made by the PA CareerLink® staff in submitting the paperwork for this training in a timely manner and now he is not getting paid for the training of that participant.

He stated that he agrees to the training of PA CareerLink® staff so that they better understand the process; he agrees to the steps to correct this issue; he agrees to the timeframe for getting this resolved; but he disagrees that he was wrong in this process and that the information he presented was hearsay. He expressed frustration as well that he feels that he is being "stonewalled" in his request for a listing of individuals that went through PA CareerLink® for CDL training over the past year and which training provider they went to for the training. He

noted his belief that taxpayer dollars are used for this training and that any taxpayer should be able to request this information.

Mrs. Wagner added that they have been reaching out on this issue for over a year now and it took all this time just to get a face-to-face meeting. She noted that staff in the PA CareerLink® help individuals to make a decision on their training providers. She does not feel that anyone in PA CareerLink® has communicated the availability of the program at CNB Wagner Enterprises, LLC. She alleges that individuals directly requesting CDL training from CNB Wagner are being denied by PA CareerLink® staff.

It was noted previously by the Operator that customers complete and sign the training selection form and these customers can file a grievance if they feel that they are being denied training that is available on the ETPL. Mrs. Wagner responded that, in this circumstance, she did not feel that the customer was the one who experienced the issue.

**MOTION: EXECUTIVE SESSION**

It was recommended that an Executive Session be called to further discuss this issue.

**MOTION**

It was **moved** by James Decker and **seconded** by Travis Crytzer to move to Executive Session. Brett Wagner asked why an Executive Session was needed. Bobbie Jones stated that this will allow us to move out of the public meeting and talk through the information that we have heard, and then rejoin the public meeting. Attorney Joe Keebler clarified that the Executive Committee is permitted to have an Executive Session to discuss litigation-related matters to consult with their solicitor. All were in favor. There were no abstentions. **Motion passed and carried.**

*Executive Session could not be completed due to technical difficulties. A recommendation was made to table discussion for the next meeting.*

**MOTION FOR DECISION OR TABLE FOR CONTINUATION AND NEXT STEPS**

**MOTION**

It was **moved** by Travis Crytzer and **seconded** by Juanice Vega to table the Executive Session discussion to the next meeting. All were in favor. There were no abstentions. **Motion passed and carried.**

**ADJOURNMENT**

The next meeting has been scheduled for Thursday, January 25, 2024, at 2:00 PM.

The meeting adjourned at 3:25 PM.

This meeting was advertised in the The Derrick		
Minutes Submitted	Nancy Wisgirda	1/22/24
Minutes Approved	NWPA Job Connect Executive Committee	Date