



TN

Department of
**Labor & Workforce
Development**



2019-2020 ANNUAL REPORT

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Commissioner's Message

It is fair to say that 2020 was a challenging year. Along with a global pandemic and an accompanying healthcare crisis, Tennessee witnessed an unprecedented disruption to its economy. Over 1 million people filed unemployment claims and more than \$6 billion of unemployment benefits were distributed. Labor & Workforce Development was required to implement 5 new federal unemployment insurance programs and in the last 10 months of 2020, the Unemployment Insurance Division worked over 22 years of overtime. At the same time, our agency had to adapt to new safety protocols, working from home, new private sector partnerships to support customer service, shifting federal guidance, and remembering to take ourselves off “mute” or maybe even put ourselves back on “mute” depending on the meeting. And the whole time, the Tennessee Department of Labor and Workforce Development remained focused on developing an employable workforce and ensuring safe workplace environments.

The divisions of Tennessee OSHA and Workplace Regulations & Compliance (WRC) adapted to a new normal and continued the important work of ensuring safety in the workplace. Adult Education made quick and ongoing advances in online instruction and testing. Workforce Services developed and implemented its Reemploy Tennessee strategy. The WIRED division provided the analytics for our agency to adjust and continue its progress. Results followed. Apprenticeships grew to their highest level in over a decade. The labor participation rate rose above the national average for the first time in over two decades. Unlike many states, Tennessee's Unemployment Insurance Trust Fund remained sustainably solvent, ensuring employers of the lowest possible unemployment insurance premium rate heading into 2021. New data flows from Labor & Workforce were established with both Local Area Workforce Development Agencies and the Tennessee Higher Education Commission to help raise the level of engagement of unemployed individuals with both job opportunities and educational attainment. In short, even within the disruption real and lasting progress was made.

It would be fair to say the challenges we faced in 2020 are not over. Certainly, the calendar has moved to a new date, but many of those same challenges remain with us at the start of 2021. However, there is no doubt that we are a better agency this year than last. We have a book full of process improvement lessons, a new commitment to the technology that can expand our capabilities, and people who have demonstrated, in an incredible way, both their ingenuity and dedication. Though we head into 2021 still laden with challenges, we can also enter confident that we will meet them. To serve Tennesseans is both our obligation and our honor. In 2021, the Tennessee Department of Labor & Workforce Development looks forward to another year of service to Tennessee.



10,189

Total Participants

8,840

Adult Basic Education
(ABE) Participants

1,349

ESL Participants

1,571

Incarcerated Participants

3,376

High School
Equivalency Diplomas

32.82%

Total Students Achieving
Measurable Academic
Skills Gains

35.30%

ABE Students Achieving
Measurable Academic
Skills Gains

18.73%

ESL Students Achieving
Measurable Academic
Skills Gains



Adult Education

The mission of the Adult Education program is to provide basic education services to adults in Tennessee to help them improve their literacy, math, and English language skills. The program also integrates workforce preparation skills, helps students earn their high school equivalency diploma, and transitions them to college and career opportunities.

During program year 2019-2020, the Adult Education Division administered the program with \$15.2 million (\$12.2 million federal funds, and \$3 million state funds). The Division provided oversight and guidance to 15 local adult education service providers across Tennessee. The statewide program provided significant levels of service (i.e., the students engaged with the program for at least 12 hours) to 10,189 Tennesseans. Of these, 8,840 were Adult Basic Education (ABE) students (typically native English speakers), and 1,349 were English-as-a-Second-Language (ESL) students. 35% of the ABE students showed measurable gains in their literacy and math skills. 19% of the ESL students showed measurable gains in their English language acquisition skills. Furthermore, the Division awarded 3,376 high school equivalency diplomas to Tennesseans who passed the HiSET® exam.

With the onset of the COVID-19 pandemic, the Adult Education Division worked to provide nonstop guidance, training, and policies to local providers across the state to help them transition to utilizing distance education tools and resources. The Division ensured providers had the funding and training needed to access distance learning software and virtual communications tools. The Division also provided guidance on lending computer equipment to students in need.

In the spring of 2020, the Division began implementation of a new learning management system for the state's Adult Education program: "Schooly". Instructors across the state can use the Schooly platform to better teach students remotely and track their progress. The first phase of Schooly implementation included training several teachers from across the state and assisting them as they began to use the software with students. In the coming year, the Division will scale up the use of Schooly to include many more students and teachers, and to provide virtual training and professional development opportunities to local program staff.

In June 2020, the virtual "HiSET®-At-Home" exam option launched. This allowed Tennesseans to take the test from the safety and comfort of their homes. The Division provided technical assistance to help local service providers understand this new process and quickly procured new vouchers to cover the cost for students.

The Division continued to develop collaborative partnerships with other agencies to offer pathways to postsecondary education and training for students. Several integrated education and training programs were initiated, with adult education students simultaneously working toward their high school equivalency and postsecondary training credentials. Other programs included adult education ESL students receiving English language acquisition instruction at their workplace, focusing on the vocabulary necessary to succeed at their job. Early in 2020, the Division partnered with the TDLWD Workforce Services Division and Tennessee Reconnect to have adult education staff from across the state trained to become Reconnect Ambassadors.

The Division continued its collaboration with local jails across the state to provide education services to the incarcerated population. This collaborative work sought focused on students re-entering society with the education and skills they needed to participate meaningfully in their families and the workforce. The Adult Education program served 1,571 incarcerated individuals across Tennessee during the year.

As the administrative overseer of Tennessee's high school equivalency credential and associated records, the Division liaised between the Tennessee public and DiplomaSender, the third-party agency which maintains and distributes high school equivalency records. The Division strived for the highest standards of customer service, and ensured that DiplomaSender did the same, in assisting individuals with their records requests. The Division also liaised between Educational Testing Service (ETS), the publisher of the HiSET® exam, and local test centers to ensure HiSET® testing needs were met across the state. The Division procured HiSET® vouchers from ETS to remove the prohibitive cost barrier for students. The Division provided access to these vouchers to all Tennesseans, including students under the jurisdiction of the TN Department of Correction and several nonprofit organizations.



Employment Security

The Employment Security Division administers Tennessee's Unemployment Compensation program. In 2020, the Division was also tasked with implementing and administering several federal unemployment programs contained within the CARES Act in response to the COVID-19 pandemic and programs to aid individuals impacted by two natural disasters the state experienced during the spring.

In addition to the state unemployment compensation program, in April 2020, Tennessee built into its system and began paying benefits for five additional federal programs. Pandemic Unemployment Assistance, Pandemic Emergency Unemployment Compensation, Federal Pandemic Unemployment Compensation, Lost Wages Assistance, and the Extended Benefits program provide unemployment payments to tens of thousands of Tennessee not typically eligible for benefits.

In addition to the pandemic, tornadoes tore through two areas of Tennessee in the spring. President Donald Trump declared disasters in several middle Tennessee counties, as well as counties in the Chattanooga area. The declarations cleared the way for individuals whose jobs were impacted by the tornadoes to receive Disaster Unemployment Assistance.

The number of initial claims the Division processed reached historic levels during 2020. In 2019, the state received approximately 124,000 claims for unemployment. In 2020, that number jumped to an unprecedented one million claims by the end of the year.

The Unemployment Security Division has four Claims Operations Centers located in Nashville, Chattanooga, Crossville, and Knoxville. In 2020, the number of staff processing unemployment more than tripled from approximately 400 people in 2019 to over 1200 by the end of 2020. CARES Act legislation allowed for, and funded, third-party vendors to provide supplemental staff to handle call center operations and certain claims processing functions.

Before the pandemic, the average number of calls the Department received each day was approximately 880. For much of 2020, that average jumped to approximately 41,000 calls each day.

When the number of claims increases, so does the number of claim adjudications and appeals.

The Division nearly doubled the number of adjudicators in 2020 with the addition of 31 positions. An adjudicator investigates a claim and decides on the claimant's eligibility to receive benefits. They gather information from both the claimant and the former employer as part of the investigative and determination process.

Claimants and employers can appeal departmental decisions relating to claims. The Division doubled the number of hearing officers by adding 20 people to the group in 2020. The Appeals Tribunal, the lower appeals level, conducts de novo hearings in which parties testify under oath and can offer documents and other evidence for consideration, such as the testimony of witnesses. Employers can also appeal their liabilities for unemployment insurance premiums and other issues.

Beginning in March 2020, and throughout the rest of the year, Commissioner Jeff McCord provided relief to Tennessee's employers by waiving charges against their unemployment tax accounts in response to the surge in unemployment across the state.

As of December 31, 2020, the Unemployment Insurance Trust Fund balance was \$1.128 billion. Despite the surge in unemployment, the trust fund remained healthy and solvent because of the proactive measure taken in the spring of 2020 to use Coronavirus Relief Fund money to pay state benefits throughout much of the year.

The expiration of CARES Act legislation on December 27, 2020, and then the eventual extension of the benefits into 2021, prompted the Division to again build unemployment programs into the system that took until the final day of the year to complete. The new federal legislation will continue pandemic unemployment benefits well into 2021.

Initial Claims Filed
2019: 124,000
2020: 1,000,000

Unemployment Staff
2019: 400
2020: 1200

Average Calls per Day
2019: 1,400
2020: 41,000

31
New Adjudicators

20
New Hearing Officers

TOSHA Activity 2019-2020



SAFETY ENFORCEMENT

Inspections conducted: 520
Violations cited: 1,808
Proposed penalties: \$2,598,025



TRAINING & EDUCATION

Seminars & formal programs
conducted: 217
Number of attendance
at activities: 6,179



CONSULTATIVE SERVICES

Consultative visits: 311
Hazards identified
during visits: 3,160



PUBLIC SECTOR OPERATIONS

Inspections conducted: 597
Violations cited: 2,194



HEALTH ENFORCEMENT

Inspections conducted: 248
Violations cited: 1,483
Proposed penalties: \$587,125



RECOGNITION PROGRAMS

Volunteer STAR: sites - 37
Employees - 26,900
SHARP: sites - 15
Employees - 1,769



Tennessee Occupational Safety & Health

TOSHA's mission is to assure the safety and health of Tennessee's workers by setting and enforcing standards; providing training, outreach, education, establishing partnerships, and encouraging continuous improvement in workplace safety and health.

Consultative Services

The Consultative Services Program offers a free consulting to smaller employers who seek safe and healthy working conditions for their employees. Services offered by this program include technical advice and assistance, hazard abatement recommendations, and employee training. During FY 2019-2020, the program performed 311 consultative visits and identified 3,160 workplace hazards.

Compliance Unit

The Compliance Unit is responsible for enforcement of the Tennessee Occupational Safety and Health Act of 1972 (Title 5, Chapter 3) with emphasis on employee exposures to chemical and physical hazards. Onsite monitoring and inspections are conducted to identify safety and health hazards and assure hazards are controlled or eliminated. During FY 2019-2020 the Compliance Unit performed 1,365 workplace inspections and identified 5,485 safety and health hazards.

Training and Education

Through a variety of programs, the TOSHA Training and Education section assists employers, employees, and their representatives in reducing safety and health hazards in their workplaces and in complying with the requirements of TOSHA standards and regulations. A series of seminars is held statewide in the spring and fall covering a variety of safety and health issues. During FY 2019-2020, TOSHA conducted 217 seminars and logged 6,179 attendees at these training sessions.

Public Sector Activity

During FY 2019-2020, Tennessee OSHA performed 44.73% of all inspections in the public sector (source: SAMM). Public sector employers were given the opportunity to participate in the public sector program during the first two years following the formation of Tennessee OSHA and again, by statute, between July 1, 2004, and July 1, 2006. State law mandates that Tennessee OSHA inspect these entities every two years. Participants in the program must designate a safety and health director and establish a safety and health program. Participants are not issued monetary penalties for violations; however, the governor can remove a participant from the program for failure to comply with the TOSH Act. All public employers not currently participating in the program are treated as private employers as mandated by state law. The 2019 total case incident rate (TCIR) for state and local government in Tennessee was 4.0 which is significantly lower than the national average of 4.6.

TCA 50-3-107(f) states: The commissioner shall include within the department's annual report to the general assembly and the governor a listing of employers whose penalties remain unpaid more than one (1) year after a final order has been entered. The listing shall include the amount of any unpaid penalty for each employer. In accordance with TCA 50-3- 107(f) please view the listing [here](#).



Bureau of Workers' Compensation

Workers' compensation is designed to protect employees and employers from the negative consequences associated with a work-related accident. The law provides a financial safety net to employees by guaranteeing medical benefits and partial wage replacement to those injured on the job. The law benefits employers by limiting the amount of benefits that they must provide to only those set forth in the law. Tennessee's workers' compensation laws are administered by the Bureau of Workers' Compensation and its Administrator, Abbie Hudgens.

Mediation and Ombudsman Services of Tennessee (MOST) Program

Bureau [Ombudsmen](#) provided information to 8,965 Tennesseans, **helping 674 injured workers** obtain benefits.

Bureau [Mediators](#) concluded **2,023 mediations to help resolve disputes** concerning temporary disability and medical benefits. Of these, 1,680 (or 83%) resulted in dispute-resolution. **1,295 mediations** concluded that involved permanent disability benefits, in which 79% resolved without going to court.

Next Step Program

The [Next Step Program](#) provides job search training to injured workers who lose their jobs because of a workplace injury and connects them to more state resources. The program provides educational assistance to workers who are not able to return to work. The program saw **49 applicants** with 26 returning to work, 6 attending school, and 11 potential scholarship recipients.

Tennessee Drug Free Workplace Program

The [Tennessee Drug Free Workplace Program](#) benefits employees and employers by promoting drug- and alcohol-free workplaces. Employees not impaired by drugs and alcohol have fewer workplace injuries or accidents. Participating employers receive a discount on their workers' compensation insurance premiums. In instances where an injured employee fails a drug test, employers are also afforded with an additional legal defense, as the injury is presumed to have been caused by the intoxication. Benefits can be denied pending an appeal. More than **3,300 employers participate** in the program covering over 300,000 workers.

Medical Services

The Bureau's [Medical Services](#) Unit Services helps ensure that the medical services related to workers' compensation are appropriate and consistent with best practices.

The Medical Advisory Committee advises the Administrator on medical treatment guidelines and issues related to medical care in workers' compensation such as access to care and telemedicine. It meets at least four times per year.

The Medical Payment Committee reviews the Medical Fee Schedule yearly and recommends revisions. It hears reimbursement disputes between payers and providers, ruling on **63 cases** in 2019.

The Utilization Review Appeals Program evaluates the appropriateness and medical necessity of care of treatment denied by the carriers' Utilization Review Organizations. Almost 2,000 appeals of these denials are received each fiscal year and determinations are completed on average of 5.3 days after medical records are received.

Verification that case managers and Utilization Review Organizations credentials meet statutory requirements, process registrations and renewals yearly for some **50 active utilization review organizations** and bi-annually for over 1,400 case managers and assistants.

The [Medical Impairment Rating Registry](#) comprises over 80 specially trained physicians to assist in resolving

87,869
Workplace Injuries Reported
(First Reports of Injury)

674
Issues Resolved
by Ombudsman

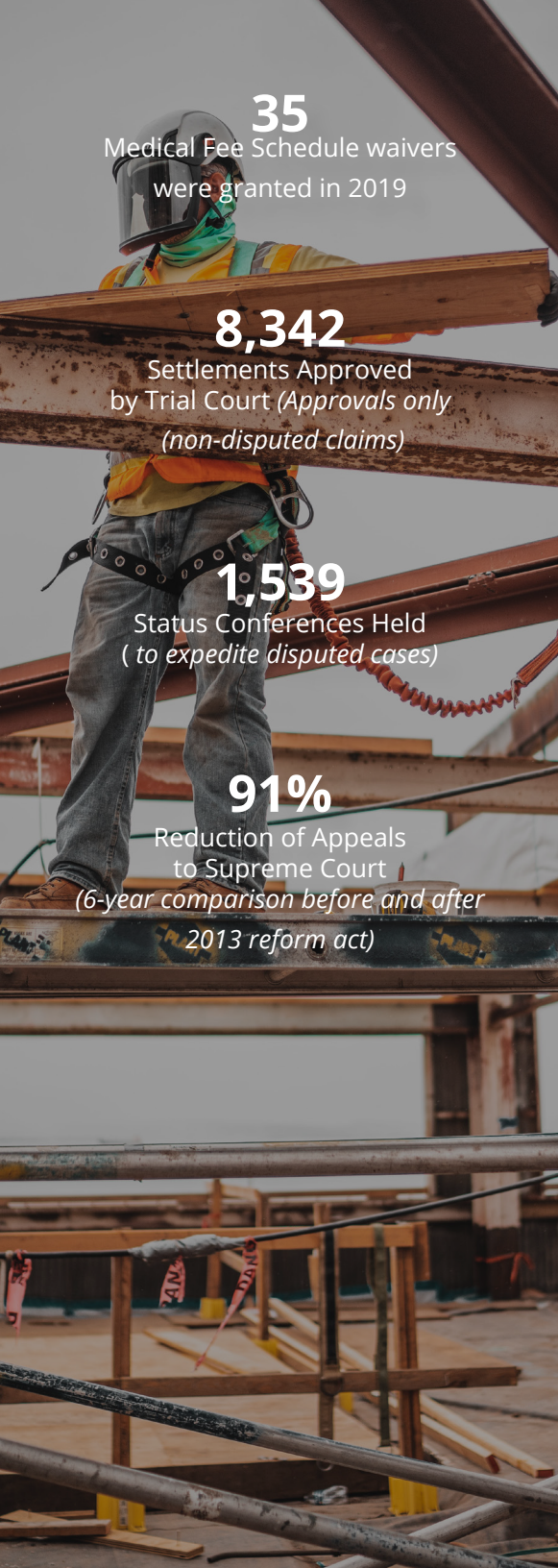
3,662
Mediations Conducted

49
Next Step
Program Applicants

3,300
TN Drug Free Workplaces
Participating Employers

63
Reimbursement
Dispute Cases

46%
of UR Appeals are upheld
(on average, per month)



35

Medical Fee Schedule waivers were granted in 2019

8,342

Settlements Approved by Trial Court (*Approvals only (non-disputed claims)*)

1,539

Status Conferences Held (*to expedite disputed cases*)

91%

Reduction of Appeals to Supreme Court (*6-year comparison before and after 2013 reform act*)

impairment rating disputes. **78 reports** were issued in FY 2019/20. Its quarterly news journal, *AdMIRable Review*, is distributed to over **200 individuals** and regularly has received national recognition from the AMA.

Educational outreach includes an annual conference for **physicians, attorneys and others** that included training on the AMA Guides® to the Evaluation of Permanent Impairment. Additionally, virtual presentations were given on telemedicine, COVID-19, ethics in case management, pain management and proper opioid prescribing in workers' compensation.

Court of Workers' Compensation Claims

In March 2020, the Court of Workers' Compensation Claims took **swift measures in response to the pandemic**. The twelve judges created protocols for each office to switch from in-person settlement approval hearings to telephone hearings. In April, the judges approved by phone an almost identical number of settlements as they did for the same timeframe in 2019.

Once stay-at-home orders were relaxed, the Court **developed procedures to safely return** to in-person evidentiary hearings, while continuing to offer the option of telephone hearings in appropriate cases, and a few trials have occurred by video conference. The practicing bar has been cooperative and expressed gratitude that the judges took steps to ensure the continuation of justice during unprecedented times.

In May, results from the annual survey of practitioners once again gave the judges overall **high marks for their performance**. Attorneys gave the following composite ratings: legal ability: 4.7; written decisions: 4.6; temperament: 4.8; diligence: 4.8; and impartiality: 4.6 on a five-point scale.

Seven judges were **re-appointed** and the Court and the Appeals Board combined their two previous books into one **fully revised booklet** for self-represented persons. It uses plain language and reflects updates in the law, including checklists for added simplicity and ease-of-use.

Appeals Board

The Workers' Compensation Appeals Board focuses on providing fair, efficient, and meaningful appellate review of decisions issued by the Court of Workers' Compensation Claims. It continues to meet all statutory deadlines for issuing decisions, as it has since its inception in 2014.

During the preceding year, the Appeals Board combined its practices and procedures with its rules and regulations to ensure the information needed to navigate the appeals process is in a single, easy to find document.

In its continuing effort to provide clear information to all parties, the Appeals Board also **created a "frequently asked questions" page** that was added to its website.

In addition, the Appeals Board continues to clarify certain important points of law that had not yet been addressed under post-reform law. For example, in *Nickerson v. Knox County Government*, the Appeals Board addressed how to identify the date of injury in a mental injury claim. The Appeals Board continues to carefully examine each issue in a manner consistent with Tennessee law.

There continues to be a significant reduction in the number of workers' compensation appeals to the Tennessee Supreme Court. In the last six years, **50 decisions** (with dates of injury on or after July 1, 2014) have been appealed to the Supreme Court, compared to the 546 workers' compensation cases appealed during the six years prior to the reforms.

Legislative and Legal Services/Penalty Program

The Bureau's Legislative and Legal Services/Penalty Program continued to provide legal counsel to the Bureau's Administrator and Medical Director, to monitor compliance with court orders and to assess penalties to properly enforce the workers' compensation law and rules.

The Bureau addressed **79 inquiries** from the Tennessee General Assembly, Governor's Office and from other state and federal agencies.

Highlights from the past year included:

- The BWC's two administration bills were **passed** by unanimous vote in the House and Senate.
- All rules presented in FY 2019/20 to the legislature's Joint Government Operations Committee were given a **positive recommendation** by the Committee.
- The penalty program assessed **33 penalties** totaling \$43,300 for FY 2019/20.

Compliance

The Compliance program includes the Uninsured Employers Fund (UEF) and the Employee Misclassification Education and Enforcement Fund (EMEEF). The UEF program ensures that covered employers secure the required workers' compensation coverage. When coverage is in place, employees injured on the job have access to appropriate medical and disability benefits and employers compete for business on a level economic playing field. The EMEEF program ensures that construction service employers accurately classify their workforce as employees or independent contractors.

Subsequent Injury and Vocational Recovery Fund

The Subsequent Injury Fund (SIF) encourages employers to employ or retain workers who have previously suffered permanent physical disabilities by limiting the employer's potential future workers' compensation exposure or liability. The SIF attorneys actively participate in all aspects of the Bureau's initial mediations and the Court of Workers' Compensation Claims' proceedings in cases where it has been identified as having potential liability. The SIF was involved in 166 workers' compensation cases during calendar year 2020. Of that number, the SIF began paying benefits in 17 of those cases.

Education & Outreach

Some of the Bureau's Educational Programs were impacted by the pandemic. The 23rd Educational Conference, originally scheduled for June 10-12, 2020, was canceled and rescheduled as a **virtual event** in October.

Our voluntary Adjuster Certification Program held three classes prior to canceling classes due to the pandemic. These classes help educate adjusters about Tennessee-specific claims handling requirements. There are now **over 300 "Certified Adjusters"**.

Bureau leadership spoke at far fewer events hosted by other organizations due to cancelled events. Other outreach efforts were not impacted. Multiple brochures were created or revised. The Bureau Bulletin newsletter was distributed in November, January, and May to over 2,000 external customers.





5,344,104

AJC Services Provided To Individuals

430,217

Reportable Assisted Wagner-Peyser Applicants (Including Self-Service)

24,574

Received Staff Assisted Wagner-Peyser Services

473,761

Referred Job Seekers To Employment Opportunities

71.2%

Job Seekers Entered Employment (2nd Quarter After Exit) Following Services Received

3,234

VAJC Unique Visitors



Workforce Services

Executive Summary

The Workforce Services Division focuses on job placement and training programs for Tennesseans. The priority is for Tennessee to lead in jobs, education and government efficiency. The workforce system supports strong regional economies and plays an active role in community and workforce development.

In 2020, the Division responded to a wave of natural disasters and a global pandemic with a spirit of innovation and optimism. Beginning with a series of tornado events across the state, the American Job Centers and Mobile American Job Center units provided critical services to Tennesseans and employers impacted by weather-related disasters. Simultaneously, the Division, along with all critical workforce partners, effectively responded to citizens and employers impacted by the sudden economic downturn that continues plague Tennessee's workforce.

New initiatives and enhanced existing services have been packaged into a portfolio of solutions that accelerate the economic recovery for Tennessee - Reemploy TN. The strategies embedded in Reemploy TN center on (1) strengthening service integration through better data-sharing measures, (2) approaching reemployment services in a more targeted manner, and (3) investing in virtual systems to expand capacity for training, education, and professional development opportunities. These accomplishments provide benefit beyond the response to the COVID-19 pandemic. They are solutions that represent the long-term vision of the Division and Agency to provide a more robust, integrated, and proactive approach to serving Tennesseans and employers, regardless of their workforce need.

American Job Centers

American Job Centers (AJCs) are valuable community resources that meet the needs of Tennesseans by reforming employment, education and training. While services vary by location, free assistance including access to Jobs4TN.gov, on-site employers and personalized engagement with staff, is available to all looking for work, currently employed, or seeking to further their careers.

In order to link diverse talent to companies, the Business

Services Team works diligently across programs, scheduling employers to recruit on-site and provide free virtual recruiting options on Jobs4TN.gov.

During Program Year 2019 the AJC's provided 5,344,104 services to individuals, assisted 430,217 reportable Wagner-Peyser applicants (including self-service) of which 24,574 received staff assisted services and issued 473,761 referrals to job seekers. Entered employment (2nd quarter after exit) rate following services received for job seekers is 71.2%.

The Mobile AJCs provide AJC access on wheels with a focus of delivering services to rural areas and special populations that lack accessibility to brick and mortar AJCs. The Mobile AJC also serves as a mobile support system to numerous job fairs and other events across Tennessee.

On average the Mobile AJCs visit 31 counties across the state per month with many of those counties being rural and below the poverty level. For more information about the Mobile AJCs visit www.getonthecoach.tn.gov.

In 2019 the Virtual American Job Center (VAJC) was created. The (VAJC) provides a digital experience for Tennesseans to learn about services offered through the Department of Labor and partner agencies. The goal of the VAJC is to enable a self-service model that will improve the service exploration experience. For a time, the VAJC worked as a component to the Jobs4tn.gov website. In December 2020 a stand-alone site for the VAJC was launched. The new website, www.tnvirtualajc.com, allows us to provide easily digestible and accessible information. The VAJC will positively impact the state; especially in distressed and rural communities and for individuals who lack physical access to an American Job Center. Since its launch, the site has seen 3,234 unique visitors.

Jobs4TN.gov

Jobs4TN.gov extends services far beyond the American Job Center. It is known for its access to the best jobs and career information, a comprehensive talent pool for your employers, the latest labor market data for researchers,

and the case management tools the staff needs to effectively and efficiently assist their clients. Jobs4TN.gov significantly increases the size and quality of your available talent pool and access to jobs.

Programs Available for Job Seekers at the American Job Centers

Workforce Innovation Opportunity Act (WIOA) Adult and Dislocated Worker Program (Title I)

WIOA Title I Adult and Dislocated Worker funding is available to eligible participants for career and training services. Local Workforce Development Areas coordinate the program, which may include support and assistance for individuals participating in provided career and training services. Priority is given to public assistance recipients, other low-income individuals, veterans, and those who are “basic skills-deficient”.

During Program Year 2019, the WIOA Adult and Dislocated Worker program served 8,071 Adult participants and 2,208 Dislocated Worker participants.

Youth Services (Title I)

WIOA Youth Services are available to eligible youth, ages 14-24, who face employment and education barriers. Service strategies, delivered by workforce providers, prepare youth for employment and/or post-secondary education through academic and occupational learning. Under the direction of Local Workforce Development Boards, local communities partner with American Job Centers to provide youth activities and services. To be eligible for services, an individual must meet specific requirements related to age, income and school statuses that result in an employment barrier. Program participation is distinguished by the term in-school youth (ISY) and out-of-school youth (OSY).

During Program Year 2019, the WIOA Youth Program served 4,075 youth participants.

Trade Adjustment Assistance (TAA)

The Federal TAA program assists U.S. workers who have lost their jobs as a result of foreign trade. Supporting re-employment, TAA seeks to provide these trade-affected workers with opportunities to obtain the skills, resources,

and support needed to become reemployed. Benefits include financial and job search assistance. The fiscal element includes:

- Textbooks, tools, and supplies
- Tuition and training assistance
- Relocation assistance
- Travel reimbursement

There were 847 TAA participants of which 207 were enrolled in TAA training. Expended funds spent totaled approximately \$1,980,000.

SNAP Employment & Training – Employment & Training (SNAP E&T)

SNAP E&T prepares SNAP (formerly referred to as “Food Stamps”) recipients for employment through work-related education and training activities. This includes any SNAP recipient that does not receive TANF benefits and able-bodied adults without dependents (ABAWDs) who need to meet their 20-hour federal work/activity requirement. The grant enables SNAP E&T staff members to provide case management, including a program overview and client assessment, determining an appropriate training component.

Components offered include:

- Post-secondary education
- Vocational /technical & other training
- Adult Education classes
- WIOA and workforce training
- Veterans Program

The Jobs for Veterans State Grants (JVSG) program helps veterans transition to meaningful civilian employment by providing employment services at the American Job Centers and other locations. Funding allows Disabled Veterans Outreach Program (DVOP) specialists and Local Veterans Employment Representative (LVER) staff to specialize services designed to outreach and advocate for veterans. JVSG funds support services to veterans experiencing employment barriers and their eligible spouses. Those barriers include disabilities, as well as special economical or educational disadvantages, and homelessness. The individuals are included with the reportable Wagner-Peyser applicant figures.

8,071
Adult Participants

2,208
Dislocated Worker Participants

4,075
WIOA Youth Program
Participants Served

847
TAA Participants

207
TAA Participants
Enrolled In Training

\$1,980,000
TAA Funds Spent



8,613

RESEA Participants Served

1,198

RESEA Participants
Returned to Work

27

H-2B Job Orders

354

H2-A Program On-Site Preoccupancy
Housing Inspections

480

H2-A Job Orders

115

TN SCSEP Seniors and Total
Participants Served

Re-Employment Services and Eligibility Assessment (RESEA)

RESEA is a federally funded program that provides reemployment services to unemployment claimants. The foundational element of the RESEA program is an in-person or virtual meeting between the claimant and an American Job Center (AJC) staff member. The RESEA program's main purposes are:

- To reduce Unemployment Insurance (UI) duration through improved employment outcomes,
- To strengthen UI program integrity,
- To promote alignment with the vision of the Workforce Innovation and Opportunity Act (WIOA), and
- To establish RESEA as an entry point to other workforce system partners.

These services are offered across the entire state in both comprehensive and affiliate American Job Centers. During the period beginning July 1, 2019, and ending June 30, 2020, 12,734 claimants were selected to participate, 8,613 claimants participated, and 1,198 claimants returned to work. Staff switched from in-person to virtual meetings in the middle of March 2020, due to concerns regarding COVID-19.

Agricultural Outreach & H2-A Programs

Tennessee Department of Labor & Workforce Development manages the Migrant and Seasonal Farmworker (MSFW) and H2-A Certification for Temporary Agricultural Workers' programs. The MSFW program provides outreach and basic labor exchange services to those who are identified as migrant or seasonal farmworkers. The H2-A program helps employers recruit temporary alien workers when qualified U.S. workers are not available.

During the period beginning October 1, 2019 and ending September 30, 2019, the following job orders were posted: 27 H-2B (temporary nonagricultural jobs), and 480 H2-A (temporary agricultural jobs). The H2-A program conducted 354 on site preoccupancy housing inspections and 4,940 visas were approved.

Senior Community Service Employment Program (SCSEP)

The Senior Community Service Employment Program

provides marketable community service and work-based job training to seniors 55 and older. SCSEP participants gain work experience in a variety of community service activities at non-profit and public facilities, including schools, hospitals, daycare and senior centers. The Tennessee Department of Labor and Workforce Development currently have six sub-grantees and works with two national grantees, the National Council on Aging and Senior Service America, Inc., to administer the program statewide.

During the program year July 1, 2019 through June 30, 2020 the state program served 115 seniors throughout Tennessee. This number is reflective of services being provided during a pandemic.

Eligible Training Provider List (ETPL)

The Eligible Training Provider List (ETPL) is a directory for postsecondary school and training providers and programs that assist with upgrading participants' education and or skills.

WIOA requires Tennessee to maintain such a list of entities certified to accept students using WIOA funds. This list is used by participants when researching career and training options based on their career goals.

WIOA expanded the eligible training provider lists for technical and occupational classroom training programs and strengthened the provisions regarding training provider eligibility. There are a total of **150 providers on the ETPL**. The provider composition is as follows:

- **81** Private Schools
- **27** TCATs (Tennessee College of Applied Technology)
- **17** Community Colleges
- **10** 4-year Universities
- **15** Registered Apprenticeships

ApprenticeshipTN

ApprenticeshipTN is the branded name for the state's apprenticeship office. To help foster a better understanding of the benefits of Registered Apprenticeship Programs (RAPs), Tennessee has established an Apprenticeship Office with three regional directors to serve the state. These apprenticeship experts work directly with employers, communities,

associations, and organizations to develop and implement new RAPs. Tennessee's ApprenticeshipTN office works closely with the U.S. Department of Labor's (U.S. DOL) Office of Apprenticeship Director for all strategies and implementation of RAPs.

In July 2019, the Tennessee Department of Labor was awarded \$1.4M from U.S. DOL for the Apprenticeship State Expansion (ASE) grant.

Since July 2019, the program had 2,385 new apprentices.

Programs/Services Available for Employers at the American Job Centers

Business Services Team (BST)

Tennessee's American Jobs Centers are equipped to assist businesses with recruiting, hiring, training, or upgrading skills for their workforce. BST includes representation of Vocational Rehabilitation, Local Workforce Development Areas and state departments: Economic and Community Development as well as Labor and Workforce Development.

Representatives offer a range of customized training options to meet businesses' needs, providing information about local and federal resources to assist with business decisions, including marketing and economic development opportunities.

Work Opportunity Tax Credit (WOTC)

The Work Opportunity Tax Credit (WOTC) exists to incentivize private businesses hiring individuals who consistently face significant employment barriers. This targets specific groups with maximum tax credits of the following:

- \$4,800 to \$9,600 for disabled veterans
- Up to \$9,000 for long-term recipients of Temporary Assistance to Needy Families (TANF) over two years
- \$1,200 for summer youth employees
- \$2,400 for all other target groups

WOTC issued 59,592 tax credit certifications which represent a potential federal corporate income tax savings of over \$163.9 million to qualified Tennessee employers.

Rapid Response

Rapid Response offers many services to help businesses

and workers deal with the effects of layoffs and plant closures. This includes those that result from increased competition from imports, natural disasters, and other events. The program is designed to quickly coordinate services and provide immediate aid to companies and their affected workers. Rapid Response teams work with employers and any employee representative(s) to hastily maximize public and private resources, minimizing disruptions associated with job loss. Units provide customized services on-site at an affected company, accommodate any work schedules, and assist companies and workers through the painful transitions associated with job loss. This past year, 40,140 displaced workers received assistance in making a career transition.

Consolidated Business Grants (CBG)

The Consolidated Business Grants program was established to assist businesses with training. The program works to build the skills of their employees, improve productivity and workforce retention.

The CBG sponsors the training programs based on the needs of the employer to help train and retain employees by providing skills upgrades and process improvement training for existing, full-time employees.

The restructuring of the CBG has allowed greater flexibility to serve businesses in the local areas as is evident by the total amount earmarked and the actual money spent by employers. During this program year there were 387 pre-applications. \$5 million was earmarked for 285 contracts to train 8,942 individuals (including Incumbent Worker Training, On-the-Job Training and apprenticeships). Each program mentioned above has different eligibility requirements. Contact your local [American Job Center](#) to learn more.

2,385

New Apprentices

59,592

WOTC Issued Tax Credit Certifications

\$163.9 Million

Potential Income Tax Savings to Qualified TN Employers

40,140

Displaced Workers Received Assistance in Making a Career Transition

387

Consolidated Business Grants Pre-Applications

\$5 Million

Earmarked for 285 Contracts To Train

8,942

Individuals

JOBS4TN.GOV

Jobseeker Resources

JOBS4TN is a search engine that generates thousands of jobs listed by major Tennessee employers. It's the premier site for finding work and locating useful labor market information.

Employer Resources

JOBS4TN Online connects you to the ideal candidates based on the qualifications that are most important to you. It also provides valuable labor market information from the Tennessee and U.S. Departments of Labor as well as the Bureau of Labor Statistics.

Jobs4TN Individual and Total Services



440,147

Total Number Of
Individuals That Registered



457,179

Total Number Of Distinct
Individuals Receiving Services



5,344,104

Total Number Of Services
Provided To Individuals



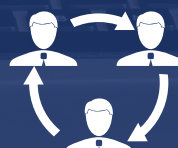
782,183

Total Number Of
Individuals That Logged In



82,989

Total Number Of Internal
Job Orders Created



457,761

Total Number Of Internal
Job Referrals Created



160,790

Total Number Of Services
Provided To Employers



Workplace Regulations and Compliance Division

Amusement Device Unit

The Amusement Device Unit strives to ensure public safety by issuing annual operating permits to amusement device companies who meet statutory compliance requirements. Proof of inspection and insurance are obtained to reduce risks associated with the use of fixed and portable amusement devices. Amusement device includes, but is not limited to, rollercoasters, Ferris wheels, merry-go-rounds, glasshouses and walk-through dark houses.

The unit verifies third party inspectors are certified, confirms proper industry standards are applied, and reviews inspection reports to ensure that all devices operated by the amusement device companies meet the applicable industry standards as of the date of inspection. The unit currently consists of a manager, an administrative assistant, and three (3) safety compliance officers who serve as an extra layer of oversight and discover noncompliant companies. Safety compliance officers perform onsite visits of companies, fairs and carnivals. The unit also processes accident reports and responds to public inquiries. In FY19/20, the program issued **412 annual permits** to amusement device companies covering **3,740 devices and assessed/collected \$71,550 in revenue.**

Boiler Unit

The Boiler Unit inspects High Pressure (*i.e. hydronic hot water heating-steam boilers*), Low Pressure (*i.e. hot water heaters*) and Unfired Pressure Vessels (*i.e. air compressors*) that are used in the commercial industry. Hotels, restaurants, factories, dry cleaners, schools, and hospitals utilize these vessels. There are over 72,758 active boilers and pressure vessels operating across the state. Depending on the type of vessel, inspections are performed every 6 months and/or every 2 years by 15 state inspectors including the Chief Inspector and Assistant Chief or 14 insurance companies that employ 2 or more inspectors.

During FY19/20, a total of **38,459 boilers and pressure vessels were inspected** which included **5,857 newly installed vessels.** Additionally, **2,335 new installation permit applications** were received and processed. The unit **issued 33,882 Certificates of Boiler Inspection** and generated over **\$2.7 million dollars in revenue.**

Elevator Unit

The Elevator Unit is responsible for issuing permits if the company meets statutory compliance requirements and is comprised of 29 state inspectors, including the Assistant Elevator Inspector, and Chief and Assistant Chief Elevator Inspectors. The unit reviews plans and specifications before issuing construction permits for

the installation of new, altered or relocated elevators, escalators, dumbwaiters, moving walks, aerial tramways and other conveyances. New conveyances are installed and inspected before they are placed in operation for the general public. The unit also performs routine safety inspections every 6 months for conveyances to test the operation and to prevent potential hazards. During FY19/20 **25,351, inspections were performed,** and **12,888 annual operating permits were issued.** The unit generated over **\$2.8 million dollars in revenue.**

Labor Standards Unit

The Labor Standards Unit enforces the Non-Smoker Protection Act, Illegal Alien Act, Child Labor Act, Prevailing Wage Act, Wage Regulations Act, and the Tennessee Lawful Employment Act. The unit investigates Tennessee employers to determine if companies are in compliance with state labor laws. The unit employs 10 inspectors who are assigned to specific regions across the state.

Common issues include an employer's failure to pay or timely pay wages, to provide required breaks, to post non-smoking signs in public places, to hire persons who are authorized to work in Tennessee and to post current prevailing wage rates. An employer's failure to ensure minors only work within hours required by law, provide minors with proper rest breaks and protect minors from prohibited occupations are other issues.

During FY 19/20, a total of **4,193 inspections were performed resulting in 984 non-compliant employers and collected \$723,689 in revenue.**

Mine Safety Unit

The Mine Safety Unit issues mine licenses to underground coal and metal mines as well as surface coal and metal mines. The unit administers mine foreman exams and issues certificates of competency to foremen who meet state, federal and industry requirements. Safety training classes are offered to individuals and companies. Training is performed by certified Mine Safety Instructors. Safety classes are conducted for miners (*i.e. new, annual refresher*) and mine rescue team members (*i.e. electrical, First Aid/CPR*). Safety classes can be held at the Caryville facility or any location across the state. The unit includes a manager who is a certified instructor, an administrative assistant, and two certified instructors.

For FY19/20, the Mine Safety Unit issued **6 mine licenses, conducted 241 mine safety classes, taught 1,859 individuals, issued 103 mine foreman certificates and collected \$35,4495 in revenue.**





Communications

The Communications Division plays a pivotal role in the Department's interaction with the citizens of Tennessee and its stakeholders. Early in 2020, that role became even more critical as Tennessee faced the COVID-19 health crisis.

In March 2020, unemployment claims spiked to unprecedented levels and the state's unemployment rate quickly rose to a historic high. In a matter of days, the pandemic's effect on the workforce led to heightened media coverage.

During a typical year, the Department will field approximately 250 media inquiries. The influx of questions about the pandemic's impact on unemployment spurred **nearly 1,000 reporter requests for information between March and December 2020.**

To relay pertinent and vital details to the public, the Division maintained a consistent flow of information to the media during the pandemic. The number of news releases the Department sent out increased from **nearly 50 the previous year, to more than 100 during 2020.** These releases covered a wide range of topics, from changes in federal unemployment programs to weekly updates on Tennessee unemployment claims data.

At the start of the pandemic, the entire communications team focused on customer service. From monitoring multiple social media platforms, reworking the Department's website to make information more accessible, to producing videos to help claimants navigate the process, the entire team worked to help the citizens of our state.

The Department's reach on social media grew exponentially during this time. Its Facebook page **had approximately 2,000 followers in March, by the end of 2020, that number had grown to almost 20,000.** The number of Instagram followers nearly tripled during the year to **more than 1,400 followers,** while the Department's Twitter account **increased its following by more than a third.**

Messaging about the Department's workforce development initiatives played a significant role in helping Tennessee's economy rebound from the hit it took during the pandemic. The Division took the lead in outreach for several programs including the Tennessee Talent Exchange, Reemploy Tennessee, and the Tennessee Virtual American Job Center.

In December, the Workforce Services Division launched the virtual American Job center website as a way to serve Tennesseans even better during the pandemic. Communications designed a branding strategy for the website's launch. It included a logo, as well as video and graphic assets to help promote the new online service.

The Division also assisted in the development and the continuous weekly updates for Peyton, the Department's new virtual chat agent. Communications also played a key role in the implementation of a new text message system that will allow the Department to be most customer-centric with its communications efforts.

While much of the Division's focus was on the impact of the pandemic, assistance for the Department's operations in other areas continued, but with modifications.

Communications spearheaded the effort to make mandated public meetings virtual.

The Department's largest meeting, the 30-member Tennessee Workforce Development Board, never stopped its quarterly gatherings. Through a collaborative effort between Communications and the Workforce Services Division, board members met virtually throughout 2020 and each of those meetings streamed live and **over 2,000 individuals viewed them on the Department's YouTube channel.**

Apprenticeship TN moved its conference to a virtual setting and Communications played a large role in helping **more than 300 attendees** participate in the online gathering without any technical difficulties.

With 86% of the Department's employees working from home in 2020, internal messaging became even more important so everyone could stay connected. Communications brought back Searchlight News, the Department's newsletter that dates back to the 1940s. Each week employees receive Searchlight News via email, and it contains both pertinent and interesting information that impacts their work life.

Other functions of the Communications Division continued seamlessly, despite staff members working from home. Communications is responsible for all printed material within the Department. In 2020, **nearly 100 forms, publications, brochures, banners, signs, and outreach materials** were designed, procured, ordered for various divisions within the Department.

The communications team collaborated with the Adult Education Division to create an outreach campaign for its new online services in each local area across the state. Multiple social media videos were produced, along with a broadcast-quality public service announcement. The campaign increased awareness about the adult education program in Tennessee.

Workforce Insights, Research & Reporting Engine Division

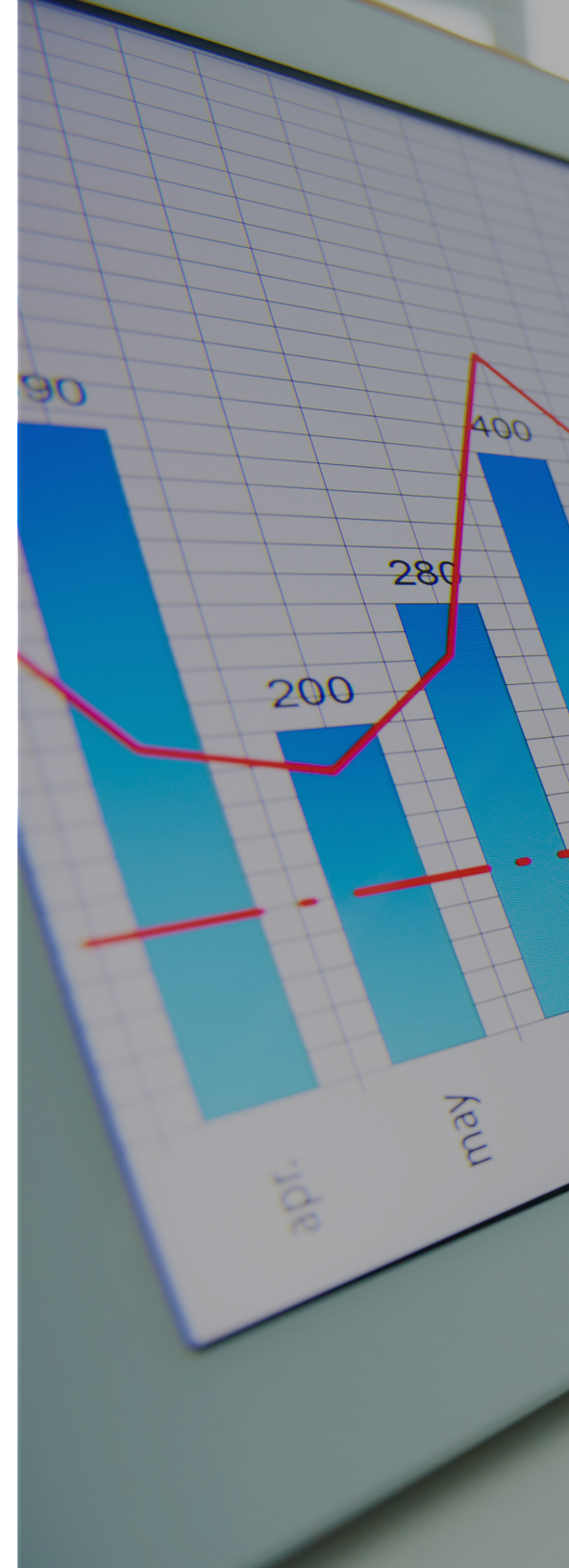
Workforce Insights, Research & Reporting Engine Division (WIRED) was created November 1, 2017 for the purpose of bringing together labor market statistical data, as well as real time claimant and job seeker data and utilize that information to support data driven decision making within the department's divisions as well as for employers and employees in the workforce.

This year another section has been included in WIRED called **WIOA Performance and Reporting Team**. Now the WIRED has **four** major sections: the **Labor Market Information** staff work in cooperation with the Bureau of Labor Statistics to conduct the surveys and censuses that produce economic indicators; the **Customer Success Team** provides the front line end user support for all divisions utilizing current technologies to track and prioritize all requests for assistance; the **Data Analytics and Technical Support Team** combine statistical, historical and real time data (Jobs4TN.gov) to provide dashboards to support data driven decision making using current technologies and tools; and, the WIOA performance and reporting team is responsible for managing the information system (www.jobs4tn.gov) that collects and reports individual level performance data to the federal government for Title 1, 2 and 3 WIOA workforce programs. This team is also responsible for managing staff privilege accounts to the system, providing technical assistance and training and ensuring that data that is entered into the system is calculated and reported accurately. Staff assists with system upgrades that are required to meet federal reporting changes and keep the system operating efficiently.

Labor Market Information produces data for six federal programs. The Local Area Unemployment Statistics program produces monthly and annual employment, unemployment, and labor force data and publishes a monthly labor market newsletter. The Current Employment Statistics program conducts a monthly survey of 145,000 businesses and government agencies and produces detailed industry employment, hours worked, and wage data. The Quarterly Census of Employment and Wages program provides a count of employment and wages by industry, identification of multiple worksite locations and the annual refiling survey to ensure accurate industry classification of employers. The Occupation Employment Statistics program produces employment and wage estimates annually for over 800 occupations by conducting two survey panels each year. The Occupational Safety and Health Statistics program conducts the census of fatal occupational injuries and the survey of occupational injuries and illnesses to provide statistics related to workplace safety.

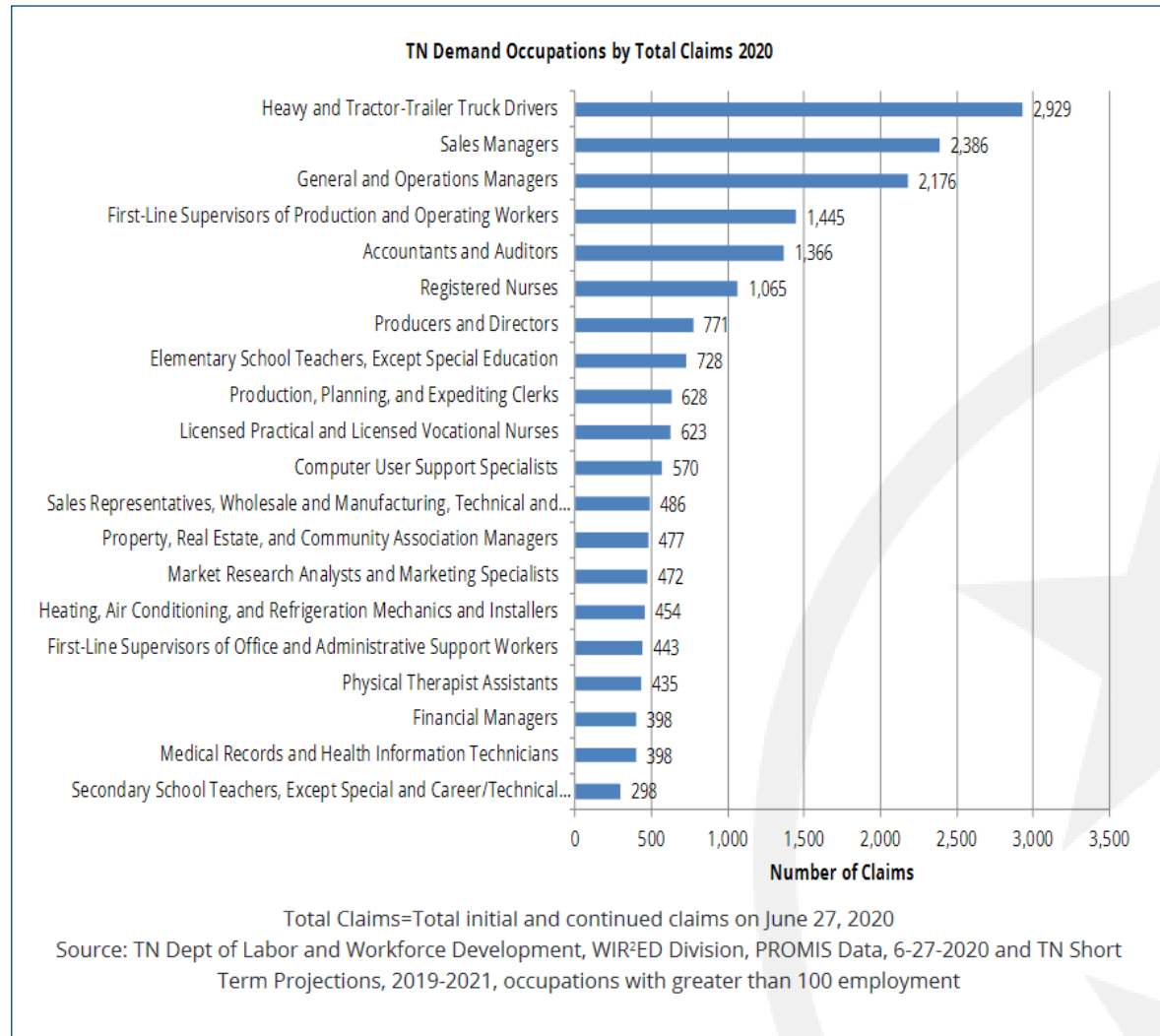
The Workforce Information Grant (WIG) program produces state and sub-state employment projections to assist local workforce partners. WIG's annual economic report in 2020 included an analysis of the effects of COVID-19 on Tennessee's industries and labor force, targeted industries and occupations for local workforce development, and identified significant barriers to employment for identified populations in the local labor force. WIG collaborated in the production of improved statistical and real time labor market information with the departments of Economic and Community Development, Education, and the Tennessee Higher Education Commission to improve measures of labor market demand and report on student employment and earnings outcomes by academic programs. New visualizations and data sets were deployed on the department's web site to respond to the many requests for information on employment changes due to the ongoing pandemic.

All labor market data is stored in the workforce information database on Jobs4TN.gov where it is combined with employer and individual/ jobseeker data to provide access to information related to supply and demand by industry, occupation, location, education, salary, skills, training and certifications. Division leadership presented details at conferences and workforce board meetings on how to access and use this data to assist individuals, employers, and potential businesses.



This pandemic year the data analytics and technical team continues to review labor market data collection processes and automated and streamlined some manual processes. The team is continuously helping and supporting to fulfill the requests on unemployment and labor force statistics received from internal/external customers. The team is continuously supporting by providing the key data points needed by state and local workforce boards to update their respective plans as required under the Workforce Innovation and Opportunity Act.

In the current pandemic situation, the Customer Success Team is playing a vital role to provide support to the department's customers through multiple communication channels. In this pandemic, the team's **average satisfaction score for the year was 80.7**. The metrics of average first reply and full resolution times for this year were much higher because of the extremely high backlog since March.



2018-2019 Funding



ADMINISTRATION
\$12,905,200



ADULT EDUCATION
\$16,101,100



BOILERS AND ELEVATORS
\$6,287,500



EMPLOYMENT SECURITY
\$62,805,300



LABOR STANDARDS
\$1,204,000



MINES
\$548,100



TOSHA
\$10,717,400



SECOND INJURY FUND
\$10,495,300



WORKERS' COMPENSATION
\$15,104,800



WORKERS' COMPENSATION
EMPLOYEE MISCLASSIFICATION
& ENFORCEMENT FUND
\$1,223,100



WORKFORCE SERVICES
\$95,516,600

TOTAL **\$232,908,400**

