

WIOA:

One-Stop Delivery System



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DWD

Department of Workforce Development

Wisconsin WIOA Implementation

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Disclaimers



WIOA Section 121 outlines the requirements for establishment of WIOA-compliant one-stop delivery systems.

In joint proposed rules, the Departments of Labor and Education and the Rehabilitation Services Administration have proposed

This power point is based on the best available information at this time and should not be read as formal guidance. Further federal guidance may provide new information and the joint proposed rules are not final.

WIOA 121(a) In General



WIOA 121(a) requires that the state plan outline the state's one-stop delivery system.

Joint Rules, 678, Subpart A, propose the following:

- Each WDA must contain at least one comprehensive job center.
 - A comprehensive job center must have at least one title I staff person physically present.
- Affiliated sites are access points in addition to comprehensive job centers in an area.
 - Wagner-Peyser standalone offices are not allowable.
 - If Wagner-Peyser employment services are provided at an affiliated site, there must be at least one other partner in the affiliated site with staff physically present more than 50% of the time the center is open. The other partner must not be the partner administering local veterans' employment representatives, DVOP specialists, or unemployment compensation programs. If Wagner-Peyser employment services and any of these three programs are provided at an affiliated site, an additional partner must have staff present in the center more than 50% of the time the center is open.

WIOA 121(a) In General



Joint Rules, 678, Subpart A, also propose the following:

- Design of local area's one stop system must be described in MOU.
- Required one-stop partner programs must provide access to programs, services, and activities through electronic means if applicable and practicable.
- State board will evaluate hours of access to service as part of the evaluation of effectiveness in the one-stop certification process.
- States, in conjunction with the local WDBs, must examine lease agreements and property holdings throughout the one-stop delivery system. These steps must be included in the State Plan.

WIOA 121(b) One-stop Partners



Changes to Required Partners:

- Section 112 or part C of title I of the Rehabilitation Act of 1973 not required
- TANF/W-2 (Absent determination by Governor not to include TANF)
- Programs Authorized under section 212 of the Second Chance Act of 2007

Additional Partners, With Approval of Local WDB and CLEO, May Be:

- Ticket to Work and Self-Sufficiency Program
- E&T Programs carried out by the Small Business Administration.
- Programs carried out under section 112 of the Rehabilitation Act of 1973
- Appropriate employment, education and training programs provided by public libraries

Changes to Roles and Responsibilities:

- Provide access to career services
- Use portion of funds to maintain the one-stop delivery system, including payment of the infrastructure costs
- Enter into local MOU with the local WDB

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

TANF is a required partner.

- The Governor may determine that TANF will not be a required part in the State, or within some specific local areas in the State. The Governor must notify the Secretaries of US DOL and HHS in writing.
- In those instances, local TANF programs may still opt to be a job center partner or to collaborate with local job centers.

The entity serving as one-stop partner for programs in local areas is defined as “the grant recipient, administrative entity, or organization responsible or administering the funds of the specified program in the local area.”

- Does not include the service providers that contract with, or are subrecipients of, the local administrative entity.
- For programs that do not include the local administrative entities, the responsible State agency should be the partner.

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

- If a program or activity listed as a required partner is not carried out in a local area, the requirements relating to a required one-stop partner are not applicable to such program or activity in that local one-stop system.
- Required partners must provide access to career services through the job centers.
- Job centers provide services to individual customers based on individual needs, including the seamless delivery of multiple services to individual customers.
There is no required sequence of services.
- Career services consist of three types:
 - a. Basic career services
 - b. Individualized career services
 - c. Follow-up services – for up to 12 months after first day of employment

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

- Basic career services
 1. Eligibility determinations for I-B programs
 2. Job Center outreach, intake (including profiling) and orientation
 3. Initial assessment of skill levels, (**including literacy, numeracy, and English language proficiency**) aptitudes, abilities (**including skills gaps**), and supportive service needs
 4. Labor exchange services
 - 5. Referrals to and coordination with other programs and services**
 6. Provision of workforce and labor market employment statistics information
 7. Provision of information on ETP performance and related program costs
 8. Provision of information about local area achievement in performance measures and OSO performance
 9. Information and referrals to supportive services or assistance
 - 10. Provision of information and assistance regarding filing claims for UI**
 - 11. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA**

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

- Individualized career services
 1. Comprehensive and specialized assessments of skill levels and service needs of adults and dislocated workers
 2. Development of an individual employment plan
 3. Group counseling
 4. Individual counseling
 5. Career planning
 6. Short-term pre-vocational services
 7. Internships and work experiences that are linked to careers
 8. Workforce preparation activities
 9. Financial literacy services
 10. Out-of-area job search assistance and relocation assistance
 11. English language acquisition and integrated education and training programs

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

Business Services Provided Through the One-Stop System

Certain career services must be made available to local businesses.

- Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through job centers.
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including –
 - Job vacancy listings in labor market areas
 - Information on job skills necessary to obtain the vacant jobs listed
 - Information relating to local occupations in demand and the earnings, skill requirements and opportunities for advancement for those jobs.
- No fee may be charged for the above required services.

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

Business Services Provided Through the One-Stop System

Customized business services may be provided to employers, employer associations, or other such organizations. These may include:

- Customized screening and referral of training participants
- Customized services on employment-related issues
- Customized recruitment events including targeted job fairs
- Human resource consultation services
- Customized labor market information for specific employers, sectors, industries, or clusters
- Other similar customized services.

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

Business Services Provided Through the One-Stop System

Local areas may also provide other business services and strategies that meet the workforce investment needs of area employers. Allowable activities include, but are not limited to:

- Developing and implementing industry sector strategies
- Customized assistance or referral for assistance in the development of a Registered Apprenticeship program
- Development and delivering innovative workforce investment services and strategies to meet needs of area employers and workers
- Assistance to area employers in managing reductions in coordination with rapid response activities and layoff aversion strategies
- Marketing of business services to appropriate area employers
- Assisting employers with accessing local, State and Federal tax credits

WIOA 121(b) One-stop Partners



Joint Rules, 678, Subpart B, propose the following:

Business Services Provided Through the One-Stop System

- All business services and strategies must be reflected in the local plan
- There is no requirement that a fee-for-service be charged to employers.
- A fee may be charged for optional and allowable business services.

WIOA 121(c) Memorandum of Understanding for the One-Stop System

New Requirements for Memorandums of Understanding (MOUs):

- Descriptions of the manner in which the services provided through the one-stop delivery system will be coordinated and delivered through the one-stop delivery system
- How the costs of such services and operating costs of the system will be funded, including
 - Funding through cash and in-kind contributions
 - Funding of the infrastructure costs of one-stop centers
- Methods to ensure needs of workers and youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one stop delivery system
- Assurances that the MOU shall be reviewed not less than once every 3 year period to ensure appropriate funding and delivery of services

WIOA 121(c) Memorandum of Understanding for the One-Stop System

Joint Rules, 678, Subpart C, propose the following:

- The MOU is the product of local discussion and negotiation relating to the operation of the local area's one-stop delivery system.
 - Two or more local areas in a region may develop a single joint MOU, if they are in a region that has submitted a regional plan
- The MOU must include:
 - A final, or interim plan if needed, on how the costs of the services and the operating costs of the system will be funded.
 - The duration of the MOU and procedures for amending it
 - Assurances that each MOU will be reviewed, and if substantial changes have occurred, renewed, not less than once every 3-year period to ensure appropriate funding and delivery of services
- To be fully executed, must contain signatures of the Local Board, one-stop partners, CLEO, and time period in which the agreement is effective. Must be updated not less than every 3 years to reflect changes in the signatory official of the Board, one-stop partners, CLEOs, or one-stop partners.
- Must be updated to reflect the final one-stop partner infrastructure cost contributions, should a one-stop partner's appeal to the State regarding infrastructure costs result in a change to the one-stop partner's infrastructure cost contributions.

WIOA 121(c) Memorandum of Understanding for the One-Stop System

Joint Rules, 678, Subpart C, propose the following:

- Separate MOUs between the local WDB and each partners are not required but are allowable.
- Local WDBs may negotiate financial agreements with each partner annually to update funding of services and operating costs of the system under the MOU.
- Negotiation requirements:
 - Local boards and partners must enter into good-faith negotiations. Local WDBs, CLEOs and partners may request assistance from the State.
 - Local WDB must report to the State Board, Governor and relevant State agency when MOU negotiations with one-stop partners have reached an impasse.

WIOA 121(d) One-Stop Operators

New Requirements for One Stop Operators (OSOs):

WIOA makes the designation or certification of the one-stop operator competitive

List of entities that may be an OSO now includes community-based organizations and labor organizations.

State and local boards shall ensure that one-stop operators -

- Disclose any potential conflicts of interest arising from the relationships of the operators with particular training service providers or other service providers
- Do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training and education services
- Comply with Federal regulations, and procurement policies, relating to the calculation and use of profits.

WIOA 121(d) One-Stop Operators (OSOs)

Joint Rules, 678, Subpart D, propose the following:

- One-stop operators may be a single entity (public, private, or nonprofit) or a consortium of entities. If the consortium of entities is one of one-stop partners, it must include a minimum of three of the required one-stop partners.
- The OSO may operate one or more job centers. There may be more than one one-stop operator in a local area.
- The Local Board must select the one-stop operator through a competitive process at least once every 4 years. A State may choose to require, or a Local Board may choose to implement, a competitive selection process more than once every 4 years.
- All other non-Federal entities, including local areas, must use a competitive process based on the principles in the OMB Super Circular.
- Local areas must prepare written documentation explaining the determination concerning the nature of the competitive process to be followed in selecting an OSO.

WIOA 121(d) One-Stop Operators (OSOs)

Joint Rules, 678, Subpart D, propose the following:

- Local areas and other entities must first determine the nature of the process to be used to comply with WIOA 121(d)(2)(A). Acceptable processes are:
 - 1) Procurement by sealed bids;
 - 2) Procurement by competitive proposals; or
 - 3) Procurement by sole source, permitted only if:
 - (i) Analysis of market conditions and other factors lead to a determination that it is necessary to use sole-source procurement because:
 - (A) There is only one entity that could serve as an operator; or
 - (B) Unusual and compelling urgency will not permit a delay resulting from competitive solicitation; or
 - (ii) Results of the competition conducted under paragraphs were determined to be inadequate.
- Governors may not approve a written request for sole source selection of a Local Board unless it complies with Process 3 above.

WIOA 121(d) One-Stop Operators (OSOs)

Joint Rules, 678, Subpart D, propose the following:

- Local Boards as OSOs
 - A Local Board can be selected as an OSO through sole source procurement only with agreement of the chief elected official in the local area and the Governor. The Local Board must establish sufficient conflict of interest policies and procedures and they must be approved by the Governor.
 - Local Boards can compete for and be selected as one-stop operators, as long as appropriate firewalls and conflict of interest policies and procedures are in place.
- OSOs as Service Providers
 - An OSO can be a service provider, but there must be appropriate firewalls in place in regards to the competition, and subsequent oversight, monitoring, and evaluation of performance of the service provider.
 - The OSO cannot develop, manage or conduct the competition of a service provider in which it intends to compete.
 - There must also be firewalls and internal controls within the operator-service provider entity, as well as specific policies and procedures at the Local Board level regarding oversight, monitoring, and evaluation of performance of the service provider.

WIOA 121(d) One-Stop Operators (OSOs)

Joint Rules, 678, Subpart D, propose the following:

Role of the OSO

- At a minimum, the OSO must coordinate the service delivery of required one-stop partners and service providers.
- Local boards may establish additional roles of the OSO, including, but not limited to:
 - Coordinating service providers within the job center and across the job center system
 - Being the primary provider of services within the center
 - Providing some of the services within the center
 - Coordinating service delivery in a multi-center area
 - The competition for an OSO must clearly articulate the role of the OSO
- An OSO may not perform the following functions:
 - Convene system stakeholders to assist in the development of the local plan
 - Prepare and submit local plans
 - Be responsible for oversight of itself
 - Manage or significantly participate in the competitive selection process for OSO
 - Select or terminate OSOs, career services, and youth providers
 - Negotiate local performance accountability measures
 - Develop and submit budget for activities of the local WDB in the local WDA

WIOA 121(d) One-Stop Operators (OSOs)

Joint Rules, 678, Subpart D, propose the following:

Timeline for OSO Selection:

- By June 30, 2016, every Local Board must demonstrate it is taking steps to prepare for competition of its one-stop operator. This demonstration may include, but is not limited to, market research, requests for information, and conducting a cost and price analysis.
- No later than June 30, 2017, OSOs selected under the competitive process described in this subpart must be in place and operating the job center.

WIOA 121(e) Establishment of One-Stop Delivery System

Local One-Stop Systems Shall

- Provide career services
- Provide access to training services
- Provide access to employment and training activities
- Provide access to programs and activities carried out by one-stop partners
- Relating to Wagner-Peyser - provide access to the data, information, and analysis, as well as all job search, placement, recruitment, and other labor exchange services authorized under Wagner-Peyser

Colocation of Wagner-Peyser Services

- Consistent with section 3(d) of Wagner-Peyser, and in order to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services in underserved areas, the employment services offices in each State shall be colocated with job centers.

WIOA 121(e) Establishment of One-Stop Delivery System

Use of Common One-Stop delivery System Identifier

In addition to any State or locally developed identifier, each one-stop delivery system shall include in the identification of products, programs, activities, services, facilities, and related property and materials, a common one-stop delivery system identifier.

WIOA 121(e) Establishment of One-Stop Delivery System

Joint Rules, 678, Subpart G, propose the following:

The common identifier is “American Job Center”

As of July 1, 2016, each one-stop delivery system must include the “American Job center” identifier or “a proud partner of the American job center network” on all products, programs, activities, services, facilities, and related property and materials used in the one-stop system.

One-stop partners, States or local areas may use additional identifiers on their products, programs, activities, services, facilitates, and related property and materials.

WIOA 121(f) Application to Certain Vocational Rehabilitation Programs

Limitation – nothing in this section shall be construed to apply to part C of title I of the Rehabilitation Act of 1973

Client Assistance Program (CAP) authorized under section 112 of the Rehabilitation Act of 1973

- Not a mandatory job center partner
- If CAP does participate as an additional partner, it does not violate Rehab Act requirement that CAP be a separate entity than VR agency

WIOA 121(g) Certification and Continuous Improvement of One-stop Centers

The State Board, in consultation with chief elected officials and local boards, shall establish objective criteria and procedures for use by local boards in assessing the following of job centers and the job center system at least once every 3 years:

- the effectiveness,
- physical and programmatic accessibility in accordance with section 188 and the ADA, and
- continuous improvement

WIOA 121(g) Certification and Continuous Improvement of One-stop Centers

State Criteria and Procedures

- Shall include standards relating to service coordination achieved by the job center system with respect to the programs administered by the job center partners.
- Shall be developed in accordance with guidelines, guidance and policies provided by the Governor and State board with LWDB and CLEO consultations
- Shall include factors relating to effectiveness, accessibility and improvement, including at a minimum, how well the job center-
 - Supports the achievement of the negotiated local levels of performance for the indicators of performance for the local area,
 - Integrates available services; and
 - Meets the workforce development and employment needs of local employers and participants

WIOA 121(g) Certification and Continuous Improvement of One-stop Centers

Local Criteria and Procedures: A local board may develop additional criteria or higher levels of service coordination than required in order to respond to labor market, economic, and demographic conditions and trends in the local area.

Job centers must be certified to receive infrastructure funding.

Review and Updates:

Criteria and procedures shall be reviewed and updated by the State board or local board as part of the biennial process for review and modification of State and local plans.

When the Local Board is the OSO, the State Board must certify the job center.

WIOA 121(g) Certification and Continuous Improvement of One-stop Centers

Joint Rules, 678, Subpart F, propose the following:

Evaluations of effectiveness must include –

- how well the job center integrates available services for participants and businesses
- Meets the workforce development needs of participants and the employment needs of local employers
- Operates in a cost-efficient manner
- Coordinates services among the one-stop partner programs, and
- Provides maximum access to partner program services even outside regular business hours

Additionally, they must take into account -

- Feedback from one-stop customers
- How well job centers provide equal opportunity for individuals with disabilities
- Compliance with disability related regulations

WIOA 121(g) Certification and Continuous Improvement of One-stop Centers

Joint Rules, 678, Subpart F, propose the following:

Evaluations of continuous improvement must include how well the job center supports the achievement of the negotiated local levels of performance.

Other factors may include :

- A regular process for identifying and responding to technical assistance needs
- A regular system of continuing professional staff development, and
- Having systems in place to capture and respond to specific customer feedback

WIOA 121(h) Funding of One-stop Infrastructure

Definition: Costs of infrastructure used with respect to a job center means nonpersonnel costs that are necessary for the general operation of the job center, including –

- the rental costs of the facilities,
- the costs of utilities and maintenance,
- equipment (including assessment-related products and assistive technology for individuals with disabilities) , and
- technology to facilitate access to the job center, including the center's planning and outreach activities.

WIOA 121(h) Funding of One-stop Infrastructure

Options for Infrastructure Funding:

1. Local Options: Local Board, CLEOs and one-stop partners may fund the costs of infrastructure through-
 - Methods agreed on by the local board, CLEOs, and one stop partners
 - If no consensus agreement on methods is reached, the State infrastructure funding mechanism
2. Failure to Reach Consensus Agreement on Funding Methods .
Beginning July 1, 2016, if the local board, CLEOs, and one-stop partners fail to reach consensus agreement on methods of sufficiently funding the costs of infrastructure of job centers for a program year, the State infrastructure funding mechanism shall be applicable to such local area for that program year and for each subsequent program year for which those entities and individuals fail to reach such an agreement

WIOA 121(h) Funding of One-stop Infrastructure

Guidance for Infrastructure Funding

The Governor shall, after consultation with chief elected officials, local boards, and the State board, provide, for the use of local areas –

- Guidelines for State-administered job center partner programs, for determining such programs' contributions, including determining funding for the costs of infrastructure, which contributions shall be negotiated pursuant to the MOU
- Guidance to assist local boards, CLEOs, and job center partners in local areas in determining equitable and stable methods of funding the costs of infrastructure of job centers.

WIOA 121(h) Funding of One-stop Infrastructure

State One-Stop Infrastructure Funding: Determination of the Governor

The Governor, after consultation with chief elected officials, local boards, and the State board, shall determine the portion of funds to be provided by partners for those local areas that did not reach agreement on funding methods.

The Governor shall also:

- Calculate amounts for the proportionate use of the job centers in the State, taking into account the costs of administration of the one-stop delivery system for purposes not related to one stop centers, for each partner.
- Exclude from such determination of funds the amounts for proportionate use of the one-stop centers attributable to the programs of one-stop centers
- Take into account the statutory requirements for each partner program and the partner program's ability to fulfill such requirements

WIOA 121(h) Funding of One-stop Infrastructure

State One-Stop Infrastructure Funding: Limitations

Funds shall be provided only from funds available for the costs of administration and shall be subject to the program's limitations, with an exception for Title V of the Older Americans Act

Caps on Required Contributions

- WIA formula funds and Wagner-Peyser: Shall not exceed 3%
- Other one-stop partners: Shall not exceed 1.5%
- Vocational Rehabilitation: 0.75% on July 1, 2016, increasing 0.25% each year until reaching a max of 1.5% in 2019.

Method for determining the appropriate portion of funds to be provided by Native American Programs established under section 166 shall be determined as part of the development of the MOU

WIOA 121(h) Funding of One-stop Infrastructure

State One-Stop Infrastructure Funding: Appeal by One-Stop Partners

The Governor shall establish a process for required one-stop partners to appeal a determination regarding the portion of funds to be provided.

- Such determination may be appealed on the basis that such determination is inconsistent with the State infrastructure funding requirements
- Such process shall ensure prompt resolution of the appeal in order to ensure the funds are distributed in a timely manner

WIOA 121(h) Funding of One-stop Infrastructure

State One-Stop Infrastructure Funding: Allocation by Governor

The Governor shall allocate the infrastructure funds to local areas in accordance with the formula established for purposes of assisting in paying the costs of infrastructure of job centers.

The State board shall develop a formula to be used by the Governor to allocate the funds to local areas not able to reach consensus agreement on funding methods.

The formula shall be based on factors including the number of one-stop centers in a local area, the population served by such centers, the services provided by such centers, and other factors relating to the performance of such centers that the State board determines are appropriate.

WIOA 121(i) Other Funds

In addition to the infrastructure funds, a portion of funds made available under Federal law authorizing the programs of one-stop partners, or the noncash resources available under such programs, shall be used to pay the additional costs relating to the operation of the one stop center.

- Such costs include the provision of career services.
- Such costs may include costs of services commonly provided through the one stop partner programs to any individual, such as initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and other similar services.

The method for determining above costs shall be determined as part of the MOU development.

The State board shall provide guidance to facilitate the determination, for purposes of the MOU, of an appropriate allocation of the funds and noncash resources in local areas.

WIOA 121(i) Other Funds

Joint Rules, 678, Subpart E, propose the following:

Local Boards may consider common identifier costs as costs of one-stop infrastructure

Governor must issue guidance for local areas:

- Guidelines for State-administered one-stop partner programs for determining such programs' contributions to a job center system
- Guidance to assist Local Boards, CLEOs, and one-stop partner in local areas in determining equitable and stable methods of funding infrastructure costs

Guidance must include:

- Appropriate roles of the one stop partner programs in identifying costs
- Approaches to facilitate equitable and efficient cost allocation methodology where infrastructure costs are charged to each partner in proportion to relative benefits received
- Timelines regarding notification to the Governor for not reaching local agreement and triggering the State-funded infrastructure mechanism and for a job center partner to submit an appeal

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Questions?

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