

WIOA Guidance Notice No. 5-16

TO: Workforce Development Boards

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SUBJECT: Service Delivery

EFFECTIVE DATE: December 1, 2016

I. REFERENCE(S):

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Sections 121, 134.
- Wagner-Peyser Act of 1933 as amended by Title III of WIOA.

II. PURPOSE:

- To provide guidance to Local Workforce Development Boards and Local Areas on:
- The roles and responsibilities of required one-stop partners in the one-stop delivery system;
- Establishing "comprehensive" workforce centers;
- The requirements for access to the programs and activities provided by required One-Stop partners through the system; and
- The elements that must be addressed in the memorandum of understanding with One-Stop partners.

III. BACKGROUND:

The Workforce Innovation and Opportunity Act of 2014 is designed to increase access to, and opportunities for, the employment, education, training, and support services that individuals need to succeed in the labor market, particularly those with barriers to employment. This is accomplished by providing all customers access to high-quality one-stop centers that connect them with the full range of services available in their communities. Under WIOA, partner programs and entities that are jointly responsible for workforce and economic development, educational, and other human resource programs collaborate to create a seamless customer-focused one-stop delivery system that integrates service delivery across all programs and enhances access to the programs' services. WIOA requires local boards in each local area, with the agreement of the chief local elected officials, to establish a one-stop delivery system and conduct oversight of that system. The

local board is responsible for developing a memorandum of understanding with the required one-stop partners that outlines each partner's responsibilities. Each one-stop partner that carries out a required program or activity in a local area "shall provide access through the one-stop delivery system to such program or activities carried out by the entity, including making the career services that are applicable to the program or activities available at the one-stop centers (in addition to any other appropriate locations)."

IV. ACTION:

A. Required One-Stop Partners

WIOA establishes a number of required partners in the one-stop delivery system. These partners include:

- Title I programs (Adult, Dislocated Worker, Youth, Job Corps, YouthBuild, Native American, and Migrant Seasonal Farmworker);
- Title II Adult Education and Family Literacy activities;
- Wagner-Peyser Act employment services programs;
- The Vocational Rehabilitation program under Title I of the Rehabilitation Act;
- The Senior Community Service Employment Program authorized under Title V of the Older Americans Act;
- Postsecondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act;
- Trade Adjustment Assistance authorized under the Trade Act;
- Jobs for Veterans State Grants programs authorized under chapter 41 of title 38, U.S.C.;
- Employment and training activities under the Community Services Block Grant;
- Employment and training activities of the Department of Housing and Urban Development;
- State unemployment compensation program;
- Ex-offender programs authorized under section 212 of the Second Chance Act; and
- Temporary Assistance to Needy Families (TANF) authorized under the Social Security Act, unless exempted by the Governor.

Other entities that carry out a workforce development program, including Federal, State, or local programs and programs in the private sector, may serve as additional partners in the one-stop system if the local board and chief elected officials approve the entity's participation.

B. Roles and Responsibilities of the Required One-Stop Partners

Each required partner must work collaboratively with the State and local boards to establish and maintain the one-stop delivery system, which includes:

- Entering into an MOU with the local board relating to the operation of the one-stop system consistent with the requirements of authorizing laws, the Federal cost principles, and all other applicable legal requirements;

- Providing representation on the State and local workforce development boards as required and participate in board committees as needed;
- Providing access to its programs or activities through the one-stop delivery system, in addition to any other appropriate locations;
- Providing applicable career services; and
- Beginning July 1, 2017, jointly funding the one-stop system through infrastructure contributions that are based upon:
 - A reasonable cost allocation methodology by which cash or in-kind infrastructure costs are contributed by each partner in proportion to the relative benefits of their participation;
 - Federal cost principles; and
 - Any local administrative cost requirements in the Federal law authorizing the partner's program.

C. The Comprehensive One-Stop Center

The Comprehensive One-Stop Center

A "comprehensive" one-stop center is one physical location where all of the relevant programs, services, and activities provided by the required partners are accessible. The one-stop delivery system shall make all of the programs, services, and activities provided by the required partners accessible in no less than one comprehensive workforce center in each of the seven federally-recognized local areas in the state. A local area may choose to have more than one comprehensive center. WIOA title I staff must be physically present in the comprehensive center. At a minimum, the comprehensive center must make available:

- All Title I-B career services (WIOA Sec. 134(c));
- Access to Title I training services;
- Access to any other permissible employment and training activities that the local area elects to provide with Title I funds (Sec. 134(d));
- Access to programs and activities carried out by required one-stop partners; and
- Workforce and labor market information.

Each required one-stop partner is responsible for identifying the career services that are relevant to their programs and making those services available through the comprehensive workforce center. All comprehensive centers and affiliated sites must be physically and programmatically accessible to individuals with disabilities. Individuals must have access to these programs and services in the comprehensive center on regular business days, at a minimum. The programs, services, and activities provided by the required partners may also be available in other workforce centers, affiliated sites, and other locations, with the exception of Wagner-Peyser employment services, which may not be a stand-alone affiliate site. One-stop partners are encouraged to coordinate their activities to the extent possible so that individuals seeking assistance will have access to information and services that will lead to positive employment outcomes.

D. Access to One-Stop Partner Programs and Services

Individuals directly seeking career services from the one-stop delivery system should receive services beyond what they could obtain on their own using self-service tools, such as public websites or telephone services where the individual is placed into a queue along with all other applicants in the state. Access to required one-stop partners' services in the comprehensive workforce center can be provided in one of three ways. Access may look somewhat different locally for each partner program and in each workforce center, depending on the partners and programs that are located in that local area. The three options for access are:

1. Program staff physically present at the location;
2. Staff physically present at the one-stop from any partner program appropriately trained to provide information to customers about the programs, services, and activities available through partner programs, such as the types of services that program provides and whether the services might meet the individual's needs; or
3. Providing direct linkage through technology to someone who can either provide the program services, or provide information such as how to apply for the program, or how to begin receiving services.

E. Memorandum of Understanding

Each required partner that carries out a program in a local area shall provide access to that program through the one-stop delivery system. A memorandum of understanding (MOU) with each partner is required. WIOA requires the MOU to contain several provisions:

- **Access to Services:** How partners will fulfill the access requirement. This includes identifying at least one "comprehensive" workforce center in each local area. In addition, the partner must identify which of the three options listed in Section D. will be the method of access at the comprehensive one-stop, and which method will be utilized at other one-stop locations.
- **Service Delivery:** What services will be provided through the one-stop delivery system and how they will be coordinated and delivered. Which services will be available at the comprehensive one-stop, and which services will be provided at other one-stop locations.
- **Current Resources:** How the services described will be funded.
- **Referrals:** The methods by which individuals will be referred between one-stop partners for services and activities.
- **Assurances:** The methods by which to ensure "necessary and appropriate access" to services and activities available through the one-stop system for workers, youth, and individuals with barriers to employment, including individuals with disabilities.

V. INQUIRIES:

Please direct any questions regarding this Guidance Notice to WorkForce West Virginia/Workforce Programs Division.