



WIOA: Memoranda of Understanding

DEVELOPING ONE-STOP PARTNER AGREEMENTS

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REQUIRED MOU ELEMENTS

- (1) Description of services to be provided through the one-stop delivery system**
- (2) A final plan, or an interim plan if needed, on how the costs of the services and the operating costs of the system will be funded,**
- (3) Methods for referring individuals between the one-stop operators and partners for appropriate services and activities**
- (4) Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery**
- (5) The duration of the MOU and procedures for amending it**
- (6) Assurances that the MOU will be reviewed**
- (7) Any other provisions agreed to by the parties**



NEGOTIATIONS

Local Boards and partners must enter into good-faith negotiations

1) The Local Board and partners must document the negotiations and efforts that have taken place in the MOU. The State Board, one-stop partner programs, and the Governor may consult with the appropriate Federal agencies to address impasse situations related to issues other than infrastructure funding after attempting to address the impasse. Impasses related to infrastructure cost funding must be resolved using the State infrastructure cost funding mechanism described in 20 CFR 678.730.

(2) The Local Board must report failure to execute an MOU with a required partner to the Governor, State Board, and the State agency responsible for administering the partner's program.



NEGOTIATIONS

All negotiations must be documented and retained, including e-mail communications

The Notice of Proposed Rulemaking states that negotiation of MOUs and infrastructure agreements are program costs.

A single “umbrella” MOU may be developed that addresses the issues relating to the local one-stop delivery system for the Local Board, chief elected official and all partners. Alternatively, the Local Board (with agreement of chief elected official) may enter into separate agreements between each partner or groups of partners.



REQUIRED PARTNERS (Core Programs)

Program authorized under Title I of WIOA:

Adults
Dislocated Workers
Youth
Job Corps
YouthBuild
Migrant and Seasonal Farmworker Programs

Employment services authorized under Wagner-Peyser

Adult Education and Literacy Activities (Title II)

Vocational Rehabilitation Services



REQUIRED PARTNERS

Senior Community Service Program

Career and Technical Education Programs at Post-Secondary Level under Perkins

Trade Adjustment Assistance

Jobs for Veterans State Grants

Employment and Training Activities under the Community Services Block Grant

Employment and Training Programs under Housing and Urban Development

Unemployment Compensation Programs

Programs Authorized under Section 212 of the Second Chance Act

Temporary Assistance to Needy Families



SERVICES

1-Description of the services to be provided through the one-stop delivery system

WIOA Sec. the following Career Services, which are provided to customer served under the Adult and Dislocated Worker funding streams. When identifying the particular career services that each partner will provide, local boards must ensure that there is no duplication of services where possible.

20 CFR 678.430 divides Career Services into the following three categories:

- ▶ **Basic Career Services**
- ▶ **Individualized Career Services**
- ▶ **Follow-up Career Services**



CAREER SERVICES

Basic Career Services-These are services that must be made available to all job seekers. They include informational and labor exchange services

Individualized Career Services-These are services that must be made available if determined to be appropriate in order for an individual to obtain or retain employment, Priority for Individualized Career Services for customers funded under the Title I adult program must be provided to participants who are public assistance recipients, other low-income individuals and individuals who are basic skills deficient.

Follow-up Services-These services are provided, as appropriate, to participants in adult and dislocated worker activities placed in unsubsidized employment, for a minimum of 12 months after the first day of employment.



SERVICES

To establish what services each partner provides, and how they are provided, consider the following:

1. Is the partner physically present in the center (part time/full/time)
2. If not physically present, will one-stop center staff need to supply support, such as providing assistance to customers with using an on-line tool
3. What services will the partner offer
4. How do those services support a career pathway
5. How will the partner interact with other one-stop programs
6. How will supervision and guidance be provided to the partner program's staff
7. What administrative and other supports partners may require



EXAMPLE

TANF State grantees need to identify any employment services and related supports being provided by the TANF program (within the particular local area) that are comparable with the career services. At a minimum, the TANF program partner must provide intake services at the one-stop for TANF assistance and non-assistance benefits via application processing and initial eligibility determinations



FUNDING PLAN

2-A final plan, or an interim plan if needed, on how the costs of the services and the operating costs of the system will be funded

- ▶ (i) Funding of infrastructure costs of one-stop centers in accordance with 20 CFR 678.700 through 678.755; and
- ▶ (ii) Funding of the shared services and operating costs of the one-stop delivery system described in 20 CFR 678.760



INFRASTRUCTURE COSTS

Infrastructure costs are ***non-personnel costs*** necessary for general operation of the one-stop

(1) Rental of the facilities;

(2) Utilities and maintenance;

(3) Equipment (including assessment related products and assistive technology for individuals with disabilities); and

(4) Technology to facilitate access to the one-stop center, including technology used for the center's planning and outreach activities.



INFRASTRUCTURE COSTS

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

Each entity that carries out a program or activities in a local one-stop center, described in **20 CFR 678.400** through **678.410**, must use a portion of the funds available for the program and activities to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers.

Amounts contributed for infrastructure costs must be allowable and based on proportionate use by or benefit to the partner program, taking into account the total cost of the one-stop infrastructure as well as alternate financing options, and must be consistent with 2 CFR chapter II, including the Federal cost principles.



SHARED SERVICES AND SYSTEM COSTS

In addition to jointly funding infrastructure costs, one-stop partners must use a portion of funds made available under their programs' authorizing Federal law (or fairly evaluated in-kind contributions) to pay the additional costs relating to the operation of the one-stop delivery system, which must include applicable career services.

Shared service costs may include the costs of shared services that are authorized for, and may be 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 business services. Shared operating costs may also include shared costs of the Local Board's functions.



SHARED SERVICES AND SYSTEM COSTS

These shared costs must be allocated according to the proportion of benefit received by each of the partners, consistent with the Federal law authorizing the partner's program, and consistent with all other applicable legal requirements, including Federal cost principles in chapter II of title 2 of the Code of Federal Regulations (or any corresponding similar regulation or ruling) requiring that costs are reasonable, necessary, and allocable.

Any shared costs agreed upon by the one-stop partners must be included in the MOU.

REFERRAL

3-Methods for referring individuals between the one-stop operators and partners for appropriate services and activities

- ▶ What is the specific method of referral (AOSOS, referral form, phone call, other)
- ▶ Under what circumstances will a referral be made to a partner agency

The MOU and each partner's procedures should make it easy for front line staff to identify what triggers a referral to a partner agency. Referral should be seamless.

Referrals must not be based on "sending a customer to a program," but rather making services from programs available to customers based on their individual needs and the career pathway that has been identified in their plan.



ACCESS TO SERVICES

4-Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery

- ▶ Policies and procedures related to the provision of services to individuals with disabilities and other special populations within the workforce development area. Accessibility of the one-stop, physical and programmatic must be addressed.
- ▶ This is not limited to an MOU with the Division of Vocational Rehabilitation Services (DVRS); all partners must have provisions for providing such access.
- ▶ The local board should work with their local DVRS entity to identify best practices for providing access to individuals with disabilities, both workers and customers.



DURATION AND REVIEW

(5) The duration of the MOU and procedures for amending it

(6) Assurances that the MOU will be reviewed, and if substantial changes have occurred, renewed

(7) Any other provisions agreed to by the parties



ADDITIONAL REQUIREMENTS

Each MOU must also include:

- ▶ Parties to the agreement
- ▶ Resource Sharing Agreement
- ▶ Dispute Resolution Procedures
- ▶ Performance and other reporting requirements
- ▶ Severability
- ▶ Record retention and personally identifiable information policies
- ▶ Signatures [Local Board, one-stop partners, chief elected official(s)]



RESOURCE SHARING AGREEMENTS

Each MOU must have a resource sharing agreement which describes how the costs of services and operating the one-stop system will be funded

Methods:

- ▶ Cash payments
- ▶ Full-Time Equivalents
- ▶ Goods and Services
- ▶ In-Kind

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RSAs: CASH PAYMENTS

Under this methodology, one entity is responsible for incurring and paying for all the shared costs when payment for these costs is due. The partners determine which of them will have this responsibility, whether on a permanent, or possibly rotating basis. This entity would then become the “managing partner” for purposes of shared costs financial activity. This same entity is also responsible for maintaining the documentation for the shared costs and notifying partners of their share of the costs as they are incurred.



RSAs: FULL-TIME EQUIVALENTS

The General Accounting Office defines Full-Time Equivalents (FTEs) as “The total number of regular straight-time hours (i.e., not including overtime or holiday hours) worked by employees divided by the number of compensable hours applicable to the fiscal year, as defined by the Office of Management and Budget, Circular No. A-11. “

Example: The Intake function (front desk) is staffed by three different partners. The assigned staff would all use FTEs based on the amount of time dedicated to that function. A partner that provides one staff member full-time each week would contribute 1 FTE. If another partner that has a 35 hour work week contributes 20 staff hours per week $(20 \times 52) / 1820$, that partner would contribute .57 FTE. Another partner that also contributes 20 staff hours per week, but has a 40 hour work week, would contribute .5 FTE $(20 \times 52) / 2080$.



RSAs: GOODS AND SERVICES

The partners prepare the shared costs budget and allocate costs using the agreed-upon allocation methodologies, with a resulting total shared costs attributable to each partner. Within the budget, the partners agree on how those costs will be funded.

COST SHARING EXAMPLE

Facilities Cost Pool

Rent(%):	\$18.05/sqr. Ft	Common Space	Cost
5.21%	KY. Tech Admin. Offices	459	\$8,284.95
11%	Office for the Blind	966.21	\$17,440.14
29.93 %	Office of Voc. Rehab.	2633.65	\$47,537.34
6.97%	Lincoln Trail WIOA	614.17	\$11,085.71
46.89	Office Employment & Training	4126.97	\$74,491.86
100%	TOTAL	8800	\$158,840.00

FTE USAGE EXAMPLE

One-Stop Center Management

Use of Staff (# of FT Staff)	FTE	% of Bases
Office for the Blind	2	6.67%
Office of Voc. Rehab.	9	30%
Lincoln Trail WIOA	4	13.33%
Office of Emp. & Trng.	15	50%
TOTAL	30	100%

Summary of Charges	
Office for the Blind	\$8,762.84
Office of Voc. Rehab.	\$39,432.79
Lincoln Trail WIOA	\$17,525.68
Office of Emp. & Trng.	\$65,721.31
TOTAL	\$131,442.62

RSAs: IN-KIND CONTRIBUTIONS

Third-party in-kind contributions means the value of non-cash contributions (i.e., property or services) that—

- (a) Benefit a federally assisted project
- (b) Are contributed by non-Federal third parties, without charge, to a non-Federal entity under a Federal award.

(2 CFR 200.96)



CONCLUSION

MOUs and associated cost-sharing agreements must:

- ✓ Ensure that services are provided seamlessly and without duplication
- ✓ Expand the one-system capacity
- ✓ Accurately represent each partner's contributions to the system
- ✓ Be reviewed and updated as necessary