

| | |
|---|--|
| EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210 | CLASSIFICATION WIOA – General Guidance for One-Stop Operations |
| | CORRESPONDENCE SYMBOL ETA-OWI |
| | DATE January 18, 2017 |

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER ONE-STOP OPERATING GUIDANCE FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT NO. 16-16

TO: STATE AND LOCAL STAKEHOLDERS IN THE WORKFORCE
INNOVATION AND OPPORTUNITY ACT
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
AMERICAN JOB CENTER DIRECTORS
SECTION 166 INDIAN AND NATIVE AMERICAN GRANTEES
NATIONAL FARMWORKER JOBS PROGRAM GRANTEES
SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM GRANTEES
YOUTHBUILD GRANTEES
ALL DEPARTMENT OF LABOR GRANTEES
STATE AND LOCAL VETERANS ADMINISTRATORS
STATE APPRENTICESHIP AGENCY DIRECTORS
TRADE ADJUSTMENT ASSISTANCE LEADS

FROM: PORTIA WU /s/
Assistant Secretary

SUBJECT: One-Stop Operations Guidance for the American Job Center Network

1. Purpose. This Training and Employment Guidance Letter (TEGL) provides general guidance for the implementation of operational requirements under the Workforce Innovation and Opportunity Act (WIOA) pertaining to the one-stop delivery system, branded nationally as the American Job Center network. Due to the broad scope of the one-stop delivery system, encompassing multiple programs administered by different Federal agencies, this guidance provides the primary components for understanding and implementing an integrated American Job Center network. Consistent with the requirement to promote increased public identification of the one-stop delivery system and the requirement for the use of a common identifier across the nation (WIOA sec. 121(e)(4)), the U.S. Department of Labor (DOL), in coordination with the U.S. Department of Education (ED), established the “American Job Center” network, a unifying name and brand that identifies online and in-person workforce development services as part of a single network of publicly-funded services. The use of the American Job Center network designation in this guidance establishes a framework for accentuating and implementing an integrated workforce delivery system. DOL and ED, in partnership with the U.S. Department of Health and Human Services (HHS) (collectively, the Departments), published the WIOA Joint Rule for Unified

| | |
|----------------------------|--------------------------------------|
| RESCISSIONS None | EXPIRATION DATE Continuing |
|----------------------------|--------------------------------------|

and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule (Joint WIOA Final Rule) on August 19, 2016, in the Federal Register at 81 FR 55791. The Joint WIOA Final Rule, which became effective on October 18, 2016, can be found at: <https://www.federalregister.gov/documents/2016/08/19/2016-15977/workforce-innovation-and-opportunity-act-joint-rule-for-unified-and-combined-state-plans-performance>.

This guidance is being issued jointly by DOL’s Employment and Training Administration (ETA), ED’s Office of Career, Technical, and Adult Education (OCTAE) and Office of Special Education and Rehabilitative Services’ Rehabilitation Services Administration (RSA), and HHS’s Administration for Children and Families (ACF). The guidance also links to other technical assistance resources that support States and local areas as they work to implement an integrated American Job Center network.

2. **References.** See Attachment I.
3. **Background.** The vision for the American Job Center network reflects the long-standing and ongoing work of dedicated workforce professionals to align a wide range of publicly- or privately-funded education, employment, and training programs, while also providing high-quality customer service to all job seekers, workers, and businesses.

The creation of the integrated one-stop locations was a cornerstone of the Workforce Investment Act of 1998 (WIA). In the years between the passage of WIA and WIOA, the public workforce development system tested a variety of approaches to maximize the benefits that customers and their communities receive from American Job Centers. In the last ten years, technological advances have opened up new methods of service delivery and evidence-based models to build upon our shared understanding of best practices. Further, during the past few years, Federal agencies have worked collectively to reform Federal employment, education, and training programs to create a more integrated, job-driven, public workforce system. As a result of this work, American Job Centers continue to be valued community resources, acknowledged both locally and nationally as a critical source of assistance for individuals looking for work or opportunities to grow in their careers, and employers looking for human resource assistance.

WIOA builds on the value of the American Job Center network and provides the workforce development system with important tools to enhance the quality of its American Job Centers. WIOA strengthens the ability of States, regions, and local areas to align investments in workforce, education, and economic development to respond to regional job growth. WIOA also emphasizes achieving results for all job seekers, workers, and businesses.

Finally, WIOA reinforces the partnerships and strategies necessary for American Job Centers to provide all job seekers and workers with the high-quality career, training, and supportive services they need to obtain and maintain good jobs. Such strategies help businesses find skilled workers and access other human resource assistance, including education and training, to meet their current workforce needs.

1. **American Job Center Network.**
 - A. **Characteristics of the American Job Center Network.** The American Job Center network includes six core programs: title I Adult, Dislocated Worker, and Youth

programs; the title II Adult Education and Family Literacy Act (AEFLA) program; the Wagner-Peyser Act Employment Service (ES) program, authorized under the Wagner-Peyser Act, as amended by title III of WIOA; and the Vocational Rehabilitation (VR) program, authorized under title I of the Rehabilitation Act of 1973, as amended by title IV of WIOA. The American Job Center network also includes other required and additional partners identified in WIOA and discussed in section five of this TEGL. Through the American Job Centers, these partner programs and their direct service providers ensure businesses and all job seekers—a shared client base across the multiple programs—have access to information and services that lead to positive educational and employment outcomes. Under WIOA, American Job Centers and partner staff strive to:

- Provide job seekers with the skills and credentials necessary to secure and advance in employment with wages that sustain themselves and their families;
- Provide access and opportunities to job seekers, including individuals with barriers to employment, as defined in section 3(24) of WIOA, such as individuals with disabilities, individuals who are English language learners, and individuals who have low levels of literacy, to prepare for, obtain, retain, and advance in high-quality jobs and high-demand careers;
- Enable businesses and employers to easily identify and hire skilled workers and access other human resource assistance, including education and training for their current workforce, which may include assistance with pre-screening applicants, writing job descriptions, offering rooms for interviewing, and consultation services on topics like succession planning and career ladder development, and other forms of assistance.
- Participate in rigorous evaluations that support continuous improvement of American Job Centers by identifying which strategies work better for different populations; and
- Ensure that high-quality integrated data inform decisions made by policy makers, employers, and job seekers.

The management of the American Job Center network is the shared responsibility of States, local workforce development boards (WDBs), elected officials, the six WIOA core program partners, required one-stop partners and other additional one-stop partners, American Job Center operators, and service providers. Through the American Job Center, the one-stop operator carries out the activities described below:

- Facilitates integrated partnerships that seamlessly incorporate services for the common customers served by multiple program partners of the American Job Center.
- Develops and implements operational policies that reflect an integrated system of performance, communication, and case management, and uses technology to achieve integration and expanded service offerings.

- Organizes and integrates American Job Center services by function (rather than by program), when permitted by a program’s authorizing statute and, as appropriate, through coordinating staff communication, capacity building, and training efforts. Functional alignment includes having American Job Center staff who perform similar tasks serve on relevant functional teams (e.g., skills development team or business services teams).
 - Service integration focuses on serving all customers seamlessly (including targeted populations) by providing a full range of services staffed by relevant functional teams, consistent with the purpose, scope, and requirements of each program.
 - Integrated American Job Centers also ensure that:
 - Center staff are trained and equipped in an ongoing learning environment with the skills and knowledge needed to provide superior service to job seekers, including those with disabilities, and businesses in an integrated, regionally focused framework of service delivery, consistent with the requirements of each of the partner programs.
 - Center staff are cross-trained, as appropriate, to increase staff capacity, expertise, and efficiency. This allows staff from differing programs to understand other partner programs’ services, and share their own expertise related to the needs of specific populations so that all staff can better serve all customers.
 - Center staff are routinely trained so they are keenly aware as to how their particular work function supports and contributes to the overall vision of the Local WDB, as well as within the American Job Center network. This enhances their ability to ensure that a direct linkage to partner programs is seamlessly integrated within the center.

B. Benefits of Participating in an Integrated American Job Center Network. There are significant benefits to partner participation in the American Job Center network. The clear benefit is better outcomes for customers, both job seekers and businesses. The following is not an exhaustive list of benefits, but provides some of the many advantages inherent in partnering in an integrated one-stop delivery system:

- **Expanded workforce services for individuals at all levels of skill and experience.** All customers, including those with disabilities or other barriers to employment, have the opportunity to receive hard and soft skills guidance, career planning and job placement services, particularly timely labor market demand and occupational information, and a variety of job-driven training options, including work-based training opportunities such as registered apprenticeship, on-the-job training (OJT), and incumbent worker training.

- **Access to multiple employment and training resources.** Access to multiple program resources, including necessary supportive services that may not be offered by or available through one individual program. Access to multiple resources in one location also reduces the travel and commuting distances for customers needing referrals to or the receipt of multiple services. Access to multiple resources may also facilitate the leveraging and braiding of resources across systems for individual customers, as appropriate.
- **Integrated and expert intake process for all customers entering the American Job Centers.** Frontline staff are highly familiar with the functions and basic eligibility requirements of each program, appropriately assist customers, and make knowledgeable referrals to partner programs, as appropriate, given the authorized scope of, and eligibility requirements for, each program.
- **Integrated and aligned business services strategy among American Job Center partners.** As part of an aligned team, partners have access to a wider range of business engagement strategies, increasing the opportunity for better placement services and outcomes for all customers. This partnership also allows for a unified voice for the American Job Center in its communications with area employers.
- **Expert advice from multiple sources.** Customers, including individuals with barriers to employment, can benefit from multiple levels of staff expertise, guidance, and advice across programs. This enhances job seekers' experiences and increases their chances for success in the evolving labor market.
- **Relevance to labor market conditions.** All workforce development activities occur within the context of a regional economy. Services provided should be informed by data on labor market demand in the local area to ensure a positive impact or labor market outcome. This outcome results in a return on investment for the job seeker's time and efforts, and for the workforce program resources expended.
- **Expanded community and industry outreach.** The integrated nature of the American Job Center network extends the one-stop reach to increase customer participation and enrollments, and to engage and support businesses.
- **Strengthened partnerships.** The integrated nature of the American Job Center network also helps in providing seamless workforce services that serve similar populations. Some examples include setting up common intake and assessment, joint outreach activities, and referral processes outlined in agreements implemented between partners in the American Job Center.
- **Encouraging efficient use of accessible information technology** to include, when possible, the use of machine readable forms and other features consistent with modern accessibility standards, such as section 508 Standards (36 CFR part 1194) and the Worldwide Web Consortium's Web Content Accessibility Guidance 2.0, as well as virtual services to expand the customer base and effectively deliver self-services.

C. Comprehensive American Job Centers.

A comprehensive American Job Center, as described in 20 CFR 678.305, 34 CFR 361.305, and 34 CFR 463.305, is a physical location where job seekers and employer customers can access the programs, services, and activities of all required one-stop partners (section 121(b)(1)(B) of WIOA), along with any additional partners as determined by the Local WDB. The one-stop delivery system must include at least one comprehensive physical center in each local area. (See subsection 5.B. below for a full list of required and additional partner programs.) Comprehensive American Job Centers should reflect and exemplify the characteristics of a high-quality American Job Center as described in DOL's TEGL No. 4-15, and ED's RSA-TAC-15-01 and OCTAE Program Memorandum 15-3, entitled *Vision for the One-Stop Delivery System under the Workforce Innovation and Opportunity Act*. Comprehensive one-stop centers should reflect a welcoming environment to all customer groups who are served by the American Job Centers. All American Job Center staff should be courteous and helpful to all job seekers, businesses, and others who interact with the American Job Centers, in person, by telephone, or online.

A comprehensive American Job Center must have:

- 1) At least one WIOA title I staff person physically present, and the Center must provide the career services listed in 20 CFR 678.430, 34 CFR 361.430, and 34 CFR 463.430;
- 2) Access to training services described in 20 CFR 680.200;
- 3) Access to any employment and training activities carried out under section 134(d) of WIOA;
- 4) Access to programs and activities carried out by one-stop partners listed in 20 CFR 678.400 through 678.410, 34 CFR 361.400 through 361.410, and 34 CFR 463.400 through 463.410, including the Wagner-Peyser Act ES program; and
- 5) Workforce and labor market information.

Customers must have access to these programs, services, and activities during regular business days at a comprehensive one-stop center (20 CFR 678.305(c), 34 CFR 361.305(c), and 34 CFR 463.305(c)). The Local WDB may establish other service hours at other times to accommodate schedules of individuals who work on regular business days or who, because of life circumstances, are not able to access the American Job Centers during regular business hours. The Departments encourage access to services outside of regular business hours (i.e., nights and weekends) when doing so is possible and best serves the needs of the American Job Center's customers. Centers not open outside of the regular business hours should have a plan for how they will provide services to individuals who cannot visit a center during regular business hours.

It is important to note that "providing" career services in the comprehensive does not mean that each required partner must provide these services directly on-site at the comprehensive American Job Center. However, it does mean that some career services

must be provided directly on-site. Career services may be provided through access to one-stop partner programs and activities, which, as described in 20 CFR 678.305(d), 34 CFR 361.305(d), and 34 CFR 463.305(d), may be delivered in one of three ways:

- Option 1. Having a program staff member physically present at the American Job Center;
- Option 2. Having a staff member from a different partner program physically present at the American Job Center and *appropriately trained* to provide information to customers about the programs, services, and activities available through all partner programs; or
- Option 3. Making available a direct linkage through technology to a program staff member who can provide meaningful information or services.

The options above offer a wide range of possibilities to partners. Option 2 could require varying levels of assistance depending on the program's needs, but this could be as simple as having an adequately trained Wagner-Peyser ES staff member providing basic program information to a one-stop customer regarding the Job Corps program. In this example, the partner staff member has been trained by someone from the Job Corps program on basic eligibility requirements as well as how to access and complete an enrollment application. Once the application is completed, the partner staff member will connect the customer to a Job Corps representative who can further assist the customer through the enrollment process. This option allows for the customer to receive high-quality service through the American Job Center, in a timely manner. In this example, it would be essential that the Wagner-Peyser Act ES staff person providing information about the Job Corps program document his or her time and effort to ensure that the charges to the appropriate program, namely the Job Corps program, for salaries and wages are based on records, that accurately reflect the work performed consistent with Federal cost principles in the Uniform Guidance at 2 CFR 200.430.

Option 3, a direct linkage, can take many forms as well. As described in 20 CFR 678.305(d)(3), 34 CFR 361.305(d)(3), and 34 CFR 463.305(d)(3), a "direct linkage" means providing a direct connection at the American Job Center within a reasonable time, by phone or through a real-time Web-based communication, to a program staff member who can provide program information or services, including career services, to the customer. Solely providing a phone number, Web site, information, pamphlets, or materials does not constitute a "direct linkage".

The flexibility provided through the three optional methods for assuring customer access to required one-stop partner services and activities at the comprehensive centers, ensures that dispersed programs, such as the National Farmworker Jobs Program, Job Corps, or Indian and Native American programs, remain accessible through the American Job Center network.

Local WDBs, in conjunction with the partners and one-stop operator(s), must establish the method or means of providing access to partner programs and document such means or methods in their Memoranda of Understanding (MOUs). All comprehensive American Job Centers must be physically and programmatically accessible to individuals with disabilities, as described in section 188 of WIOA and its implementing regulations

at 29 CFR part 38 (Final Rule published at 81 FR 87130 (Dec. 2, 2016)). To ensure meaningful access to all customers, American Job Centers should incorporate the principles of universal and human-centered design. These principles include, for example, flexibility in space usage; the use of pictorial, written, verbal, and tactile modes to present information for customers with disabilities or English language learners; providing clear lines of sight to information for seated or standing users; providing necessary accommodations; and providing adequate space for the use of assistive devices or personal assistants.

D. Affiliate American Job Centers.

Local WDBs may also choose to operate other access points to services in addition to comprehensive American Job Centers. Such access points are called affiliate or specialized American Job Centers, and are created to supplement and enhance customer access to American Job Center services. These sites make one or more of the one-stop partners' programs, services, and activities available to job seekers and employers.

Public libraries are an example of an additional access point that Local WDBs can use as affiliate American Job Centers. In addition to offering public computers and Internet access for job seekers and individuals, many libraries also provide space for businesses to host career fairs and networking events. As trusted institutions within their communities, libraries are often at the frontline of employment and training related inquiries. Additionally, libraries also serve school-aged youth who can use public resources for career and education planning, along with the traditional adult job seeker.

Every day, people in communities across the United States use libraries to access the Internet for career development—boosting their skills through online learning, improving their English literacy and digital literacy, and finding work. Public libraries can do even more with better collaboration with State and Local WDBs. WIOA explicitly identifies public libraries as potential partners of the American Job Center network (WIOA sec. 121(b)(2)(B)(vii)), which acknowledges a library's ability to provide an expansive array of job search services, including a remote location for filing for unemployment compensation. This also recognizes libraries as important providers of Federally-supported training and employment for adult education and literacy. (See Training and Employment Notice 35-15 - *Encouraging Collaborations between the Workforce Investment System and Public Libraries to Meet Career and Employment Needs*, for additional information.)

Affiliated sites, as described in 20 CFR 678.310, 34 CFR 361.310, and 34 CFR 463.310, allow for more flexibility in terms of the services one-stop partner programs provide. These sites do not need to provide access to every required one-stop partner program. Just as is required of comprehensive American Job Centers, affiliated sites must be physically and programmatically accessible to individuals with disabilities, as required by section 188 of WIOA and its implementing regulations at 29 CFR part 38. The frequency of program staff's physical presence in an affiliated site will be determined through partner MOU negotiations at the local level, within the parameters of the Federal regulations at 20 CFR 678.310 through 678.320, 34 CFR 361.310 through 361.320, and 34 CFR 463.310 through 463.320

Based on local workforce needs, the Local WDB, in conjunction with the partners and

one-stop operator(s), may determine that a specialized center, as described in 20 CFR 678.320, 34 CFR 361.320, and 34 CFR 463.320, is more appropriate to serve a particular population and may choose to operate a specialized center(s). For example, a specialized center may be established to serve a specific group of dislocated workers affected by a regional lay-off. In this example, the specialized center would provide a variety of services tailored to the needs of the dislocated workers, including career coaching, networking opportunities, comprehensive assessment, and employer meetings. The specialized center could also provide flexible office hours, such as evenings and weekends, to support the job search needs of the dislocated workers served by that specialized center. Other specialized centers may be established for youth, veterans, or other specified groups as determined by the Local WDB.

Specialized centers do not need to provide access to every required partner, but should be knowledgeable about, and prepared to make referrals to, American Job Center partners in the comprehensive or affiliate American Job Centers. Partner services provided through specialized one-stop centers must also be determined through partner negotiations at the local level and incorporated into the MOU.

E. Co-location of Wagner-Peyser Act ES Offices.

WIOA recognizes the Wagner-Peyser Act ES program's role in the American Job Center network and, as a result, has made the Wagner-Peyser Act ES one of the six core programs. Accordingly, the Departments recognize that Wagner-Peyser Act ES programs are vital to the successful operation of American Job Centers and strongly encourage access to these services throughout the workforce development system.

A major change to the American Job Center network under WIOA is the discontinuance of separate, stand-alone Wagner-Peyser Act ES offices that were permitted under WIA (20 CFR 678.315, 34 CFR 361.315, and 34 CFR 463.315). Under WIOA, Wagner-Peyser Act ES programs must be co-located in comprehensive and/or affiliate American Job Centers. If the Wagner-Peyser Act ES is part of an affiliate American Job Center, the affiliate American Job Center must include at least one or more other partners with a physical presence of combined staff more than 50 percent of the time the center is open. In other words, if the Wagner-Peyser Act ES is located in an affiliated site, there must be staff of at least one other partner in that affiliated site that is physically present more than 50 percent of the time the center is open.

Additionally, 20 CFR 678.315(b), 34 CFR 361.315(b), and 34 CFR 463.315(b) specify that the partner program administering local veterans' employment representatives, disabled veterans' outreach program specialists, or unemployment compensation programs would not count as the other partner for purposes of this requirement. Therefore, if Wagner-Peyser Act ES and any of these three programs are provided at an affiliated site, an additional partner or partners must have a presence of combined staff in the center of more than 50 percent of the time the center is open. These and other Wagner-Peyser Act ES requirements will be addressed further in upcoming DOL-administered program-specific guidance.

The Departments understand that States will need a reasonable amount of time to fully integrate the delivery of the Wagner-Peyser Act ES programs into the American Job

Center network. However, States are required to co-locate Wagner-Peyser Act ES services as soon as reasonably possible. In response to its program-specific WIOA Notice of Proposed Rulemaking, DOL received several comments asking how to operationalize the co-location requirement. Given the diversity of how States have previously structured their Wagner-Peyser Act ES, the Departments are giving States discretion in determining how to operationalize the requirement for co-location. However, States are required to include the steps they will take to co-locate the Wagner-Peyser Act ES into their Unified or Combined State Plan.

5. Partner Roles and Responsibilities in the American Job Center Network.

- A. **One-Stop Partners.** Section 121(b) of WIOA identifies the required and additional one-stop partner programs. Generally, the entity that carries out the program serves as the one-stop partner. This may be the grant recipient, administrative entity, or organization responsible for administering the funds of the specified program in a local area. In some local areas, the partner program may be carried out by more than one grant recipient, contractor, or organization. If the Federal grant recipient has issued or awarded part of or its entire program funds to a sub-recipient or subcontractor in accordance with program requirements, the Federal grant recipient remains the entity responsible for fulfilling the roles and responsibilities of a one-stop partner program. It is the responsibility of the Federal grant recipient to ensure that the subrecipient, who is providing services in that local area on its behalf, participates in the one-stop delivery system. If a program does not have a local administrative entity, the responsible State agency is considered the one-stop partner. The joint regulations at 20 CFR 678.415, 34 CFR 361.415, and 34 CFR 463.415 provide more specific information on which entities are the one-stop partners for the VR and AEFLA programs (two of the six WIOA core programs), as well as for certain other required partner programs.

A program becomes a one-stop partner when it begins carrying out the program or activity in a local area. As explained in 20 CFR 678.415, 34 CFR 361.415, and 34 CFR 463.415, if a partner is not carrying out its program or activities in the local area, the requirements relating to a required one-stop partner are not applicable to that partner program. Carrying out a program or activity means that the partner is providing any of the services its grant, contract, or program requires. One of the critical requirements that a one-stop partner must satisfy is signing the local MOU, which describes the services to be provided, infrastructure and additional costs and contributions, the duration of the agreement, and other elements described in section 6 of this document and additionally outlined in section 121(c) of WIOA and 20 CFR 678.500, 34 CFR 361.500, and 34 CFR 463.500.

- B. **Required and Additional One-Stop Partner Programs.** The chart below identifies the required one-stop partner programs, followed by a section on the additional partners. Attachment II of this TEGl provides a brief description of the one-stop partner programs, along with some options for aligning and integrating service delivery through the American Job Center network.

| Required Department of Labor programs | |
|---|--|
| Adult (WIOA title I formula) | Senior Community Service Employment Program (title V of the Older Americans Act of 1965) |
| Dislocated Worker (WIOA title I formula) | Trade Adjustment Assistance activities (Trade Act of 1974, as amended) |
| Youth (WIOA title I formula) | Jobs for Veterans State Grants (Chapter 41 of title 38) |
| YouthBuild (WIOA title I) | Unemployment Compensation programs |
| Indian and Native American Programs (WIOA title I) | Wagner-Peyser Act ES, as authorized under the Wagner-Peyser Act, as amended by WIOA title III |
| National Farmworker Jobs Programs (NFJP)/Migrant and Seasonal Farmworker Programs (WIOA title I) | Reentry Employment Opportunities (REO) program (formerly referred to as the Reintegration of Ex-Offenders (ReXO) program) (Section 212 of the Second Chance Act of 2007 and WIOA sec. 169) |
| Job Corps (WIOA title I) | |
| Required Department of Education programs | |
| AEFLA program (WIOA title II) | Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006 |
| State VR program, authorized under title I of the Rehabilitation Act of 1973, as amended by WIOA title IV | |
| Required Department of Health and Human Services programs | |
| Programs authorized under the Social Security Act title IV, part A (TANF) ¹ | Community Services Block Grant Employment and Training activities (Community Services Block Grant Act) |
| Required Department of Housing and Urban Development (HUD) program | |
| Employment and training programs | |

Required one-stop partner programs have specific governance, operations, and service delivery roles within the American Job Center network. In accordance with 20 CFR 678.420, 34 CFR 361.420, and 34 CFR 463.420, each required one-stop partner program must:

- Provide access to its programs or activities through the American Job Center network, in addition to any other appropriate locations (i.e., affiliated or specialized sites);

¹ A Governor may determine that TANF is not a required partner in a State or in specific local area(s) in the State. If the Governor makes this decision, the Governor must notify in writing the Secretaries of the U.S. Departments of Labor and Health and Human Services. Additionally, the State should notify the Director of the Office of Family Assistance in the Administration for Children and Families in HHS. If a Governor determines that TANF is not a required one-stop partner, local TANF programs may still elect to partner or work in collaboration with a one-stop center, unless it is inconsistent with the Governor's direction.

- Use a portion of its funds, to the extent consistent with the relevant authorizing statute and with the Uniform Guidance at 2 CFR parts 200, 2900, and 3474 (requiring, among other things, that costs are allowable, reasonable, necessary, and allocable) to:
 - Provide applicable career services; and
 - Work collaboratively with the State and Local WDBs to establish and maintain the one-stop delivery system. This includes jointly funding the one-stop infrastructure costs through partner contributions.
- Enter into an MOU that meets the requirements of 20 CFR 678.500(b), 34 CFR 361.500(b), and 34 CFR 463.500(b) with the Local WDB relating to the operation of the American Job Center network;
- Participate in the operation of the American Job Center network consistent with the terms of the MOU, requirements of authorizing laws and implementing regulations, Federal cost principles, and all other applicable legal requirements; and
- Provide representation on the State WDB and Local WDBs as required, and participate in Board committees, as needed.

The lead State official with primary responsibility for the core program partners must be represented on both the State and Local WDBs. While these entities are not required to serve on Local WDBs, the Departments encourage them to have a voice in key Local WDB activities and notes that they are not precluded from serving on the Local WDB. For example, the State entity for adult education and literacy activities may designate eligible providers to fulfill the roles and responsibilities of the required partner. Federal regulations at 20 CFR 679.320(d)(1) require that at least one eligible provider of adult education and literacy activities under title II be on the Local WDB. A chief elected official (CEO) may consider an eligible provider that has been designated to carry out roles and responsibilities of the one-stop partner from nominations for adult education and literacy membership on the Local WDB.

Additional one-stop partners may include, with the approval of the Local WDB and CEOs; Social Security Administration employment and training programs (i.e., Ticket to Work and Self Sufficiency programs); Department of Agriculture’s Supplemental Nutrition and Assistance Program (SNAP) employment and training programs; the Client Assistance Program, authorized under section 112 of the Rehabilitation Act of 1973, as amended by title IV of WIOA; National and Community Service Act Programs; employment and training programs carried out by the Small Business Administration; and other appropriate Federal, State or local programs, including, but not limited to, employment, education, or training programs such as those operated by libraries, foundations, community-based organizations, or in the private sector. Partnerships with the local mental health and transportation agencies also provide opportunities to complement and streamline supportive services through the American Job Center network.

C. Career Services.

The Joint WIOA Final Rule requires the provision of “career services” through the American Job Center network, to support and empower customers in making informed decisions based on local and regional economic demand and in achieving their personal

employment and education goals (20 CFR 678.430, 34 CFR 361.430, and 34 CFR 463.430). All applicable career services must be made available (i.e., provided) in at least one comprehensive American Job Center in each local area. As stated in section 4.C. of this guidance, these services also may be provided and accessed through one of the aforementioned methods. Some or all of the career services may also be available either at affiliated sites or specialized centers.

Career services provide local areas and service providers with flexibility to target services to the needs of the customer. For example, a recently laid off customer may only require local labor market information to prepare for a new job, whereas an entry level worker may need a comprehensive assessment in order to establish a baseline for determining appropriate training options. There are three types of career services: basic career services; individualized career services; and follow-up career services. The distinction between basic career services and individualized career services is not intended to imply that there is a sequence of services, which was eliminated under WIOA. Rather, the distinction is to clarify that, while basic career services are available to all participants, individualized career services are available to participants after American Job Center staff have determined that such services are required to retain or obtain employment

1) Basic Career Services (20 CFR 678.430(a), 34 CFR 361.430(a), and 34 CFR 463.430(a))

At a minimum, all of the basic career services described in WIOA secs. 134(c)(2)(A)(i)-(xi), and 20 CFR 678.430(a), 34 CFR 361.430(a), and 34 CFR 463.430(a), must be provided in each local area through the one-stop delivery system. Basic career services must be made available and, at a minimum, must include the following services:

- Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs, including co-enrollment among these programs;
- Outreach, intake (including identification through the state's Worker Profiling and Reemployment Services system of Unemployment Insurance (UI) claimants likely to exhaust benefits), and orientation to information and other services available through the one-stop delivery system. For the TANF program, States must provide individuals with the opportunity to initiate an application for TANF assistance and non-assistance benefits and services which could be implemented through the provision of paper application forms or links to the application Web site;
- Initial assessment of skill levels, including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
- Labor exchange services, including—
 - Job search and placement assistance, and, when needed by an individual, career counseling, including the provision of—
 - information on in-demand industry sectors and occupations;
 - information on nontraditional employment;
 - information from career profiles and interest inventories, and

- Referrals to, and coordination of activities with, other programs and services, including those within the American Job Center network and, when appropriate, other workforce development programs;
- Workforce and labor market employment information, including 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 occupations in demand;
- Provision of performance information and program cost information on eligible providers of training services by program and type of providers and workforce services by program and type of providers;
- Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area’s American Job Center network;
- Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including: child care; child support; medical or child health assistance available through the State’s Medicaid program and Children’s Health Insurance Program; benefits under SNAP; assistance through the earned income tax credit; housing counseling and assistance services sponsored through HUD²; and assistance under a State program for TANF, and other supportive services and transportation provided through other programs or agencies;
- Assistance in establishing eligibility for financial aid assistance for training and education programs not provided under WIOA; and
- Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim—
 - “Meaningful assistance,” as described in Unemployment Insurance Program Letter (UIPL) 20-15 and 20 CFR 678.430, 34 CFR 361.430, and 34 CFR 463.430, means providing assistance as follows:
 - Only merit staff (State government employees) may, in person at one-stop centers or remotely, answer questions, provide advice, or make decisions that could affect claimants’ UI eligibility. However, other one-stop staff may assist in claims by acceptance of information from claimants.
 - If an individual in a one-stop center is referred to a telephone for UI claims assistance, it must be a phone line dedicated to serving one-stop customers in a timely manner. Individuals must not simply be referred to a general information/dial-in line with the state UI agency contact center where the individual is placed into a

² HUD Approved Housing Counseling Agencies, <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>

phone queue along with all other claimants in the State. If the assistance is provided remotely using technology, it must be a technology that enables trained staff to provide the assistance. Examples of technology that enables remote assistance include live Web chat applications, video conference applications, or other similar technology.

- The costs associated in providing meaningful assistance may be paid for by the State's UI program, the WIOA Adult or Dislocated Worker programs, the Wagner-Peyser Act ES, or some combination of these programs.
- For purposes of the VR program, basic career services may encompass some of the activities authorized under 34 CFR 361.48(b), which must be provided under an individualized plan for employment for an eligible individual with a disability (e.g., assessments for determining VR needs).

2) Individualized Career Services (20 CFR 678.430(b), 34 CFR 361.430(b), and 34 CFR 463.430(b))

If one-stop center staff, including designated partner program staff, determine that individualized career services are necessary for an individual to obtain or retain employment, these services must be made available to the individual. These services must be available in all comprehensive one-stop centers. American Job Center staff may use recent previous assessments by partner programs to determine if individualized career services are needed.

Individualized career services include:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—
 - Diagnostic testing and use of other assessment tools; and
 - In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- Development of an individual employment plan, to identify the employment goals, achievement objectives, and the combination of services for the participant to achieve his or her employment goals, including the list of, and information about, eligible training providers;
- Group counseling, which involves two or more participants addressing certain issues, problems, or situations that may be shared by the group members;
- Individual counseling, which is a one-on-one session that may go into greater detail for a participant regarding certain issues, problems, or situations;
- Career planning (e.g. case management, see WIOA sec. 3(8));
- Short-term pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;
- Internships and work experiences (including transitional jobs) that are linked to careers;
- Workforce preparation activities (*see* 34 CFR 463.34);

- Financial literacy services available through the WIOA title I youth program as described in WIOA sec. 129(b)(2)(D) and 20 CFR part 681, including:
 - Supporting the ability of participants to create household budgets, initiate savings plans, and make informed financial decisions about education, retirement, home ownership, wealth building, or other savings goals;
 - Supporting the ability to manage spending, credit, and debt, including credit card debt, effectively;
- Out-of-area job search assistance and relocation assistance; and
- English language acquisition programs (*see* 34 CFR 463.31) and integrated education and training programs (*see* 34 CFR 463.35).

For purposes of the VR program and similar to basic career services, individualized career services may encompass some of the activities authorized under 34 CFR 361.48(b), which must be provided under an individualized plan for employment for an eligible individual with a disability (e.g., vocational rehabilitation counseling and guidance, vocational and other training services, and rehabilitation technology).

3) Follow-up Career Services (20 CFR 678.430(c), 34 CFR 361.430(c), and 34 CFR 463.430(c))

Follow-up services must be provided, as appropriate, for Adult and Dislocated Worker program participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Counseling about the work place is an appropriate type of follow-up service. States and local areas should establish policies that define what are considered to be appropriate follow-up services for the Adult and Dislocated Worker programs. Follow-up services do not extend the date of exit in performance reporting. For purposes of the VR program, follow-up career services are similar to post-employment services, as defined in 34 CFR 361.5(c)(42), and are provided subsequent to an individual with a disability achieving an employment outcome. Post-employment services, under the VR program, are necessary in assisting an individual with a disability in maintaining, regaining, or advancing in employment, consistent with the individual’s unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

D. Business Services (20 CFR 678.435, 34 CFR 361.435, and 34 CFR 463.435)

The Joint WIOA Final Rule requires the provision of “business services” through the American Job Center network, to support a local workforce development system that meets the needs of businesses in the local area (20 CFR 678.435, 34 CFR 361.435, and 34 CFR 463.435). Through the American Job Centers, applicable one-stop partners develop, offer, and deliver quality business services that assist businesses and industry sectors in overcoming the challenges of recruiting, retaining, and developing talent for the regional economy. To support area employers and industry sectors most effectively, American Job Center staff, including designated partner program staff, must:

- Have a clear understanding of industry skill needs;

- Identify appropriate strategies for assisting employers, and coordinate business services activities across American Job Center partner programs, as appropriate; and
- Incorporate an integrated and aligned business services strategy among American Job Center partners to present a unified voice for the American Job Center in its communications with employers.

Certain career services must be made available to local employers, specifically labor exchange activities and labor market information, as described in 20 CFR 678.430(a)(4)(ii) and (a)(6), 34 CFR 361.430(a)(4)(ii) and (a)(6), and 34 CFR 463.430(a)(4)(ii) and (a)(6). Local areas must establish and develop relationships and networks with large and small employers and their intermediaries. Local areas also must develop, convene, or implement industry or sector partnerships.

Customized business services may be provided to employers, employer associations, and other such organizations. These services are tailored for specific employers and may include:

- Customized screening and referral of qualified participants in career and training services to employers; and
- Writing/reviewing job descriptions and employee handbooks.

Local areas may also provide other business services and implement strategies that meet the workforce development needs of area employers, in accordance with partner programs' statutory and regulatory requirements and consistent with Federal cost principles. Allowable activities include, but are not limited to, developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships).

WIOA also allows customized employer-related services to be provided on a fee-for-service basis. The joint regulations at 20 CFR 678.440, 34 CFR 361.440, and 34 CFR 463.440 clarify that there is no requirement that a fee-for-service be charged to employers, but there is no prohibition against doing so either. However, no fee may be charged for the career services that must be made available to local employers. The Local WDBs, however, should examine available resources and assets to determine an appropriate cost structure for those services for which it is permissible to charge a fee-for-service. The Departments consider any fees earned for these services to be program income, and the one-stop partners must expend the program income in accordance with the partner program's authorizing statute, implementing regulations, and Federal cost principles in the Uniform Guidance.

More detailed information regarding specific business engagement strategies, including Rapid Response (strategies and activities necessary to plan for and respond as quickly as possible following an announcement of a permanent closure, mass layoff, or natural or other disaster which results in mass job loss) and work-based training options (i.e., incumbent worker training and Registered Apprenticeship), will be further addressed in upcoming DOL program-specific guidance.

(Note: This is not an exhaustive list of business services available through the American Job Center network, but is meant to illustrate some of WIOA's flexibilities and services to improve business and employment opportunities. For example, American Job Centers may offer rooms for interviewing, provide human resource consultation services such as succession planning and staffing and retention assistance for small businesses and start-ups, help employers develop career ladders within their organizations, etc.)

6. **Memorandum of Understanding (MOU)**. The MOU is an agreement developed and executed by the Local WDB and the one-stop partners, with the agreement of CEO and the one-stop partners, relating to the operation of the one-stop delivery system (20 CFR 678.500, 34 CFR 361.500, and 34 CFR 463.500). As the management of the American Job Center network is the shared responsibility of States, Local WDBs, elected officials, the WIOA core programs, the required one-stop partners (as defined at 20 CFR 678.400, 34 CFR 361.400, and 34 CFR 463.400), other entities that may serve as additional one-stop partners (as defined at 20 CFR 678.410, 34 CFR 361.410, and 34 CFR 463.410), and American Job Center operators, the Departments expect local areas to use a collaborative and good-faith approach to negotiations and encourage all of these entities to work together in developing an MOU that demonstrates the spirit and intent of WIOA, thereby ensuring the successful integration and implementation of partner programs in American Job Centers.

A. Types of Memorandum of Understanding

To facilitate transparent and flexible agreements, the Departments encourage Local WDBs to develop a single “umbrella” MOU that addresses issues related to the local American Job Center network, its CEO, and all partners. Local WDBs, with the agreement of the CEO, may still enter into separate agreements between each partner or groups of partners; however, the aim of the “umbrella” MOU is to allow partner programs to focus on service delivery and not the process of negotiating several MOUs (20 CFR 678.505(a), 34 CFR 361.505(a), and 34 CFR 463.505(a)).

B. Key Elements of a Memorandum of Understanding.

The MOU is the product of local discussion and negotiation. The Local WDB, with the agreement of the CEO, develops and enters into a signed MOU with the one-stop partners, as described above. MOUs must, at a minimum, describe the services to be provided and contain agreement on funding the costs of services and the operating costs of the system, as well as several other elements outlined in section 121(c) of WIOA and 20 CFR 678.500, 34 CFR 361.500, and 34 CFR 463.500. The MOU must include the following:

- **Services** – The MOU must include a description of the services provided through the American Job Center network, which includes: the method or means of providing partner access to those services; the frequency of program staff's physical presence in an affiliated site, and how specialized one-stop centers, as needed, will be implemented. The MOU also must include a description of the coordinated delivery of services in the system and methods for referring individuals between the one-stop operators and partners for appropriate services and activities.
- **One-Stop Operating Budget** – The one-stop operating budget is the financial

- plan that the one-stop partners, and Local WDB agree will be used to achieve the MOU's goals of delivering services in a local area. The MOU must contain, among other things, provisions describing how the costs of services provided by the one-stop system (including career services and other shared services) and the operating costs of such system will be funded, including the infrastructure costs for the one-stop system (WIOA sec. 121(c)(2)(A)). The one-stop operating budget may be considered the master budget that contains a set of individual budgets or components that consist of two types of costs that are specifically outlined in the statute: infrastructure costs, defined in WIOA sec. 121(h)(4); and additional costs, which consist of shared operating costs and shared services that are related to the operation of the one-stop delivery system (but do not constitute infrastructure costs), described in WIOA sec. 121(i).

The information required to be included in the infrastructure funding agreement (IFA) is found in 20 CFR 678.755, 34 CFR 361.755, and 34 CFR 463.755; and the information required for an interim IFA is described in 20 CFR 678.715(c), 34 CFR 361.715(c), and 34 CFR 463.715(c). The Departments will soon issue joint guidance providing more detailed information on one-stop operating costs.
- Access** – The MOU must include methods to ensure 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 available through the one-stop system.
- Referral** – The MOU must include methods for referral to appropriate services and activities between one-stop operators and partner programs.
- Duration** - The MOU must include provisions specifying its duration and the procedures for amending it. The MOU must contain assurances that it will be reviewed and, if substantial changes have occurred, be renewed. The MOU must be renewed not less than once every three years.
- Other Contributors** - The MOU must also include contributions made to the one-stop system through other avenues, such as donations made by a non-partner entity (e.g., a local business donating computers for a learning lab). Third-party in-kind contributions made to supplement the operation of the American Job Center must also be documented.
- Modification process** - The MOU must include a description of the process for amending it. (See section C. below).
- Signatories** – The MOU must contain signatures of the CEO, Local WDB director, and authorized representatives of each partner program.
- Appeals** - If a one-stop partner's appeal to the State regarding infrastructure costs, results in a change to the one-stop partner's infrastructure cost contributions, the MOU must be updated to reflect the final one-stop partner infrastructure cost contributions.

C. **Modification of the Memorandum of Understanding.** The joint regulations at 20 CFR

678.500(b)(5), 34 CFR 361.500(b)(5), and 34 CFR 463.500(b)(5) require the MOU to contain a description of the procedures for amending it. Further, 20 CFR 678.500(b)(6), 34 CFR 361.500(b)(6), and 34 CFR 463.500(b)(6) require renewal of the MOU in certain circumstances. Renewal of an MOU requires all parties to review and agree to all elements of the MOU and re-sign the MOU. Amendment or modification of the MOU only requires the parties to review and agree to the elements of the MOU that changed.

Just as the Departments expect local areas to use a collaborative and good-faith approach with respect to negotiating the development of the MOU, the same is expected with respect to its modifications. Non-substantive changes to the MOU, such as minor revisions to the budget or adjustments made due to the annual reconciliation of the budget, do not require renewal of the MOU. These changes may occur through the local MOU amendment procedures established at the local level (20 CFR 678.500(b)(5), 34 CFR 361.500(b)(5), and 34 CFR 463.500(b)(5)). Substantial changes, such as changes in one-stop partners, or a change due to the election of a new CEO, will require renewal of the MOU (20 CFR 678.500(b)(6), (d), and (e); 34 CFR 361.500(b)(6), (d), and (e); and 34 CFR 463.500(b)(6), (d), and (e)).

A change to the MOU due to the election of a new CEO would ensure that the newly-elected official is aware of the local one-stop partners, as well as the terms and conditions of the MOU.

When the local area has created a new IFA, the MOU must be updated in accordance with 20 CFR 678.500(e), 34 CFR 361.500(e), and 34 CFR 463.500(e). For example, a partner's appeal to the State regarding infrastructure costs that results in a change to the one-stop partner's infrastructure cost contributions requires updating the MOU.

Updating the MOU does not require renewal of the MOU.

- 7. One-Stop Operator/Competition.** A one-stop operator is the entity or consortium of entities that coordinates the service delivery of required one-stop partners and service providers, and that is selected consistent with the requirements of section 121(d) of WIOA (20 CFR 678.600 through 678.635, 34 CFR 361.600 through 361.635, 34 CFR 463.600 through 463.635). WIOA requires the selection of a one-stop operator through a competitive process, consistent with the Uniform Guidance. Competition provides the best method of ensuring that Local WDBs examine operator effectiveness on a periodic basis. Additionally, regular competition allows Local WDBs to make improvements based on their one-stop certification process, particularly in regards to the role of the operator and other service delivery performance and performance metrics that may shift or change as one-stop partners and the Local WDBs update their MOUs.

The Joint WIOA Final Rule requires that States follow the same policies and procedures they use for procurement with non-Federal funds, and requires Local WDBs to use a competitive process consistent with the Uniform Guidance at 2 CFR part 200, including the DOL-specific requirements at 2 CFR part 2900, and the Local WDBs' local procurement policies and procedures that are consistent with the Uniform Guidance. The Uniform Guidance may be found here: <http://www.ecfr.gov>. Additionally, the Joint WIOA Final Rule requires that a competitive process be conducted at least once every four years. The requirement to use a competitive process for one-stop operator selection is found in section 121(d)(2)(A) of WIOA. While the Local WDB must select the one-stop operator through a competitive process at least once every four years, a State may require, or a Local WDB may choose to implement, a

competitive selection process more often than once every four years. DOL will soon issue guidance providing more detailed information on the one-stop competition requirements.

8. **One-Stop Operating Costs.** The one-stop operating budget consists of two types of costs -- infrastructure costs and additional costs (which must include career services and may include other shared costs and shared services). WIOA introduced mandatory funding agreements, with particularly detailed requirements for the funding of infrastructure costs (20 CFR 678.700, 34 CFR 361.700, and 34 CFR 463.700). To help the local areas develop their infrastructure costs budgets, the Governor is required to issue guidance on one-stop infrastructure funding. Infrastructure costs are defined as non-personnel costs necessary for general American Job Center operations, including facility rentals, utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the American Job Center (including planning and outreach), and may include costs associated with the common identifier (i.e., American Job Center signage) and supplies, as defined in the Uniform Guidance at 2 CFR 200.94, to support the general operation of the one-stop center. This list is not exhaustive.

All one-stop partner programs are required to contribute to the infrastructure costs and certain additional costs of the one-stop delivery system in proportion to their use and relative benefits received, as required in 20 CFR 678.700 and 678.760, 34 CFR 361.700 and 361.760, and 34 CFR 463.700 and 463.760. The sharing and allocation of infrastructure costs between one-stop partners is governed by WIOA sec. 121(h),

Native American programs are not required to contribute to infrastructure funding but, as required one-stop partners, they are encouraged to contribute. Any agreement regarding the contribution or non-contribution to infrastructure funding by Native American programs must be recorded in the signed MOU (WIOA sec. 121(h)(2)(D)(iv)).

The Departments will soon issue joint guidance providing more detailed information on one-stop operating costs.

9. **American Job Center Certification.** WIOA requires the State WDB, in consultation with CEOs and Local WDBs, to establish objective criteria and procedures to use when certifying its American Job Centers (20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800). The certification process establishes a minimum level of quality and consistency of services in American Job Centers across a State. The certification criteria allow States to set standard expectations for customer-focused seamless services from a network of employment, training, and related services that help individuals overcome barriers to obtaining and maintaining employment.

The State WDB must establish objective criteria and procedures for the Local WDBs to use in evaluating the effectiveness, physical and programmatic accessibility, and continuous improvement of American Job Centers. Local WDBs must follow procedures and criteria established by the State WDB and certify its American Job Centers and its American Job Center network at least once every three years (20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800); this includes comprehensive, as well as affiliate American Job Centers. Local WDBs may establish additional criteria relating to service coordination achieved by the one-stop delivery system. For example, this may include establishing more flexible business hours to meet the range of customer needs or increasing staff competencies to promote higher level

service coordination to more vulnerable populations. Both the State WDB and Local WDB must review and update the criteria every two years as part of the review and modification of the State and local planning process. The Departments expect that all local area core program partners will complete the certification process using the State-developed criteria and procedures by the end of Program Year (PY) 2016 (June 30, 2017).

A. Example of One-Stop/American Job Center Certification Criteria.

The joint regulations at 20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800 describe the specific requirements for the certification process. The Departments will not issue further requirements for certification and will not issue a single national certification checklist. However, below are some previously-used criteria that might guide the development of WIOA one-stop certification standards:

- The use of customer-focused processes such as integrated and expert welcoming and intake for all customers who enter the American Job Center, that consider how front-desk staff and counselors provide seamless and coordinated customer-centered services.
- The frequency and quality of cross-training from differing programs to share expertise about integrated customer flow, needs of specific populations, business engagement expertise, or understanding of different programs offered in the American Job Center and in the community.
- The extent to which staff members can work together across programs on similar functions.
- Regular processes for examining what processes are in place for identifying and responding to technical assistance needs.
- Regular processes of continuing professional staff development to promote high quality staffing.
- The extent to which systems are in place to capture and respond to specific customer feedback.

B. Physical and Programmatic Accessibility.

Evaluations of physical and programmatic accessibility must include how well the American Job Center ensures equal opportunity for individuals with disabilities to participate in or benefit from American Job Center services.

Physical accessibility refers to the extent to which facilities are designed, constructed, or altered so they are accessible and usable by individuals with disabilities. Evaluations of physical accessibility should take into account both external accessibility and internal accessibility. For example, evaluations of external accessibility could include a review of the availability of transportation to the American Job Center and access into the site location via ramps consistent with the Americans with Disabilities Act's (ADA) standards. On the other hand, an evaluation of internal accessibility could include a review of the center's access to bathrooms, adjustable work stations, and appropriate signage, including signage to meet multilingual needs common to the specific region of the State.

Programmatic accessibility refers to the extent to which the full range of services is available to all one-stop customers regardless of disability or cultural background. The

implementing regulations of section 188 of WIOA require that American Job Centers provide programmatic accessibility. As such, American Job Centers must provide reasonable accommodations for individuals with disabilities, administer programs in the most integrated setting appropriate, communicate with persons with disabilities as effectively as with others, and provide appropriate auxiliary aids or services (29 CFR 38.7-38.9).

The evaluations of effectiveness must include criteria evaluating how well the centers and delivery systems take actions to comply with disability-related regulations implementing WIOA section 188. In addition to ensuring compliance with WIOA and the ADA, accessible American Job Centers maximize usage by, and benefit, all customers. The use of universal design and human-centered design often benefit all customers accessing services. For example, closed captioning provides a critical link to information for individuals who are deaf or hard-of-hearing, but can also be a link for those without deafness sitting in the same noisy lobby to get updates. For additional exemplary customer service and service design principles and resources on accessibility, see DOL's Training and Employment Notice (TEN) No. 01-15, *Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide*³ and ETA's Disability and Employment Community of Practice.⁴ Also see the evaluation of American Job Center accessibility (20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800).

- 10. Common Identifier.** Section 121(e)(4) of WIOA requires each one-stop delivery system to use a common identifier on all products, programs, activities, services, electronic resources, facilities, and related property and new materials. States and local areas are also permitted to use any State- or locally-developed identifier.

The Departments established the “American Job Center” network, a unifying name and brand, that identifies online and in-person workforce development services as part of a single network of publicly-funded services (20 CFR 678.900, 34 CFR 361.900, and 34 CFR 463.900).

The one-stop delivery system must use either that common identifier as its name, or use the tag line phrase “a proud partner of the American Job Center network.” Either the plain text or one of the logos may be used. If a logo is used, it must be used in accordance with the guidelines contained in the Graphics Style Guide for Partners, and with the terms of use for the logos, all of which are available at <https://www.dol.gov/ajc>.

DOL provides a toolkit on the <https://www.dol.gov/ajc> and on the Innovation and Opportunity Network (ION) <https://ion.workforcegps.org/resources/2016/09/30/12/11/AJC-Common-Identifier-and-Branding> so that states and local areas can proactively identify one-

³ For additional information, visit http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3182. The direct link to the *Disability Reference Guide* is located at <https://www.dol.gov/oasam/programs/crc/Section188Guide.pdf> <https://www.dol.gov/oasam/programs/crc/Section188Guide.pdf>

⁴ For additional information, visit <https://disability.workforcegps.org>.

stop centers as "American Job Centers" in outreach materials, Web sites, and other communications. The toolkit can be used as an easy way for job seekers and employers to locate, recognize and access workforce development services, and are appropriate for physical one-stop centers or Web sites. DOL announced the American Job Center brand first in Training and Employment Guidance Letter No. 36-11, available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7695, and DOL and ED required its use in the Joint WIOA Final Rule (20 CFR 678.900, 34 CFR 361.900, and 34 CFR 463.900).

Key Dates: The timeframe for adopting the required rebranding varies depending on the type of material. The Joint WIOA Final Rule at 20 CFR 678.900(b), 34 CFR 361.900(b), and 34 CFR 463.900(b) requires: "As of November 17, 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 primary electronic resources used by the one-stop delivery system, and on any newly printed, purchased, or created materials. The Joint WIOA Final Rule at 20 CFR 678.900(c), 34 CFR 361.900(c), and 34 CFR 463.900(c) further requires: "as of July 1, 2017, 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, electronic resources, facilities, and related property and new materials used in the one-stop delivery system." Finally, as the Departments stated in the Preamble to the Joint WIOA Final Rule, "[T]he Departments will not object if the one-stop centers continue to use materials not using the 'American Job Center' branding which are created before November 17, 2016 until those supplies are exhausted."

11. **Action Requested.** State agencies, State WDBs, Local WDBs, and one-stop partner programs must follow the requirements described in this guidance, consistent with the specific requirements of the partner programs' statutory authority, as they develop their policies and procedures related to the operation of the one-stop service delivery system.
12. **Inquiries.** Please direct questions and comments regarding this guidance to the appropriate ETA regional or national office or through the ETA email address established for this purpose: DOL.WIOA@dol.gov. ETA monitors this account daily, and may respond to inquiries directly or through general communications such as official guidance, webinars, and public Q&A documents. Questions and comments from ED-funded grantees may be directed to the appropriate RSA State Liaison or OCTAE Area Coordinator.
13. **Attachments.**
Attachment I: References
Attachment II: Coordination with Partner Programs