

## **I. Purpose**

To provide guidance to Tennessee's process and procedures for evaluating and certifying One- Stop Centers under the Workforce Innovation and Opportunity Act (WIOA).

## **II. References**

Public Law 113-128 WIOA of 2014, as amended (29 U.S.C. 3101 et seq.), Section 121(g), Notice of Proposed Rule Making (NPRM) WIOA Regulations, 20 CFR 603,651,652,653,654,658,675,679,689, 680 - 687 (August 19, 2016), Office of Management and Budget (OMB) cost principles codified in 2 CFR Part 220, CFR 225 and CFR 230; TEN 42- 15, Change 1; TEGL 4-15, 678.800, 678.305(d).

## **III. Background**

Tennessee's workforce development system requires that the State Workforce Development Board provides guidance for the Partners, Local Workforce Development Boards, American Job Center Operators, and Service Providers regarding workforce system design and implementation. The purpose is to ensure that the system achieves excellent customer service, good return on investment, and positive economic impact. The ultimate goal is to transform the workforce system by: expanding employer services; improving the education and skill sets of job seekers and students; and demonstrating continuous improvement in high value placements and targeted education outcomes for job seekers and employers.

One-Stop centers are the portals to our State's Workforce System that provides a broad array of career services and resources. They are designed to help individuals acquire the skills necessary to gain meaningful employment and assist businesses in accessing the talent pipeline that meets their human capital needs and fuels economic growth. Under the Workforce Innovation and Opportunity Act (WIOA), State and local partners share common performance goals and are mandated to collaborate in developing and implementing a one-stop delivery system where services are designed with the customer in the center, resources are leveraged for maximum efficiency, and continuous improvement is the hallmark.

Tennessee's Certification Policy requires: an evidence-based system of functional design; service delivery models which lead to effectiveness; physical and programmatic

accessibility in accordance with WIOA Section 188 and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101et seq.); and evidence-based processes and procedures established by the State Workforce Development Board (SWDB). The certification process itself will assure that the Local Workforce Development Boards (LWDBs) shall oversee the delivery of employment and training programs in their communities, and ensure all are operating at the highest level of effectiveness and sustainability.

The State Workforce Development Board and Workforce System Partners have carried out the following:

- Created a Focused Partnership Team
- Developed an Integrated System Vision
- Developed a Focus Team Action Plan
- Developed and Implemented a Combined State Plan
- Implementing Statewide Procurement of One-Stop Operator
- Ensured System and Center Certification under WIOA
  - Regional Assessments
  - Accountability Measures
  - Increasing Transparency
  - Fostering Integration and Sufficiency

The action steps to evaluate the Local Workforce Systems are as follows:

- Prepare and Carry Out o Self-Assessment
- Submit Notice of Intent to Apply for Certification to SWDB
- Prepare a WIOA Certification Application and Submit to SWDB
- Certification Review Team Carry Out a WIOA Certification Application Review
- Certification Review Team Submits Review Results to SWDB\*
- SWDB Makes Formal Certification Decisions\*

#### **IV. Statewide Certification Criteria**

It is the responsibility of each Local Workforce Development Board (LWDB) to certify AJCs in each area, but it is the role of the State Workforce Development Board to establish criteria and procedures for certification. Note: In areas where the LWDB functions as the Site Operator, per proposed 20 CFR 678.800(aX3), the State Workforce Development Board (SWDB), rather than LWDB Certification Team, must certify the one-stop site to ensure that the process is conducted objectively. During transitional activities, the SWDB must certify one-stop systems when the LWDB is the One-Stop Operator in accordance with Section 678.800(aX3). This criteria must allow LWDBs to

use additional factors in order to respond to conditions and trends in the : labor market, economy, and demographics in the local area.

The SWDB and LWDB criteria shall consist in three major characteristics of a well-designed and implemented system are:

### 1. One-Stop Design

- Functional and Programmatic Integration
- Accessibility
- Partnership
  - Cross Partner Alignment of Career and Training Services
- Employer Engagement
  - Business Services and Communications
- Human Capital
  - Professional Development Investments
    - Opportunities for Advancement
  - Continuity across Partners
    - Shared Systems and Warm Handoffs
  - Functional Alignment
    - Streamline Intake, Case Management, Follow-up
  - Credentials and Re-certifications
    - Intellectual Property
- Branding and Shared Outreach

### 2. Infrastructure

- Identification of Shared Costs (including non-personnel)
  - One-Stop Sites and Co-location
  - Shared Services Costs
  - Equitable Infrastructure Costs (Services)
- Documentation of Infrastructure Costs
  - Proportionate Infrastructure Payments
  - Facilities Costs (Rent, Utilities, Maintenance, etc.)
  - Equipment Costs
  - Approved Budget(s)
- Program and Fiscal Compliance
  - Fiscal Policy
  - Fiscal Transparency and Efficiency

### 3. Performance Accountability

- Cost-Per and Market Penetration Ratios
- Community Cost/Benefit, Earnings, and Spending

- In-Demand Skills
  - Labor Market Penetration and Placements
- Continuous Improvement
  - Cycle Time Reductions and Negotiations
- Technology Alignment with Core and Partners

The certification process gives the LWDB the opportunity to make a formal assessment of the workforce system based on the established standards in the Certification Application. Certification will help ensure a consistent level of quality in the services provided in the Region and the LWDA. The LWDB with the agreement of the chief elected official for the local area will also enter into a memorandum of understanding (MOU) agreement on governance and certification of the Operator and the AJC's One-Stop systems. The LWDB's role is primarily one of governance, negotiation and quality control. It is essential to remember that each Operator is a reflection of the standards that have been established by the LWDB and the State.

\*In addition to the criteria listed above, the local board may develop additional criteria (or higher levels of service coordination) than required in the State-developed criteria as long as the basic standards mentioned above are in place. For additional details on the criteria for functional alignment above, please refer to the Service Integration Policy posted on our Web site at <http://www.tn.gov/assets/entities/labor/attachments/7WSServiceIntegration.pdf>.

## **V. State and AJC Certification Steps**

### **Self-Assessment (Attachment A)**

The certification process begins with a pre-application phase for local areas to conduct self- assessments against the certification criteria. Self-assessment is one of the most important and productive components of the certification process as it serves multiple purposes beyond assessment alone. It creates an opportunity to bring all system partners together to engage in meaningful discussion and exchange, and thus serves as a learning activity for system partners. As they engage collaboratively in the self-assessment process, partners should take the opportunity to fully map system services and resources and identify areas of duplication and inefficiency. Self-assessment results also to serve as the basis for the system's corrective action and continuous improvement planning prior to entering the certification application process. At the State level, system's self-assessment results may be aggregated to identify common and widespread areas of need and then prioritize statewide technical assistance support accordingly.

### **Notice of Intent to Apply (Attachment B)**

Once the local area has completed the self-assessment - determining that it is ready to apply for certification - the next step is to submit its Notice of Intent to Apply for certification to the SWDB. This initial notice will help the SWDB anticipate the number of local areas that might be applying for certification. Local areas that intend to seek certification are asked to submit their Notice of Intent to Apply within 30 days of receipt of this policy. This will also allow the SWDB to assemble the appropriate members on the Certification Review Team.

### **Certification Application (Attachment C)**

Following submission of the Notice of Intent to Apply for certification, all AJC partners should work collaboratively to develop their certification application package. In order to request a certification application review, submit the following components to the Workforce Services Division, TN Department of Labor and Workforce Development:

- A. A complete Notice of Intent to Apply, jointly signed by the lead CEO and the membership of the Regional Planning Council;
- B. An assessment of the region, including the sector strategies for the region, the workforce development needs of the key employers (or a plan to identify them), and a plan for how the system will address those identified needs for the following two-year period;
- C. A completed WIOA Certification Application;
- D. A memorandum of understanding signed by all partners;
- E. The complete results of the system's pre-certification self-assessment, which should include relevant discussion of how any deficiencies identified during the initial Self- Assessment have been addressed in advance of the certification review.

As part of its certification package, local areas are encouraged to submit any additional materials that may assist the reviewer(s) in his/her preparation for the certification review. These materials may include the system's strategic plan, business/operations plan, a sample of recent employer and job seeker customer feedback, and/or other documents.

## **VI. Review Process of the Certification Application**

### **Application Review/Reviewer Assignment**

Once the local area submits its certification application package to the Workforce Services Division (WFS), the Certification Review Team reviews the application for thoroughness and completeness and requests any additional information from the local area. The WFS will be responsible for ensuring on-site coordination between the area and the Certification Review Team. This schedule should be agreeable to all stakeholders in the process and includes a desk review as well as an onsite review.

### **Review and Certification Recommendation**

The local area review and certification recommendation process includes the following principles and activities:

- A. The Certification Review Team conducts a desk review (based on the local area's application package) and supplementary research on the local area in advance of its on-site visit. This desk review will be conducted following the receipt of the certification application package.
- B. The on-site visit comprises the majority of the certification review process. The on-site visit and certification recommendation report will be completed following the desk review. The on-site review will be as minimally disruptive to system operations as possible and, if feasible, will take place in one full day (but could require more than one day). The on-site review will include, at a minimum:
  - i. A walk-through of various parts of the system, as a customer might experience the service delivery flow and referrals;
  - ii. Interviews with system staff, including all system partners (personnel from the management level to the front-line service delivery level);
  - iii. Interviews with a sample of employer and job seeker customers;
  - iv. A review of the system's general materials (i.e.: outreach and orientation materials, media, and activities; workshop and meeting offerings; and system and Center calendars, as appropriate);
  - v. A review of the system's facilities, layout, and infrastructure, with a goal of customer accessibility and customer flow; and

- vi. Any additional on-site review needed to validate status against the certification standards (i.e.: review of system governance policies and practices, training and professional development plans and activities, customer feedback mechanisms, etc.)
- C. The certification reviewer(s) will meet immediately following the on-site review to come to consensus on its observations, identify any additional information required to make a certification recommendation, and define preliminary recommendations.
- D. The reviewer(s) will be prepared to conduct a debrief/exit interview with key system management and staff to share his/her findings and preliminary recommendations, either in person or virtually, as quickly as possible following the on-site visit.
- E. If it is determined that additional information or follow-up questions are needed, a reviewer will contact the area by phone or email as quickly as possible following the on-site visit.
- F. The certification reviewer(s) will collaboratively prepare a formal written recommendation immediately following the system on-site visit and submit that recommendation simultaneously to the system and to the SWDB. Should the system not meet the requirements for certification, the notification will include detailed and specific recommendations for improvement and technical assistance.
- G. The SWDB will be responsible for considering the Certification Review Team's recommendations at its next meeting. If the SWDB decides to recommend certification to the Governor, the decision will be shared with the WFS for its action during the SWDB meeting.
- H. A formal, written decision will be shared with the applying system within 15 days following the SWDB meeting.

## **VII. Certification Approval Agreement**

Once certification has been awarded, the local area and LWDB must enter into a standardized, formal agreement with each certified One Stop Operator. At a minimum, this agreement should include the following:

- Parties to the agreement
- Duration of agreement

- Definition of Roles /Responsibilities of Each Party
- Mission and Vision of Local System
- Maximum Liability
- Performance Standards/Outcomes
- Breach of Contract
- Modification of Agreement
- Process of Re-certification

This document should be flexible so that it can be reviewed and updated as necessary during the course of the agreement period.

**Review Process of Certification Denial**

A local area must re-apply for certification of its One-Stop system within 30 days. This must include a revised application and action plan detailing corrective steps to achieve certification.



Title: SMTLWDB Policy

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Effective Date: January 31st, 2019

Duration: Indefinite

Authorized By:

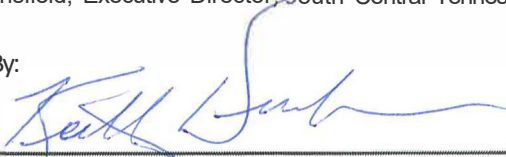


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Jerry Mansfield, Executive Director, South Central Tennessee Development District

Date

Approved By:



12/21/2018

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Keith Durham, Board Chair, Southern Middle Tennessee Local Workforce Board

Date