

Memorandum of Understanding (MOU) for Local Service Delivery

Kip Crist, Grants Administrator, ODJFS – Workforce Development

Raye Riley, Grants Administration Unit, ODJFS – Workforce Development

Tom Hutter, Project Manager, ODJFS – Workforce Development

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MOU for Local Service Delivery

Background

The Workforce Investment Act (WIA) of 1998 established the requirement for One-Stop Systems to enter into an MOU with their chief local elected officials, local workforce board and One-Stop partners.

The WIA MOU outlined the services to be provided, how the costs of such services and operating costs of the system will be funded, the methods of referral between partners for individuals receiving services, the duration of the MOU and amendment process, along with other provisions consistent with the requirements under WIA.

MOU for Local Service Delivery

Background

In essence, the local negotiation of the MOU is the planning process and the actual MOU is the blueprint for how a local area One-Stop system will operate and provide services to individuals and business.

The local One-Stop Operator is responsible for conducting the MOU negotiations and ensuring input and coordination among the partners.



MOU for Local Service Delivery

Background

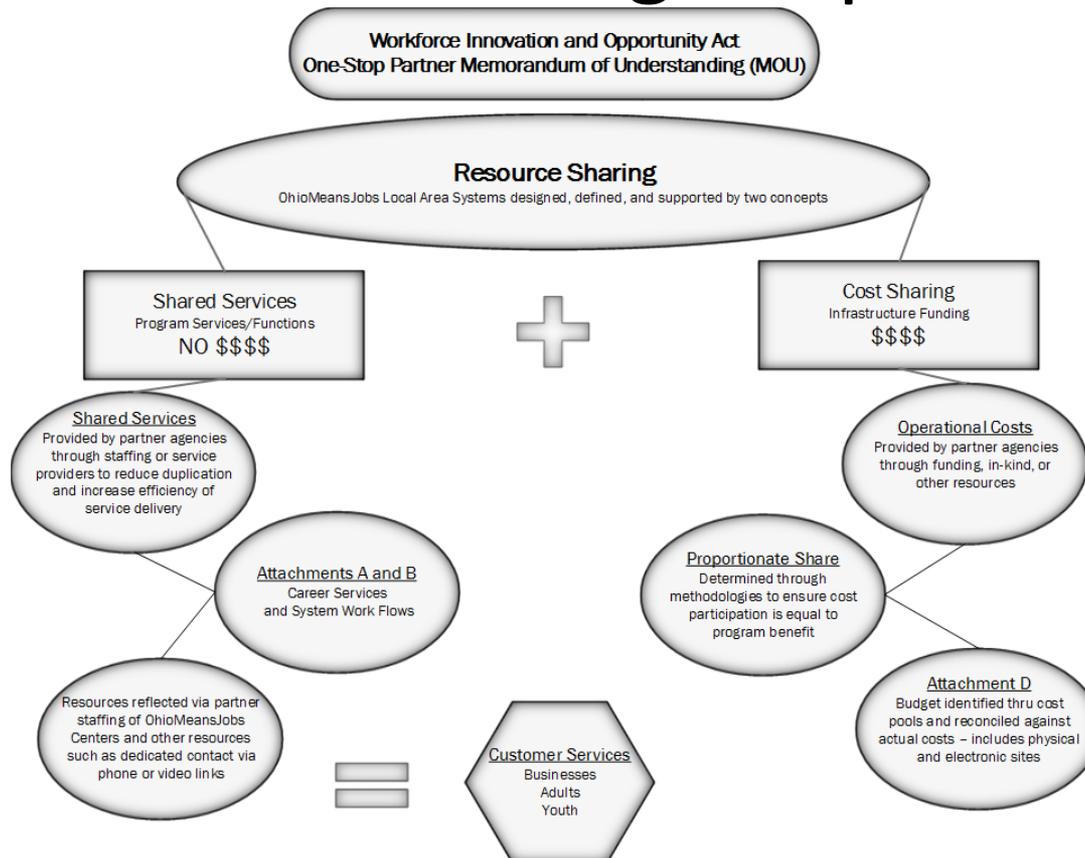
The WIA MOU established basic concepts and principles to be adhered to during partner negotiations:

- Resource Sharing (includes Shared Services and Cost Sharing)
- Partner programs will bear their equitable proportion of shared costs based on the benefit received by that program
- Use of Fair Share (or Proportionate Share) Methodologies to determine partner costs



MOU for Local Service Delivery

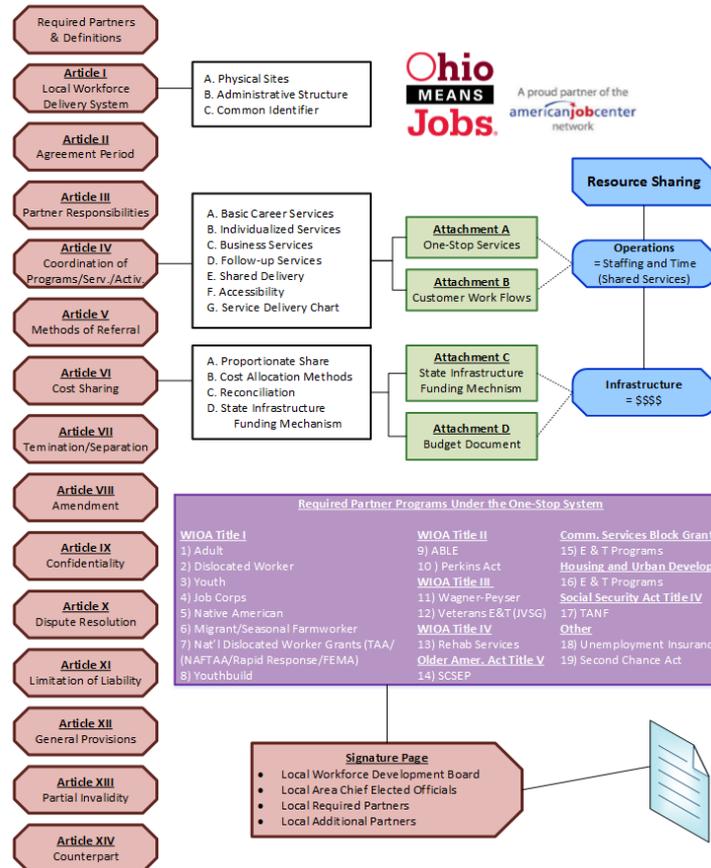
Resource Sharing Simplified



MOU for Local Service Delivery

Where
and how
Resource
Sharing is
outlined in
the MOU

OhioMeansJobs (OMJ) One-Stop System Memorandum of Understanding



MOU for Local Service Delivery

What's new in the MOU from WIOA?

In addition to the WIA MOU standard requirements (slide 2) the following new requirements have been added:

- A description of the state infrastructure funding mechanism (Attachment C in the MOU)
- Methods to ensure the needs of individuals with barriers to employment are addressed in providing access to services
- Assurance that the MOU will be reviewed and renewed, as needed, not less than once every two years

MOU for Local Service Delivery

What's also new in the MOU?

- Updates to terminology and definitions
- Using “Affiliate” and “Comprehensive” in place of Level 1 and Level 2 and adding “Specialized Centers”
- “OhioMeansJobs” centers in place of “One-Stop” centers
- Adding definitions, including “Career Services”, “Fiscal Agent”, “Individuals with Disabilities”, “Infrastructure Costs”, “State Infrastructure Funding Mechanism”

Article I: Local Workforce Development System Description

A. Overview and General Description

- Counties in the local workforce development area
- Number of comprehensive, affiliate, and specialized OhioMeansJobs centers
- Locations and hours of operation

B. Administrative structure

- Identifies and describes the roles of ODJFS, chief elected officials, local board, fiscal agent, and OhioMeansJobs center operator(s)

C. Common Identifier

- Branding requirements under WIOA and the Ohio Revised Code

Article II: Agreement Period



- 2017 – MOU will be for a one-year period
- 2018 – Back on track for two-year periods consistent with the state fiscal biennium

Article III: Partner Responsibilities

A. Responsibilities listed in WIOA Section 121(b)

- Access to partner programs through local workforce system
- Use a portion of funds to provide career services and to maintain local system
- Participate as a party to the MOU
- Participate in the operation of the local system
- Provide representation on local and state boards

B. Additional responsibilities

- Veterans Priority of Service
- Access to individuals with disabilities
- Follow procedures in local, regional, and state plans for WIOA Section 188 nondiscrimination compliance
- Notice to local board and OWD if rule changes impact role/responsibilities under MOU
- Compliance with OhioMeansJobs center policies
- Cooperation with efforts for integrated system
- Cooperation with data collection for performance evaluation
- Cooperation with regional planning and service delivery



Article IV: Coordination of Programs, Services, & Activities – Overview

- Description of how the parties will work in cooperation to streamline and coordinate services and prevent duplication
- Identify the career services provided through the local workforce development system
- Describe how the partners will serve participants eligible for more than one partner program, including follow-up services
- Identify strategies to ensure that access to services through the local workforce development system meets the needs of adult workers, youth, and individuals with barriers to employment—including those with disabilities
- Shared Services grid that shows each partner’s proportionate share of staff time for each shared service
- Shared Services summary that provides a snapshot of the services each partner will provide at each site, the hours and days per week each partner will contribute, and the service delivery method



Article IV: Coordination of Programs, Services, & Activities – Shared Services

- Shared services are those that will be provided by the partners in proportion to the benefit received by each partner’s program
- For each shared service, the parties will determine the number of hours each week the services must be provided at each center and the number of staff required to ensure the service is accessible to all customers/participants
- The parties will negotiate a method to measure the benefit received by each partner’s program and determine the number of staff that each partner must provide for each service
- Partners’ staff time will serve as “payment” of each partner’s share
- No partner may contribute more than its proportionate share of staff
- For services not shared, the parties must describe how those services will be provided in Article IV, and detail how the services will be funded in Article VI: Cost Sharing



Article V: Methods of Referral

Identify and describe the methods and processes that will be used to refer local system customers to partner programs



Article VI: Cost Sharing - Overview



- Identification of shared costs
- Cost allocation base/methodologies to determine and calculate proportionate share
- Resources partners will use to fund their proportionate shares of costs
- Reconciliation and payment process
- State infrastructure funding mechanism
- Grids that summarize shared costs and cost allocation



Article VI: Cost Sharing

Identification of shared costs

- Infrastructure and other shared costs
- Includes grid with function and benefit statement
- Other shared costs generally listed – will depend on shared services and design of the local system and may include:
 - Costs for providing career services
 - Common costs not included in infrastructure costs



Article VI: Cost Sharing

Cost Allocation

- Identify cost pools – How accrued costs will be accumulated until allocated
- Allocation base/method – How partner benefit/use will be measured to calculate partners' proportionate shares of costs
- Cost allocation – charging each partner its proportionate share of each cost
- Each partner program that benefits from a cost must pay its proportionate share of that cost
- No partner may pay more than its proportionate share of costs



Article VI: Cost Sharing

Reconciliation

- Local fiscal agents need to identify concerns/issues and what is needed from the partners to address those issues
- Process is listed, but can be modified or replaced depending on local needs
- Must still include timeframes for any needed information from partners and for payment
- Should also include process to address disputed invoice costs



Article VI: Cost Sharing

State Infrastructure Funding Mechanism

- Included as an attachment
- Timeframe to reach consensus on infrastructure costs
- Other shared costs must still be negotiated
- WIOA mandates collection from required partners
- Local Boards must collect directly from additional partners
- Each partner program that benefits from a cost must pay its proportionate share



Article VII: Termination/Separation

- Identify the conditions that will result in termination of the MOU
- Timeframe for partner notice of separation from the MOU
- Effect of partner termination
- Partner disqualification – How to address a situation when a partner entity no longer administers a partner program



Article VIII: Amendment

- Identifies the conditions that will require a formal amendment
- Describes the amendment process
- Includes assurances that partners will notify staff of changes
- Includes timeframe for amendments that require signatures of all partners
- Amendments to budgets will include an amendment with narrative of changes, reasons, and signatures
- Amendment template will be posted with MOU template on our website



Article IX: Confidentiality



- WIOA and all partner programs have confidentiality rules specific to their program
- Partners need to consider confidentiality concerns during negotiations and raise any concerns that arise
- MOU lists safeguards generally applicable to confidential data under federal and state laws
- Also lists federal and state confidentiality laws and regulations for partner programs



Article X: Dispute Resolution

- Process negotiated by the parties to resolve disputes in current or future negotiations
- Identifies the ODJFS' role and responsibilities with respect to local MOU disputes
- Includes timeframes to resolve



Article XI: Limitation of Liability

Each party is responsible for its own acts or omissions



Article XII: General Provisions

Federal and state laws and regulations generally applicable to all required partner programs



Article XIII: Partial Invalidity



Should a change in an applicable law or regulation make any provision of the MOU impossible to perform, the remaining provisions will stay in effect unless the impacted provision renders it impossible.



Article XIV: Counterpart

Allows scanned or copied signatures to be treated as originals

Attachment A: Career Services

- Lists and defines all career services
- Definitions are straight out of WIOA
- Can be refined as needed

Attachment B: Customer Work Flows



Diagram and/or narrative that shows how customers are served through the local workforce development system

Attachment C: State Infrastructure Funding Mechanism

- Addendum to the state infrastructure mechanism policy
- Explains how required partners' proportionate share of costs will be determined
- Describes invoice, collection, and allocation process
- Includes timeframes

Attachment D: Budget Document



- Has yet to be updated
- Need feedback from local areas
- Prefer all comments/suggestions by November 20
- Aiming to post an updated template by the end of January

Questions?

Raye Riley

- **614-466-9890**
- **Raye.Riley@jfs.ohio.gov**

Kip Crist

- **614-466-7291**
- **Kip.Crist@jfs.ohio.gov**

Tom Hutter

- **614-466-9466**
- **Tom.Hutter@jfs.ohio.gov**