

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION  
WASHINGTON, DC 20202-2800

TECHNICAL ASSISTANCE CIRCULAR

RSA-TAC-17-02

DATE: January 18, 2017

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES  
STATE REHABILITATION COUNCILS  
TECHNICAL ASSISTANCE CENTERS  
AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICE  
PROJECTS  
CLIENT ASSISTANCE PROGRAMS

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

PURPOSE:

This Technical Assistance Circular (TAC) 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 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.

## TECHNICAL ASSISTANCE:

### **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.

### **American Job Center Network**

#### *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 later in this TAC. 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.

### *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.

### *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.

### *Affiliated 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.

#### *Co-location of Wagner-Peyser Act Employment Service (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.

## **Partner Roles and Responsibilities in the American Job Center Network**

### *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.

### *Required and Additional One-Stop Partner Programs*

The list below identifies the required one-stop partner programs, followed by a section on the additional partners. Attachment I of this TAC 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 DOL programs

- Adult (WIOA title I formula)
- Dislocated Worker (WIOA title I formula)
- Youth (WIOA title I formula)
- YouthBuild (WIOA title I)
- Indian and Native American Programs (WIOA title I)
- National Farmworker Jobs Programs (NFJP)/Migrant and Seasonal Farmworker Programs (WIOA title I)
- Senior Community Service Employment Program (title V of the Older Americans Act of 1965)
- Trade Adjustment Assistance activities (Trade Act of 1974, as amended)
- Jobs for Veterans State Grants (Chapter 41 of title 38)
- Unemployment Compensation programs
- Wagner-Peyser Act ES, as authorized under the Wagner-Peyser Act, as amended by WIOA title III
- 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)

#### Required ED programs

- AEFLA program (WIOA title II)
- State VR program, authorized under title I of the Rehabilitation Act of 1973, as amended by WIOA title IV
- Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006

#### Required HHS programs

- Programs authorized under the Social Security Act title IV, part A (TANF)

- Community Services Block Grant Employment and Training activities (Community Services Block Grant Act)

Required Department of Housing and Urban Development (HUD) programs

- 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);
- 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.

### *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.

#### 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 HUD<sup>1</sup>; 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

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<sup>1</sup> HUD Approved Housing Counseling Agencies, <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>

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 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).

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).

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.

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.)

## **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.

### *Types of MOUs*

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)).

### *Key Elements of a MOU*

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.

### *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.

### **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.

## **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.

## **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).

#### *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.

#### *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*<sup>2</sup> and ETA’s Disability and Employment Community of Practice.<sup>3</sup> Also see the evaluation of American Job Center accessibility (20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800).

### **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

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<sup>2</sup> For additional information, visit [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=3182](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>.

<sup>3</sup> For additional information, visit <https://disability.workforcegps.org>.

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-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](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.”

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.

### INQUIRIES:

Carol Dobak, Director, State Monitoring and Program Improvement Division  
(202) 245-7325  
[Carol.Dobak@ed.gov](mailto:Carol.Dobak@ed.gov)

### CITATIONS:

Workforce Innovation and Opportunity Act, Pub. L. 113-128

Workforce Innovation and Opportunity Act Joint Rule for United and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions, 81 Fed. Reg. 55791 (Aug. 19, 2016)

/s/  
Janet L. LaBreck  
Commissioner

Attachment

cc: Council of State Administrators of Vocational Rehabilitation  
National Council of State Agencies for the Blind



## **Attachment 1 – Coordination with Partner Programs**

WIOA places a strong emphasis on planning across multiple partner programs to ensure alignment in service delivery. One key goal is to develop effective partnerships across programs and community-based providers to provide individuals the employment, education, and training services they need. Effective partnering is pivotal to maximize resources and to align services with career pathways and sector strategies.

Career pathways allow for individuals to succeed in an environment that accounts for their current abilities and skill levels and provides them with an appropriate service structure to advance not just within an individual job but within an occupation or occupational cluster.

In order to effectively promote and develop career pathways and sector strategies, it is vital that the WIOA core and one-stop partner programs work together to ensure a customer-centered approach to service delivery. The chart below provides an overview of one-stop partner programs along with possible collaborative activities for enhancing service delivery through the American Job Center:

(Note: This is not an exhaustive list of ways to coordinate activities and service delivery, but is meant to illustrate some examples of collaboration, which improve educational and employment opportunities for all participants.)

### **WIOA Core Programs**

#### *Adult Formula Program (WIOA title I)*

The WIOA Adult formula program provides career and training services through the American Job Center to help job seekers who are at least 18-years old succeed in the labor market. In the provision of individualized career services and training services, WIOA establishes a priority for serving low-income individuals, recipients of public assistance, as well as individuals who are basic skills deficient.

The Adult program's delivery of career and training services are tailored to the individual needs of job-seekers of the American Job Center network. The Adult program is identified as a core program under WIOA and, among other things, is responsible for combined planning, shared performance indicators, and aligned service delivery with other core and one-stop partner programs.

#### *Youth Formula Program (WIOA title I)*

WIOA provides a significant opportunity for coordination across all core and partner programs including planning, reporting, and service delivery. This creates an opportunity for the WIOA Adult program to work closely with the WIOA Youth program to ensure young adults receive the services they need to succeed in education and the workforce. Individuals aged 18-24 may be eligible for both the WIOA Youth and Adult programs and can be co-enrolled in the two programs. ETA encourages the WIOA Adult and Dislocated Worker programs, along with the

Employment Service, to coordinate closely with the WIOA Youth program to maximize flexibility and service delivery to eligible populations. Some examples where enhanced coordination could take place are as follows:

- Referring 18-24 year old individuals to youth formula program if they need more intensive support around specific program elements;
- WIOA allows all Out of School (OSY), ages 16-24, access to Individual Training Accounts (ITAs), which expands training options, increases program flexibility, enhances customer choice, and reduces paperwork for all OSY.
- When using youth funds for ITAs, the Eligible Training Provider List (ETPL) must be used. Accessing the ETPL allows the program to avoid further procurement processes.

ITAs are not available to In School Youth (ISY). However, ISY ages 18 or older may access ITAs through the adult program.

- Utilizing work-based training opportunities for Youth program participants co-enrolled as adults or dislocated workers, as identified in their Individual Service Strategy (ISS) as part of a career pathway.
- Title I Youth program can partner with the VR program to coordinate the provision of services to youth with disabilities transitioning from school to post-school life, including postsecondary education and employment.
- Career pathway planning.
- The title I Youth program can partner with the title II Adult Education and Family Literacy Act program by co-enrolling out of school youth in adult education and literacy programs to expand educational services to those who are basic skills deficient.
- Engaging and/or participating in a standing youth committee (in a local area in which the Local WDB has chosen to establish a standing committee) to provide information and to assist with planning, operational, oversight, and other issues relating to the provision of services to youth as described in 681.100 through 681.120.

Local program operators determine, for these individuals, the appropriate level and balance of services under the Youth and Adult programs. Such determinations regarding the appropriate program for the participant must be based on the service needs of the participant and if the participant is career-ready. This determination is based on an assessment of their occupational skills, prior work experience, employability, and the participant's needs. An important difference to note here is that while receiving an assessment from the Adult, DW, or Employment Service (ES) programs does trigger participation and inclusion in the performance accountability calculations, this is not the case for Youth. Local program operators must identify and track the funding streams which pay the costs of services provided to individuals who are participating in youth and adult programs concurrently, and ensure no duplication of services. This can be documented through the Individual Service Strategy.

#### *Dislocated Worker Formula Program (WIOA title I)*

The WIOA Dislocated Worker formula program provides career and training services to help job seekers who meet the definition of a dislocated worker. Additionally, separating service members are eligible for dislocated worker services as they transition from military to civilian careers if they meet the requirements of 20 CFR 680.660. The goal of the Dislocated Worker

program is helping individuals return to the workforce with the skills they need to obtain quality employment in in-demand industries. These career and training services are provided through the one-stop delivery system at American Job Centers nationwide.

The Dislocated Worker program's delivery of career and training services is tailored to the individual needs of job-seekers. The Dislocated Worker program is identified as a core program under WIOA and, among other things, is responsible for combined planning, shared performance indicators, and aligned service delivery with other core and one-stop partner programs.

### *Adult Education and Family Literacy Act (WIOA title II)*

Title II of WIOA reauthorizes the Adult Education and Family Literacy Act (AEFLA). AEFLA, administered by the U.S. Department of Education, is designed to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities.

These activities are designed to:

- Assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;
- Assist adults who are parents or family members to obtain the education and skills that are necessary to becoming full partners in the educational development of their children and lead to sustainable improvements in the economic opportunities for their family;
- Assist adults in attaining a secondary school diploma and in the transition to postsecondary education and training, including through career pathways; and
- Assist immigrants and other individuals who are English language learners in:
  - Improving their reading, writing, speaking, and comprehension skills in English, as well as mathematics skills; and
  - Acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship.

WIOA provides new opportunities for the title I Adult and Dislocated Worker programs and the Employment Service to partner with title II AEFLA providers. WIOA sec. 134(c)(2) authorizes career services to be provided with title I adult and dislocated worker funds. Some of these services are activities that are also allowable under AEFLA, including workforce preparation activities, English language acquisition programs, and integrated education and training programs. In order to ensure consistency across the services for the benefit of participants and service providers, ETA is aligning the definitions for these services with those used by the AEFLA program.

This allows title I programs and the AEFLA program to coordinate in the development of career pathways and to co-enroll participants so they receive the full spectrum of services for their education and employment needs.

For example, an individual could receive adult education services while at the same time receiving services from the OJT program funded by title I. If individuals are unable to receive

services from the AEFLA program, but are determined to be in need of those services by the career planner, then title I may provide those services the program is authorized to provide.

#### *Wagner-Peyser Act Employment Service (WIOA title III)*

The Wagner-Peyser Act of 1933 established the Employment Service (ES), which is a nationwide public labor exchange that provides employment services. The ES seeks to improve the functioning of the nation's labor markets by bringing together individuals seeking employment with employers seeking workers. The Wagner-Peyser Act was amended in 1998 to make ES part of the one-stop delivery system under WIA and has undergone further changes to integrate services and require colocation under WIOA. The ES program is a critical component of the one-stop delivery system, often serving as the "front door" to all of the services available at American Job Centers.

The ES program provides "universal access" to job seekers seeking employment and career services, provides referrals to partner programs, and provides reemployment services to individuals receiving unemployment insurance.

WIOA provides new opportunities for coordination and referrals for the title I Adult and Dislocated Worker programs, as well as the Wagner-Peyser Act ES, to partner with and enhance service delivery to individuals with disabilities, including those served under the VR program. Individuals with disabilities are included in the definition of an "individual with a barrier to employment" at section 3(24) of WIOA and should receive any and all American Job Center services that would typically be provided to any other job seeker.

#### *Vocational Rehabilitation program (WIOA title IV)*

Title IV of WIOA makes a number of significant changes to the Rehabilitation Act of 1973 (Rehabilitation Act), with some of the most extensive programmatic changes affecting the VR program, authorized under title I of the Rehabilitation Act. Many of WIOA's changes, including those affecting the VR program which is one of the six core programs of the one-stop system, are designed to improve and align core programs towards the goal of assisting individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society. To implement these new statutory requirements, the Department of Education published final regulations related to, among other things, the VR and State Supported Employment Services (Supported Employment) programs and that impose new limitations on the payment of subminimum wages to individuals with disabilities. These final regulations, most of which took effect on September 19, 2016, were published at 81 FR 55629 (Aug. 19, 2016).

WIOA makes the following key changes to the VR program:

- Strengthens the alignment of the VR program with other core components of the workforce development system by aligning requirements governing unified state planning, performance accountability, and integration into the one-stop delivery system;
- Places heightened emphasis on coordination and collaboration at the Federal, State, and local levels to ensure a streamlined and coordinated service delivery system for job-seekers, including those with disabilities, and employers;

- Includes a new definition of “competitive integrated employment” that combines, clarifies, and enhances the two separate regulatory definitions of “competitive employment” and “integrated setting” for the purpose of employment under the VR program, which had existed since at least 1997;
- Revises the definition of “employment outcome” in order to identify customized employment as an employment outcome under the VR program;
- Places heightened emphasis on the provision of pre-employment transition services and transition services to students and youth with disabilities, as applicable, to improve their abilities to achieve competitive integrated employment; and
- Expands the scope of services that the VR agencies may provide to employers in order to increase opportunities for individuals with disabilities to achieve competitive integrated employment.

VR Counselors, who are employed by the state VR agency, are responsible for determining whether an individual is eligible to receive VR services. In order to be eligible, an individual with a disability must meet the following criteria:

- Must be an “individual with a disability,” as defined in section 7(20)(A) of the Rehabilitation Act; and
- Require VR services to obtain, maintain, advance in, or regain employment.

While an individual may be determined eligible to receive VR services, the State VR agency may not be able to provide services to all eligible individuals due to insufficient staff and/or fiscal resources. In this instance, the State VR agency must implement an order of selection (OOS) that establishes the priority categories by which individuals can be served based on the severity of their disability, with individuals with the most significant disabilities given priority under the OOS. For those individuals not in a priority category being served in the OOS, the state VR agency must refer the individual to another program that may be able to meet their needs. Therefore, effective partnering with the Adult, Dislocated Worker, Youth, and Wagner-Peyser Act ES programs is essential in order to ensure individuals with disabilities seeking employment and training services receive the services they need for employment.

In order to align the core programs and create additional flexibility for the purposes of achieving the goals under WIOA, funds allocated to a local area for adult and dislocated worker activities may be used to improve coordination between employment and training programs carried out in the local area for individuals with disabilities through the one-stop delivery system. ETA encourages local areas to utilize this flexibility, consistent with the scope of a program’s authorized activities, to ensure a highly coordinated service delivery in coordination with VR program activities to ensure that individuals with disabilities receive the services they need for their career needs, whether the allowable services are provided by the Adult, Dislocated Worker, Youth, Wagner-Peyser ACT ES, or VR program, or some combination thereof, including other community resources.

Additionally, ETA encourages local areas to coordinate with programs carried out by State agencies relating to intellectual and developmental disabilities, as well as local agencies and organizations serving individuals with significant disabilities, including the local network of centers for independent living in each State.

## **Required Partners**

### *Job Corps*

Job Corps is a national program that operates in partnership with States and communities, Local WDBs, Youth Standing Committees where established, one-stop centers and partners, and other youth programs to provide academic, career and technical education, service-learning, and social opportunities primarily in a residential setting, for low-income young people.

The objective of Job Corps is to support responsible citizenship and provide young people, ages 16-24, with the skills that lead to successful careers that will result in economic self-sufficiency and opportunities for advancement in in-demand occupations or the Armed Forces, or enrollment in postsecondary education, including an apprenticeship program.

The major changes from the existing regulations reflect WIOA's effort to enhance the Job Corps program, provide access to high quality training and education, create incentives for strong contractor performance, and promote accountability and transparency.

The Department selects eligible entities, Job Corps centers, to provide outreach and admission, career transition, and operational services for Job Corps on a competitive basis. One-stop centers and partners are eligible, among other entities, to compete to provide outreach and admission and career transition services. Further, the American Job Center network must be used to the maximum extent practicable in placing Job Corps graduates and former enrollees in jobs.

Beneficial examples of coordination between Job Corps and other workforce partners include:

- Cross referrals with other programs, such as the Formula Adult Program, Formula Youth Program, and YouthBuild, that can increase the likelihood of successful performance incomes by ensuring that individuals are referred to the program that best meets their needs.
- Co-enrollment with partner programs to maximize the number of individuals served and the level of service provided.
- Co-location of Job Corps Outreach and Admissions services in the American Job Center to provide an opportunity for students completing other programs for further education and training.

Job Corps students prepared to enter the workforce can and should enroll in labor exchange services so the American Job Center can identify job leads or education and training opportunities, including work-based training and apprenticeship opportunities. Job Corps participants also can and should utilize the American Job Center for job preparation, interviewing techniques, and job search strategies.

### *Indian and Native American Programs*

*(WIOA title I, section 166 program, Indian and Native American Programs)*

The Indian and Native American (INA) Employment and Training Program helps qualifying American Indians, Alaska Natives and Native Hawaiians (AI/AN/NH) obtain employment in

occupations that provide a wage that leads to self-sufficiency and eventually into the middle class. These programs include more fully developing academic, occupational, and literacy skills, making individuals more competitive in the workforce to equip them with entrepreneurial skills necessary for successful self-employment, and promoting economic and social development in accordance with the goals and values of the community.

The INA program also provides financial assistance for education, career and training services, and other supportive services that will help individuals obtain occupational skills, industry recognized credentials and postsecondary education that provide the knowledge and skills necessary to compete for better paying jobs.

The INA program utilizes a network of 177 service providers throughout the United States comprised of Federally Recognized Tribes, Native American non-profit organizations, Alaska Native Tribes, Alaska Native entities, and Native Hawaiian organizations. There is a desperate need for employment and training services for Native Americans which makes coordination and sharing resources with partner programs critical.

The entity for the Native American program is the grantee of the respective program. Some examples of coordination between the INA program and other workforce partners are:

- Co-enrollment of INA participants with partner programs such as the title I, Adult, Dislocated Worker and Youth programs, the VR program, and the AEFLA program.
- Co-location of INA employees in American Job Centers.
- AI/AN/NH individuals that seek services from the INA program should also be made aware of the services that are available by other partner programs and conversely, partner programs should make their AI/AN/NH clients aware of the INA program.
- Coordination with the AEFLA program to assist AI/AN/NH individuals to attain a secondary school diploma and transition to postsecondary education and training.
- Sharing of resources with the VR program to better assist disabled AI/AN/NH individuals.

#### *National Farmworker Jobs Program (WIOA title I, section 167 Migrant and Season Farmworker Program)*

The National Farmworker Jobs Program (NFJP) is a nationally-directed, locally-administered program of services for migrant and seasonal farmworkers (MSFWs). The program partners with community organizations, state agencies, and State Monitor Advocates to provide appropriate career and training services, youth services, housing assistance services, and related assistance services, to eligible migrant farmworkers (including MSFW youth) and eligible seasonal farmworkers (including eligible MSFW youth), and their dependents. NFJP grantees partner with American Job Centers and State Monitor Advocates to support a comprehensive system that seamlessly provides integrated services that are accessible to farmworkers and their families. Monitor Advocates at the State, Regional, and National level facilitate outreach, monitoring, advocacy, and the Employment Service (ES) and Employment-related Law Complaint System <sup>4</sup>

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<sup>4</sup>The Employment Service (ES) and Employment-related Law Complaint System was established to ensure farm workers would have a safe place to file complaints alleging employment-related violations. For details on the Complaint System, see 20 C.F.R. 651-654-and 658.

to help MSFWs gain access to resources, ensure their voices are heard, and that they have a safe place to file complaints alleging any violations of the ES regulations and/or other federal, State, or local employment-related laws. To realize an enhanced coordination among programs, NFJP grantees may partner with American Job Centers and other WIOA programs to:

- Leverage the AEFLA program as part of a career pathway strategy for program participants co-enrolled in NFJP.
- Refer NFJP participants to WIOA adult and youth formula programs if they need more intensive support around specific program elements.
- Leverage, and refer NFJP participants to, the VR program to assist farmworkers with disabilities.
- Refer NFJP participants to the Senior Community Service Employment program for the aging farmworkers.
- Refer NFJP participants to Veterans for State Grant operators for farmworkers identified as Veterans.
- Refer NFJP participants to Temporary Assistance for Needy Families programs for continued support for farmworker family nutrition.
- Coordinate resources to ensure customer-centered service delivery for all customers, including individuals who are English language learners and individuals who are facing substantial cultural barriers.
- Leverage, and refer NFJP participants to, Health and Human Services Head Start programs colocated in American Job Centers to promote school readiness for farmworker children by supporting their educational development.

#### *YouthBuild (WIOA title I)*

YouthBuild is a discretionary grant program that serves 16-24 year old youth who are high school dropouts or those who have dropped out and subsequently re-enrolled. YouthBuild participants also must be one of the following: member of a low-income family, in foster care, an offender, an individual with a disability, the child of a current or formerly incarcerated parent, or a migrant youth.

YouthBuild combines academics to support secondary diploma or equivalency receipt for participants with hands-on occupational skills training in construction and/or other in-demand industries, resulting in industry-recognized credentialing. The program also includes a strong emphasis on leadership development, community service, and soft-skills competencies.

YouthBuild grantees may be a public or private non-profit agency or organization, including community-based organizations, faith-based organizations, an entity carrying out activities under title I of WIOA, such as a Local WDB, a community action agency, a State or local Housing Development Agency, an Indian tribe or other agency primarily serving Indians, a community development corporation, a state or local youth service or conservation corps, and any other entity eligible to provide education or employment training under a federal program. Depending on the grantee, coordination with workforce partners may differ.

Some examples of where coordination between YouthBuild grantees and other workforce partners may be beneficial are: Co-enrollment of YouthBuild participants aged 18 and older into



the adult formula system for assessments, referrals, access to ITAs and other career training opportunities; Co-enrollment of YouthBuild participants into the youth formula program for access to additional resources including financial literacy, entrepreneurship training, and work experience opportunities; Sharing of information related to partner services, especially as they relate to AEFLA and VR services, TANF, and other supportive service programs; Access to NFJP youth supportive services, such as housing assistance, if the individual meets the eligibility requirements for the NFJP program; and Referrals of eligible youth to local YouthBuild programs.

### *Senior Community Service Employment Program*

The Senior Community Service Employment Program (SCSEP) is a community service and work-based job training program for older Americans. Authorized by the Older Americans Act, the program provides training for low-income, unemployed older Americans and supportive services that allow them to participate in the training. Participants also have access to employment assistance through American Job Centers.

SCSEP participants gain work experience in a variety of community service activities at local non-profit and public facilities, including schools, hospitals, day-care centers, and senior centers. The program provides over 40 million community service hours to public and non-profit agencies, allowing them to enhance and provide needed services. These sites are referred to as “host agencies”. Participants work an average of 20 hours a week, and are paid the highest of federal, state or local minimum wage, or the comparable wage for similar employment. This training serves as a bridge to unsubsidized employment opportunities for participants.

Participants must be at least 55 years old, unemployed, and have a family income of no more than 125% of the federal poverty level. Enrollment priority is given to veterans and qualified spouses, then to individuals who are over 65, have a disability, have low literacy skills or limited English proficiency, reside in a rural area, are homeless or at risk of homelessness, have low employment prospects, or have failed to find employment after using services through the American Job Center system.

There are several strategies through which SCSEP and Local WDBs and American Job Centers can coordinate.

- SCSEP services can be physically co-located in American Job Centers
- American Job Centers can serve as a SCSEP host agency. The American Job Center supervisors can assign SCSEP participants tasks that free up career counselors time to provide staff-assisted services. Some American Job Centers have trained SCSEP participants to provide computer assistance in resource rooms particularly to other seniors.
- SCSEP and Local WDBs can develop comprehensive MOUs to streamline coordination processes, and clarify when a jobseeker can be referred to SCSEP and when they might best be served by the Adult or Dislocated Worker program. MOUs can also consider how SCSEP will consider SCSEP participants’ community service hours as an in-kind contribution for purposes of SCSEP’s contribution towards additional costs;

- SCSEP can provide paid work experience with community service employment assignments, while title I Adult funds can support individualized career services such as working with an employment counselor.
- SCSEP can provide advice and training for American Job Center staff on adapting services to meet the needs of older adult learners; American Job Center staff can provide advice and training to SCSEP on effective use of labor market information and job placement strategies.

### *Trade Adjustment Assistance*

Trade Adjustment Assistance for Workers (TAA), Alternative Trade Adjustment Assistance (ATAA), and Reemployment Trade Adjustment Assistance (RTAA), are collectively referred to as the Trade Adjustment Assistance Program (TAA Program) and provide assistance to workers who have been adversely affected by foreign trade. The Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA 2015), (Pub. L. No. 114-27, Title IV), recently reauthorized and reinstated changes to the Act. TAARA 2015 also revised reporting requirements to align performance accountability for the TAA Program with that of other partner programs in the workforce system under WIOA. The TAA program seeks to provide adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to become reemployed.

If a worker is a member of a worker group certified by DOL, that worker may be eligible to receive the following benefits and services at a local American Job Center:

#### Employment and Case Management Services:

- Skills assessments, individual employment plans, career counseling, supportive services, and information on training, labor markets, and more (through TAA or other American Job Center programs).

#### Training:

- Classroom training, on the-job training, customized training designed to meet the needs of a specific employer or group of employers, Registered Apprenticeship programs, remedial training, pre-requisite training, and more.

#### Trade Readjustment Allowances (TRA):

- Income support available in the form of weekly cash payments to workers who are enrolled in a full-time training course, have exhausted their unemployment insurance, and meet additional requirements in Chapter 2 of title II of the Trade Act of 1974, as amended.

#### Job Search Allowance:

- Reimbursement for a portion of the costs of seeking employment outside of the worker's commuting area.

#### Relocation Allowance:

- Reimbursement for a portion of relocation costs for employment outside of the worker's commuting area.

#### Alternative Trade Adjustment Assistance (ATAA) and Reemployment Trade Adjustment Assistance (RTAA):

- A wage supplement for up to two years that is available to eligible reemployed older workers and covers a portion of the difference between a worker's new wage and their old wage (up to a specified maximum amount).

### *Jobs for Veterans State Grants (JVSG)*

JVSG is a key partner in the workforce system providing Disabled Veterans' Outreach Program (DVOP) specialists who provide key services to veterans with significant barriers to employment, and Local Veterans Employment Representatives (LVERs), who provide outreach to employers to help veterans achieve employment. TEGL 19-13, TEGL 19-13 Change 1 and Change 2, govern how JVSG is to be utilized in the public workforce system and WIOA does not modify this guidance. Additionally, all JVSG participants must be co-enrolled and have a common exit with the Wagner-Peyser Act ES.

### *Community Services Block Grant (CSBG)*

The CSBG provides assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient. CSBG-funded organizations (Community Action Agencies) can participate in the one-stop delivery system through the following:

- Enrollment into CSBG supportive services (e.g. child care, transportation subsidies, emergency food services, etc.) through CSBG-funded staff at the American Job Center, other American Job Center staff, or direct linkage to CSBG-funded organizations through technology. Technology linkages may be conducted remotely at the American Job Center by phone or computer.
- Staff on a part-time or intermittent basis from the local CSBG-funded agency may be physically present to enroll clients in supportive services or provide services directly.
- CSBG-funded agency staff may cross train with workforce staff: CSBG-funded staff may train workforce staff about CSBG supportive services and learn about American Job Center programs and services from their workforce colleagues.
- CSBG staff may coordinate employment and training services or other supportive services activities on site at the American Job Center.
- The local American Job Center may be physically located at the local CSBG-funded organization.

Some benefits for participating in the American Job Center network include:

- CSBG agency cost reductions due to sharing the resource center (e.g., shared space, common intake, common recruitment/referral system). This sharing might include locating CSBG staff full time or intermittently at the American Job Center to provide direct CSBG services, enroll clients in CSBG services, and/or train workforce staff.
- CSBG may also benefit from arrangements where CSBG staff are not on-site. For example, a CSBG agency serving as an affiliate American Job Center referral location for supportive services might receive savings in recruitment and enrollment costs.

- A CSBG organization that refers CSBG participants to the one-stop for workforce services and subsequent tracking of performance data may experience cost savings by not having to provide direct employment and training services or do related data collection.

### *Unemployment Insurance*

Individuals who have lost employment due to lack of suitable work and have earned sufficient wage credits may receive Unemployment Insurance (UI) benefits if they meet initial and continuing eligibility requirements. The American Job Center network must provide reemployment services to UI claimants for whom such services are required as a condition for receipt of UI benefits. Services must be appropriate to the needs of UI claimants who are referred to reemployment services under any Federal or State UI law.

- Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim.
- The American Job Center has current labor market information and provides a wide array of re-employment services free of charge.
- Employment Service staff can refer claimants to job openings in the local area, or in other parts of the State or country if the claimant is willing to relocate.
- Referral to various training programs.
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.
- If job openings in current field are limited, can offer testing and counseling to determine other appropriate jobs for the claimant.
- Claimants who believe they have special needs or considerations, such as physical needs, which may prevent them from getting a job, can be referred to other agencies for help with those needs.

### *Temporary Assistance for Needy Families (TANF)*

The local TANF program is a required partner in the American Job Center network. TANF serves individuals who also may be served by WIOA programs and, through appropriate linkages and referrals, these customers will have access to a broader range of services through the cooperation of the TANF program in the one-stop delivery system. TANF participants, who are determined to be WIOA eligible, and who need occupational skills training may be referred through the American Job Center network to receive WIOA training, when TANF grant and other grant funds are not available to the individual in accordance with 20 CFR 680.230(a).

TANF can participate in the American Job Center network through the following:

- Program staff are physically present in the centers and provide intake services and initial eligibility determinations for TANF assistance and non-assistance benefits, including employment services and related supports.
- Program staff are physically present in the centers and perform job readiness assessments and assign or refer TANF clients to appropriate TANF work activities.
- Program staff are physically present in the centers and will assist work ready TANF clients to co-enroll in other applicable workforce services.

- Train partner staff physically present in centers to provide information about the TANF program, including services, and required activities.
- Provision of TANF program information, eligibility requirements, available benefits and services, including direct linkage to program staff via technology.

Some benefits for participating in the American Job Center network include:

- Shared building rent, maintenance costs, utilities, tenant improvements, or any other similar costs up to the administrative cost limits of the program.
- Shared equipment, software, IT maintenance costs, Internet access, and other similar costs up to the administrative cost limits of the program.
- Shared customer resource center.
- Streamlined, common intake data formats, preparation, and interview of customers.
- Reduced costs for staff and benefits, due to development of common, simplified forms.
- Reduced costs for staff training and development on common program elements.

WIOA participants who also are determined TANF eligible may be referred to the TANF program for assistance.

#### *Carl D. Perkins Career and Technical Education Act (Perkins IV)*

The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) is a principal source of federal funding to states for the improvement of secondary and postsecondary career and technical education (CTE) programs across the nation. The purpose of the Act is to develop more fully the academic, career, and technical skills of secondary and postsecondary students who elect to enroll in CTE programs.

States are awarded funds via formula prescribed in Title I, Section 111 (for the 50 States, District of Columbia, and Puerto Rico) and Section 115 (for Guam and Palau) of Perkins IV. From its title I funds, States must award no less than 85 percent to eligible recipients via formula also prescribed in law. Eligible recipients are local educational agencies and postsecondary institutions, community colleges, and other public and private nonprofit institutions, including charter schools, that offer career and technical education programs that meet the requirements of the law. States determine what share of their 85 percent of funds will be awarded to eligible recipients at the secondary versus postsecondary level (the national split of funds hovers around 62/38). The remainder of Title I funds is spent on State administration activities (up to five percent) and State leadership activities (up to ten percent) described in Sections 121(a) and 124(b)-(c) of Perkins IV, respectively.

Among the ways Perkins IV postsecondary recipients can engage with core partners in the one-stop system are: using common labor market data to inform local CTE program development; aligning education, training, and supportive services; streamlining efforts to engage and involve employers in local program development; establishing common definitions and measures for student performance; and making data on CTE students publicly available in training provider reports.

## **Additional Partners**

### *Ticket-to-Work (TTW)*

TTW is a free and voluntary program that can help Social Security beneficiaries go to work, get a good job that may lead to a career, and become financially independent, while they keep their Medicare or Medicaid. As part of TTW, Employment Networks (ENs), with the Social Security Administration (SSA), provide employment support services to beneficiaries, or “Ticket holders.” After receiving these services and supports, the Ticket holder may return to work and ultimately become self-sufficient, thereby saving significant costs to the Trust Fund. Because there has been an increasing trend of the number of people applying for disability benefits, there is a significant role for American Job Centers to become ENs and help provide high quality services resulting in employment for Ticket holders. ENs receive payments from SSA when Ticket holders they serve work and achieve benchmark earnings levels. This funding provides an avenue to EN sustainability.

### *Small Business Administration (SBA) Programs*

WIOA provides a new opportunity to partner with economic development organizations and emphasizes providing resources for aspiring entrepreneurs and self-employed individuals. In addition to entrepreneurship training being a type of training allowed under WIOA, partnering with local entrepreneurial resources can help adults and dislocated workers see if starting a business is right for them. ETA encourages Local WDBs and American Job Centers to partner with SBA programs. Notably, there are Small Business Development Centers (SBDCs) located in communities the nation which provide assistance to small businesses and aspiring entrepreneurs. To learn across more about these programs and for a listing of SBDC’s in your community, please visit: <https://www.sba.gov/tools/local-assistance/sbdc>.

### *Supplemental Nutrition Assistance Program (SNAP)*

SNAP offers nutrition assistance to millions of eligible, low-income individuals and families and provides economic benefits to communities. SNAP is the largest program in the domestic hunger safety net. The Food and Nutrition Service (FNS) works with State agencies, nutrition educators, and neighborhood and faith-based organizations to ensure that those eligible for nutrition assistance can make informed decisions about applying for the program and can access benefits. FNS also works with State partners and the retail community to improve program administration and ensure program integrity.

The Employment & Training (E&T) program and its components assist SNAP participants in gaining skills, training, work or experience that will increase their ability to obtain regular employment. The components of an E&T program are designed to help SNAP clients move promptly into employment.

This component includes job training services that are developed, managed, and administered by State agencies, local governments, and the business community under WIOA. Activities include basic skills training (GED, literacy), occupational skills training, on-the-job training, work

experience, job search assistance, and basic readjustment services. All of these services can be seamlessly integrated into the American Job Center network.

*Client Assistance Program (CAP) (Rehabilitation Act of 1973, as amended by WIOA title IV)*

The purpose of this program is to advise and inform clients, client applicants, and other individuals with disabilities of all the available services and benefits under the Rehabilitation Act of 1973, as amended by WIOA, and of the services and benefits available to them under title I of the Americans with Disabilities Act (ADA). In addition, CAP grantees may assist and advocate for clients and client applicants in relation to projects, programs, and services provided under the Rehabilitation Act. In providing assistance and advocacy under title I of the Rehabilitation Act, a CAP agency may provide assistance and advocacy with respect to services that are directly related to employment for the client or client applicant.

*Public Libraries*

WIOA acknowledges the role public libraries play in workforce development. WIOA explicitly identifies public libraries as potential partners of the American Job Center network, and acknowledges libraries' ability to provide an expansive array of job search services. It also recognizes libraries as important providers of Federally-supported training and employment for adult education and literacy.

Every day people in communities across the United States use libraries to access the Web 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.

Many States and local areas are acting upon the mutual benefits of collaboration between the workforce system and libraries, using Federal, State, and local funding to improve coordination of employment and training and adult education and literacy services to the community. The following are some ways public libraries can collaborate with the American Job Centers:

- Leveraging of digital literacy activities occurring in public libraries;
- Collaborating to train library staff about in-person and virtual employment and training resources available through the public workforce system;
- Inclusion of libraries as a stop on the route of mobile American Job Centers;
- Using space available at a library to provide career assistance and employment services to library patrons (e.g. familiarizing patrons with career resources available electronically or in person at American Job Centers) or to host career events (e.g. job fairs);
- Sharing workforce and labor market information, including data on high-growth industries and occupations from the public workforce system to libraries;
- Signing of memoranda of understanding or other formal agreements; and
- Co-locations between American Job Centers and libraries.

*National Dislocated Worker Grants (WIOA title I)*

National Dislocated Worker Grants (DWGs) provide employment and training services for dislocated workers and other eligible populations and disaster relief employment. Employment-recovery DWGs expand service capacity of the workforce system temporarily by providing time-limited funding assistance in response to major economic dislocations or other events that affect the U.S. workforce that cannot be accommodated with WIOA formula funds or other existing resources. Disaster Recovery DWGs allow for the creation of disaster relief employment to assist with clean-up and recovery efforts from emergencies or major disasters and the provision of employment and training activities.

Coordination strategies among Local WDB and American Job Centers with DWGs operating their communities may include:

- Co-enrollment of DWG participants into the Dislocated Worker program for ongoing career and training services, if needed upon completion of DWG services. Local areas must also coordinate dislocated worker service strategies with their DWG to ensure alignment of supportive service policies.
- Referral to and co-enrollment of Disaster DWG grant participants into Adult or Dislocated Worker programs for services such as assessments, career and training services where these services are not part of the DWG project.
- Coordination with TAA where DWG participants are also TAA certified or awaiting TAA certification. Specific information about the allowable activities in coordination with TAA is outlined in TEGL No. 2-15.
- Coordination between the American Job Center and veterans' programs for DWGs serving military service members. Additional information about this type of DWG is outlined in TEGL No. 2-15.

### *Human Service Transportation Coordination*

Transportation is a key asset for future workforce planning, business creation, and economic development. On an individual level, however, transportation can sometimes be overlooked as a critical service for job seekers, employees, or individuals needing training.

Transportation challenges are exacerbated by costs, and the increased geographic dispersion of job sites to suburban areas with lower overhead costs, farther away from central cities where job seekers reside combined with often limited public transit. In addition, people with multiple challenges to employment – including individuals with disabilities; returning disabled veterans; older workers who no longer drive; youth; workers earning low wages; ex-offenders; and those who live in geographically isolated rural or tribal areas – may need additional support in securing transportation access to work. Partnership activities between the American Job Center and local transportation agencies may include:

- Designating a part- or full-time staff person as a transportation “navigator” for the regional American Job Center network to expand its capacity to provide transportation linkages for their customers.
- Collaborating shuttle service between the closest transit stop and the work site, providing subsidized transit passes eligible for the Federal commuter tax benefit, linking employees with disabilities who cannot use regularly scheduled transit services with paratransit services, facilitating ridesharing, and encouraging the use of public transportation.



- Identifying cross-jurisdiction commuting patterns and suggesting options for creative transportation solutions. Local WDBs are also in a strategic position for finding regional partners for projects from other local service delivery providers, adjacent workforce development boards, county and local transportation providers, and businesses.

### *Mental Health Agencies*

All customers, including those with disabilities, mental or substance use disorders, or other barriers to employment, have the opportunity to receive skill-development guidance, career planning and job placement services. Beneficial examples of coordination between local mental health agencies and other American Job Center workforce partners include:

Supported employment services that include:

- Identifying individuals' skills, interests, and career goals, to help match the person with a suitable job.
- Helping individuals to conduct an individualized job search.
- Providing on-the-job assistance (including, for example, counseling and interpersonal skills training) on a continuing basis to help people succeed in their jobs.
- Working with individuals and their employers to identify needed accommodations.
- Developing relationships with employers to understand their business needs and match individuals with jobs.
- Working with employers and individuals to identify ways in which jobs might be restructured or duties "carved" in order to facilitate employment of people with mental illness while at the same time meeting employers' needs.