

**Nevada Department of Employment, Training and Rehabilitation (DETR)
Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)**

Policy Number: 1.4

Originating Office: DETR; Workforce Innovation Support Services (WISS)

Subject: Workforce Innovation and Opportunity Act One-Stop Delivery System and Certification

Approved: REVISED; replacing WIOA State Compliance 1.4, Ratified 07-21-2016, Governor's Workforce Development Board (GWDB), REVISED; Approved GWDB Executive Committee, 03-15-17; Ratified GWDB, 04-20-17; Approved GWDB Executive Committee 9-14-22; Ratified GWDB 10-12-22

Purpose: To provide guidance for the operation of the WIOA one-stop service delivery system.

State Imposed Requirements: This directive may contain state-imposed requirements. These requirements are printed in **bold, italic type**.

Authorities/References: Workforce Innovation and Opportunity Act (P.L. 113-128); WIOA Secs. 116, 121, 134 and 188; 2 CFR Part 200; 20 CFR Parts 678, 680, 682, 683; 20 CFR § 678.300-678.320; 29 CFR § 37 and 38; TEGLs 36-11, 4-15, 10-16, 15-16 and TEGL 16-16.

ACTION REQUIRED: Upon issuance bring this guidance to the attention of all WIOA service providers, local workforce development board (LWDB) members and any other concerned parties. Any LWDB's policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background:

Title I of the Workforce Innovation and Opportunity Act (WIOA) assigns responsibility at the local, state and federal level to ensure the creation and maintenance of a one-stop delivery system that enhances the range and quality of workforce development services that are accessible to individuals seeking assistance 20 CFR § 678.300.

One Stop Delivery System:

The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless customer- focused delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers. 20 CFR § 678.300(a).

The system must include at least one comprehensive physical center in each local area as described in 20 CFR § 678.305. The system may also have additional arrangements to supplement the comprehensive center including:

- An affiliated site or a network of affiliated sites where one or more partners make programs, services, and activities available as described in 20 CFR § 678.310. A physical location is one that provides access to the programs, services, and activities of all required partners. Providing services through “direct linkage” as defined in 20 CFR § 305(d) is an allowable form of access to services. All affiliated sites must be physically and programmatically accessible to individuals with disabilities, as described in 29 CFR Part 38. Administrative requirements for affiliated sites are further described in State Compliance Policy 1.20.
- A network of eligible one-stop partners, as described in 20 CFR § 678.400 through § 678.410 through which each partner provides one or more of the programs, services, and activities that are linked, physically or technologically, to an affiliated site or access point that assures customers are provided information on the availability of career services, as well as other program services and activities, regardless of where they initially enter the public workforce system in the local area; and,
- Specialized centers that address specific needs, including those of dislocated workers, youth, or key industry sectors or clusters.

Required one-stop partner programs must provide access to programs, services, and activities through electronic means, if applicable and practical. This is in addition to providing access to services through the mandatory comprehensive physical one-stop center and any affiliated sites or specialized centers. The provision of programs and services by electronic methods such as web sites, telephones, or other means must improve the efficiency, coordination and quality of one-stop partner services. Electronic delivery must not replace access to such services at a comprehensive one-stop center or be a substitute to making services available at an affiliated site if the partner is participating in an affiliated site. Electronic delivery systems must be compliant with the nondiscrimination and equal opportunity provisions of WIOA in Sec. 188, and it's implementing regulations in 29 CFR Part 38.

The design of the local area's one-stop system must be described in the Memorandum of Understanding (MOU) executed by the one-stop partners as described in 20 CFR § 678.500.

Comprehensive One-Stop Center (EmployNV Career Hub):

A comprehensive one-stop center is a physical location where jobseeker and employer customers can access the programs, services and activities of all required one-stop partners. A comprehensive one-stop center must have at least one WIOA Title I staff person physically present.

The comprehensive one-stop center must provide:

- Career services described in 20 CFR § 678.430;
- Access to training services described in 20 CFR § 680.200;
- Access to any employment and training activities carried out under sec. 134(d) of WIOA;
- Access to programs and activities carried out by one-stop partners listed in 20 CFR § 678.400 through § 678.410, including Wagner-Peyser employment services and,
- 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. The local workforce development board (LWDB) may establish other service hours, at other times, to accommodate the schedules of individuals who work on regular business days. The state workforce development board will evaluate the hours of access to service as part of the evaluation of effectiveness in the one-stop certification process described in 20 CFR § 678.800(b).

“Access” to programs and services means having either: program staff physically present at the location; having partner program staff physically present at the one-stop appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; or, providing direct linkage through technology to program staff who can provide meaningful information or services.

- A “direct linkage” means providing direct connection at the one-stop, within a reasonable time, by phone or through real-time, web- based communication to a program staff member who can provide program information or services to the customer.
- A “direct linkage” does not include providing a phone number or computer website that can be used at an individual’s home; providing information, pamphlets, or materials; or, making arrangements for the customer to receive services at a later time or on a different day.

All comprehensive one-stops must be physically and programmatically accessible to individuals with disabilities, as described in 29 CFR Part 38.

Required one-stop partners (20 CFR § 678.400) include:

- Programs authorized under Title I of WIOA, including: Adult, Dislocated Worker, Youth,

Job Corps, YouthBuild, Native American programs, and Migrant and Seasonal Farmworker programs;

- Employment services authorized under the Wagner-Peyser Act (29 CFR 49 et. seq.), as amended by WIOA title III;
- Adult Education and Family Literacy Act (AEFLA) activities authorized under Title II of WIOA;
- The Vocational Rehabilitation program authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et. seq.) as amended by WIOA Title IV;
- The Senior Community Service Employment program authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et. seq.);
- Career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et. seq.);
- Trade Adjustment Assistance activities authorized under chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. 2271 et. seq.);
- Jobs for Veterans State Grants program authorized under chapter 41 of Title 38 U.S.C.;
- Employment and training activities carried out under the Community Services Block Grant (42 U.S.C. 9901 et. seq.);
- Employment and training activities carried out by the Department of Housing and Urban Development (HUD);
- Programs authorized under state unemployment compensation laws (in accordance with applicable federal law);
- Programs authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and,
- Temporary Assistance for Needy Families (TANF) authorized under part A of Title IV of the Social Security Act (42 U.S.C. et. seq.), unless exempted by the Governor. The Governor may determine that TANF will not be a required partner in the state, or within some specific local areas in the state. In this instance, the Governor must notify the Secretaries of the U.S. Departments of Labor and Health and Human Services in writing of this determination 20 CFR § 678.405(b).

Additional partners that carry out a workforce development program, including federal, state or local programs and programs in the private sector may serve as part of the one-stop system if the local workforce development board(s) and chief elected official(s) approve the entity's participation (20 CFR § 678.410). Additional partners may include, but are not limited to:

- Employment and training programs administered by the Social Security Administration,

including the Ticket to Work and Self- Sufficiency programs established under sec. 1148 of the Social Security Act (42 U.S.C. 1320b-19);

- Employment and training programs carried out by the Small Business Administration.
- Supplemental Nutrition Assistance Program (SNAP) employment and training programs authorized under secs. 6(d)(4) and 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015 (d)(4));
- Client Assistance Program authorized under sec. 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732);
- Programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et. seq.); and,
- Other appropriate federal, State or local programs, including employment, education and training programs provided by public libraries or in the private sector.

Required Elements of the Memorandum of Understanding (MOU) for the One-Stop Delivery System:

The MOU, fully described in § 678.500, must contain the following information whether the local areas use either the local one-stop or the State funding method:

- a. The period of time in which this infrastructure funding agreement is effective. This may be a different time period than the duration of the MOU.
- b. Identification of an infrastructure and shared services budget that will be periodically reconciled against actual costs incurred and adjusted accordingly to ensure that it reflects a cost allocation methodology that demonstrates how infrastructure costs are charged to each partner in proportion to its use of the one-stop center and relative benefit received, and that complies with 2 CFR Part 200 (or any corresponding similar regulation or ruling).
- c. Identification of all one-stop partners, chief elected officials, and LWDB participating in the infrastructure funding arrangement.
- d. Steps the LWDB, chief elected officials, and partners used to reach consensus or an assurance that the local area followed the guidance for the State funding process.
- e. Description of the process to be used among partners to resolve issues during the MOU duration period when consensus cannot be reached.
- f. Description of the periodic modification and review process to ensure equitable benefit among partners.

Key Elements of the Memorandum of Understanding (MOU) for the One-Stop Delivery System:

The MOU is the product of local discussion and negotiation. The LWDB, 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 LWDB 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.
- Signatories – The MOU must contain signatures of the CEO, LWDB 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.

NOTE: One-stop partners may appeal an infrastructure funding plan in writing, per established policy, to the Governor’s Workforce Development Board whose decision is final. Said appeals process is outlined in State Compliance Policy 1.22.

One-Stop Operators:

One-stop operators may be a single entity (public, private or non- profit) or a consortium of entities (20 CFR § 678.600). If the consortium of entities is one of the one-stop partners, it must include a minimum of three of the one-stop partners as described in 20 CFR §678.400.

In consultation and collaboration with core partners and the State of Nevada governor’s workforce development board (GWDB), the LWDBs will issue, in a full and open competitive process, a Request for Proposals (RFP) as required by WIOA Sec. 121(d)(2)(A), at least every four years.

The mandatory elements are as follows:

1. An applicant’s proposal must provide a cost containment plan that delineates a process for controlling the operational expenses and defines program goals within pre-planned budgetary constraints.

NOTE: The LWDB is responsible for ensuring a cap of 75% of the full-time employee (FTE) infrastructure costs relative to the highest cost Nevada JobConnect office within the county of where the one-stop resides. These costs are to be identified in the table below. If a LWDB cannot for any reason meet the 75% cap as outlined, the LWDB may apply to the GWDB for a waiver of this cap. Within this waiver request, a justification must be provided as to what factors are

ARE THE FOLLOWING SERVICES PROVIDED?	YES or NO		DESCRIPTION/COMMENTS
Access to training services as described in section 134(c)(3), including serving as the point of access to training services for participants in accordance with section 134(c)(3)(G).	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Access to the data, information, and analysis described in section 15(a) of the Wagner-Peyser Act.	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Does this One-Stop Career Center meet the workforce development needs of businesses? How?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

ORGANIZATION AND MANAGEMENT	YES or NO		DESCRIPTION/COMMENTS
Does the office facilitate integrated partnerships?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are services organized by function rather than the program? (Staff communication, cross-training, teams)	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are procedures in place to assure coordination of and avoid duplication among One-Stop delivery system partner programs?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are activities completed to ensure communication regarding policy, procedure implementation?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Is professional development offered to all One-Stop Career Center staff?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are all One-Stop Career Center staff informed kept up to date with Labor Market Trends?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

ORGANIZATION AND MANAGEMENT	YES or NO		DESCRIPTION/COMMENTS
Are activities completed to ensure continuous improvement is made to respond to specific customer feedback?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Strives for continuous improvement?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Is work or meeting space available at One-Stop Career Center for visiting partner programs, whenever feasible and available?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are resources available to customers in the Resource Room? (Computers, phone, pamphlets)	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Is the common identifier of “American Job Center of Nevada” or “A proud partner of the American Job Center of Nevada” identified on all primary electronic resources, printed materials, and facility signage?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Does the OSCC operate in a cost-efficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

ORGANIZATION AND MANAGEMENT	YES or NO		DESCRIPTION/COMMENTS
Does the OSCC conduct active file review?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Is data element validation reviewed?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Does the OSCC contribute towards the WIOA Section 116 local negotiated performance indicators process?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Is there access to programs and services for all?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Is there a provision of Priority of Service for the WIOA Adult program?	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

PROGRAMS AVAILABLE IN ONE-STOP CAREER CENTER	YES or NO		MOU IN PLACE		DESCRIPTION/COMMENTS If not present full-time, indicate below.
	YES	NO	YES	NO	
WIOA Title I - Adult & Dislocated Worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
WIOA Title I - Youth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
WIOA Title III - Wagner-Peyser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Senior Community Service Employment Program (SCSEP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
WIOA Title IV - Vocational Rehabilitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Reemployment Assistance Division	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
SNAP Employment and Training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Temporary Assistance for Needy Families (TANF)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

PROGRAMS AVAILABLE IN ONE-STOP CAREER CENTER	YES or NO		MOU IN PLACE		DESCRIPTION/COMMENTS If not present full-time, indicate below.
	YES	NO	YES	NO	
Trace Adjustment Assistance (TAA) Act	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
WIOA Title II - Adult Education	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Housing and Urban Development (HUD)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV); Strengthening Career and Technical Education for the 21 st Century Act (Perkins V)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Jobs for Veterans State Grant (JVSG)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Community Service Block Grant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Second Chance Act	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

PROGRAMS AVAILABLE IN ONE-STOP CAREER CENTER	YES or NO		MOU IN PLACE YES or NO		DESCRIPTION/COMMENTS If not present full-time, indicate below.
Job Corps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
National Farmworker Jobs Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Does this One-Stop Career Center office have a program other than Wagner-Peyser offered more than 50% of the time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.

REVIEWER'S SIGNATURE: _____

NAME TYPED: Click or tap here to enter text.

TITLE: Click or tap here to enter text.

DATE: Click or tap to enter a date.