

**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

causing the LWDB to exceed the cap. Any equipment or materials provided directly from a State of Nevada department or division for use within the one-stop, would be considered an offset to overall one-stop costs charged to that State of Nevada department or division.

| <i>Cost Item</i> | <i>Allocation Base (List the method used to allocate costs amongst partners: see suggestions below)</i> | <i>Highest Office Cost (by FTE)</i> | <i>75% Cost (By FTE)</i> |
|---|---|---|------------------------------|
| <i>Assistive Technology for Individuals with Disabilities</i> | <i>Customers Served</i> | | |
| <i>Postage and Freight</i> | <i>Customers Served</i> | | |
| <i>Printing</i> | <i>Customers Served</i> | | |
| <i>Outreach</i> | <i>Customers Served</i> | | |
| <i>Telephone Lines - Office Areas</i> | <i>Number of Telephone Lines</i> | | |
| <i>Equipment Repairs / Maintenance</i> | <i>FTE</i> | | |
| <i>Purchase of new Equipment</i> | <i>FTE</i> | | |
| <i>Internet Connections - Common / Shared Areas</i> | <i>Customers Served</i> | | |
| <i>Office Supplies</i> | <i>FTE</i> | | |
| <i>Telephone Lines - Common / Shared Areas</i> | <i>Customers Served</i> | | |
| <i>Internet Connections - Office Areas</i> | <i>Number of Internet Connections</i> | | |
| <i>Insurance</i> | <i>Square Footage</i> | | |
| <i>Lease</i> | <i>Square Footage</i> | | |
| <i>Legal Notices</i> | <i>Customers Served</i> | | |
| <i>Signage</i> | <i>Customers Served</i> | | |
| <i>Electricity</i> | <i>Customers Served</i> | | |
| <i>Janitorial Services</i> | <i>Customers Served</i> | | |
| <i>Landscaping/Grounds keeping</i> | <i>Customers Served</i> | | |
| <i>Pest Control</i> | <i>Customers Served</i> | | |
| <i>Trash</i> | <i>Customers Served</i> | | |
| <i>Water</i> | <i>Square Footage</i> | | |
| | <i>Total Costs per FTE</i> | | |

2. The LWDB will need to determine, and have written documentation, as to the selection process for the one-stop operators, including the method(s) used. Once the proposals are received, the LWDB will employ, per policy, the determined method. Available methods include:

- **Selection Committee-** comprised of four core WIOA partners and include other select committee members determined by the LWDB who, by a competitive

process, review, evaluate and score the proposals in determining the ranking of the applicants and report to the LWDB and Chief Elected Official(s), who will designate or certify one-stop operators.

- **Third Party Selection Committee**-who, by a competitive process, review, evaluate and score the proposals in determining the ranking of the applicants and report to the LWDB with the agreement of the Chief Elected Official(s), who will designate or certify one-stop operators.
- **A Combination Approach**-of the above where the LWDB, with the agreement of the Chief Elected Official(s), who will designate or certify one-stop operators.

NOTE: WIOA regulations at 20 CFR § 678.605(d) require the entities conducting the competition to prepare written documentation explaining the determination concerning the nature of the competitive process to be followed in selecting the one-stop operator. As explained in guidance, documentation is required for all steps in the competition process. Documentation is key for ensuring transparency in the competition process.

The LWDB, with the agreement of Chief Elected Official(s), are authorized to terminate for cause, the eligibility of one-stop operators. (WIOA Sec. 121(d))

3. The procurement process will follow Nevada’s State Purchasing guidelines to ensure transparency and is further described in State Compliance Policy 3.9

The one-stop operator may operate one or more one-stop centers. There may be more than one, one-stop operator in a local area.

The types of entities that may be a one-stop operator include:

1. Government agencies or governmental units, such as: local or county governments, school districts, State agencies, and Federal WIOA partners;
2. Employment Service State agencies under the Wagner-Peyser Act, as amended by Title III of WIOA;
3. Indian Tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations (collectively referred to herein as “Indian Tribes”);
4. Educational institutions, such as: institutions of higher education, nontraditional public secondary schools such as night schools, and area career and technical education schools

(however, elementary and other secondary schools are not eligible to become a one-stop operator);

5. Community-based organizations, nonprofit entities, or workforce intermediaries;
6. Other interested organizations that are capable of carrying out the duties of the one-stop operator, such as a local chamber of commerce, other business organization, or labor organization;
7. Private for-profit entities;
8. LWDBs, if approved by the Chief Elected Official (CEO) and the Governor as required in WIOA Sec. 107(g)(2).

NOTE: Elementary and secondary schools are not eligible as one-stop operators except for nontraditional public secondary schools such as night and adult schools, or technical education schools. 20 CFR § 678.600(d)

The state and local workforce development boards must insure that, in carrying out WIOA programs and activities, one-stop operators:

1. Disclose any potential conflict of interest (20 CFR § 679.430);
2. Do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term career and training services;
3. The one-stop operator, will avoid “less than arms-length” relationships with business, financial, or political ties with any member of the local workforce development board or its staff, or the local elected officials’ consortium or any employee of a mandatory core program located within the one-stop center; and,
4. Comply with federal and state regulations and procurement policies, including 20 CFR § 683.295, 2 CFR Part 200, Nevada Revised Statutes (NRS) Chapter 333, Nevada Administrative Code (NAC) Chapter 333, and other applicable regulations and policies.

One-Stop Certification:

The state workforce development board, in consultation with the local workforce development board and the chief local elected official(s), will establish objective criteria and procedures for the local workforce development boards to use when certifying one-stop centers (20 CFR § 678.800).

As provided in the Workforce Innovation and Opportunity Act of 2014 (WIOA), the establishment and certification of one-stop centers and the one-stop delivery system consist of a two-step process:

- **Local:** Consistent with an approved state plan, a WIOA-compliant local workforce development board for a local area, with the agreement of the chief elected official for the

local area, shall develop, designate, certify, and provide oversight with respect to the one-stop delivery system in the local area.

- State: The state workforce development board, in consultation with chief elected local officials and the local workforce development board, shall establish objective criteria and procedures for use by local workforce development boards in assessing at least once every three years the effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers and the one-stop delivery system, consistent with the requirements of section 101(d)(6).

The on-site review is an essential component for certification of existing one-stop centers prior to the enactment of WIOA, in addition to the recertification one-stop centers. The on-site review provides the local workforce development boards and core partners of the workforce development system the opportunity to validate information provided in a one-stop operator's certification application, and to make inquiries that may arise post-review of the written material.

Conversely, one-stop operators are provided with additional opportunities to supply information, clarify specific points, or ask questions that they may have about the local workforce development board and/or core partners' expectations. Combined with the written application, the on-site review provides the local workforce development board and core partners with additional insight as to a one-stop operator's readiness for certification.

Written notice shall be provided to one-stop operator applicants prior to the on-site review, which indicates the date and time of the visit, names of review team members and the organizations that they represent, and specific topic areas that will be covered. Once the on-site review is completed, a written feedback report will be provided to the one-stop operator applicant.

Evaluation criteria will be reviewed and updated every two years as part of the review and modification of the state plan (20 CFR § 676.135).

When the local workforce development board is the one-stop operator, the state must certify the one-stop center.

As of July 1, 2017, each one-stop delivery system must include the common identifier, which is required under sec. 121(e)(4) of WIOA requiring that the common identifier of "American Job Centers of Nevada" or "A proud partner of the American Job Center of Nevada" be present on all products, programs, activities, services, facilities, and related property and materials used in the one-stop system (20 CFR § 678.900(c)).

One-Stop Certification Criteria and Procedures

To ensure the one-stop delivery system meets quality standards that are consistent with the purpose and authorized scope of each of the partner programs, the one-stop certification criteria demonstrates the intent of WIOA indicative of strengthening the successful integration and

implementation of partner programs in the one-stop delivery system. The GWDB has developed minimum one-stop certification criteria for the LWDB to utilize in the one-stop certification process. This standard certification criteria promote the objectives of Nevada’s WIOA State Plan.

The certification process includes a review based on the one-stop certification criteria outlined below, as well as active participant file reviews, data validation reports, the Americans with Disabilities Act (ADA) checklist located at ADAchecklist.org, Equal Opportunity monitoring based on State Compliance Policy 4.1, and WIOA performance indicators.

Criteria

The LWDB must evaluate each comprehensive and affiliate center in their respective Local Area to ensure compliance with the following:

- *WIOA Sec. 121(e) – Center programs and programmatic access*
- *WIOA Sec. 188 and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) – Center physical access*
- *WIOA Sec. 116 – Center effectiveness*

The LWDB must use the Certification Criteria Checklist¹ prescribed in Attachment A of this State Compliance Policy 1.4 to evaluate each comprehensive and affiliate center in their respective Local Area. The local certification process may include, if the LWDB so decides, additional criteria beyond the federal and state criteria. The LWDBs may not remove or replace any federal or state-imposed criteria; they may only add additional criteria that best suits the Local Area. The criteria are consistent with the Governor’s and GWDB guidelines, guidance and policies on infrastructure funding decisions. [20 CFR § 678.705]

Process

I. Certification/Recertification Monitoring Review Notification

- a. At least once every three (3) years, the LWDB must certify all comprehensive in their Local Area.*
 - i. Said certification includes evaluation and assessment of all comprehensive as well as the one-stop delivery system as a whole.*
- b. At least 45 regular business days prior to the required certification/recertification time period, the one-stop operator will:*

¹ ATTACHMENT A: Certification Criteria Checklist

- i. *Make formal request to the LWDB for the one-stop's designated Local Area for the one-stop certification/recertification;*
- ii. *Coordinate with the LWDB and arrive at an agreed upon date for the certification/recertification assessment and onsite monitoring review visit to occur;*
- c. *At least 30 regular business days prior to the onsite monitoring review visit, the LWDB will provide formal notice to the one-stop operator(s) confirming the onsite monitoring review date and that provides the following:*
 - 1. *An agenda;*
 - 2. *Scope of the review;*
 - 3. *Timeline of the review; and*
 - 4. *A self-assessment request, providing the Certification Evaluation Criteria contained within Attachment A of this policy.*
- d. *If a new one-stop operator is procured, the LWDB will perform a recertification of the existing one-stop within 90 regular business days of the new one-stop operator's contractual start date.*

II. One-Stop Self-Assessment

Prior to the onsite monitoring review visit, the one-stop operator must:

- a. *Conduct a self-assessment of the one-stop that includes engagement of and solicitation of input from all program partners utilizing the Certification Evaluation Criteria provided by the LWDB.*
- b. *At least 15 regular business days prior to the onsite monitoring review visit, provide a formal response to the LWDB that includes the following:*
 - i. *Confirmation of the date of the onsite monitoring review;*
 - ii. *A completed self-assessment; and*
 - iii. *A brief narrative demonstrating how the one-stop meets the quality indicators for the three (3) quality standards identified in this policy, to-wit: WIOA sec. 121(e) – Center programs and programmatic access; WIOA sec. 188 and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) – Center physical access; and WIOA Sec. 116 – Center effectiveness.*

- c. *Circumstances may dictate an announcement of the certification assessment to be shorter than 30 regular business days. These exceptions are expected to be used sparingly and will be arranged in consultation with the one-stop operator(s).*
- d. *If a new one-stop operator is procured, the LWDBs will perform a recertification of the respective one-stop center in their Local Area within 90 regular business days of the new one-stop operator's contractual start date.*

III. Onsite Review, Evaluation and Monitoring Report

- a. *The LWDB will conduct the onsite review as outlined in this policy utilizing the Certification Evaluation Criteria and Assessment Measures prescribed in the One-Stop Career Center Certification Checklist approved by the GWDB and included as Attachment A of this policy.*
- b. *At the conclusion of the onsite review, the LWDB will coordinate an exit meeting that will provide a summary of the review. Additional technical assistance based on the review may be requested and coordinated by the one-stop operator, if needed.*
- c. *Not later than 30 regular business days following the certification assessment exit meeting, the LWDB will issue a monitoring report to the one-stop operator(s) explicitly stating the determination of the one-stop certification evaluation, summarizing the results of the certification assessment, identifying any areas of concern, recommendations, positive practices, findings, and/or required corrective actions, as applicable, and include the appeals process as prescribed below.*

IV. Determinations:

The LWDB will provide a determination within the monitoring report that will explicitly state one of the following determinations:

- a. *Provisional certification/recertification: If there are findings, the LWDB may issue a provisional certification/recertification that includes an appropriate corrective action plan and specified timeframe in which the one-stop operator has to remedy said finding(s) and achieve established standards.*

Findings are identified as issues or practices not compliant with federal laws, regulations, guidance, and/or state policies and procedures. Each finding will have a corresponding required action identifying the steps necessary to resolve the finding. If the required action for an ADA finding is not completed by the response due date identified in the monitoring report, a plan of action to resolve the finding should be developed and included in the one-stop operator's response.

- b. **Certification/Recertification:** *If there are no findings or required actions, the LWDB will issue a certification/recertification provided with the report to the one-stop operator.*

If there are areas of concern, the LWDB may issue certification/recertification of the one-stop said concerns will be notated on the certification/recertification notice provided with the report to the one-stop operator. Said certification may be contingent upon the one-stop operator addressing said areas of concern in a timeframe specified in the report to the one-stop operator.

Areas of concern are issues, policies or practices observed during the monitoring review that negatively impact the ability to effectively manage the grant or provide services to participants. They may also be red flags or risk areas that, if not corrected, could lead to an area of non-compliance in future monitoring reviews. Each area of concern will have a corresponding suggestion for improving the issue or practice. One-stop operators and subrecipients are encouraged, but not required, to implement the suggested action for improving the issue or practice.

Positive practices are practices or outcomes identified during the review that are sufficiently effective or innovative to warrant highlighting in the report and may be shared with the one-stop.

- c. **Certification/Recertification Not Granted:** *If after assessment and review of a one-stop the LWDB determines that said center does not meet the minimum requirements and quality standards prescribed in this policy, the LWDB will specify in the report to the one-stop operator the justification(s) and supportive evidence for the denial.*

V. **Resolution**

Not later than 30 regular business days following the LWDB's monitoring report issuance, the one-stop operator shall respond with supporting documentation regarding any findings and/or required corrective action stated in the monitoring report.

A response to the areas of concern and suggestions may also be included if the one-stop operator chooses. If more time is needed to complete the required action, a corrective action plan should be included to identify steps and a timeline to correct the finding(s).

- a. *If findings are sufficiently resolved, after review and evaluation of the response and supporting documentation, the LWDB will issue certification/recertification of the one-stop and/or affiliate center.*

- b. If findings are not sufficiently resolved, the LWDB may require additional action(s) before issuing certification and will notify the one-stop operator of such.*

VI. Appeals

A one-stop whose request for certification/recertification has been denied may file a written appeal within 15 regular business days following the receipt of final determination by the LWDB.

- a. The one-stop operator may appeal the decision made by the LWDB. This must be made in writing to the Chief Elected Local Official (CELO), directed and submitted through the Executive Director of the respective LWDB. and shall be directed to the LWDB.*
- b. The written appeal shall state and include, with accuracy and precision, the following:*
 - a. Name, address and contact information of the party filing the appeal;*
 - b. Detailed description of the facts pertaining to the appeal; and*
 - c. Any support documentation needed to validate the basis of the appeal.*
- c. The LWDB will review and take into consideration the facts presented pertaining to the appeal and any support documentation/information related to the appeal, and a decision of the LWDB will be issued in writing within 30 regular business days of the receipt of the appeal.*
- d. The LWDB shall provide a copy of said response to the Nevada Department of Employment, Training and Rehabilitation.*
- e. If a resolution is not agreed upon between the LWDB and the one-stop operator, LWDB will make a request to the GWDB for the consideration of the appeal at the GWDB's next scheduled public meeting for review, discussion, and possible action.*
- f. A final determination will be made by the GWDB in writing within 30 regular business days after the GWDB's review, discussion, and possible action taken during a regularly scheduled public meeting.*

VII. GWDB Review and Update of the One-Stop Certification Criteria

The GWDB, in consultation with the CELO and LWDB, must review and update the one-stop certification criteria every two (2) years as part of the review and modification of Nevada's WIOA State Plan. [20 CFR § 676.135]

VIII. Records Maintenance and Communication

- a. The LWDBs must maintain documentation of the certification/recertification monitoring review and assessment, with the outcome for all one-stops in their respective Local Area in accordance with WIOA requirements.*
- b. The LWDB must provide the GWDB and the Nevada Department of Employment, Training and Rehabilitation (DETR) with a copy of said certification/recertification monitoring review and assessment report, with the outcome for all comprehensive and affiliate one-stop centers.*
- c. The LWDB must provide the GWDB and DETR with a copy of any resulting certification/recertification monitoring review appeals documentation.*

Attachment A: WIOA One-Stop Career Center Certification Checklist

Local Workforce Development Area: Click or tap here to enter text.

One-Stop Career Center Name and Address: Click or tap here to enter text.

Center’s Days and Hours of Operation: Click or tap here to enter text.

Date Center Opened: Click or tap here to enter text.

Certification Period (PY-PY): Click or tap here to enter text.

Choose One:

Comprehensive One-Stop Center

Affiliate Site

CERTIFICATION ENDORSEMENT

Does the EmployNV Career Hub meet the following WIOA requirements for One-Stop Certification, as defined in WIOA regulations at 20 CFR § 678.800? Indicate YES or NO dependent upon the three assessment areas that follow.

Yes

No

I hereby affirmed and certify that the One-Stop Career Center noted above has been evaluated pursuant to WIOA One-Stop Certification requirements in accordance with 20 CFR §678.800.

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.

CERTIFICATION EVALUATION CRITERIA

1. The OSCC provides programs and programmatic **access** in the local workforce area in accordance with WIOA Sec. 121(e); 20 CFR § 678.300. Per 20 CFR § 678.305(d), **access** to each partner program and its services means:

| Certification Requirements | Confirmation |
|--|--------------------------|
| a. The OSCC is located in a physical location where job seeker and employer customers can access the programs, services and activities of all required one-stop partners. | <input type="checkbox"/> |
| b. The OSCC provides: <ul style="list-style-type: none"> • Career services (20 CFR §678.430); • Training services (20 CFR §678.200); • Employment and training activities (WIOA sec. 134(d); • Programs and activities carried out by one-stop partners including Employment Service programs authorized under Wagner-Peyser Act, as amended by WIOA title III (§§678.400-678.410); and • Workforce and labor market information. | <input type="checkbox"/> |

2. The One-Stop Career Center (OSCC) complies with Equal Opportunity (EO) accessibility requirements in accordance with WIOA Sec. 188, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and regulations at 20 CFR § 678.800.

| Certification Requirements | Confirmation |
|--|--------------------------|
| a. The OSCC ensures equal opportunity for individuals with disabilities to participate in or benefit from One-Stop Career Center services, including being physically accessible to individuals with disabilities. | <input type="checkbox"/> |
| b. The OSCC provides reasonable accommodations for individuals with disabilities. | <input type="checkbox"/> |
| c. The OSCC provides for physical accessibility of the OSCC to individuals with disabilities. | <input type="checkbox"/> |
| d. The OSCC makes reasonable modification to policies, practices and procedures where necessary to avoid discrimination against persons with disabilities. | <input type="checkbox"/> |
| e. The OSCC administers programs in the most integrated setting appropriate. | <input type="checkbox"/> |
| f. The OSCC communicates with persons with disabilities as effectively as with others without disabilities. | <input type="checkbox"/> |

| | |
|--|--------------------------|
| g. The OSCC provides appropriate auxiliary aids and services, including assistive technology devices and services where necessary, to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of the program or activity. | <input type="checkbox"/> |
| h. The OSCC provides for physical accessibility of the OSCC to individuals with disabilities. | <input type="checkbox"/> |
| i. Core and required partner programs at the OSCC maintain written policies and procedures for filing grievances or complaints alleging violations of nondiscrimination and equal opportunity provisions. | <input type="checkbox"/> |
| j. The OSCC administers programs in the most integrated setting that is feasible and appropriate. | <input type="checkbox"/> |

3. The One-Stop Career Center (OSCC) provides services **effectively** in accordance with WIOA sec. 116; 20 CFR §678.800.

| Certification Requirements | Confirmation |
|---|--------------------------|
| a. The OSCC integrates available services for participants and businesses and provides said services in the most integrated setting appropriate. | <input type="checkbox"/> |
| b. The OSCC meets the workforce development needs of participants and the employment needs of local employers. | <input type="checkbox"/> |
| c. The OSCC operates in a cost-efficient manner; has fiscal management systems that include appropriate fiscal controls put in place by the local workforce development boards (LWDBs), the State, and the U.S. Department of Labor (USDOL); and during regularly scheduled Board meetings, the Board includes a quarterly review of the financial status of the Board and its service provider for all funding sources it administers. | <input type="checkbox"/> |
| d. The OSCC coordinates services among the workforce partner programs and provides access to partner program services to the maximum extent practicable, including providing services outside of regular business hours where there is a workforce need and as identified by the LWDB. | <input type="checkbox"/> |
| e. The OSCC includes the common identifier tagline, “ <i>A Proud Partner of the American Job Center Network</i> ” on all products, programs, activities, online and in-person services, primary electronic resources, websites, printed materials (purchased or created), facilities and related property, and new materials. Note – OSCC partners, states or local areas may use additional identifiers on their products, programs, activities, services, facilities, and related property and materials. | <input type="checkbox"/> |

| | |
|--|--------------------------|
| <p>f. Core and required partner programs at the OSCC play active roles in evaluating the effectiveness of One-Stop Career Center. This includes evaluating:</p> <ul style="list-style-type: none"> • How well the OSCC integrates available services for participants and businesses; • How well the OSCC meets the workforce development needs of participants and the employment needs of local employers; • How well the OSCC coordinates services among the one-stop partner programs coordinates services amongst the one-stop partner programs; and • How well the OSCC ensures equal opportunity for individuals with disabilities to participate in or benefit from one-stop center services. | <input type="checkbox"/> |
| <p>g. Core and required partner programs at the OSCC play active roles in ensuring the continuous improvement of OSCC. This includes:</p> <ul style="list-style-type: none"> • How well the OSCC supports and/or has a plan in place for the achievement of the negotiated local levels of performance for the indicators of performance for the local area; • How well the OSCC identifies and responds to technical assistance needs; • How well systems in place capture, analyze data and respond to specific customer feedback from both job seekers and employers; • How well the OSCC provides professional staff development; • How well the OSCC assesses management, performance, service quality, and customer satisfaction; • How well the OSCC collects, analyzes and uses data for technological improvements; • How well the OSCC collects, analyzes and uses data for determining the cost-effective and cost-efficient uses of resources; and • How well the OSCC collects, analyzes and uses data for the continuous improvement of the workforce development system. | <input type="checkbox"/> |

CERTIFICATION ASSESSMENT MEASURES

| ARE THE FOLLOWING SERVICES PROVIDED? | YES or NO | | DESCRIPTION/COMMENTS |
|--|--------------------------|--------------------------|----------------------------------|
| Eligibility determination. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Outreach, intake and orientation to information and services available through the one-stop delivery system. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Labor exchange services. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Provision of workforce and labor market information. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |

| ARE THE FOLLOWING SERVICES PROVIDED? | YES or NO | | DESCRIPTION/COMMENTS |
|--|--------------------------|--------------------------|----------------------------------|
| Provision of information on: <ul style="list-style-type: none"> • Performance and cost information on eligible providers of training by the program; • Eligible providers of Youth workforce investment activities; • Providers of adult education; • Providers of career and technical education activities available to school dropouts; • Providers of vocational rehabilitation services. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Provision of information regarding how the State is performing on the performance accountability measures. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Provision of information and referral relating to the availability of support services or assistance. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Provision of information and assistance regarding filing claims for unemployment compensation. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |

| ARE THE FOLLOWING SERVICES PROVIDED? | YES or NO | | DESCRIPTION/COMMENTS |
|---|--------------------------|--------------------------|----------------------------------|
| Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not funded under WIOA. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Services, as appropriate for an individual to obtain or retain employment. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Follow-up services. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Provides job search, placement, recruitment, and other labor exchange services authorized under the Wagner-Peyser Act: <ul style="list-style-type: none"> • Business Services • RA claims filing assistance | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |
| Access to programs and activities carried out by One-Stop partners through Direct Linkage. | <input type="checkbox"/> | <input type="checkbox"/> | Click or tap here to enter text. |

| 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.