

State Policy

Workforce Innovation and Opportunity Act (WIOA)

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	One-stop Delivery System
	Effective date
	July 10, 2018
	Supersedes
	American Job Center Certification and Local Workforce Delivery System Evaluation, Change 2 (effective date April 21, 2017)

One-stop Delivery System Assessment and One-stop Center Certification

REFERENCE

Federal and state laws, regulations, rules, and other guidance and documentation relied upon for the development of this policy are cited in footnotes.

BACKGROUND

WIOA assigns responsibilities at the Federal, state, and local levels to ensure the creation and maintenance of a one-stop delivery system that enhances the range and quality of education and workforce development services that job seekers and employers can access.¹ WIOA requires that state boards, in consultation with chief elected officials and local boards, establish objective criteria and procedures for local boards to use when assessing local one-stop delivery systems and one-stop centers for effectiveness, physical and programmatic accessibility, and continuous improvement.²

ACTION

This policy supersedes and cancels the State's policy on American Job Center Certification and Local Workforce Delivery System Evaluation, Change 2 (effective date April 21, 2017). Questions and comments on this policy may be submitted in writing to the WIOA policy mailbox at ndol.wioa_policy@nebraska.gov.

Each local board must assess the effectiveness, physical and programmatic accessibility, and continuous improvement of its local one-stop delivery system at least once every three years.³ As part of that assessment, the local board must certify at least one comprehensive one-stop center.⁴

¹ 20 CFR § 678.300(b)

² 20 CFR § 678.800(a)

³ WIOA Sec. 121(g)(1) and (4); 20 CFR § 678.800(d)

⁴ 20 CFR §§ 678.300 and 678.800; TEGL 16-16

In addition, if the local board designates a one-stop partner site as an affiliate site, the local board must certify that site.⁵

In its assessment of the local one-stop delivery system and certification of one-stop centers, each local board must follow the requirements established in this policy.⁶

CHANGES

This policy implements the following material changes to the superseded policy.

- Criteria and procedures for assessing local one-stop delivery systems and one-stop centers for effectiveness, physical and programmatic accessibility, and continuous improvement have been revised and simplified.
- Procedures for certifying one-stop centers have been revised and simplified.
- Timelines for assessing local one-stop delivery systems and one-stop centers and certification of one-stop centers have been revised and simplified.
- Forms developed for use in the assessment of local one-stop delivery systems and one-stop centers and certification of one-stop centers have been rescinded.

POLICY

This policy establishes criteria and procedures for assessment of local one-stop delivery systems and one-stop centers and certification of one-stop centers.

This policy is organized into three sections and one appendix.

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⁵ United States Department of Labor Employment and Training Administration, “FAQs, WIOA, Workforce Innovation and Opportunity Act, May 4, 2017, Certification of American Job Center FAQs” United States Department of Labor Employment and Training Administration, <https://doleta.gov/wioa/FAQs.cfm> [accessed March 13, 2018]

⁶ 20 CFR § 678.800; TEGL 16-16

Section I. Criteria

(a) Effectiveness

The local board's assessment of the effectiveness of the local one-stop delivery system and one-stop centers must include how well the system and centers:⁷

- integrate available services for job seekers and employers;
- meet the workforce development needs of job seekers and employment needs of local employers;
- operate in a cost-efficient manner;
- coordinate services among the one-stop partner programs; and
- provide access to one-stop partner program services to the maximum extent practicable, including providing services outside of regular business hours where there is a workforce need as identified by the local board.

In addition, the local board's assessment of the effectiveness of the local one-stop delivery system and one-stop centers must take into account feedback from one-stop customers.⁸

(b) Physical and programmatic accessibility

The local board's assessment of the physical and programmatic accessibility of the local one-stop delivery system and one-stop centers must include how well the system and centers take actions to comply with the requirements established in WIOA Sec. 188 and its implementing rule, 29 CFR Part 38, regarding equal opportunity and non-discrimination. The actions must include:⁹

- providing reasonable accommodations for persons with disabilities;
- making reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination against persons with disabilities;
- administering programs in the most appropriate integrated setting;
- communicating with persons with disabilities as effectively as with others;
- providing appropriate auxiliary aids and services, including assistive technology devices and services when necessary, to afford persons with disabilities an equal opportunity to participate in and enjoy the benefits of the program or activity;
- providing physical accessibility for persons with disabilities; and

⁷ 20 CFR § 678.800(b)

⁸ 20 CFR § 678.800(b)

⁹ 20 CFR §§ 678.800(b)(1) – (6) and 678.900

- utilizing the common identifier (*American Job Center* 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.¹⁰

All one-stop centers must comply with the applicable physical and programmatic accessibility requirements defined in WIOA Sec. 188 and 29 CFR Part 38.¹¹

(c) Continuous Improvement

The local board's assessment of the continuous improvement of the local one-stop delivery system and one-stop centers:¹²

- must include how well the system and centers support the achievement of the negotiated local levels of performance for the indicators described in WIOA Sec. 116(b)(2) and 20 CFR § 677.205;
- may include other continuous improvement factors such as having:
 - a regular process for identifying and responding to technical assistance needs of the system and centers;
 - a regular system of continuing professional staff development; and
 - systems in place to capture and respond to specific customer feedback.

(d) Local criteria

A local board may establish additional assessment criteria or set higher standards for service coordination than those established in this policy.¹³ If additional criteria are established, the local board must review and update the criteria every two years as part of its regional and local plan development process.

Section II. Procedures

Methods for assessment of the local one-stop delivery system and one-stop centers and certification of one-stop centers must be established in writing by the local board prior to commencement of the assessment and certification process and must utilize the criteria described in Section I. Each local board must notify the Nebraska Department of Labor (NDOL) of the outcomes of the assessments of the system and centers and certification of centers. The notification must be made by email submitted to ndol.wioa_policy@nebraska.gov and must:

- include a clear and descriptive written analysis of the system's and centers' compliance with the criteria established in Section I; and

¹⁰ Local boards, local areas, and one-stop partners may use additional (not alternative) identifiers on or for their facilities and related property, products, programs, activities, services, and materials [20 CFR § 678.900(d)].

¹¹ 20 CFR § 678.800(e)

¹² 20 CFR § 678.800(c)

¹³ 20 CFR § 678.800(d); TEGL 16-16

- identify all certified one-stop centers in the local area and provide, for each center, the physical address, phone number, website address, and name of and contact information for the one-stop operator.

Section III. Timelines

As of July 1, 2017, each local board must:

- assess its local one-stop delivery system and one-stop centers at least once every three years using the criteria and procedures described in Sections I and II.
- certify at least one comprehensive one-stop center at least once every three years using the criteria, procedures, and methods described in Sections I and II.

Notifications of the outcomes of the assessments and certifications, as described in Section II, must be submitted to NDOL no later than June 1st of the applicable year.

DISCLAIMER

This policy is based on NDOL's reading of the applicable statutes, regulations, rules and guidance released by the US Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.

APPENDIX I. Definitions

PURPOSE. Definitions in this appendix are provided as supplemental information that supports the provisions of the policy. The terms and phrases defined in this appendix should be read and understood in the context in which they are used in the policy and not as stand-alone information independent of that context.

1. access

Access to each partner program and its services means:¹⁴

- having a program staff member physically present at the one-stop center;
- having a staff member from a different partner program physically present at the one-stop center appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; or
- making available a direct linkage through technology to program staff who can provide meaningful information or services.

2. affiliate site (affiliate one-stop center)

An *affiliate site* (affiliate one-stop center) is a site that makes available to job seekers and employers one or more of a one-stop partner's programs, services, and activities.¹⁵

3. comprehensive one-stop center (comprehensive American Job Center or AJC)

A *comprehensive one-stop center* (comprehensive American Job Center or AJC) is a physical location where job seekers and employers can access the programs, services, and activities of all required one-stop partners.¹⁶

4. direct linkage

Direct linkage means providing a direct connection at the comprehensive one-stop center to a required one-stop partner staff member who can provide program information or services to the customer, within a reasonable period of time and by phone or through real-time web-based communications.¹⁷ Simply providing a phone number or a web address for services or information or pamphlets or materials is not direct linkage.

5. specialized center

A specialized center is a center connected to a comprehensive one-stop center and any appropriate affiliate site that meets the needs of dislocated workers, youth, employers, or key industry sectors or clusters.¹⁸

¹⁴ 20 CFR § 678.305.(d)(1) – (3)

¹⁵ 20 CFR § 678.310(a)

¹⁶ 20 CFR § 678.305(a)

¹⁷ 20 CFR § 678.305(d)(3)(i) – (ii)

¹⁸ 20 CFR § 678.320