



STATE OF TENNESSEE
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF WORKFORCE SERVICES
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Effective Date: November 18, 2016

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**Workforce Services Policy - One-Stop Delivery and Design System
TN-WIOA (16-12)**

Note: This policy has been amended February 22, 2018, to further clarify functions of the fiscal agent, staff to the board, One-Stop Operator, and service providers. A section has been added—titled “Functions of the Fiscal Agent, Board Staff, One-Stop Operator, and Service Providers”, on page 13—to clarify these roles and explain that service delivery cannot be performed by the Local Workforce Development Board, staff to the board, or the fiscal agent.

Subject:

One-Stop Delivery and Design System

Purpose:

To provide Local Workforce Development Boards, One-Stop Operators, and other workforce system subrecipients with instruction and guidance on the American Job Center service delivery system. This policy emphasizes, encourages, and supports the continued development of a seamless, statewide One-Stop Service Delivery System that is quality-focused, employer-driven, customer-centered, and tailored to meet the needs of regional economies. Finally, this policy addresses the functional alignment of staff and services around workforce services functions to prevent duplication of services and eliminate inefficient practices.

Scope:

Office of the Governor, **Title I** – Adult, Dislocated Worker, and Youth Programs, **Title II** – Adult Education and Family Literacy Act Program(AE); **Title III** – Wagner-Peyser Act Program (WP); **Title IV** – Vocational Rehabilitation Program (VR); Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee

Department of Education (TNED); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Regional Planning Council (RPC); American Job Center (AJC); One-Stop Operator (Operator); Workforce Innovation and Opportunity Act (WIOA); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); other workforce system Sub-Recipients (Sub-Recipients); workforce system Partners (Partners)

References:

20 CFR 678.305, TEGL 04-15, WIOA Section 107(d)(10)(E), WIOA Section 121, WIOA Section 121(d)(2)(A), WIOA Section 134(c)(2)(C)

Background:

The vision for Tennessee’s One-Stop Service Delivery System is contained in this policy and reflects the long-standing, ongoing work of dedicated workforce professionals across the state. This work seeks to functionally align a wide range of publicly- and privately-funded education, employment, and training programs while also providing high-quality customer service to job seekers (e.g. veterans, the disadvantaged, and those with disabilities), workers, and businesses through the One-Stop Service Delivery System (**TEGL 04-15**). The Workforce Innovation and Opportunity Act (WIOA) recognizes the value of the One-Stop Service Delivery System, and provides the workforce system with important tools to enhance the quality of its One-Stop centers. The Governor of Tennessee has assigned the role of State Administrative Entity to the Tennessee Department of Labor and Workforce Development (TDLWD). A State Workforce Development Board (SWDB) was appointed by the Governor according to WIOA requirements. The SWDB and TDLWD are responsible for guiding the establishment of a statewide, seamless One-Stop Service Delivery System known as the American Job Center (AJC).

WIOA strengthens the ability of states, regions, and local areas to align investments—in categories such as workforce, education, and economic development—to target regionally in-demand jobs. It also places greater emphasis on achieving results for job seekers, workers, and businesses. Finally, it reinforces the partnerships and strategies necessary for One-Stop centers to provide job seekers—and those already employed—with the high-quality career services, education and training, and supportive services they need to obtain jobs and stay employed. The One-Stop Service Delivery System also helps businesses find skilled workers and access other services such as training for their current workforce.

The One-Stop Service Delivery System is charged with enhancing the range and quality of workforce development services available to job seekers and businesses through a coordinated approach among partner agencies. Technological improvements have made lasting changes to our society and economy since the One-Stop Service Delivery System was established. Mobile workers and businesses, with regional and national footprints that cross municipal borders, are increasing. As a result there is an increased customer demand

for consistent high-quality education, employment, and training services across Tennessee. WIOA supports the workforce system in meeting that demand by providing a national vision for the One-Stop Service Delivery System; One-Stop centers are important first step in that work.

Local Board Responsibilities:

WIOA requires the establishment of a Local Workforce Development Board (LWDB) in each Local Workforce Development Area (LWDA) of a State. Furthermore, each LWDB must be certified by the Governor of the State in order to set the policy for the LWDA. Please see the following SWDB policies and guidance for additional information:

- Workforce Services Policy 16-3, One-Stop Certification
- Workforce Services Policy 16-4, Transitional Regional Plans
- Workforce Services Policy 16-11, Local Governance

The following is specific guidance related to the roles and responsibilities of LWDBs in regard to the workforce system.

A. Service Delivery:

The workforce system must include at least one comprehensive AJC physically located within each LWDA. The LWDB may choose to establish additional comprehensive centers, affiliate centers, or access points that are physically and programmatically accessible to individuals with disabilities.

- **Comprehensive Centers (20 CFR 678.305):** The comprehensive center must provide career services, specified in *WIOA Section 121*, and provide job seekers and employers access to programs, services, and activities of five (5) mandated partners (WIOA Title I – Adult, Dislocated Worker, and Youth; Title II – Adult Education; Title III – Wagner Peyser; Title IV – Vocational Rehabilitation; and TANF).

Each comprehensive center must provide career services (i.e. basic career services, individualized career services, and follow-up services) and provide access to training services that equip individuals to enter the workforce and retain employment. Comprehensive centers must also provide access to employment and training activities, programs and activities carried out by One-Stop partners, access to business services, and workforce and labor market information.

Title I and Wagner-Peyser Act Section 7(a) services must be present and available full-time during posted business hours, with access to each partner program and its services. This includes having program staff and—at

minimum—one Title I staff physically present at the One-Stop. Title I staff must be trained to provide information to customers about the programs, services, and activities. Staff must also provide technology-based support such as a phone for job seekers, use of a fax machine to transmit paperwork, or access to a computer in the resource room which can provide a direct connection to program information or services. Required partners must be available on-site or through electronic or referral means.

Partners are encouraged to co-locate in the AJC, either full-time or on an itinerant basis, and priority will be given over other tenants when space is assigned. AJC hours may vary according to location; however, AJCs are required to be open during statewide core hours at a minimum of 8:00 a.m. to 4:30 p.m. Extended hours are encouraged to provide access for job seekers and employers during times they are available, such as evenings or Saturdays. These hours may provide targeted access to specific services such as job search and resume writing. These services may also be made available through partner locations, such as libraries or adult education centers.

- **Affiliate Centers:** An affiliate center must, at minimum, include the full-time physical presence of WIOA Adult and Dislocated Worker services during posted work hours. In addition, an affiliate AJC may make one or more partner services and activities available through scheduled on-site presence, via technology, cross-training of staff, or by referral.
- **Access Points:** An access point provides public computers by which participants may electronically access programs, such as a local library. An established working relationship is required as part of an integrated system.
- **Local Workforce Development Board Relocation or Closure of a Center:** Any plan for potential comprehensive or affiliate center closure or relocation requires LWDBs to immediately notify the TDLWD Commissioner. Furthermore, any relocation or closure requires notification of all Local Elected Officials (LEOs) and state officials affected by the action. The LWDB and the Commissioner will work together to evaluate the potential AJC closure or relocation and seek alternative means to continue services in the affected area. The final decision to close or relocate a comprehensive or affiliate AJC will be a joint decision between the LWDB and the TDLWD Commissioner. LWDBs must comply with the federal requirement of having at least one comprehensive AJC in each LWDA.

B. Service Integration:

For the AJC system to succeed, services must be integrated and delivered according to customer need rather than according to program focus. There is no requirement for a specific sequence of services. Assessment must be conducted on each participant to determine their level of need and appropriate services which will be offered.

- **Welcome Function (Basic Career Services):** AJC staff serving in the welcome function will strive to greet all customers and create a positive first impression. Every new job seeker must have access to basic career services through the welcome process. Services associated with the welcome function may include the following: eligibility determination for WIOA; outreach, intake, and orientation to inform applicants and participants of all One-Stop services; initial assessment; labor exchange services; provision of labor market information, access to the resource room, access and information for other programs and services; labor market employment statistics; performance information about eligible providers; and performance information about the local area. For optimum effectiveness, the welcome function must be a shared function between all AJC partners located in the comprehensive AJC. However, the welcome function may be performed by an independent staff person paid for through the Resource Sharing Agreement (RSA). The welcome function also includes the entry point, resource room, self-directed activities, and staff-assisted services with few staff members involved. Job seekers are encouraged to register in Jobs4TN.gov. Each welcome function must include the customer check in kiosk as part of the point of entry. The kiosk should display the Virtual One-Stop (VOS) greeter within Jobs4TN.gov. Participants should be checked in via the VOS greeter to determine priority of service, reasons for the visit, service needs, and to track customer flow.
- **Skills/Career Development Function and Individualized Career Services:** AJC staff serving in the skills/career development function will: determine eligibility during outreach and intake; perform skills assessments; determine skill levels and service needs for adults and dislocated workers; provide labor exchange services; develop individual employment plans; arrange for case management; identify support needs, group and/or individual counseling and mentoring, short-term pre-vocational services, internships, and employment opportunities.

They will also: arrange for soft skills training, internships and work experiences linked to careers, workforce preparation activities, financial literacy services, out-of-area job search assistance, English language

acquisition, and integrated education and training programs. Job seekers will be required to register in VOS and may or may not be enrolled in Title I services at this time, depending on the funding source paying for the activities. Staff serving in skills and/career development capacity will provide access to education and training for those with barriers to employment and those with disabilities. Follow-up services must be provided as appropriate for participants who are placed in unsubsidized employment after the first day of employment.

- **Business Services Function:** The AJC staff involved in the business services function is responsible for building positive relationships with employers, identifying opportunities to address the human resource needs of employers, and designing services and products to assist employers in meeting their needs. Please note that all products must adhere to the AJC branding guide requirements. All products must be procured according to proper standards; publications intended for the general public must be approved by the TDLWD. This function is the bridge between business and job candidates and coordinates AJC staff members to actively recruit and refer qualified job candidates based on the needs of business. Services associated with the business services function may include, but are not limited to: business outreach and development; standard and customized recruitment and referrals for job vacancies, primarily for targeted business and industry; job candidate qualification review; provision of economic, business, and workforce trends; on-the-job training, contracting, and work experience; and referral to community services. LWDBs may conduct business services, may contract these services to a separate entity, or combination of both. Regardless of whether a LWDB chooses to provide business services or contract these responsibilities, the plan concerning how business services are conducted must be clearly outlined in a local plan. Shared information and data agreements may be used to support access to information and to support information sharing between the partners as permitted by authorizing laws and regulations.

C. Local workforce system Supervision:

In order to ensure seamless service delivery to workforce system customers, all individuals working in an affiliate or comprehensive center or providing WIOA adult and dislocated worker itinerant services will experience two levels of supervision: formal and functional.

- **Formal Supervision:** This requires that individuals be supervised by their respective organization's program manager.

- **Functional Supervision:** This requires individuals physically located in a center to be organized by functional unit and supervised by the Partner Consortium in their LWDA. Work will be coordinated and assigned by function rather than by funding source.
- **Team Leads:** Each comprehensive AJC shall have a partner/function based group of Team Leads at the direction of the One-Stop Operator (OSO). These Leads must work together on the following: creation of staffing plans that provide adequate office coverage at all times, and in a manner that allows fair and equitable opportunity for time off; ensuring that all staff members are adequately trained; ensure that all staff members adhere to LWDB policies and procedures; ensure that all staff members present a professional and positive image; ensure that consistent communication procedures are followed; ensure that internal policy and procedures are followed; ensure that the environment is professional; design of a room-scheduling system for workshops and meetings; and, approval of posted informational signs.
- **Partner Staff Management:** The partner retains authority over all actions that may affect the current base pay, status, or tenure of classified state employees. The partner retains the sole discretion to determine which partner employees shall occupy partner positions throughout the State. The partner staff supervisor duties include: creation of a permanent work schedule, including lunches and breaks; pre-approval for vacations, sick leave, and personal leave; and approval of travel and travel expenses.

D. One-Stop Operator:

LWDBs, in consultation with the Chief Local Elected Official (CLEO), are responsible for the oversight and selection of the OSO for the One-Stop Service Delivery System. In accordance with the Regional Planning Council, LWDBs must designate a OSO for their LWDA to ensure seamless service delivery within each center. The OSO is responsible for the following:

- Individual partners program staff will be supervised by their respective agency, must work in the LWDA, and have supervisory authority over staff within the respective LWDA. Each comprehensive center shall have a team of Site Leads as approved by the Regional Planning Council.
- **Regional Planning Council Agreement:** LWDBs must enter into an agreement with the partner agencies that, at a minimum, must include the

following sections:

- a. Team Leads:** The agreement must include a description of how the Leads will be determined among the participating partner agencies that comprise the Partner Consortium, what the specific role of the Leads will be, and how the Leads will encourage consensus building among the team.

- b. Center Service Delivery Design:** The agreement must describe in detail how the following will be accomplished and maintained:
 - i)** Organization and coordination by function for all partner staff physically located within a comprehensive or affiliate center.
 - ii)** Ensure seamless service delivery is implemented and managed in all comprehensive and affiliate centers to include details of the day- to-day functional supervision.
 - iii)** Work with partners to establish a customer flow which includes access to services available within career services; each customer flow design should incorporate a methodology to identify customer needs immediately upon entry and to provide immediate engagement and connectivity to services during the customer's first visit. The OSO shall ensure staffing is adjusted according to customer needs and traffic flow. The customer flow should maximize the number of staff members available and shall ensure minimal customer wait time. A single customer flow model will create one customer pool that will be served jointly by AJC partner staff at career service levels.
 - iv)** The OSO shall ensure that a comprehensive cross-training and development plan is established for each AJC and its staff. This plan shall ensure staff members are adequately trained in each of the programs provided under the AJC's available funding streams for purposes of fostering program integration and eliminating functional silos. Cross-training requires the collaboration of staff and services where it is most practical and supports the needs of customers.
 - v)** The purpose and activities of the seamless functional units incorporating individual partner activities, at a minimum, in accordance with personnel rules and collective bargaining agreements.
 - vi)** Schedule and participate in meetings to be held at least quarterly between the Regional Planning Council and other partners to discuss services, customer flow, partner referrals,

and performance outcomes.

- vii)** Develop operational procedures and protocols that promote effective, seamless service delivery for all partners and do not negatively impact the performance (as indicated in the Incentives and Sanctions Policy) or outcomes of any individual partner program.
- viii)** Communicate workforce system policy, guidance, and information to comprehensive and affiliate center staff and required partners.
- ix)** Ensure success indicators established by the TDLWD are met and recommend additional measures to the LWDB that support seamless service delivery and apply across partner services and activities.

c. Assurances:

- i)** Assist in the resolution of problems and concerns as requested by individual partners.
- ii)** Direct supervision of individuals working in the centers resides with their respective programs.
- iii)** The Team Lead shall have direct functional supervision over the daily activities of staff providing WIOA adult and dislocated worker service and staff located in comprehensive and affiliate centers.
- iv)** Acknowledge the prohibition against the LWDB directly delivering services to include a statement that the LWDB shall ensure that the LWDB, its members, and its employees do not directly control or supervise the daily activities of its workforce service providers.
- v)** LWDB members or their organizations may receive services as customers.
- vi)** The fiscal agent is prohibited from being a OSO or service provider. This prohibition maintains a firewall to prevent a conflict of interest while monitoring service delivery by removing the fiscal agent from direct oversight within the One-Stop system.
- vii)** The LWDB, including LWDB staff, is prohibited from serving as a OSO or service provider. This prohibition maintains a firewall to prevent a conflict of interest while monitoring service delivery by removing the LWDB and its staff from direct oversight within the One-Stop system.

E. Memorandum of Understanding:

The purpose of the Memorandum of Understanding (MOU) is to improve the accessibility and quality of services made available to a shared customer pool. LWDBs are responsible for the development, execution, and maintenance of a MOU with all partners physically located in each of their comprehensive and affiliate centers, including all required Partners who may provide services through technological or referral basis. MOUs must also be in place with each access point location. The MOU must include:

- A description of the services to be provided through the AJCs
- A description of the functional organization, customer flow and service delivery
- Methods for referral of individuals to workforce system partners
- Duration of the MOU and the procedures for amending the MOU;
- Resource Sharing Agreement (RSA) addendum outlining how services and operating costs of the system will be funded, including the methodology for cost sharing, invoicing, and the payment processes
- Other provisions consistent with the requirements of WIOA and agreed to by the partners

F. Resource Sharing Agreement as an Addendum to the Memorandum of Understanding:

The RSA is a fiscal document that provides the details necessary to allocate the shared costs and track the resources provided by each partner agency. By design, the RSA is a document that will change as the actual costs incurred by the partners become known. At a minimum, the following elements should be included:

- List of all partners participating in the shared costs of the One-Stop
- List of all shared costs, including a function and benefit statement, that describes how the respective shared costs are of benefit to multiple partners
- Shared costs budget (includes all the costs associated with the shared cost list)
- Cost Allocation Plan to outline partner cost based on allocation methodologies that will be used to distribute the costs to each partner
- Shared costs (by partner)
- Resources provided by each partner to pay for its fair share of the costs
- Reconciliation and modification describing the process used by partners to reconcile the proposed budget costs to the actual costs incurred by the partners in providing resources

- 1. Partner Responsibilities:** All WIOA required or LWDB-approved partners who wish to be physically co-located within a center must be willing to provide their services within the following parameters:

- Make their core services available and seamless as directed by the Regional Planning Council
- Make available, through a seamless process, other activities and programs carried out under their program direction or authorizing law
- Ensure staff is adequately trained on their respective program rules and regulations and capable of effectively delivering program services and activities within a seamless service delivery environment
- Enter into a MOU and RSA with the LWDB establishing shared success indicators, operating strategies and procedures, and customer flow for an effective, seamless service delivery; and agree to provision for shared cost budgets as established in the RSA
- Participate in center cross-training of staff as determined necessary by the OSO
- Provide seamless services in the center under the direction of the Regional Planning Council
- Ensure adequate staff coverage at all times by coordinating leave requests with the Regional Planning Council
- Maintain direct supervision over their respective staff and volunteers that support their program
- Take responsibility for—and retain sole discretion for—anything that may affect the current base pay, status, and tenure of their respective staff, or any of the following employee actions:
 - Hiring
 - Termination
 - Discipline
 - Promotion
 - Permanent assignments (functional supervisors may temporarily assign staff to ensure coverage and positively to impact service and a seamless service delivery in a positive manner)
 - Permanent transfer (functional supervisors may temporarily assign staff to ensure coverage)
 - Performance evaluations - with input from the functional supervisor
 - Grievances
 - Corrective action
 - Disciplinary action
 - Timesheets and leave approval
 - Approval of costs not addressed

2. Tennessee Department of Labor and Workforce Development

Responsibilities: The TDLWD is responsible for establishing and overseeing the workforce system and ensuring seamless service delivery for businesses and job-seekers. The TDLWD responsibilities in regard to establishing and overseeing the statewide seamless service delivery system include, but are not limited to, the following:

- Develop statewide policies
- Establish and disseminate directives
- Ensure each LWDB develops and maintains a single umbrella or individual partner MOU(s) that includes a working RSA(s) and Cost Allocation Plan(s); the TDLWD will provide a template for establishing resource sharing agreements as outlined in the One-Stop Comprehensive Financial Management Technical Assistance Guide
- Negotiate statewide performance measures with the U.S. Department of Labor followed by negotiating with LWDBs for LWDA performance measures;
- Review and approve Regional and LWDA Plans
- Prepare Tennessee's State Plan and submit it to the U.S. Department of Labor
- Prepare an Annual Report on the workforce system
- Prepare and initiate contracts between the LWDBs and the TDLWD
- Monitor and evaluate the local workforce systems to ensure compliance with state and federal policies and directives
- Provide or contract for technical assistance and training to ensure that performance measures are met, a seamless delivery system is operational, and that opportunities for continuous improvement are identified
- Require corrective action or impose sanctions on a LWDB or other WIOA subrecipient for significant inability or failure to perform as required by the TDLWD, consistent with Workforce Services Incentives and Sanction Policy
- Evaluate the effectiveness of the statewide workforce system, including a qualitative and quantitative program analysis of program goals, performance, success indicators, outcomes, cost efficiencies, seamless delivery, partner collaboration, and customer satisfaction
- Compile and submit data and reports on partner program outcomes and performance as required by the State of Tennessee and U.S. Department of Labor.

- 3. Common Management Information System:** The centers will utilize common management information systems, including the VOS/Jobs4tn.gov. This system is used for all data collection and reporting for all required Partners located in comprehensive or affiliate AJC. Shared information and data agreements will be utilized to support access to information and information sharing between the partners as allowed by authorizing law and regulations.
- 4. Outreach and Branding:** The workforce system outreach and branding is a shared Workforce Services and LWDB responsibility. The AJCs' branding will be used to ensure recognition of the statewide seamless workforce system. Brochures, flyers, advertising media and announcements, stationery, business cards, and name tags used by the center staff will reflect the AJC. Signage outside and inside all comprehensive and affiliate Career Centers will reflect the AJC branding. More information can be found in the AJC Style Guide.
- 5. Workforce System Communication Protocol:** To promote better coordination of the delivery of workforce services, all communication regarding workforce system policy, guidance and information will flow from the TDLWD to the LWDBs, LWDAAs, and Regional Planning Councils. The Regional Planning Councils must inform comprehensive and affiliate center staff and required partners. Communications regarding partner program policy, guidance, and information will be communicated from the program authority at the state level to appropriate AJC staff responsible for program administration, this will ensure the Local Administrative Entity and the Regional Planning Councils are simultaneously copied.

G. Functions of the Fiscal Agent, Board Staff, One-Stop Operator, and Service Providers:

A single entity may not perform the functions of Fiscal Agent, Board Staff, One-Stop Operator (OSO), and Service Provider. The fiscal agent may function in a dual capacity as staff to the board, or alternately, LWDBs may hire direct staff for this function. However, in order to ensure compliance with firewall requirements the Fiscal Agent, staff to the LWDB, or other board staff entities may not be a provider of career services (*WIOA Section 134[c][2][C]*).

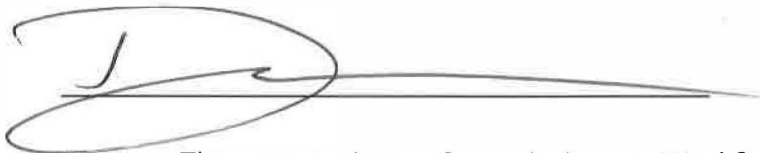
An entity designated by the CLEO as fiscal agent may not also serve as the OSO and/or provider of career services. This prohibition is in place to ensure fiscal integrity with monitoring, performance, and procurement requirements. An entity serving as LWDB staff (or the LWDB itself), may not serve as the OSO and/or career

service provider (except for services under WIOA Section 171). LWDBs must competitively procure the OSO (**WIOA Section 121[d][2][A]**). The Request for Proposal (RFP)—submitted by the OSO—may include the provision of career services, thus allowing a single entity to serve as OSO and service provider. If the RFP does not include this scope, the LWDB must competitively procure the services providers and follow for consumer choice (**WIOA Section 107[d][10][E]**). A single entity may serve as fiscal agent and staff to the board, or separate entities may be used for each function. A LWDB may also opt to form as a 501c and hire direct staff to carry out board functions.

Contact: For questions regarding this policy contact Nicholas Bishop, Director of Compliance and Policy-Division of Workforce Services, at (615) 741-0286 or Nicholas.Bishop@tn.gov

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A handwritten signature in black ink, appearing to be 'Deniece Thomas', written over a horizontal line.

Deniece Thomas, Assistant Commissioner - Workforce Services Division