



Workforce Services Guidance - One-Stop Operator and Career Service Provider Contracts - WIOA

Effective Date: June 19, 2018

Duration: Indefinite

To: Chief Elected Officials, Local Elected Officials, Local Board Chairpersons

Subject:

This guidance outlines required inclusions for the contracts between One-Stop Operators (OSOs)/career service providers (CSPs) and Local Workforce Development Boards (LWDBs).

References:

WIOA Section 108(b)(6)(C), WIOA Section 121(d)(4)(B), WIOA Section 122(h)(2), WIOA Section(c)(3)(E), WIOA Section 134(c)(2)(C)(i), Workforce Services Guidance - One-Stop Operator and Career Service Provider Procurement

Background:

Pursuant to the Workforce Innovation and Opportunity Act (WIOA), LWDBs must competitively procure the OSO and CSP for the American Job Center (AJC) system. Workforce Services Guidance - One-Stop Operator and Career Service Provider Procurement Guidance was updated by the Tennessee Department of Labor and Workforce Development (TDLWD) in February of 2018. Attachments to the aforementioned guidance include State guidelines for LWDBs - One-Stop Operator and Career Service Provider Procurement, and sample questions to include in the procurement of the One-Stop Operator. These attachments outline requirements and recommendations from the State regarding the procurement process for the OSO and the CSP.

The LWDBs must ensure that the items below are covered in their contracts with OSOs/CSPs, along with any additional criteria determined to be appropriate for their specific needs, pursuant to the requirements of WIOA.

I. Coordinating Services:

In coordinating services and serving as a One-Stop Operator, the OSO provider contract and the OSO entity must refrain from establishing practices that create disincentives to provide services to individuals with barriers to employment; these participants may require long-term services such as intensive employment, training, and education services. The OSO procurement contract must ensure that AJC and other One-Stop System-related service providers do not develop practices that fail to provide access and opportunity for eligible participants to receive—and gain the benefit of—WIOA services (**WIOA Section 121[d][4][B]**). For example, the OSOs must ensure that training is not a requirement for WIOA enrollment; OSOs and LWDBs must avoid policies that require participants to carry the burden of tuition expenses through a reimbursement processes.

II. Performance:

The OSO procurement contract must include an explanation of measures and goals related to performance for each program. The OSO shall collect performance information from providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, and transitional employment as the Governor may require. This performance information should quantify post-secondary credential attainment achieved by participants, rate of employment after a participant exits from a training program, and earnings after a participant exits from a training program. This information will be used to determine whether the providers meet such performance criteria as the Governor may require (**WIOA Section 122[h][2]**).

III. Targeted Populations:

The OSO procurement contract must include information specific to serving individuals with barriers to employment. With respect to funds allocated to a Local Workforce Development Area (LWDA) for adult employment and training activities, priority to receive career and training services shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient (**WIOA Section 134[c][3][E]**). Contracts need to include information describing soft targets and goals to track the progress in serving the aforementioned populations.

IV. Delivery of Services:

The OSO and CSP must carry out all assigned duties as they relate to the delivery of services within the One-Stop System (**WIOA Section 134[c][2][C]**). If the LWDB receives specialized funding opportunities then the OSO and CSP must work with the LWDB to execute these services at the direction of the LWDB.

If United States Department of Labor (USDOL) or TDLWD allocate additional or specialized funds to the LWDA, the LWDB must direct the OSO and CSP on how to

leverage the additional funds to maximize service delivery within the LWDA. Contracts should include provisions to address services provided under this scenario.

V. Contracts:

Contracts between the OSO/CSP and LWDB must include, but is not limited to, the following criteria:

- Address the schedule and on-site presence of the OSO staff within the AJC, including number of staff
- Address how staff will be present in each AJC, including supervision
- Address hours of operation, including alternative hours to accommodate individuals who are unable to access facilities during regular business hours
- Address management of the memorandum of understanding (MOU) and coordination to aid the LWDB
- Address the process to on-board staff with a description of the provision of training (including on-going training)
- Address frequency of meetings between the OSO and the LWDB
- Address OSO monitoring requirements
- Address soft targets and service goals
- Address the OSO's strategy for community outreach
- Address WIOA partner strategies and activities

VI. Reporting:

The OSO is required to provide quarterly reports to the LWDB and LWDB staff to inform them of trends concerning the operation of the One-Stop System. These reports will inform the LWDB of strengths and weaknesses of service delivery within the LWDA, specifically as they pertain to the primary indicators of performance issued by the USDOL. These measures are in place to ensure that the LWDA's are meeting the negotiated targets established by the TDLWD; criteria used to demonstrate performance includes—but is not limited to—post-secondary credential attainment achieved by participants, rate of employment after participant exits from a training program, and earnings after a participant exits from a training program. Contracts should include language to clarify and ensure that this process is executed.

VII. Americans with Disabilities:

The OSO procurement contract must include a statement to indicate the OSO/CSP will comply with WIOA Section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities (**WIOA**

Section 108[b][6][C]).

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Contact:

For any questions related to this guidance, please contact Nicholas Bishop – Director of Compliance and Policy – Division of Workforce Services at Nicholas.Bishop@tn.gov

A handwritten signature in black ink, appearing to read "Deniece Thomas", is written over a horizontal line.

Deniece Thomas, Assistant Commissioner - Workforce Services Division