



MASSACHUSETTS
WORKFORCE INNOVATION AND OPPORTUNITY ACT
JOINT PARTNER COMMUNICATION

WIOA Joint Partner Communication 03.2021

Policy **Information**

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
MassHire Career Center Directors
MassHire Fiscal Officers
MDCS Operations Managers
Adult Education Providers
Massachusetts Rehabilitation Offices and Providers
Massachusetts Commission for the Blind Offices and Providers
SCSEP Providers
Department of Transitional Assistance Offices and providers of SNAP and TANF services

From: Jennifer James, Undersecretary, Executive Office of Labor and Workforce Development
Alice Sweeney, Director, MassHire Department of Career Services
Richard Jeffers, Director, Department of Unemployment Assurance
Toni Wolf, Commissioner, Massachusetts Rehabilitation Commission
Paul Saner, Commissioner, Massachusetts Commission for the Blind
Wyvonne Carter-Stevens, State Adult Education Director,
Department of Elementary and Secondary Education, Adult and Community Learning Services
Olga Yulikova, Senior Community Service Employment Manager,
Senior Community Service Employment Program
Amy Kershaw, Commissioner, Department of Transitional Assistance

Date: March 16, 2021

Subject: **Workforce Innovation and Opportunity Act (WIOA) Local Memorandum of Understanding (MOU) Guidance**

Purpose: To provide guidance to MassHire Workforce Boards (Local Boards), WIOA Required Partners (WIOA Partners) and other stakeholders (as locally defined) with regard to the WIOA Local MOU Guidance.

Background: WIOA emphasizes full and effective partnerships between Local Boards and One-Stop Career Center (OSCC) Required Partners and other Partners (as locally defined) to improve job and career options for youth, job seekers, and businesses. Massachusetts' WIOA partners are committed to developing a diverse, equitable, and inclusive integrated workforce system through collaboration in designing integrated services that place the customer at the center of the service delivery.

In accordance with WIOA Regulations 20 CFR § 678.500, the local MOU, a product of local discussion and negotiation, is an agreement developed and executed between the Local Board and the One-Stop Partners relating to the operation of the MassHire Career Center (MHCC) service delivery system in the local area.

The local MOU is a tool that defines service delivery methods and establishes a stable and equitable funding stream for ongoing one-stop operations. The MOU is developed in accordance with WIOA sec. 121(c) (1) *Memorandum of Understanding – Development*: “The Local Board, with the agreement of the Chief Elected Official, shall develop and enter into a memorandum of understanding (between the Local Board and the One-Stop Partners) concerning the partnership of integration of services within the local area.” WIOA allows the option of the development of a single “umbrella” MOU for a local area versus multiple different memoranda between Local Boards and each Partner (20 CFR § 678.505). Massachusetts' state-level Partners elected to implement the umbrella MOU model.

As described in WIOA Joint Partner Communication 03.2018, MassHire Workforce Boards convened their Partners to continue development of the initial local umbrella MOU leading towards a “refreshed” MOU. The purpose of the “refreshed” MOU was to ensure that Local (OSCC) MassHire Workforce Partners further expanded MOUs in response to feedback provided by the WIOA State Partners on areas of capacity building towards a strengthened MOU and new opportunities or partnerships developed during the course of FY18.

Negotiations of a “refreshed” local MOU resulted in a fully executed Local MOU with an effective period of no longer than three years (July 1, 2018 – June 30, 2021).

The MHCC Required Partners will convene to discuss integrated service delivery strategies by sharing lessons learned and best practices for partner agency alignment of programs and services to best serve shared customers. Discussions will result in a FY22 (July 1, 2021 – June 30, 2024) local MOU agreed upon by all Required Partners.

Definitions:

Infrastructure Funding Agreement - The Infrastructure Funding Agreement (IFA) contains the infrastructure cost budget, which is an integral component of the overall One-Stop operating budget; however, only infrastructure costs are recognized in the IFA. IFA's are mandatory components of the local MOU, described in **WIOA** sec. 121 (c) and 20 CFR 678.500 and 678.755.

The local MOUs in the 16 MassHire workforce areas serve as the IFA for the WIOA Required Partners unless otherwise noted.

Shared Customers: MHCC Partners have agreed that youth, job seekers, and businesses who receive services from more than one MHCC Required Partner are considered "shared" customers. Shared customers benefit from services and resources delivered across multiple MHCC Partners. MHCC required partner customers that are referred to the MCC system and complete a career center registration (CCR) and participate in career services are Shared Customers. Participation in career services includes but is not limited to the following:

- Completion of a Career Center Seminar
- Participation in workshops
- Staff assisted skills assessment
- Staff assisted job search

Note that shared customers are not required to be enrolled in a specific program, e.g., the WIOA Title I program.

Policy:

The MassHire Workforce Board will convene, MHCC Required Partners and other partners and stakeholders (as defined locally), at least quarterly or more frequently, to discuss, develop, negotiate and execute a WIOA Local MOU that specifies how services will be connected, integrated, leveraged and/or jointly designed in ways to promote diversity, equity, and inclusion that improve access to services and outcomes for shared customers.

The MassHire Career Center Required Partners are delineated in the Workforce Innovation and Opportunity Act (WIOA) as defined in Section 121 (b) and WIOA

Regulations 20 CFR Part 678.400. These mandatory partners of the One-Stop Career Centers include:

1. **The Adult Program (Title I of WIOA)**, as part of the MassHire Department of Career Services (MDCS), Executive Office of Labor and Workforce Development (EOLWD);
2. **The Dislocated Worker Program (Title I)**, as part of the MassHire Department of Career Services (MDCS), EOLWD;
3. **The Youth Program (Title I)**, as part of the MassHire Department of Career Services (MDCS), EOLWD, programs authorized under Title I, including: Job Corps, YouthBuild, Native American programs, and Migrant and Seasonal Farmworkers programs;
4. **The Adult Education and Family Literacy Act Program (Title II)**, as part of Adult and Community Learning Services (ACLS), Department of Elementary and Secondary Education (DESE) Executive Office of Education (EOE);
5. **The Wagner-Peyser Act Program** (Wagner-Peyser Act, as amended by Title III), as part of MDCS, EOLWD;
6. **The Vocational Rehabilitation Program** (Title I of the Rehabilitation Act of 1973, as amended by Title IV), as part of the Massachusetts Rehabilitation Commission (MRC) and Massachusetts Commission for the Blind (MCB), Executive Office of Health and Human Services (EOHHS);
7. **Federal-state unemployment compensation program**, as part of the Department of Unemployment Assistance (DUA), EOLWD;
8. **Trade Adjustment Assistance for Workers Programs** (Activities authorized under chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.)), as part of MDCS, EOLWD;
9. **Jobs for Veterans State Grants Program** (Programs authorized under 38, U.S.C. 4100 et. seq.) as part of MDCS, EOLWD;
10. **Temporary Assistance for Needy Families Program** (42 U.S.C. 601 et seq.) as part of Department of Transitional Assistance (DTA), EOHHS;
11. **Employment and Training Programs under the Supplemental Nutrition Assistance Program**, (Programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C.2015(d)(4))), as part of DTA, EOHHS;
12. **Senior Community Service Employment Program** (Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.));

13. Programs authorized under sec. 212 of the **Second Chance Act of 2007 (42 U.S.C. 17532)**

In accordance with WIOA § 678.400, Required Partners are entities responsible for administering programs and activities in the local area. As such, Required Partners that operate programs and activities in the local area must be included as a partner to the local MOU. Required Partners must participate in discussion related to integrated services strategies for MassHire Career Center customers and agree to the terms and conditions outline in the local MOU including the requirement to contribute to infrastructure costs to support the general operation of the MassHire Career Center system.

YouthBuild, Job Corps, and programs funded under the Second Chance Act are also Required Partners and must contribute to infrastructure and shared costs when those entities are present in the local area.

Please refer to Attachment F (*U.S. Department of Labor (U.S. DOL), Employment and Training Administration (ETA) Discretionary Grant Programs*) for active discretionary grants to organizations, other than the State Workforce Agency, located in Massachusetts.

MassHire Workforce Boards will include U.S. DOL, ETA Discretionary Grant Programs in the Workforce Innovation and Opportunity Act (WIOA) Local Memorandum of Understanding (MOU) when these programs are operated or program activities are provided in the local workforce area.

Organizations with discretionary grants are to be included as applicable within the MOU duration dates.

In addition to the WIOA Required Partners, local areas are encouraged to include other local area partner or non-required partners in the local area MOU. Non-required partners enhance the variety of services available to MHCCs customers. Non-required partner are not obligated to contribute to infrastructure and shared costs.

MassHire Workforce Boards will convene WIOA Required Partners on local area MOU teams at least quarterly to agree to the roles and responsibilities each Partner will have in the development of a diversity, equitable, and inclusive integrated service delivery strategy that meets the needs of customers and businesses.

MOU teams will strategize the delivery and access of services to shared customers through the MassHire Career Center Customer flow whether in-person or virtual. Please see Attachment C for the MassHire Virtual Customer Flow.

Note: The MOU is a fluid document and must be revised as appropriate to reflect changes in service delivery or funding methodologies.

The WIOA State level Partners will review the executed local MOUs and provide feedback in regard to areas of the MOU that can be strengthened including integrated service delivery strategies for shared customers.

In the event that the MHCC Partners, MassHire Workforce Board and MHCC Required Partners are unable to reach agreement (defined in WIOA as “Impasse”) with regard to how local workforce development services will be jointly delivered and funded, the local MassHire Workforce Board must notify the MassHire State Workforce Board, Governor, and the State Workforce Agency (MassHire Department of Career Services) as described in Attachment D.

**Local Board
Action**

Required: The MassHire Workforce Board convenes the MHCC Required Partners and other stakeholders (as defined locally) to improve and strengthen coordinated service delivery strategies for youth, job seekers, and businesses. The MassHire Board will engage with the MHCC Partners and other stakeholder to strategize integrated, person-centric service design and delivery within the MassHire Career Center.

Local MOUs are due to MDCS on **June 7, 2021**. Please email a scanned copy of your local MOU to Lisa Caissie at lisa.j.caissie@detma.org. Local **MOUs** will be reviewed for required WIOA Partner signatures, infrastructure contribution language, and requirements specified within this policy.

**Partner
Action**

Required: Representatives from the MHCC Required Partners and other stakeholders (as locally defined) will participate in the process to design and coordinate how local career center Services will be delivered and funded. This information is articulated in the WIOA Local MOU.

Effective: Immediately

Attachments: A - WIOA Local MOU Guidance
B - WIOA Local MOU Template
C - MassHire Virtual Customer Flow
D - Impasse Resolution/State Infrastructure Funding Mechanism
E - Impasse Resolution/State Infrastructure Funding Mechanism Notification Form
F – U.S. Department of Labor (U.S. DOL, Employment and Training Administration (ETA) Discretionary Grants as of November 30, 2020

Inquiries: For general questions about this joint communication, please email all question to PolicyQA@detma.org. Please include the issuance number with your inquiry.

References: Workforce Innovation and Opportunity Act (WIOA) (Pub. L. Section 121(c)(1 & 2))
20 CFR 678.500-678-510
34 CFR 361 and 463