

## **ASSURANCES – FY2026**

The following document describes the formal assurances related to statutory compliance, program integration, universal access, customer choice, reporting, Veterans' priority of service, performance, quality assurance and other program and administrative elements to which each local MassHire Workforce Board agrees, ensuring the systemic foundation of the Massachusetts workforce development system. By signing the MassHire Workforce Board Certification package the Board and CEO certify that the operators and partners of the local MassHire system will adhere to these assurances and comply with all federal, state and local statutes, regulations and policies relevant to the delivery of services within the context and meaning of workforce board certification.

Please note due to the COVID-19 Pandemic and resultant emergency operating conditions, any reference to in-person service or physical building locations shall be construed to include virtual and remote services in compliance with state's guidance with regard to physical locations and in-person services.

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### **1. Registered Apprenticeship**

The MassHire Workforce Board assures support of EOLWD's Apprenticeship Expansion Strategic Plan including the vision for Massachusetts as home to a vibrant and diverse apprenticeship ecosystem with the nation's best apprenticeship programs that offer businesses access to the most skilled and diverse workforce, and our jobseekers' access to the most flexible and comprehensive training options in the country. Support will include promotion of Registered Apprenticeship as a viable workforce development strategy to address growing skill gaps, and as a solution benefiting job seekers and business alike.

The MassHire Workforce Board, through the Division of Apprentice Standards, will ensure that staff across the career center system receive comprehensive training in understanding and promoting the Registered Apprenticeship model.

A. In partnership with the Massachusetts Division of Apprentice Standards (the State Apprenticeship Agency in Massachusetts) and economic development and education, Registered Apprenticeship Programs will be developed that:

- a. are designed to create opportunity and help employers attract, train, and retain talent to drive our economy forward

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- b. are industry-vetted and approved by the U.S. Department of Labor
  - c. provide apprentices with paid work experience, classroom instruction, on the job training and, upon completion of the program, a portable, nationally recognized credential.
- B. All sponsors of Registered Apprentice Programs will be notified of their eligibility to be placed on the Eligible Training Provider List (ETPL).
- C. Grant funds (State Apprenticeship Expansion Formula Grant) will be utilized to:
- Expand sector-related growth and RAP opportunities through strategic planning, supply-and-demand driven policy interventions, and a framework for new, quality program opportunities, as measured by increasing annual output of training opportunities, guidance documents, and other deliverables designed to increase awareness and understanding of the apprenticeship model in MA.
  - Engage in multi-media, in-depth stakeholder engagement, with a focus on reaching untapped talent pools in the Commonwealth of Massachusetts and explaining the benefits of registered apprenticeship; and generating further support across the State. We expect to see an annual growth in both engagement and apprentices enrolled and registered.
  - Realize greater quality programs and impact through state apprenticeship system modernization, data sharing and technology adoption, as measured by increased program completion rates, increased apprenticeship enrollment and registration, and increased year-to-year use of the statewide Salesforce-based apprenticeship data system.

### 2. Branding

The MassHire Workforce Board assures MDCS that it will fully implement and comply with the MassHire Branding requirements established by EOLWD and MDCS, ensuring that all workforce board activities are conducted under the MassHire brand.

### 3. Budget and Administration (WIOA Sec 107(d)(12))

- (A) Budget - The MassHire Workforce Board shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official.
- (B) Administration –
- (i) Grant Recipient –
    - (I) In general – the chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.
    - (II) Designation – In order to assist in administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the

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local grant recipient for a local area, may designate an entity to serve as a local grant sub-recipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I).

- (III) Disbursal – The local grant recipient or an entity designated under subclause (II) shall disburse the grant funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board.
- (ii) Grants and Donations – The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act. Appropriate firewalls must be maintained.
- (iii) Tax-Exempt Status – For purposes of carrying out duties under this Act, local boards may incorporate and may operate as entities described in section 501(c)(3) of the Internal Revenue Code of 1986 that are exempt from taxation under section 501(a) of such Code. Appropriate firewalls must be maintained.

### **4. Business Services in MOSES**

The MassHire Workforce Board ensures the accurate and timely entry of all business and customer services into the MOSES system. This guarantees that comprehensive data is captured, allowing for efficient service delivery, performance tracking, and continuous improvement.

To facilitate this, Board staff—where appropriate—are granted MOSES access, equipping them with the capability to analyze service trends, identify areas for enhancement, and explore streamlined approaches that maximize operational efficiency. The Board will actively engage in sharing best practices across workforce regions, collaborating on process improvement initiatives, and leveraging innovative strategies to refine service delivery.

Through these efforts, the Board is committed to developing a concierge-style approach for Massachusetts businesses, ensuring seamless access to workforce development resources, responsive support, and tailored solutions that address evolving employer needs. By fostering data-driven decision-making and strategic partnerships, the Board strengthens the workforce system’s ability to drive economic growth and create meaningful employment opportunities.

### **5. Cannabis**

Cannabis is an illegal substance at the Federal level as defined by the Federal Control Substances Act (Title 21 USC). Federal funds will not be awarded to any entity for activities or the hiring of positions related to the use, cultivation and distribution of cannabis. MassHire Boards assure that they and MassHire Career Centers will adhere to the guidelines

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set forth in **Issuance: 100 DCS 03.116** Issued: **02/23/2024**, [Workforce Development Services and the Industrial Hemp and Marijuana/Cannabis Industries.](#)

### **6. Career Center Seminar (CCS)**

The MassHire Workforce Board assures that the local MassHire Career Center will provide Career Center Seminars (CCS) to all customers (those that do not access the on-demand video available through JobQuest) in accordance with Massachusetts policies and all subsequent policy and CCS updates. Boards must ensure that Career Centers schedule a sufficient number of CCSs to effectively meet demand and accommodate service needs.

### **7. Career Pathways Development (WIOA Sec 107(d)(5))**

The MassHire Workforce Board, in collaboration with representatives from secondary and post-secondary education programs and MassHire Career Center Required Partners, is committed to leading efforts in the local area to develop and implement comprehensive career pathways. These pathways will align employment opportunities, training programs, education, and supportive services to effectively serve both adults and youth, with a strong focus on individuals facing barriers to employment.

Special emphasis will be placed on collaborations to provide access to ESOL (English for Speakers of Other Languages) programs to enhance access for non-native English speakers, ensuring they can fully participate in workforce opportunities. Additionally, the Board will work to identify and support training initiatives in high-demand occupations, equipping job seekers with the skills necessary to succeed in rapidly evolving industries. By fostering collaboration and streamlining resources, MassHire aims to create a more inclusive and responsive workforce system that empowers individuals and strengthens the local economy.

### **8. Co-enrollment and Career Planning Services for Targeted Customers**

- A. The MassHire Workforce Board is dedicated to promoting co-enrollment across all eligible federal, state, institutional, and privately funded workforce programs to maximize the benefits and services available to jobseekers. Co-enrollment refers to enrolling an individual in more than one grant, contract, or cooperative agreement—including programs authorized under the Workforce Innovation and Opportunity Act of 2014 (Sections 156(a) and 189(c), 29 U.S.C. 3193(a), 3249(c)).

Through strategic coordination, the Board will ensure access to career technical education, on-the-job learning opportunities, supportive services, and other funded activities, while minimizing service duplication.

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The Board will actively support co-enrollment as this approach is designed to offer jobseekers robust, customized support that expands their access to resources and improves their employment outcomes.

- B. The MassHire Workforce Board assures that MassHire Career Center Operators will provide Career Planning services for targeted customers consistent with state policy. Customers targeted for career planning services include: WIOA Title I enrollees (priority shall be given to: recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient); military “eligible covered persons” (Veterans and certain spouses of Veterans) Veterans who are between 18-24, service connected disabled Veterans and any Veteran with a significant barrier to employment in compliance with Guidance from DOL/VETS; National Dislocated Worker Grant (NDWG) participants; and Trade Adjustment Assistance (TAA) participants.

### 9. Conflict of Interest

The MassHire Workforce Board assures compliance with MWI: 100 DCS 03.107: [Conflict of Interest & Code of Conduct Policy / Procedure Statement of Policy.](#)

MassHire Workforce Board members are considered, "special state employees" within the meaning of the Massachusetts Conflict of Interest Law, G.L. c. 268A, §S 1-25, and, therefore, are subject to the provisions of that statute.

The MassHire Workforce Board assures they as well as Board members, will complete biennial online training imposed by the State Ethics Reform Law, G.L. c. 268A, § 28. The biennial online training and Summary of Conflict of Interest Law is provider on the site below:

**Ethics Site for the Summary of the Conflict of Interest Law for State Employees** <http://www.mass.gov/ethics/summaries-of-the-law-in-english-spanish-portuguese.html>

### 10. Convening, Brokering, and Leveraging (WIOA Sec 107(d)(3))

The MassHire Workforce Board assures it will convene local workforce development system stakeholders to assist in the development of the local plan under section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. The MassHire Workforce Board, including standing committees, may engage such stakeholders in carrying out the functions described in this subsection.

### 11. Coordination with Education Providers (WIOA Sec 107(d)(11))

MassHire Workforce Board assures that...

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- (A) The MassHire Workforce Board shall coordinate activities with education and training providers in the local area, including providers of workforce investment activities, providers of adult education and literacy activities under title II, providers of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and local agencies administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, than section 1112 or part C of that title (29 U.S.C. 732, 741).
- (B) Applications and Agreements – the coordination described in subparagraph (A) shall include –
- (i) Consistent with section 232 –
    - (I) Reviewing the applications to provide adult education and literacy activities under title II for the local area, submitted under such section to the eligible agency by eligible providers, to determine whether such applications are consistent with the local plan; and
    - (II) Making recommendations to the eligible agency to promote alignment with such plan; and
  - (ii) Replicating cooperative agreements in accordance with subparagraph (B) of section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C 721(a)(11), and implementing cooperative agreements in accordance with that section with the local agencies administering plans under title I of that Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)), with respect to efforts that will enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.
- (C) Cooperative Agreement – In this paragraph, the term “cooperative agreement” means an agreement entered into by a State designated agency or State designated unit under subparagraph (A) of section 101(a)(11) of the Rehabilitation Act of 1973.

### 12. Customer Choice

The MassHire Workforce Board assures that local MassHire Career Center System Operators and partners will adhere to the principles of customer choice in the provision of services covered under this local plan.

### 13. Debarment, (Certification Regarding)

The MassHire Workforce Board certifies, that neither it nor its principals:

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- are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal or State department or agency;
- have within the 3 year period preceding this plan been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- are presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with the commission of any of the offenses enumerated above; or
- have within the 3-year period preceding this application had one or more public transactions (Federal, State or Local) terminated for cause or default.

### **14. Diversity, Equity, Inclusion, and Accessibility (DEIA)**

The MassHire Workforce Board agrees to:

- Promote a diverse, equitable, inclusive, and accessible integrated service delivery system that meets the needs of jobseekers and businesses.
- Cultivate an environment for staff and managers that is welcoming and inclusive of diverse perspectives, circumstances, and backgrounds.

### **15. Financial Recordkeeping, Cost Principles and Cost Allocation**

The MassHire Workforce Board agrees to maintain all financial records, and to develop and follow cost allocation procedures that are in compliance with GAAP, federal circulars, and policies issued by the Commonwealth, as follows:

- 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR 2900, for DOL Agency Regulations and Grant Agreements (for DOL Awards)
- 2 CFR Subpart E – Cost Principles
- 20 CFR Part 683, Subpart B – Administrative Rules, Costs, and Limitations

### **16. Foreign Labor Certification – Agricultural (H-2A) & Non-Agricultural (H-2B) and PERM**

The MassHire Workforce Board assures that the local MassHire Career Center Operators (in accordance with all relevant state policies and procedures, and the requirements set forth at 20 CFR, Part 655, Subpart A -Labor Certification Process for Temporary Non-Agricultural Employment in the United States (H-2B Workers) and Subpart B—Labor Certification Process for Temporary Agricultural Employment in the United States (H-2A Workers) and 20

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CFR 656, Subpart A – Labor Certification Process for Permanent Employment of Aliens in the United States will assist the MassHire Department of Career Services and employers to determine the availability of U.S. workers and the potential adverse effect on wages and working conditions that the admission of foreign workers might have on similarly employed U.S. workers. The Board assures that MassHire Career Centers will facilitate the referral of qualified and eligible (meaning that the individual is not an unauthorized alien with respect to that employment) job seekers and will assist applicants and employers throughout the recruitment process. For all visa programs, the Board also agrees that MassHire Career Centers will conduct follow-up activities on H-2A / B and PERM related job referrals, assist employers with requirement reports and accurately document in MOSES any such activities as per relevant federal/state policies, procedures and regulations.

Furthermore, the Board ensures that Career Centers will comply with all provisions of the Agricultural Recruitment System (ARS), including the timely dissemination of agricultural job opportunities and prioritization of domestic worker recruitment and adherence to protections afforded to U.S. and migrant seasonal farmworkers under applicable laws.

MassHire Workforce Boards and Career Centers agree that any apparent violations involving vulnerable populations working in agriculture, such as unsafe conditions, wage theft, or exploitation will be promptly reported to the appropriate authorities to ensure legal compliance, protect workers' rights, and uphold the standards of the Agricultural Recruitment System.

These efforts reflect the Board's commitment to promoting fair labor practices, supporting Massachusetts employers, and maintaining a transparent and compliant recruitment infrastructure.

### **17. Functional Guidance Related to MDCS Staff**

The MassHire Workforce Board assures that MassHire Career Center Operators and their management and supervisory employees will provide a level of functional guidance to MDCS staff assigned to the local area's MassHire Career Center(s) sufficient to assure an integrated and seamless delivery of services. Functional guidance includes advisement and assistance in carrying out assigned duties and responsibilities but must be construed at a lower level of authority than direct supervision. Compensation, personnel actions and terms and conditions of employment, including performance appraisals and accountability of merit-staff employees will remain under the authority of MDCS. State managers will provide supervision and guidance to MDCS staff assigned to MassHire Career Centers, operating in a spirit of mutual cooperation with the Operator, MDCS leadership, and all partner organizations. The MassHire Workforce Board will ensure that all parties collaborative efforts remain centered on meeting the collective performance goals established by local areas, partners and MDCS for the MassHire workforce system.

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### **18. Funds of Last Resort**

The MassHire Workforce Board assures that the MassHire Career Center System Operators shall take sufficient actions to assure that WIOA programs will not be charged when other assistance is available. Local operators shall be responsible for ensuring the filing of applications for Pell Grant or Supplemental Education Opportunity Grant (SEOG) assistance or any other assistance available for each participant enrolled in a Pell Grant or SEOG-approved course and upon receipt of such grant the portion received by a training participant for the cost of tuition, fees and books shall be applied to replace the WIOA funds used to cover such costs. If the Pell Grant is received after the termination of training paid with WIOA funds, the portion to be applied for the cost of tuition, fees and books shall be remitted to the career center operator. No compensation shall be earned or deemed payable for services provided to a WIOA program participant to the extent that any such services are paid for, directly or indirectly, through a Pell Grant (or Supplemental Education Opportunity Grant (SEOG)) by Trade, or by any other source.

### **19. Grievance Procedure Policy**

The MassHire Workforce Board assures that the local MassHire Career Center Operators will adopt the MassHire DCS' Unified Complaint System Standard Operating Procedures and establish and maintain a formal unified complaint resolution process consistent with Issuance: 100 DCS 03.101.4, Unified Workforce Development System Complaint and Appeals Process Policy (and related attachments) and all subsequent updates; that provides a procedure for the submission and resolution of complaints/grievances initiated by either customers, employers or other parties who allege violations of the employment service system, WIOA and/or the non-discrimination and Equal Opportunity provisions of Title VI of the Civil Rights Act, as amended; Title IX of the Education Amendments Act; Section 504 of the Rehabilitation Act, as amended; the Age Discrimination Act; Title II of the Americans with Disabilities Act and WIOA implementing regulations promulgated at 20 CFR §658, Subpart E and Subpart F, 20 CFR Part 683, Subpart F, 20 CFR Part 679, Subpart B, Section 290; 29 CFR Part 38, Subpart C. WIOA sections 181(c) and 188.

### **20. Health and Safety**

The MassHire Workforce Board agrees all services provided to participants under the programs covered under this plan will take place in an environment where appropriate standards for health, safety and comfort are maintained. Participants in on-the-job training operated with WIOA funds as defined in 20 CFR Part 680.700, are subject to the same health and safety standards established under State and Federal law, which are applicable to similarly employed employees, of the same employer, who are not participants in programs under WIOA. Facilities will be adequately heated and ventilated; with adequate toilet, rest and lunch areas; easy access to potable water; and separate and clearly delineated smoking areas.

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### 21. Lobbying

The cost of certain influencing activities associated with obtaining grants, contracts, or cooperative agreements, or loans is an unallowable cost to Federal funds. Lobbying with respect to certain grants, contracts, cooperative agreements, and loans is governed by relevant statutes, including among others, the provisions of [31 U.S.C. 1352](#), as well as the common rule, “New Restrictions on Lobbying” published on February 26, 1990, including definitions, and the Office of Management and Budget “Governmentwide Guidance for New Restrictions on Lobbying” and notices published on December 20, 1989, June 15, 1990, January 15, 1992, and January 19, 1996.

### 22. MassHire Business Coordination

MassHire Business Coordination is a key initiative of the Massachusetts Workforce Development System; key to the success is state/local coordination of services and activities. All MassHire Workforce Boards and MassHire Career Centers agree to participate in MassHire Business Services activities, and, as feasible, assist in the coordination of activities locally. Activities include but are not all inclusive of [Workforce Issuance 100 DCS 11.102](#).

**Employer Engagement** - The MassHire Workforce Board assures that it will lead efforts to engage with a diverse range of employers and with entities in the region involved –

- (A) To promote business representation (particularly representatives with optimal policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the local board;
- (B) To develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;
- (C) To ensure that workforce investment activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and
- (D) To develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.

### 23. Memorandum of Understanding (MOU)

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WIOA Sec. 121(c) the MassHire Workforce Board, with the agreement of the chief elected official, shall develop and enter into a memorandum of understanding (between the MassHire local board and the MassHire Career Center partners) concerning the operation of the MassHire Career Center delivery system in the local area. Each MOU shall contain –

(A) Provisions describing –

- (i) The services to be provided through the MassHire Career Center delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated and delivered through such system;
- (ii) How the costs of such services and the operating costs of such system will be funded;
- (iii) Methods of referral of individuals between the MassHire Career Center operator and the MassHire Career Center partners for appropriate services and activities;
- (iv) Methods to ensure the needs of workers and youth, and individuals with barriers to employment; and
- (v) The duration of the MOU and procedures for amending the memorandum during the duration of the memorandum and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services; and

(B) Such other provisions, consistent with the requirements of this title, as the parties to the agreement determine to be appropriate.

All Massachusetts MOUs shall include the following language: to be included in each of the 16 local MOUs:

*“The Parties of this MOU agree that all required partners have a joint funding responsibility to support and maintain an effective local integrated service delivery system. In addition, all parties to the MOU recognize that shared and infrastructure costs are applicable to all required Partners. As such, all parties to this agreement acknowledge that the Local MOU herein serves the purpose of the infrastructure funding agreement (IFA) as required by WIOA. The infrastructure funding agreement as described will be revisited on an annual basis and 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 in proportion to relative benefits received. Infrastructure funds are apportioned at the state level based on the percentage of shared customers served in each local workforce area. State Partners will establish a methodology that will ensure costs are allowable, reasonable, necessary and allocable. As appropriate, State Partners will enter into Inter-agency Service Agreements (ISAs) or Contracts with the MassHire Department of Career Services (MDCS), as the designated State Workforce Agency (SWA), to issue the local allocations. Local Boards will ensure all allocations are incorporated into the local integrated budget during the annual planning process. MDCS will monitor the spending*

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*of all shared and infrastructure costs and Local partners agree to meet regularly to discuss integrated service delivery strategies and the shared and infrastructure funds needed to actualize services. On an annual basis, local partners will provide suggestions and recommendations to state level partners for adjustments to shared and infrastructure funds allocated. The utilization of infrastructure funds will be reviewed on a quarterly basis. Staff time and in-kind resources attributed to shared costs will be reviewed annually for necessary adjustments.”*

### **24. Migrant and Seasonal Farmworkers (MSFW), (Services to)**

The MassHire Workforce Board assures that the local MassHire Career Center Operators will ensure (in accordance with all relevant state policies and procedures and as required under 20 CFR Part 651, Definitions; Part 652, Subpart C; Part 653, Subpart B and F; Part 654, Subpart E; Part 658, Subpart E and Subpart F; Part 678, Subpart B and Part 685, Subpart B that Migrant and Seasonal Farm Workers (MSFWs) will receive the full array of workforce development services, benefits and protections on a non-discriminatory manner and that the services provided to MSFWs will be “qualitatively equivalent and quantitatively proportionate” to the services provided to other jobseekers. MassHire Career Center will identify and register Migrant and Seasonal Farmworkers (MSFWs); provide such customers - including those English Language Learners (ELLs) - with services and information to include assessment of skill levels and abilities, career guidance, job search workshops, referral to jobs or training as appropriate, workers’ rights and complaint system information. The services offered to employers, in addition to referral of job seekers in response job openings, include matching job requirements with job seeker experience, skills and other characteristics, assisting employers with hard-to-fill job orders and other workforce development services as needed. Conduct appropriate follow-up with employers, applicants and other service providers; and report all relevant activities through MOSES and any other ad-hoc required reports. MassHire Workforce Boards / MassHire Career Centers will continue to integrate, coordinate, develop, implement systems and strategies to better serve the agricultural community.

MassHire Workforce Boards and Career Centers agree that any suspected violations impacting vulnerable migrant and seasonal farmworkers, such as labor trafficking, unsafe housing, or wage-related abuses will be promptly reported to the appropriate enforcement agencies to uphold legal protections and safeguard workers’ rights under the Migrant and Seasonal Agricultural Worker Protection Act (MSPA).

### **25. Negotiation of Local Performance Accountability Measures (WIOA Sec 107(d)(9))**

The MassHire Local Board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance accountability measures as described in section 116(c).

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### **26. Nepotism**

The MassHire Workforce Board assures that no recipient of funds covered under this plan will hire a person in an on-the-job training position, administrative capacity or consultant position funded under WIOA if the individual or a member of his/her immediate family is employed in an administrative capacity of the USDOL, EOLWD, MDCS, DUA, Commonwealth Corporation or the recipient. The Board agrees to inform the MassHire Department of Career Services of any potential violation of the nepotism restriction. Additionally, no individual may be placed in a WIOA employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual.

### **27. Nondiscrimination Employment & Equal Opportunity**

The MassHire Workforce Board assures that the local MassHire Career Center Operator will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The Board also assures MDCS that it will comply with all other regulations implementing the laws listed above. This assurance applies to the operation of the WIOA Title I financially assisted program or activity, as well as to one-stop partners listed in WIOA Section 121(b) that offer programs or activities through the MassHire Career Center system. The Board understands that the United States, the Commonwealth of Massachusetts and the MDCS have the right to seek judicial enforcement of this assurance. The Board also assures that the local MassHire Career Center Operator will appoint an Equal Opportunity Officer to ensure compliance with the regulatory requirements cited above.

### **28. Nonparticipation in Sectarian Activities**

The MassHire Workforce Board assures that WIOA Title I funds will not be expended on the employment or training of participants in sectarian activities. Participants must not be employed under Title I of WIOA to carry out the construction or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place of religious worship. However, WIOA funds may be used for the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship if the

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organization operating the facility is part of a program or activity providing services to WIOA participants.

### **29. Performance**

The MassHire Workforce Board agrees that for purposes of this plan, performance will be measured in a manner that is consistent with all appropriate federal and/or state statutes, regulations and policies.

### **30. Political Activities, Lobbying Prohibition**

The MassHire Workforce Board assures that WIOA Title I funds and none of the services provided with said funds may be used for any partisan or non-partisan political activity or to further the election or defeat of any candidate for public office. The MassHire Workforce Board also agrees to comply, where applicable, with the provisions of the Hatch Act, which limits the political activity of certain State and Local government employees, along with contractors, subcontractors and participants funded through the use of WIOA funds. The MassHire Workforce Board shall comply with 29 CFR 93 regarding the restrictions on lobbying and the Certification and Disclosure requirements pursuant to Section 319 of Public Law 101-121.

### **31. Program Integration**

The MassHire Workforce Board affirms its commitment to ensuring that the MassHire Career Center delivery system fully integrates all programs outlined in this local plan into the comprehensive suite of workforce development services available to job seekers and employers.

The Board agrees to invest in cross-training and shared learning. This commitment will empower staff to see their work as part of a larger ecosystem. The Workforce Board commits to leadership alignment, setting the tone for MassHire Career Center operators and/or service providers for collaboration, supporting cross-program planning, and ensuring integration is prioritized in policy, funding, and performance frameworks.

The Board further agrees that Disabled Veterans' Outreach Program (DVOP) specialists will take the lead in case managing services for eligible veterans, and, when feasible, will support Career Center staff in delivering priority services to veteran customers in alignment with federal guidelines.

### **32. Program Oversight (WIOA Sec 107(d)(8))**

The MassHire Workforce Board, in partnership with the chief elected official for the local area, shall –

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- (A) (i) conduct oversight for local youth workforce investment activities authorized under section 129(c), local employment and training activities authorized under subsections (c) and (d) of section 134, and the one-stop delivery system in the local area; and
- (ii) ensure the appropriate use and management of the funds provided under subtitle B for the activities and system described in clause (i); and
- (B) For workforce development activities, ensure the appropriate use, management, and investment of funds to maximize performance outcomes under section 116.

### **33. Proven and Promising Practices (WIOA Sec 107(d)(6))**

The MassHire Workforce Board assures it will lead efforts in the local area to –

- (A) Identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system; and
- (B) Identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

### **34. Quality Assurance (General)**

The MassHire Workforce Board assures the local MassHire Career Center Operator will carry out all activities relevant to the provision of each program covered under this plan in accordance with all Federal/State policies and procedures. The Board further assures that a schedule for the monitoring of local MassHire Career Center activities will be developed and agreed upon in concert with MDCS. Additionally, the Board assures that MDCS shall have full access to all MassHire Career Center staff, records, systems, data, books, accounts, correspondence and other documentation necessary to carry out its program evaluation responsibilities as authorized by statute and/or regulation. The MassHire Workforce Board also agrees that MDCS, in order to effectively carry out its responsibilities, may conduct on-site evaluation activity that is either with or without advance notice. The MassHire Workforce Board also assures that local staff training relevant to the delivery of services covered under this plan will be developed and agreed upon in concert with MDCS.

### **35. Rapid Response Services**

The MassHire Department of Career Services (MDCS) is responsible for delivering pre-layoff early intervention Rapid Response activities in collaboration with MassHire Workforce Boards and Chief Elected Officials (CEOs). The MDCS Rapid Response Team is tasked with planning and providing timely, on-site services to assist dislocated workers, facilitating their

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swift reentry into the workforce, and keeping Workforce Boards and CEOs informed of these activities.

The MassHire Workforce Board affirms that local Career Center Operators and other workforce development staff will actively support and coordinate with Rapid Response staff in partnership. This coordination will be carried out in accordance with all applicable federal and state policies and procedures. The Board emphasizes the importance of sustained engagement along with their MassHire Career Center(s) in these efforts, ensuring continued support to affected businesses and jobseekers.

### **36. Reemployment Services and Eligibility Assessment (RESEA)**

The MassHire Workforce Board assures that the local MassHire Career Center(s) will provide RESEA services in accordance with 100 DCS 23.100.3, RESEA Policy and Procedures Manual and other related subsequent new or updated guidance found here:

<https://www.mass.gov/service-details/massworkforce-wioa-reemployment-services-eligibility-assessment-resea-policy>.

Reemployment Services and Eligibility Assessments (RESEAs) serve as the cornerstone of a jobseeker’s journey through the MassHire Career Center system, offering an early, structured entry point into the world of workforce services. These services not only set realistic expectations but also help jobseekers align their goals with in-demand occupations, accelerating their path to reemployment. As such, RESEA should be positioned as the foundational layer of support—one that activates deeper engagement with job search assistance, skill-building opportunities, and career planning resources. Embedding RESEA into the broader career center experience ensures jobseekers receive timely, relevant, and impactful guidance from day one. MassHire Workforce Boards will ensure MassHire Career Centers engage individuals at the onset and deliver personalized assessments, labor market information, and make referrals to career and training services, as appropriate.

### **37. Reporting**

The MassHire Workforce Board assures that the local MassHire Career Center delivery system (in accordance with all relevant Federal and State policies and procedures) will collect data on customer characteristics, service/activity participation, and outcomes consistent with individual workforce program requirements and with requirements of the Massachusetts One-Stop Employment System (MOSES). All data/information must be reported through the state tracking system (currently MOSES) to ensure the integrity of all federal and state reporting requirements.

### **38. Section 30/Trade Adjustment Assistance (TAA) - Training Opportunities Program**

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The MassHire Workforce Board assures that local MassHire Career Center Operators will provide timely and appropriate services for any customer wishing to apply for benefits under either the Training Opportunities Program (TOP), aka Section 30 of Chapter 151A of Massachusetts General Law for the Unemployment Insurance program or the Trade Adjustment Assistance (TAA) Program. The MassHire Workforce Board also assures that local MassHire Career Center Operators will conform to all policies and regulations of these programs. The MassHire Workforce Board assures that local MassHire Career Center Operators will provide timely assistance to customers with the application process for UI benefits, training services, and other related program allowances provided in conjunction with the TOP and/or TAA programs. TOP and TAA customers will also be eligible to receive Career Planning services including Assessment, Goal Setting, Strategy/Plan Development, Service Delivery Coordination, Follow-Up and Case Closure consistent with state policy. The MassHire Workforce Board also assures that local MassHire Career Center Operators will cooperate with any Hearings requirements related to UI, TOP and/or TAA benefit eligibility issues.

### **39. Selection of Operators and Providers (WIOA Sec 107(d)(10))**

- (A) Selection of MassHire Career Center Operators – Consistent with section 121(d), the MassHire Workforce Board, with the agreement of the chief elected official for the local area –
  - (i) Shall designate or certify one-stop operators as described in section 121(d)(2)(A); and
  - (ii) May terminate for cause the eligibility of such operators
- (B) Selection of Youth Providers – Consistent with section 123, the MassHire Workforce Board –
  - (i) Shall identify eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis (except as provided in section 123(b)), based on the recommendations of the youth standing committee, if such a committee is established for the local area under subsection (b)(4). The grant recipient/fiscal agent has the option to provide directly some or all of the youth workforce investment activities at the discretion of the board. The board assures it will determine how workforce activities are identified in the local area; and
  - (ii) May terminate for cause the eligibility of such providers.
- (C) Identification of Eligible Providers of Training Services – Consistent with section 122, the local board shall identify eligible providers of training services in the local area.
- (D) Identification of Eligible Providers of Career Services – If the one-stop operator does not provide career services described in section 134(c)(2) in a local area, the local board shall identify eligible providers of those career services in the local area by awarding contracts.
- (E) Consumer Choice Requirements – Consistent with section 122 and paragraphs (2) and (3) of section 134(c), the local board shall work with the State to ensure there are

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sufficient numbers and types of providers of career services and training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the local area and providing the services involved in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.

### **40. Statutory Compliance**

The MassHire Workforce Board agrees to comply with the Workforce Innovation and Opportunity Act of 2014, the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Trade Reform Act of 2002, the Trade and Globalization Adjustment Assistance Act of 2009, the Trade Adjustment Assistance Extension Act of 2011, and the Trade Adjustment Assistance Reauthorization Act of 2015, the Jobs for Veterans Act and all related statutory requirements and implementing regulations. The MassHire Workforce Board also agrees to comply with policies issued by the MassHire Department of Career Services (MDCS) and the Department of Unemployment Assistance (DUA related to the administration, delivery and performance of all programs covered by this local plan.

### **41. Technology (WIOA Sec 107(d)(7))**

The MassHire Workforce Board assures that it will develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers, by-

- (A) Facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;
- (B) Facilitating access to services provided through the one-stop delivery system involved, including facilitating the access in remote areas;
- (C) Identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system such as improving digital literacy skills; and
- (D) Leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.

### **42. Unemployment Insurance (UI) Information (Access to)**

The MassHire Workforce Board assures that local MassHire Career Center Operators will use any information received from the UI's Unemployment Services for Workers system related to claimants solely for the purpose of providing reemployment services to UI claimants. The MassHire Workforce Board further assures that all information on UI

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claimants received by the MassHire Career Center Operators will be used in a manner that is consistent with state and federal confidentiality statutes and policies.

### 43. UI Unemployment Services for Workers/UI Services

DUA's Unemployment Services for Workers is the automated Unemployment Insurance Benefit System for the Commonwealth of Massachusetts. The MassHire Workforce Board assures that MassHire Career Center customers will be provided access to computers for personal online filing of UI claims, telephones to access Unemployment Assistance Telecenters, and staff assistance in navigating the Unemployment Services for Workers system or any subsequent UI benefits system in accordance with [Staffing MassHire Career Centers to Provide Meaningful Access to UI Services – Level 1 and Level 2 Service Provision](#), **Issuance: 100 DCS 32.100 Issued: 10/28/2020** and other related subsequent new or updated guidance.

### 44. Unionization and Anti-Unionization

The MassHire Workforce Board assures that no funds covered by this plan shall in any way be used to either promote or oppose unionization.

### 45. Universal Access

The MassHire Workforce Board assures that the local MassHire Career Center delivery system [as described in 20 CFR 678.300(b) of the Workforce Innovation and Opportunity Act and in accordance with all relevant state policies and procedures] will provide services to all customers consistent with the principles of universal access and supports an integrated, customer-focused service delivery system that is diverse, equitable and inclusive that meets the needs of priority populations as well as local businesses. The MassHire Workforce Board also assures that career services, including staff-assisted services, will be provided in at least one physical career center in the workforce development area.

WIOA Sec 107(d)(13) – Accessibility for Individuals with Disabilities – The local board shall **annually** assess the physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), of all one-stop centers in the local area.

### 46. Veterans Priority of Services

The MassHire Workforce Board assures that LVER and/or DVOP staff assigned to the local MassHire Career Centers, consistent with the principle of universal access, will engage with service providers in their local community including but not limited to Veteran Service Delivery Points (SDPs) such as Veterans Administration Hospitals, Veterans' shelters and military installations for which no LVER or DVOP is assigned for the purpose to maximize

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the number of Veterans and their families that are referred to the MassHire workforce system to access available services. The Board also assures that DVOP and LVER staff will also conduct outreach to employers, community agencies, Veterans' organizations, etc. and that they will share information gained from these contacts with staff of the MassHire Career Centers.

The MassHire Workforce Board agrees that MassHire Career Center Operators will assure priority of services for Veterans and other eligible persons (under the Federal umbrella designation of "covered persons" 20 CFR Part 1010.110 RIN 1293-AA15) for all employment and training services funded with Federal resources. The MassHire Workforce Board also assures that it will encourage and promote the provision of maximum employment and training opportunities to Veterans by all service program providers participating in the local workforce development system. To promote informed choice for Veteran customers, the MassHire Workforce Board agrees that MassHire Career Center System Operators will provide information at the point of program access that advises covered persons of the priority of service and the advantages of registration to access special programs and services for Veterans and the availability of DVOP or LVER staff to assist with these Veteran services and with employment issues. Operators are also required to have policy and processes in place to ensure that Veterans/covered persons are identified at point of entry and given the full opportunity to take full advantage of priority of service apart from the DVOP and LVER program or services (ETA TEGL/ Veterans Program Letter 07-09 Joint POS Guidance). To further assure priority of service and maximum opportunity to covered persons, the MassHire Workforce Board agrees that MassHire Career Center Operators will integrate Federal Contractor Program job information and listings of Federal job openings in the MOSES system. Both printed and electronic Federal Contractor Program and Federal job information will be available to Veteran customers.

Federal Contractors and Federal Agencies will be provided with recruitment assistance in accordance with their obligation for Affirmative Action and Veterans' preference requirements pursuant to 38 U.S.C., Chapter 42.

The MassHire Workforce Board agrees that LVER staff (not a DVOP role should really be done in conjunction with Business Engagement) will provide training and technical assistance to MassHire Career Center staff relative to Federal employment opportunities for Veterans and the Federal Contractor Job Listing Program.

The MassHire Workforce Board agrees that MassHire Career Center Operators will monitor and provide quarterly reports, Manager's Report on Services to Veterans, in accordance with 38 U.S.C. 4104(e) on the universality of Veteran services provided by MassHire Career Center delivery system staff and the access and receipt of these Veteran services provided to Veterans and eligible persons.

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The MassHire Workforce Board agrees that under this plan LVER and DVOP staff can receive functional guidance from the MassHire Career Center Operator. However, compensation, personnel actions and terms and conditions of employment, including performance appraisals and accountability of merit-staff employees will remain under the authority of MDCS.

The MassHire Workforce Board will demonstrate through policy, procedure and action that Veterans receive priority of service for all programs funded by DOL sources; and that no local policy shall restrict services to Veterans regardless of residency or other local constraints.

### **47. Wagner Peyser Earmark Funds**

Relative to the allowable uses of Wagner Peyser funding, the Commonwealth is exercising its authority to utilize Wagner Peyser 10% funds to supplement funding of workforce activities carried out under the Workforce Innovation and Opportunity Act (WIOA). Wagner-Peyser (29 U.S. Code § 49f; 20 CFR 652.205)

This authority is reflected in § 7(c) of the Wagner-Peyser Act as delineated below:

Funds authorized under Wagner-Peyser Act may be used under sec. 7(c) to provide additional funding to other activities authorized under WIOA if:

- (1) The activity meets the requirements of the Wagner-Peyser Act, and its own requirements;
- (2) The activity serves the same individuals as are served under the Wagner-Peyser Act
- (3) The activity provides services that are coordinated with services under the Wagner-Peyser Act; and
- (4) The funds supplement, rather than supplant, funds provided from non-Federal sources.

### **48. Work Opportunity Tax Credit**

The MassHire Workforce Board assures that the local MassHire Career Center Operators will assist in determining the eligibility of interested customers as members of targeted groups; and assist interested customers and employers to complete related documentation including IRS Form 8850 Work Opportunity Credit Pre-screening Notice and Certification Request, and DOL Form ETA-9061 (Individual Characteristics Form) or DOL Form ETA-9062 (Conditional Certification). Issuance of final certifications will remain a central administrative responsibility of MDCS. There are no reporting requirements applicable to this section.