

Mass Workforce Issuance

100 DCS 21.104

☒ Policy ☐ Information

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: December 2, 2016

Subject: **Migrant Seasonal Farmworker Monitoring Protocols**

Purpose: To notify Local Workforce Development Boards, One-Stop Career Center Operators and other local workforce partners of state policy and guidance regarding monitoring activities related to WIOA Services to Migrant and Seasonal Farmworkers (MSFWs).

Policy: As part of ongoing responsibilities to oversee federal employment and training WIOA activities, the Department of Career Services (DCS) must ensure that Migrant and Seasonal Farmworkers (MSFWs) are provided with and have access to employment and training services consistent with the requirement that all services of the Workforce Development System be available to all job seekers on an equitable basis. This includes the following services:

- a.) WIOA/Wagner-Peyser Act (Employment Services) Program;
- b.) WIOA Training Programs;
- c.) WIOA Youth Services; and
- d.) Other DOL funded services available through partners.

MSFWs must receive these services on a basis which is qualitatively equivalent and quantitatively proportionate to services provided to non-MSFWs. In addition,

One Stop Career Centers (OSCCs) are to ensure that MSFWs have access to these services in a way that meet their unique needs.

The State Monitor Advocate (SMA) at the Department of Career Services (DCS) is responsible for establishing and operating a comprehensive monitoring program designed to ensure that the SWA and the OSCCs are in compliance with appropriate regulatory requirements related to services provided to MSFWs by the state office and OSCCs.

As part of these responsibilities, the SMA conducts an ongoing review of the service delivery and protections which DCS and the OSCCs afford to MSFWs under WIOA and Wagner-Peyser regulations; makes certain that the monitoring review format, developed by the US DOL, is used as a guideline in conducting local office MSFW onsite monitoring reviews.

Consistent with Federal requirements, DCS will ensure that the locations that are designated as significant MSFW offices will be monitored yearly.

Non-significant OSCC offices will be reviewed on an as needed basis and a sample of the local offices will be chosen for review at least every two years.

All statistical and other MSFW-related data reported by OSCCs will be reviewed in order to:

1. determine the extent to which the state agency has complied in providing the full range of employment services to MSFWs, and
2. to identify the areas of inadequate compliance.

In addition, the SMA is responsible for the submission of timely reports on status of services and maintaining regular and personal contacts with National Farmworker Job Program (NFJP - WIOA section 167 grantee) to coordinate and monitor service and activity.

Action

Required: Each local Workforce Development Board will ensure that Career Center staff is informed of the content of this issuance and that the local One-Stop Career Center continue to comply with the MSFW service requirements set forth in 20 CFR Parts 651, 652, 653, 658, 675 and 678.

Effective: Immediately

Inquiries: Please email all questions to Jose.Ocasio@MassMail.State.MA.US

Attachments: A: Services to MSFWs Monitoring Review Process

ATTACHMENT A
Services to MSFWs Monitoring Review Format

In general, the following topics will be covered during the State Monitor Advocate monitoring review:		
<ol style="list-style-type: none"> 1. Facility Requirements (i.e. signage, accessibility, etc.) 2. Customer Flow (language services, referrals, etc.) 3. Delivery of Services (Basic and Individualized) 4. Quality of Services and Partnerships 5. Use and Implementation of MSFW indicators of Compliance 6. Business Services 7. Job Orders / Referrals 8. Complaint System (knowledge of and meeting requirements) 9. Follow-up Services 		
A.	Notice of Onsite Review to WDB and OSCC	Notice will be provided at least 30 days prior to visit.
B.	Entrance Meeting	The State Monitor Advocate (SMA) and "Review Team" discuss the monitoring protocol to be followed with WDB and OSCC staff.
C.	Observation of Facilities and Customer Flow	The "Review Team" will complete a walk-through of the facility and observe the reception area and waiting area.
D.	Review of SOP and Policies	Verify that protocols and policies are in place; determine "best practices" and make note of areas of concern.
E.	Review of Customers Records	Completeness of records, use of MSFW indicators, general maintenance of records.
F.	Interview Management and Staff	The "Review Team" interviews key program staff and partners including Case Director, Operation Manager, Business Service Representative, Job Specialists, Counselors, Receptionist, Complaint Resolution Officer, partner staff and customers, as appropriate.
G.	Exit Meeting	The Review Team meets with WDB/OSCC staff to discuss the results of the monitoring review, required improvements that must be made and best practices.
H.	Narrative Report and Statistical Analysis	The Review Team will conduct a statistical analysis of data and trends, prepare a narrative report summarizing and detailing its findings, including any best practices, concerns, recommendations for improvement, and aspects that required corrective action(s).
I.	Closing Meeting	SMA and the WDB/OSCC discuss findings and corrective action (if any) and set dates for follow-up visits (as needed).
J.	DCS Issues Notice of Findings to WDB/OSCC	DCS sends notice within 30 working days after Closing Meeting.
K.	WDB/OSCC Proposes Corrective Action Plan	<ol style="list-style-type: none"> 1. Response to DCS/SMA within 30 working days after receipt of Notice of Findings. 2. DCS approval and follow-up takes place within 30 working days of receipt of Corrective Action Plan.
L.	WDB/OSCC Starts Implementation of Corrective Action after DCS/SMA Approval	SMA conducts follow-up every month until issues are resolved.

Note: On-site monitoring reviews will generally last 2 days.