

TABLE OF CONTENTS

LEGAL AUTHORITY AND INTRODUCTION.....	1
VISION, MISSION AND GOALS.....	3
SYSTEM STRUCTURE	4
PA CAREERLINKS®	4
OPERATOR.....	5
PARTNERS.....	5
TERMS AND CONDITIONS	6
PARTNER SERVICES.....	6
ROLES AND RESPONSIBILITIES	9
RESOURCE SHARING AGREEMENT.....	36
PA CAREERLINK OPERATING BUDGET	36
INFRASTRUCTURE FUNDING AGREEMENT.....	39
DEFINITIONS	43
AUTHORITY AND SIGNATURE	46

Legal Authority

The Workforce Innovation and Opportunity Act (WIOA) sec. 121(c)(1) requires the Local Board, with the agreement of the Chief Elected Official (CEO), to develop and enter into a Memorandum of Understanding (MOU) between the Local Board and the One-Stop Partners, consistent with WIOA Sec. 121(c)(2), concerning the operation of the one-stop delivery system in a local area. This requirement is further described in the Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions: Final Rule at 20 CFR 678.500, 34 CFR 361.500, and 34 CFR 463.500, and in Federal guidance.

Additionally, the sharing and allocation of infrastructure costs among one-stop partners is governed by WIOA sec. 121(h), its implementing regulations, and the Federal Cost Principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) at 2 CFR part 200.

Memorandum of Understanding

This MOU is executed between Workforce Solution for North Central PA/North Central Workforce Development Board (NCWDB), the PA CareerLink® system Partners (Partners), and the Chief Elected Official (CEO). They are collectively referred to as the “Parties” to this MOU.

This MOU is developed to confirm the understanding of the Parties regarding the operation and management of the six PA CareerLink® Centers and (1) affiliate site in the North Central Workforce Development Area (WDA). The NCWDB provides local oversight of workforce programming for the North Central WDA.

The NCWDB, with the agreement of the CEO, has (competitively) selected an Operator for the North Central WDA, as further outlined in the One-Stop Operator section.

The Operating Budget and this MOU establishes a financial plan, including terms and conditions, to fund the services and operating costs of the North Central WDA PA CareerLink® system. The Parties to this MOU agree that joint funding is an essential foundation for an integrated service delivery system and necessary to maintain the NCWDA’s high-standard PA CareerLink® system.

The Vision, Mission, System Structure, Terms and Conditions, and Operating Budget outlined herein reflect the commitment of the Parties to their job seekers, workers and business customers, as well as to the overall community in North Central PA.

INTRODUCTION

Changing labor markets and advances in technology have revolutionized how businesses find talent and jobseekers look for work. Social media, online talent platforms, and professional networking sites are evolving rapidly, perpetuating shifts in labor market dynamics. Additionally, rising consumer expectations and global competition have transformed how business is conducted in most industries. Employers must move faster and more efficiently in order to stay ahead of (or at least keep up with) competitors. This makes

it imperative for the public workforce system to continuously adapt and reframe strategies and policies designed to support employers and job seekers.

The NCWDB seeks to establish a system that stands in stark contrast to the “traditional”/historical transaction-based model, whereby each agency operates its own business and job seeker services functions, and participants move from place to place seeking services. Instead, the goal is to create integrated locations and a unified structure and process of proactive, transparent, and effective job seeker and business services, orchestrated by a seamless collaboration of talent development and support agencies.

The purpose of this Memorandum of Understanding (MOU) is to define the parameters within which education, workforce, economic development, and other Partner programs and entities operating in the North Central WDA create a seamless, customer-focused service delivery system that aligns service delivery across the board and enhances access to program services. By realizing one-stop opportunities together, partners are able to build community-benefiting bridges, rather than silos of programmatic isolation. These partnerships will reduce administrative burden and costs and increase customer access and performance outcomes.

VISION

The North Central Workforce Development Board will be a strategic workforce development leader focused on promoting economic prosperity and self-sufficiency of individuals by creating a workforce that is competitive in the global marketplace.

MISSION

The North Central Workforce Development Board serves as the premier facilitator of an innovative workforce development system that meets the changing human capital needs of our employers and provides resources for our job seekers that maximizes their career potential and focuses on the customers’ needs.

GOALS

- Enhance public-private partnerships through better connectivity and communication in order to increase investment in our workforce system leading to greater economic vitality for our region.
- Engage in Sector Strategies of our growth industries identifying current skill gaps of both the incumbent and entry-level worker that will result in skill upgrades through customized training and partnerships.
- Design innovative workforce development strategies to reach young adults and keep them engaged through the identification of best practices and development of new programs utilizing the Customer Centered Design Method.
- Identify Career Pathways in major industry sectors to enhance career counselling that will result in training opportunities for our customers through skill, credential and degree attainment.
- Ensure that our customers, both employers and job seekers, remain in the center of our design of all services and encourage our partners to do the same.

SYSTEM STRUCTURE

PA CareerLink® Centers

The North Central WDA has six PA CareerLink® centers and (1) affiliate site, also known as one-stop centers that are designed to provide a full range of assistance to job seekers, workers and businesses under one roof. Established under the Workforce Investment Act of 1998 (*WIA*) and continued by the Workforce Innovation and Opportunity Act (*WIOA*), the centers offer a comprehensive array of services designed to match talent with opportunities.

The North Central Workforce Development Area is comprised of the following:

1. Clearfield County PA CareerLink® Center (Comprehensive)

Todd Vanderburgh, Site Administrator	Phone (814) 765-6562
1125 Linden Street	Email Address: tvanderburg@pa.gov
Clearfield, PA 16830	Operating Hours: 8 AM to 4PM

2. Clearfield County at Dubois PA CareerLink® Center (Comprehensive Site)

Thomas Bogacki, Site Administrator	Phone (814) 371-5658
20 North Sixth Street	Email Address; tbogacki@pa.gov
Dubois, PA 15801	Operating Hours: 8 AM to 4PM

3. Jefferson County PA CareerLink® Center (Comprehensive Site)

Todd Vanderburgh, Site Administrator	Phone (814) 938-1076
103 East Union Street	Email Address: tvanderburg@pa.gov
Punxsutawney, PA 15767	Operating Hours: 8 AM to 4PM

4. Elk County PA CareerLink® Center (Comprehensive Site)

Thomas Bogacki, Site Administrator	Phone (814) 834-2857
245 Depot Street	Email Address; tbogacki@pa.gov
St. Marys, PA 15857	Operating Hours: 8 AM to 4PM

5. Cameron County PA CareerLink® (Affiliate Site)

<i>Thomas Bogacki, Site Administrator</i>	Phone (814) 834-2857
<i>221 East Second Street</i>	Email Address; tbogacki@pa.gov
<i>Emporium, PA 15834</i>	Operating schedule: Tuesday and Thursday

6. McKean County PA CareerLink® Center (Comprehensive Site)

Terry Cole, Site Administrator	Phone (814)368-5376
40 Davis Street	Email Address: tecole@pa.gov
Bradford, PA 16701	Operating Hours: 8 AM to 4PM

7. Potter County PA CareerLink® Center (Comprehensive Site)

Terry Cole, Site Administrator	Phone (814)274-7481
279 Route 6 West	Email Address: tecole@pa.gov
Coudersport, PA 16915	Operating Hours: 8 AM to 4PM

One-Stop Operator

The NCWDB selected the one-stop operator through a competitive process in accordance with the Uniform Guidance, WIOA and its implementing regulations, and local procurement laws and regulations. All documentation for the competitive one-stop operator procurement and selection process is public information and may be viewed upon request. The Commonwealth requires that the one-stop operator is re-competed at least every three (3) years and no later than every four (4) years. Functional details are outlined in the Roles and Responsibilities of Partners section, under One-Stop Operator.

Partners

Section 121(b)(1)(B) of WIOA identifies the entities that are required partners in the local one-stop delivery systems.

The required partners are the entities responsible for administering the following programs and activities in the local area:

(1) Programs authorized under Title I of WIOA, including:

- (i) Adults;
- (ii) Dislocated workers;
- (iii) Youth;
- (iv) Job Corps;
- (v) YouthBuild;
- (vi) Native American programs; and
- (vii) Migrant and seasonal farmworker programs;

(2) The Wagner-Peyser Act Employment Service program authorized under the Wagner-Peyser Act (29 U.S.C. 49et seq.), as amended by WIOA title III;

(3) The Adult Education and Family Literacy Act (AEFLA) program authorized under title II of WIOA;

- (4) The Vocational Rehabilitation (VR) program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720et seq.), as amended by WIOA title IV;
- (5) The Senior Community Service Employment Program authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056et seq.);
- (6) Career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301et seq.);
- (7) Trade Adjustment Assistance activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271et seq.);
- (8) Jobs for Veterans State Grants programs authorized under chapter 41 of title 38, U.S.C.;
- (9) Employment and training activities carried out under the Community Services Block Grant (42 U.S.C. 9901et seq.);
- (10) Employment and training activities carried out by the Department of Housing and Urban Development;
- (11) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law);
- (12) Programs authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and
- (13) Temporary Assistance for Needy Families (TANF) authorized under part A of title IV of the Social Security Act (42 U.S.C. 601et seq.), unless exempted by the Governor under § 678.405(b).

TERMS AND CONDITIONS

Partner Services

At a minimum, Partners will make the below services available, as applicable to the program, consistent with and coordinated via the PA CareerLink® system . Additional services may be provided on a case by case basis and with the approval of the Local WDB and the CEO.

BUSINESS SERVICES

- Serve as a single point of contact for businesses, responding to all requests in a timely manner
- Provide information and services related to Unemployment Insurance taxes and claims
- Assist with disability and communication accommodations, including job coaches
- Conduct outreach regarding local workforce system's services and product
- Conduct on-site Rapid Response activities regarding closures and downsizings
- Develop On-the-Job Training (OJT) and Transitional Employment (TE) contracts
- Provide access to labor market information
- Provide customized recruitment and job applicant screening, assessment and referral services

- Provide employer and industry cluster-driven Occupational Skills Training through Individual Training Accounts with eligible training providers
- Assist with the interpretation of labor market information
- Conduct job fairs
- Develop customized training opportunities to meet specific employer and/or industry sector needs
- Use of one-stop center facilities for recruiting and interviewing job applicants
- Coordinate with employers to develop and implement layoff aversion strategies
- Post job vacancies to the JobGateway® and take and fill job postings
- Provide information regarding disability awareness issues
- Provide information regarding workforce development initiatives and programs
- Provide information regarding assistive technology and communication accommodations

JOB SEEKER SERVICES

Basic Career Services

- Outreach, intake and orientation to the information, services, programs, tools and resources available through the local workforce system
- Initial assessments of skill level(s), aptitudes, abilities and supportive service needs
- In and out-of-area job search and placement assistance (including provision of information on in-demand industry sectors and occupations and non-traditional employment)
- Access to employment opportunities and labor market information
- Performance information and program costs for eligible providers of training, education, and workforce services
- Information on performance of the local workforce system
- Information on the availability of supportive services and referral to such, as appropriate
- Information and meaningful assistance on Unemployment Insurance claim filing
- Determination of potential eligibility for workforce Partner services, programs, and referral(s)
- Information and assistance in applying for financial aid for training and education programs in addition to that which is provided under WIOA

Individualized Career Services

- Comprehensive and specialized assessments of skills levels and service needs
- Development of an individual employability development plan to identify employment goals, appropriate achievement objectives, and appropriate combination of services for the customer to achieve the employment goals
- Referral to training services
- Literacy activities related to work readiness
- Individual employment counseling and career planning
- Case management for customers seeking training services; individual in- and out- of- area job search, referral and placement assistance
- Potential placement in work experience, transitional jobs, registered apprenticeships, and internships

- Workforce preparation services (e.g., development of learning skills, punctuality, communication skills, interviewing skills, personal maintenance, literacy skills, financial literacy skills, and professional conduct) to prepare individuals for unsubsidized employment or training
- Post-employment follow-up services and support (*This is not an individualized career service, but listed here for completeness.*)

Training

- Occupational skills training through Individual Training Accounts (ITAs)
- Adult education and literacy activities, including English language acquisition (ELA), provided in combination with the training services described above
- On-the-Job Training (OJT)
- Incumbent Worker Training
- Programs that combine workplace training with related instruction which may include cooperative education
- Referral to training programs operated by the private sector
- Skill upgrading and retraining
- Entrepreneurial training
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training
- Other training services as determined by the workforce partner's governing rules

YOUTH SERVICES

- Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential.
- Alternative secondary school services, or dropout recovery services, as appropriate.
- Paid and unpaid work experiences that have as a component academic and occupational education, which may include: Summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, internships and job shadowing, and on-the-job training opportunities.
- Occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved.
- Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster. Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate.
- Supportive services.
- Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months.
- Follow-up services for not less than 12 months after the completion of participation, as appropriate.

- Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate.
- Financial literacy education.
- Entrepreneurial skills training.
- Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services.
- Activities that help youth prepare for and transition to postsecondary education and training.

Roles and Responsibilities of Parties

The Parties to this agreement will work closely together to ensure that all North Central PA CareerLink® centers are high-performing work places with staff that will ensure quality of service.

All Parties to this agreement shall comply with:

- Section 188 of the WIOA Nondiscrimination and Equal Opportunity Regulations (29 CFR Part 38; Final Rule, published December 2, 2016),
- Title VI of the Civil Rights Act of 1964 (Public Law 88-352),
- Section 504 of the Rehabilitation Act of 1973, as amended,
- The Americans with Disabilities Act of 1990 (Public Law 101-336),
- The Jobs for Veterans Act (Public Law 107-288) pertaining to priority of service in programs funded by the U.S. Department of Labor,
- Training and Employment Guidance Letter (TEGL) 37-14, Update on Complying with Nondiscrimination Requirements: Discrimination Based on Gender Identity, Gender Expression and Sex Stereotyping are Prohibited Forms of Sex Discrimination in the Workforce Development System and other guidance related to implementing WIOA sec. 188,
- The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR part 99),
- Confidentiality requirements governing the protection and use of personal information held by the VR agency (34 CFR 361.38),
- The confidentiality requirements governing the use of confidential information held by the State UI agency (20 CFR part 603),
- all amendments to each, and
- all requirements imposed by the regulations issued pursuant to these acts.

The above provisions require, in part, that no persons in the United States shall, on the grounds of race, color, national origin, sex, sexual orientation, gender identity and/or expression, age, disability, political beliefs or religion be excluded from participation in, or denied, any aid, care, services or other benefits provided by federal and/or state funding, or otherwise be subjected to discrimination.

Additionally, all Parties shall:

- Collaborate and reasonably assist each other in the development of necessary service delivery protocols for the services outlined in the Partner Services section above,
- Agree that the provisions contained herein are made subject to all applicable federal and state laws, implementing regulations, and guidelines imposed on either or all Parties relating to privacy rights of customers, maintenance of records, and other confidential information relating to customers, and
- Agree that all equipment and furniture purchased by any party for purposes described herein shall remain the property of the purchaser after the termination of this agreement.

◆ **Workforce Solutions for North Central PA/NCWDB**

The NCWDB ensures the workforce-related needs of employers, workers, and job seekers in the North Central region are met, to the maximum extent possible with available resources.

The NCWDB will, at a minimum:

- In Partnership with the CEO and other applicable Partners within the Local WDA, develop and submit a Local WDA plan that includes a description of the activities that shall be undertaken by the Local WDB and its Partners, and that aligns its strategic vision, goals, objectives, and workforce-related policies to the regional plan and economy,
- Approve the CareerLink® Operating Budget,
- Approve the selection of the one-stop operator following the competitive procurement process, Coordinate with all Partners to oversee the operations of the North Central WDA PA CareerLink® system,
- In collaboration and partnership with the CEO and other applicable Partners within the planning region, develop the strategic regional vision, goals, objectives, and workforce-related policies,
- In cooperation with the Local CEO design and approve the PA CareerLink® system structure. This includes, but is not limited to:
 - Adequate, sufficient, and accessible one-stop center locations and facilities,
 - Sufficient numbers and types of providers of career 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),
 - A holistic system of supporting services,
 - One or more competitively procured one-stop operators,
 - In collaboration with the CEO, designate through a competitive process, oversee, monitor, implement corrective action, and, if applicable, terminate the one-stop operator,
 - Determine the role and day-to-day duties of the one-stop operator,
 - Approve annual budget allocations for operation of the PA CareerLink® system,
 - Help the one-stop operator recruit operational Partners and negotiate MOUs with new Partners,

- Leverage additional funding for the PA CareerLink® system to operate and expand one-stop customer activities and resources,
- Review and evaluate performance of the North Central WDA and one-stop operator.

◆ Local Workforce Development Board Staff

Specific responsibilities include, at a minimum:

- Assist the CEO and the Local WDB with the development and submission of a local single and regional plan,
- Support the Local WDB with the implementation and execution of the regional vision, goals, objectives, and workforce-related policies, including all duties outlined above,
- Provide operational and grant-specific guidance to the one-stop operator,
- Investigate and resolve elevated customer complaints and grievance issues,
- Prepare regular reports and recommendations to the Local WDB,
- Oversee negotiations and maintenance of MOUs with one-stop Partners,
- Facilitate all WDB Committees.

◆ Operator

The Operator, under the guidance of the Workforce Delivery System Committee and WDB staff will work with the Site Administrators who will act as “functional leaders”. As such, they will have the authority to organize Partner staff in order to optimize and streamline service delivery efforts. Formal leadership, supervision, and performance responsibilities will remain with each staff member’s employer of record.

The One-Stop Operator will, at a minimum:

Assist in the oversight of PA CareerLink® centers. The Operator cannot manage or assist in future competitive processes for selecting operators or select or terminate one-stop operators, career services providers, or youth providers. The operator cannot negotiate local performance accountability measures or develop and submit budgets for activities of the Local WDB. NCWDB is responsible for the negotiated performance measures, strategic planning, budgets, and one-stop operator oversight (including monitoring).

The Operator will

- Serve in a professional and collaborative manner as an intermediary with all the one-stop partners.
- Know and understand, through resources provided by the partners and Workforce Solutions (WS), the parameters under which the partners provide services.
- Know and understand, through resources provided by the partners and WS, each partner’s performance goals and method of measurement.
- Observe and monitor, using only methods approved by WDB staff, the partner referral mechanism to ensure effectiveness and focus on the customer, whether it is a job seeker or employer. Reports

observations and recommendations for improvement to the WDS Committee and Workforce Solutions.

- Develop a mechanism for engagement with the CareerLink® System.
- Serve as an ambassador for the one-stop system to a variety of audiences in the community, positively and accurately sharing information about the services provided through the Workforce Delivery System, while consistently reflecting the Vision, Mission and Goals of the Workforce Development Board in a professional, collaborative, and confidential manner.
- Attend and complete a standardized checklist approved by WS, a minimum of three (3) of each of the PA CareerLink® Team meetings across the region, including Business Services, Job Seeker, Welcome/Referral, and Staff to ensure policy is achieved. Checklist and comments will then be shared with the WDS Committee.
- Seek out potential revenue-generating partnerships and report information to WDB staff. Upon written approval from Board staff that the potential partner is appropriate for the Workforce Delivery System, share the information with the appropriate Site Administrator(s) for further development. Follow up to determine outcome.
- Once the WDB establishes criteria, assist, through observation and reporting to the WDS Committee, with the WDB's one-stop center certification process, which is essential for receipt of infrastructure funding.
- Ensure the Department's 'Methods of Administration' are enacted, maintained and adhered to, as well as ensuring that relevant equal opportunity and civil rights measures are properly posted and enforced by reporting concerns to the WDS Committee.

The Site Administrators under the oversight of the WDS Committee and the WDB along with the Operator will, at a minimum:

- Manage daily operations, including but not limited to:
 - Managing and coordinating Partner responsibilities, as defined in this MOU,
 - Managing hours of operation, including extended hours of operation,
 - Coordinating daily work schedules and work flow based upon operational needs, and
 - Coordinating staff vacations/unscheduled absences with the partners to ensure service coverage by center staff.
 - Assist the Local WDB and the Operator in establishing and maintaining the PA CareerLink® system structure. This includes but is not limited to:
 - Ensuring that State requirements for center certification are met and maintained,
 - Ensuring that career services such the ones outlined in WIOA sec. 134(c)(2) are available and accessible,
 - Ensuring that NCWDB CareerLink policies are implemented and adhered to,
 - Adhering to the provisions outlined in the contract with the NCWDB,
 - Reinforcing strategic objectives of the NCWDB to Partners, and

- Ensuring staff are properly trained by their formal leadership organizations and provided feedback as appropriate.
- Integrate systems and coordinating services for the center and its Partners, placing priority on customer service.
- Assist in integrating Workforce Service Delivery, as defined by WIOA, means organizing and implementing services by function (rather than by program), when permitted by a program's authorizing statute and as appropriate, and by coordinating policies, staff communication, capacity building, and training efforts.
 - Functional alignment includes having one-stop center staff who perform similar tasks serve on relevant functional teams, e.g. Job Seeker Team or Business Services Team or Welcome Team.
 - Service integration focuses on serving all customers seamlessly (including targeted populations) by providing a full range of services staffed by cross-functional teams, consistent with the purpose, scope, and requirements of each program.
 - The services are seamless to the customer, meaning the services are free of cumbersome transitions or duplicative registrations from one program service to another and there is a smooth customer flow to access the array of services available in the center.
- Knows and oversees partner, program, and PA CareerLink® system performance. This includes but is not limited to:
 - Providing and/or contributing to reports of center activities, as requested by the NCWDB,
 - Collaborating with the Local WDB on efforts designed to ensure the meeting of program performance measures, including data sharing procedures to ensure effective data matching, timely data entry into the case management systems, and coordinated data batch downloads (while ensuring the confidentiality requirements of FERPA, 34 CFR 361.38, and 20 CFR part 603),
 - Ensuring open communication with the formal leader(s) and the Operator in order to facilitate efficient and effective center operations,
 - Evaluating customer satisfaction data and proposing service strategy changes to the Operator and NCWDB based on findings.
 - Providing input to the formal leader (partner program official) on the work performance of staff under their purview,
 - Notifying the formal leader immediately of any staff leave requests or unexcused absences, disciplinary needs, or changes in employee status,
 - Identifying and facilitating the timely resolution of complaints, problems, and other issues,
- Manage fiscal responsibilities and records for the center. This includes assisting the Local WDB with cost allocations and the maintenance and reconciliation of one-stop center operation budgets.

◆ Partners

Each partner commits to cross-training of staff, as appropriate, and to providing other professional learning opportunities that promote continuous quality improvement.

Partners will further promote system integration to the maximum extent feasible through:

- Effective communication, information sharing, and collaboration with the Site Administrators, Workforce Delivery System Committee, WDB staff, and One-Stop Operator,
- Joint planning, policy development, and system design processes,
- Commitment to the joint mission, vision, goals, strategies, and performance measures,
- The design and use of common intake, assessment, referral, and case management processes,
- The use of common and/or linked data management systems and data sharing methods, as appropriate,
- Leveraging of resources, including other public agency and non-profit organization services,
- Participation in a continuous improvement process designed to boost outcomes and increase customer satisfaction,
- Participation in regularly scheduled Workforce Delivery System Committee meetings to exchange information in support of the above and encourage program and staff integration.

Individual Partners contribution to the North Central PA CareerLink® system is defined as follows:

Wagner-Peyser

1. Description of Services

Wagner-Peyser staff provides employment services to job seekers and employers through PA CareerLink® centers. Services to job seekers include, but are not limited to: job search and job placement assistance; career counseling; needs and interest assessments; proficiency testing; workshops; development of an individual employment plan; and case management. Services to employers include assistance in developing and posting job orders, referral of qualified job seekers to job openings and organizing job fairs. Both job seekers and employers are also provided with labor market information to help inform their activities.

2. Access to Services

Access to Wagner-Peyser Act Services will be provided within the local workforce development system through physical and programmatic resources described below. Bureau of Workforce Development Partnership & Operations (BWPO) is the State Workforce Agency (SWA) responsible for administering Wagner-Peyser Act services in accordance with federal regulations.

- a) Wagner-Peyser service focuses on providing a variety of employment related labor-exchange services including, but not limited to: job-search assistance, job referral, and placement help for job seekers, re-employment services to unemployment insurance claimants and recruitment services to employers with job openings. Services are delivered in one of three modes: self-service, facilitated self-help services and staff-assisted service delivery.
- b) Depending on the needs of the labor market, other services – such as assessment of job-seekers’ skills, abilities and aptitudes, career guidance when appropriate; job-search workshops and referral to training may be necessary.

- c) The services offered to employers, in addition to referring job seekers to available job openings, include: help developing job-order requirements, matching job seekers' experience with job requirements, skills and other attributes, helping employers with special recruitment needs, arranging for job fairs, helping employers analyze hard-to-fill job orders, helping restructure jobs and helping employers deal with layoffs.
- d) Job seekers who are veterans receive priority referral to jobs and training, as well as veteran-specific employment services. PA CareerLink® delivers specialized services to individuals with disabilities, migrant and seasonal farm-workers, ex-offenders, youth, minorities and older workers.

Trade Act

1. Description of Services

Trade Act programs are focused on getting participants reemployed and ensuring those individuals maintain employment. The TAA Program includes training, employment and case management services, job search allowances, relocation allowances, Trade Readjustment Allowances (TRA), Reemployment Trade Adjustment Assistance (RTAA) and Alternative Trade Adjustment Assistance (ATAA), and the Health Coverage Tax Credit (HCTC) (a benefit available to eligible TAA recipients which is administered by the Internal Revenue Service (IRS)).

The TAA program was first established at the USDOL by the Trade Act of 1974, and has been amended several times. Individual workers who are members of the certified worker group apply for benefits and services at a PA CareerLink® office. Individual workers who meet the qualifying criteria may receive: job training; income support in the form of Trade Readjustment Allowances (TRA); job-search and relocation allowances; Health Coverage Tax Credit (HCTC) as determined by the Internal Revenue Service (IRS); and for workers age 50 and older, a wage supplement in the form of Re-Employment Trade Adjustment Assistance (RTAA; (ATAA)). Additionally, all workers covered by a certification are eligible for employment and case-management services, including basic and individualized career services either through the TAA program or through and in coordination with the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act (reference TEGL No. 3-15).

2. Access to Services

Access to Trade Act Services will be provided within the local workforce development system through physical and programmatic resources outlined below.

- a. The commonwealth will emphasize and reinforce case management services as a means to maintain performance levels for Trade Act participants. Re-employment services will also be enhanced as a component of case management services for participants who have completed Trade Act training prior to exiting the program. This will ensure that participants are receiving the necessary assistance to enter the workforce with suitable employment in place. These services are provided by the Bureau of Workforce Development & Operations Trade staff located in Central office and PA CareerLink® staff located throughout the state.

- b. The commonwealth implemented an online application for TAA training, job-search and relocation allowances, the Alternative Trade Adjustment Assistance (ATAA) and Reemployment Trade Adjustment Assistance (RTAA) programs. This online application is accessed via the Internet, and dislocated workers, PA CareerLink® Merit staff and training providers add information online. PA CareerLink® Merit staff helps trade-affected workers complete their applications, and assess workers' skills and experiences.
- c. The commonwealth uses Wagner-Peyser resources to provide career services for all job seekers. Pennsylvania's service delivery system provides greater choice and focuses resources where dislocated workers most need them. Dislocated workers receive all WIOA services in a comprehensive PA CareerLink® center. Pennsylvania co-enrolls all TAA-eligible workers in the WIOA program to ensure that all Trade participants receive the full range of assistance available to dislocated workers. These services are provided by our partner network, which includes Title 1 Contractors and local Workforce Development Boards.

The H2A (Temporary Agricultural Program) and H2B (Temporary Non- Agricultural Program)

1. Description of Services

The H2A (Temporary Agricultural Program) and H2B (Temporary Non- Agricultural Program) help U.S employers fill jobs while protecting U.S. and foreign workers.

Hiring foreign workers for employment in the U.S. normally requires approval from several government agencies. First, employers must seek labor certification through the U.S. Department of Labor (DOL). Once the application is certified (approved), the employer must petition the U.S. Citizenship and Immigration Services (CIS) for a visa. Approval by DOL does not guarantee a visa issuance. The Department of State (DOS) will issue an immigrant visa number to the foreign worker for U.S. entry. Applicants must also establish that they are admissible to the U.S. under the provisions of the Immigration and Nationality Act (INA).

Although each foreign labor certification program is unique, there are similar requirements that the employer must complete prior to the issuance of a labor certification. In general, the employer will be required to complete these basic steps to obtain a labor certification:

- a. The employer must ensure that the position meets the qualifying criteria for the requested program.
- b. The employer must complete the ETA form designated for the requested program. This may include the form and any supporting documentation (e.g., job description, resume of the applicant, etc.).
- c. The employer must ensure that the wage offered equals or exceeds the prevailing wage for the occupation in the area of intended employment.
- d. The employer must ensure that the compliance issues affected upon receipt of a foreign labor certification are completely understood.
- e. The completed ETA form is submitted to the designated Department of Labor office for the requested program (e.g., SWA, processing center or the national office).
- f. The employer is notified of the determination of the Department of Labor.

1. Access to Services

Access to H2A Foreign Labor Certification services will be provided within the local workforce development system through the Bureau of Workforce Partnership & Operations (BWPO). BWPO is the State Workforce Agency (SWA) responsible for helping Pennsylvania employers hire foreign workers in accordance with federal regulations.

- a. BWPO is in partnership with the PA CareerLink[®] network of one-stop service centers. These centers are located throughout the state and help employers recruit qualified U.S. workers through the automated, self-service Job Gateway.
- b. The Foreign Labor Certification Unit (FLC), a work unit within BWPO Central Office, provides employers with other U.S. Department of Labor (USDOL) mandated foreign labor certification process services, and helps employers complete the SWA related segments of the temporary foreign labor H-2A and H2B.
- c. PA CareerLink[®] staff assist in administering an internet based labor exchange called Job Gateway[®]. This self-service, automated system enables employers, attorneys or agents to submit job postings and search for workers, while job seekers search the job postings and submit their resumes or job applications to the employers or their Points of Contact (POC). In addition to enabling employers or their POCs to independently submit and manage job postings, the self-serve system permits employers or their POCs to obtain job posting "My Candidates" lists 24 hours a day, seven days a week at www.jobgateway.pa.gov.
- d. PA CareerLink[®] staff also offer a variety of other employer services including education and training services to help employers build a quality workforce.
- e. PA CareerLink[®] staff help employers fulfill part of the USDOL requirements for FLC by helping them recruit U.S. workers and determine whether or not there are any qualified job applicants available to fill their job postings. The goal, as required, is to find U.S. workers for all positions.

Rapid Response

1. Description of Service

Rapid Response is an early intervention business service that assists workers and employers during the entire business cycle. Rapid Response coordinates layoff aversion and outplacement services for employers and workers affected by layoffs, plant closures, or natural disasters. It is not always event-driven; it is a pro-active approach to planning for and managing economic transitions. At its best, Rapid Response assist employers with their layoffs by coordinating outplacement services prior to layoff, while supporting the business by working with other state and local stakeholders who can then assist in job expansion. Rapid Response provides an introduction to the Workforce and Economic Development Systems and helps workers and employers navigate the Commonwealth's system of user-friendly resources and information to help transition workers into reemployment, and assist businesses.

- a. The primary objective of rapid response is to provide workers with the resources and services necessary to allow them to find new jobs or get the training and education needed for new careers so they can return to work quickly.

- b. Rapid Response Services (RRS) also helps communities develop proactive and coordinated strategies to access Pennsylvania’s economic development systems that help businesses at risk of closing to keep their doors open.

2. Access to Services

Access to Rapid Response Services will be provided within the local workforce development system through physical and programmatic resources outlined below.

- a. Rapid Response activities are triggered when the Department of Labor and Industry learns of a planned closure or layoff either by receiving a notice as required by the Worker Adjustment and Retraining Notification (WARN) Act, through the media, or by contacts in the local area. Services may also be offered when Pennsylvania experiences mass job dislocation as the result of a disaster. There is no charge to the employer or employee for these services and they are provided regardless of the reason for the layoff. These resources are provided by Bureau of Workforce Development & Operations Rapid Response Staff throughout the state.
- b. Fact Findings and Rapid Response Informational Meetings, which includes presentations and organized activities, are led by Bureau of Workforce Development & Operations Rapid Response Staff throughout all phases of the layoff/closure business cycle.
- c. Rapid Response Staff are responsible for organizing the necessary partners to present information on the PA CareerLink® system, Unemployment Compensation, and Social Service Agency Support Systems, as well as serving as an intermediary during the employee’s transition. Rapid Response provides an introduction to the workforce system and helps workers and employers navigate the system. Convening, facilitating, and brokering connections, networks, and partners.
- d. Communication of Rapid Response services will be coordinated through its partner network, which includes Economic Development, Business Service Teams, Title 1 Operators and local Workforce Development Boards.

Jobs for Veterans State Grant (JVSG)

1. Description of Services

JVSG is a BWPO administered program which assures the commonwealth will be able provide special individualized services to disabled veterans. Disabled Veteran Outreach Program (DVOP) staff work in conjunction with PA CareerLink® partners to identify veterans and establish an appropriate plan to meet the individuals’ employment and training needs. These specialized counselors work directly with disabled veterans in the provision of labor exchange services, securing appropriate training services and obtaining appropriate employment at a family sustaining wage. In addition, the JVSG allows for Local Veterans Employment Representatives to do employer outreach and promote veterans as job seekers who have highly marketable skills and experience.

2. Access to Services

Veterans are advised of their priority of service status when they connect with the PA CareerLink® system by staff and through signs and documentation posted throughout PA CareerLink® centers.

- a) Veterans qualifying for priority of service designation who require services and/or training are ensured the next available spot as a result of their priority of service status. Local Veterans Employment Representatives (LVERs) and Disabled Veteran Outreach Program (DVOP) staff work in conjunction with PA CareerLink® partners to identify veterans and establish an appropriate plan to meet the individuals' needs.
- b) LVERS will conduct face-to-face contact with employers, plan and participate in job and career fairs and conduct job development with employers. LVERs will facilitate employment, training, and placement services furnished to veterans, promote the benefits of employing veterans, and facilitate employer training. LVER's will work with other partners and workforce development provided to communicate employer outreach and job openings
- c) Veterans with significant barriers to employment such as, but not limited to, long-term unemployment, previous incarceration, and low-income status are able to see the DVOP. A DVOP will be able to provide one-on-one assistance and develop an Individual Employment Plan that will address the specific barriers for the eligible veteran.
- d) DVOP specialists will coordinate supportive services with applicable providers, deliver technical assistance to community-based organizations for employment and training services to veterans, and assist PA CareerLink® partners in providing services to veterans on a priority basis.
- e) Veterans, ages 18-24 and transitional service members are eligible to meet with the DVOP to receive one-on-one case management services.

BWPO is the State Workforce Agency (SWA) responsible for administering and staffing the JVSG grant positions in accordance with federal regulations.

PREP Program

Pennsylvania UC law requires claimants to register for employment search services with the PA CareerLink® system within 30 days of filing for benefits. When a claimant applies for UC benefits, s/he is immediately directed to JobGateway® to register for employment search services where occupational skills information is collected. The JobGateway® portal matches the claimant's skills with those required for jobs posted in CWDS to help satisfy job-search requirements. The system can also suggest training and education programs that may assist the individual in increasing his or her reemployment prospects. Claimant participation in reemployment services is tracked until exhaustion of UC benefits or termination of reemployment services.

In addition to PA CareerLink® services available to all job seekers, the Profile Reemployment Program is Pennsylvania's worker profiling/reemployment services collaborative program to expedite reemployment services for UI claimants while eliminating duplicative services. The database systems rank claimants according to those most likely to exhaust their UI benefits before returning to work. The ranking algorithms, based on common characteristics found in similar unemployed workers (such as employment history and/or educational levels), exclude claimants with a recall date, union affiliation, those involved in a work stoppage and claimants who are working part-time. Collaboration among PA CareerLink® partners

makes the Profile Reemployment Program an effective means for UI claimants to obtain reemployment and training services across all service levels, including: orientations; job search planning, assistance, and workshops; labor market information; résumé preparation; program assessment; vocational and career guidance; testing; remedial or prerequisite training (e.g., GED or ESL); and skills training. All Profile Reemployment Program customers receive an employment needs assessment and an appropriate employment plan is developed. Participation in the program is tracked through CWDS until exhaustion of UI benefits or termination of reemployment services.

RESEA Program

The RESEA program has been successfully piloted in the eight comprehensive and four affiliate PA CareerLink® Offices in the northeast region of Pennsylvania (Tioga, Bradford, Sullivan, Wyoming, Susquehanna, Lackawanna, Luzerne, Schuylkill, Carbon, Monroe, Wayne and Pike Counties). A phased expansion is currently being deployed to additional workforce areas which includes the North Central region with implementation due to begin July 10, 2017. Statewide implementation is planned to be completed by the end of 2018. RESEA is supported by a federal grant to fund additional services to assist UI claimants in becoming reemployed. The PREP program will be suspended in those counties implementing the new RESEA program. L&I will select and notify UC claimants to participate in RESEA. Those chosen to participate are identified as most likely to exhaust UC, with military (UCX) claimants receiving first priority as required by the grant.

A WDP 13, RESEA self-scheduling letter, will be mailed to those claimants selected to participate in RESEA. The letter has instructions for the claimants to schedule themselves for a RESEA Orientation in their local PA CareerLink®. The RESEA will consist of a group orientation and an individual meeting with PA CareerLink® staff. The group orientation will consist of an introduction to the RESEA participation requirements and the services provided by the PA CareerLink®. Following the group orientation, claimants will be provided a one-on-one interview to further assess reemployment services needed, development of an Individual Employment Plan (IEP) and review and confirmation of the information the claimant provided on the UC eligibility assessment. PA CareerLink® staff will summarize the RESEA meeting on an outcome form, complete a checklist, and provide this information to UC. Each RESEA participant will be scheduled for an appropriate reemployment follow-up activity.

In addition, staff will conduct follow-up phone calls at 30 and 60 days after their initial appointment. During the follow-up phone calls staff will review and update the IEP, provide additional reemployment services, and determine if additional services are needed through the PA CareerLink®. Any UC eligibility issues identified during the RESEA initial interview or follow-up activity will be promptly reported to UC for adjudication

The aforementioned partners/programs further acknowledge and agree to the following:

1. Agreement on funding the costs

All one-stop operating budget costs must be included in the MOU, allocated according to BWPO's proportionate use and relative benefits received, and reconciled on a quarterly basis against actual costs incurred and adjusted accordingly. The one-stop operating budget is expected to be transparent and negotiated among Partners on an equitable basis to ensure costs are shared appropriately. All Partners must negotiate in good faith and seek to establish outcomes that are reasonable and fair.

2. Methods for referral

The primary principle of the referral system is to provide integrated and seamless delivery of services to workers, job seekers, and employers. To facilitate such a system, Partners will agree to:

- Familiarize themselves with the basic eligibility and participation requirements of all BWPO programs, as well as with the available services and benefits offered.
- Review materials summarizing BWPO program requirements and make them available for Partners and customers.
- Develop and utilize intake, eligibility determination, assessment, and registration processes.
- Provide substantive referrals to customers who are eligible for supplemental and complementary services and benefits under partner programs.
- Regularly evaluate ways to improve the referral process, including the use of customer satisfaction surveys.
- Commit to robust and ongoing communication required for an effective referral process, and to actively follow up on the results of referrals.

3. Methods to ensure those with barriers to employment are served

All Partners agree that they will not discriminate in their employment practices or services based on gender, gender identity and/or expression, age, race, religion, national origin, disability, veteran's status, or based on any other classification protected under state or federal law. Partners must assure that they have policies and procedures in place to address these issues, and that such policies and procedures have been disseminated to their employees and otherwise posted as required by law. Partners further assure that they are currently in compliance with all applicable state and federal laws and regulations regarding these issues. All Partners will cooperate with compliance monitoring that is conducted at the Local level to ensure that all PA CareerLink® programs, services, technology, and materials are physically and programmatically accessible and available to all. Additionally, staff members will be trained to provide services to all, regardless of range of abilities, mobility, age, language, learning style, or comprehension or education level. An interpreter will be provided in real time or, if not available, within a reasonable timeframe to any customer with a language barrier. Assistive devices, such as screen-reading software programs (e.g., JAWS and DRAGON) and assistive listening devices must be available to ensure physical and programmatic accessibility within the PA CareerLink®.

4. Miscellaneous Provisions

- Pennsylvania state personnel laws and collective bargaining agreements must govern all state merit staff in a PA CareerLink® site. No activity shall infringe upon any collective bargaining agreement. The commonwealth retains authority over its employees and its resources; the commonwealth retains responsibility for its programs.
- The commonwealth is committed toward achieving innovation, service integration and process improvement at the local level. One-stop Operator shall coordinate monthly or bi-monthly meetings to update core partners on operational concerns, problems,

anticipated changes or enhancements to service integration, etc. In cases where 'significant' changes or enhancements would impact commonwealth programs, staff or resources, the One-stop Operator must communicate such plans to Regional managers at least 60 days prior to implementation to ensure continuity and stability of commonwealth programs and services.

Office of Vocational Rehabilitation (OVR) Title I

Office of Vocational Rehabilitation (OVR) Title I of the Rehabilitation Act of 1973 - Provides assessments, evaluation, vocational counseling, case management, training, and business services. OVR's mission is to assist Pennsylvanians with disabilities secure and maintain employment and independence.

OVR sends and receives referrals to/from other PA CareerLink® partners directly and via the CWDS. Co-funding of OVR-eligible and Title I -eligible clients for training.

Designated staff are present in the Careerlink® on a regularly scheduled basis and as needed to serve participants with disabilities and employers.

Designated staff actively participate in Business Services Teams, Job Seeker meetings and Staff meetings.

Cross training and presentations are provided upon request for staff, employers, and participants as related to VR specialty areas of: Disability Awareness, Sensitivity and Etiquette, Reasonable Accommodations and Accessibility, and the VR process and services.

Services to individuals with disabilities include:

- Pre-Employment Transition Services for youth
- Diagnostics and evaluation of medical, occupational, and educational abilities
- Vocational Counseling and Guidance for goal and planned services development
- Restoration to minimize limitations to employment and independence
- Training and job skill development including but not limited to: basic skills, supported employment (job-coaching), technical, college, and on-the-job training.
- Direct and indirect placement services and individualized job seeking skills
- Post-employment services for job adjustment and retention.

Business/employer services include:

- Staffing, consultation to retain current employees and accommodation solutions
- Accessibility analysis, worksite modification consultation, and assistive technology information
- Financial incentives such as On-the-job training reimbursement and tax credit information
- Disability Awareness, sensitivity and disability etiquette training, Americans with Disabilities Act (ADA) consultation
- Networking resources including Business Leadership Network, The Job Accommodation Network, and the National VR Business Network

Training for OVR staff is at the discretion of the local OVR District Administrator.

OVR staff supervision and direction is the responsibility of the local OVR District Administrator.

Title II, Adult Education and Literacy

Adult education programs in the North Central region will provide instruction at all six adult basic education (ABE) and adult secondary education (ASE) educational functioning levels (EFL), plus English language acquisition (ELA) activities where there is a need. Programs may support a tutoring program that offers one-on-one and/or small group instruction or volunteer classroom aides. Programs will prepare students for and support them in achieving successful transition to postsecondary education/training or employment. Programs will integrate digital literacy, employability skills and workforce preparation activities into services. Basic skills instruction will incorporate activities that require the use of technology, promote critical thinking, and build self-management skills, such as utilizing resources and information, understanding systems, and working with others. Programs will have an intake and orientation process that helps students and staff determine an individual's readiness for participation in the program. This includes activities to help the individual assess his/her own schedule and potential barriers to successful participation in instruction. It also includes a discussion of the individual's reasons and goals for participation. Programs will have attendance and other policies that are consistently enforced to help students develop the self-management skills to persist in services, with the goal that those skills will transfer to employment situations. Programs will integrate career awareness and career planning activities into the services provided to students, including using those activities as the context for basic skills instruction. Programs will have at least one case manager who works with students to address barriers to participation and to plan and prepare for transition to postsecondary education and/or training. Case management activities in support of transition will be offered in a variety of ways: integrated into instruction, stand-alone group activities, and one-on-one case management support. The activities will include introducing students to and helping them use the resources available through L&I and the PA CareerLink®; helping students identify employment and career pathways that align with their skills and interests and also lead to jobs that pay; and supporting students through the application process for employment or training.

Title II Adult Education services are provided at a variety of locations throughout the region, including the PA CareerLink®. Provision of services may vary depending on location.

Title II providers of the North Central region will:

- continue to provide and accept referrals for PA CareerLink® partner services.
- participate in cross training to help strengthen and streamline the referral process.
- serve on Job Seeker and Business Services teams as appropriate, based on location.
- have representation on the local Workforce Development Board and committees of the WDB.
- collaborate with site administrators to provide cross-training for access to services through partner staff.
- provide TABE assessment to customers, as appropriate, based on location.
- assist partner staff in proper TABE administration practices.
- be provided access to CWDS.
- collaborate on additional projects, outside our current scope of work, where our professional services can benefit employers and job seekers (i.e. grant funded IET projects).

Title I – Adult, Dislocated, Youth, TANF and EARN

North Central Workforce Operations, – Orientation of the PA CareerLink® System and basic career services; triage of available resources and services for employers and participants. Individualized career

services to participants may include, but not limited to: diagnostic testing and assessments, career planning; case management, financial literacy, Job Ready workshops, supportive services; staff support/counseling, and follow up services. Training services include occupational training, work experience, and labor market information. Employer services include, but are not limited to: Business Needs Assessment, On-the-Job Training (OJT) and Subsidized Employment (SE) employment contracts for employers who hire participants; referrals of trained individuals in specific occupations; and refer participants to PA CareerLink® services.

WIOA Title I- Youth programs address in-school youth, ages 14-21, and out-of-school youth, ages 16-24 with a much greater focus on the OSY population with no less than 75% of the funds directed to OSY activities and 20% expended on work experience activities. Youth will have the opportunity upon assessment of need to receive the required WIOA 14 elements of activities.

TANF Youth year round programming addresses work experience opportunities including during the summer months targeting potential dropouts, individuals with disabilities, adjudicated youth, foster children, homeless and runaways, pregnant or parenting youth, and migrants seeking to complete their educational goals and/or secure employment.

WIOA Title I- Adult/dislocated worker programs address individuals seeking employment and/or training services through a mix of basic career, individualized career services and available training services leading to full time employment.

EARN program addresses recipients of temporary assistance to needy families (TANF) with employment and training services leading to self-sufficiency. The Employment, Advancement, and Retention Network (EARN) program provides counseling, workshops, work experience activities, and training to address education and employment barriers to employment.

The PA Department of Community and Economic Development (DCED) is the commonwealth agency that represents the required one-stop (PA CareerLink® partner) representing employment and training activities carried out under the Community Services Block Grant Act (42. U.S.C. 9901 et seq.) at the state level.

Community Services Block Grant (CSBG)

The mission of the Community Services Block grant (CSBG) is to provide a full range of services and activities having a measurable impact on the causes of poverty in a community or those areas of a community where poverty is a particularly acute problem. Only federally designated Community Action Agencies (CAA) receive funding, therefore in PA, there are 44 CAAs that cover all 67 PA counties. Ameliorating the causes and conditions of poverty take on a variety of community engagement activities and collaborative activism to remove obstacles that block the achievement of self-sufficiency; i.e. employment and training resources; community stakeholder collaboration; literacy activities; obtaining adequate housing; grassroots activities that provide intervention to the causes of poverty; addressing the needs of youth through programming or coordination; and increased engagement in community planning and improvement activities.

CSBG has been in existence since 1965, always with the same mission: to improve the causes and conditions of poverty. Initiatives have included, but are not limited to: neighborhood linkages, leverage of community resources, conduction of Volunteer Income Tax Assistance sites, building housing capacity, provision of family self-sufficiency and case management, facilitation of Results-Oriented Management and Accountability. For every \$1 of CSBG funds, the PA network leveraged \$16.82 from other federal, state, local and private sources, including the calculated value of volunteer hours.

DCED will participate in the local workforce service delivery system via the local CSBG agencies. CSBG agencies located in this local workforce development area may:

Participate on local and regional planning groups; ☐ Engage in Business Service Teams activities; ☐ Have print materials available in the PA CareerLink® centers; ☐ Be linked to local workforce websites on computers; ☐ Potentially hold meetings at PA CareerLink® centers; ☐ Conduct joint employer outreach sessions as necessary; and ☐ Seek to leverage grant funding opportunities.

DCED will contribute financial assistance to be applied to the infrastructure and other operating costs of the PA CareerLink® sites annually and to the extent funding exists.

It is DCED's commitment that CSBG, as a required partner, will become part of the fabric of the public workforce system in a much more formalized way than in the previous years.

Department of Human Services

The Department of Human Services while unable to provide a PA CareerLink® staff person to assist in the day to day activities, will provide a liaison in each County Assistance Office as needed and as a referral person to take applications or to provide information about the Workforce Delivery System. DHS will participate in the local Workforce Delivery System via the local CAOs. CAOs located in this local workforce development area may:

Participate on the Workforce Development Board, local and regional planning groups, Local Management Committee (LMC); have print materials available in the PA CareerLink® centers; be linked to local workforce websites on computers; potentially hold meetings at PA CareerLink® centers; and seek to leverage grant funding opportunities. DHS will also contribute financial assistance to be applied to the infrastructure and other operating costs of the PA CareerLink® sites annually and to the extent funding exists.

The mission of the Community Services Block grant (CSBG) is to provide a full range of services and activities having a measurable impact on the causes of poverty in a community or those areas of a community where poverty is a particularly acute problem. Only federally designated Community Action Agencies (CAA) receive funding, therefore in PA, there are 44 CAAs that cover all 67 PA counties. Ameliorating the causes and conditions of poverty take on a variety of community engagement activities and collaborative activism to remove obstacles that block the achievement of self-sufficiency; i.e. employment and training resources; community stakeholder collaboration; literacy activities; obtaining adequate housing; grassroots activities that provide intervention to the causes of poverty; addressing the

needs of youth through programming or coordination; and increased engagement in community planning and improvement activities.

Senior Community Service Employment Program (SCSEP)

Description of Services:

The SCSEP is a United States Department of Labor program funded through the Older American Act with a dual-purpose mission of jobs training and community service. The SCSEP delivers occupational skills training to unemployed, income-eligible people age 55+ through paid internships at local nonprofit organizations. It is a transitional program that helps people get back on their feet and move into unsubsidized jobs to reach economic independence. The program is administered in the North Central WDA by Associates for Training and Development (A4TD) and the AARP Foundation.

Applicants receive a comprehensive assessment to determine their program eligibility and identify their career goals. Once enrolled, participants receive individualized services including case management, the development of an Individual Employment Plan, and in some cases additional training such as computer skills classes, and assistance achieving industry-recognized credentials and certifications. The programs partner with 501c3 nonprofits and public agencies that serve as “Host Agencies”. By partnering with SCSEP, agencies are able to increase and improve program offerings while benefiting from the talents and time of older workers assigned to them.

Access to Services:

Our PA CareerLink® centers collaborate with A4TD and the AARP Foundation, who utilize space in the regional PA CareerLink® centers when needed and available. Older individuals are able to participate in the full range of services available in our PA CareerLink® centers. All providers post job openings on CWDS as required by Title V regulation.

Agreement on Funding the Costs:

SCSEP is not located in any PA CareerLink® centers within the North Central WDA but has offices located within the North Central WDA whose customers can benefit from use of the PA CareerLink® system. As such, SCSEP agrees to contribute financial assistance to be applied to the infrastructure and other operating costs of PA CareerLink® centers to the extent funding exists. SCSEP may also, from time to time, be able to provide staffing to CareerLink® centers within the NCWDA when an opening exists and a SCSEP participant requires training.

Data Sharing

Partners agree that the use of high-quality, integrated data is essential to inform decisions made by policymakers, employers, and job seekers. Additionally, it is vital to develop and maintain an integrated case management system, as appropriate, that informs customer service throughout customers’

interaction with the integrated system and allows information collected from customers at intake to be captured once.

Partners further agree that the collection, use, and disclosure of customers' personally identifiable information (PII) is subject to various requirements set forth in Federal and State privacy laws. Partners acknowledge that the execution of this MOU, by itself, does not function to satisfy all of these requirements.

All data, including customer PII, collected, used, and disclosed by Partners will be subject to the following:

- Customer PII will be properly secured in accordance with the Local WDB's policies and procedures regarding the safeguarding of PII.
- The collection, use, and disclosure of customer education records, and the PII contained therein, as defined under FERPA, shall comply with FERPA and applicable State privacy laws.
- All confidential data contained in UI wage records must be protected in accordance with the requirements set forth in 20 CFR part 603.
- All personal information contained in VR records must be protected in accordance with the requirements set forth in 34 CFR 361.38.
- Customer data may be shared with other programs, for those programs' purposes, within the PA CareerLink® system only after the informed written consent of the individual has been obtained, where required.
- Customer data will be kept confidential, consistent with Federal and State privacy laws and regulations.
- All data exchange activity will be conducted in machine readable format, such as HTML or PDF, for example, and in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 (d)).

All one-stop center and Partner staff will be trained in the protection, use, and disclosure requirements governing PII and any other confidential data for all applicable programs, including FERPA-protected education records, confidential information in UI records, and personal information in VR records

Confidentiality

All Parties expressly agree to abide by all applicable Federal, State, and local laws and regulations regarding confidential information, including PII from educational records, such as but not limited to 20 CFR Part 603, 45 CFR Section 205.50, 20 USC 1232g and 34 CFR part 99, and 34 CFR 361.38, as well as any applicable State and local laws and regulations. In addition, in carrying out their respective responsibilities, each Party shall respect and abide by the confidentiality policies and legal requirements of all of the other Parties.

Each Party will ensure that the collection and use of any information, systems, or records that contain PII and other personal or confidential information will be limited to purposes that support the programs and activities described in this MOU and will comply with applicable law.

Each Party will ensure that access to software systems and files under its control that contain PII or other personal or confidential information will be limited to authorized staff members who are assigned

responsibilities in support of the services and activities described herein and will comply with applicable law. Each Party expressly agrees to take measures to ensure that no PII or other personal or confidential information is accessible by unauthorized individuals.

To the extent that confidential, private, or otherwise protected information needs to be shared amongst the Parties for the Parties' performance of their obligations under this MOU, and to the extent that such sharing is permitted by applicable law, the appropriate data sharing agreements will be created and required confidentiality and ethical certifications will be signed by authorized individuals. With respect to confidential unemployment insurance information, any such data sharing must comply with all of the requirements in 20 CFR Part 603, including but not limited to requirements for an agreement consistent with 20 CFR 603.10, payments of costs, and permissible disclosures.

With respect to the use and disclosure of FERPA-protected customer education records and the PII contained therein, any such data sharing agreement must comply with all of the requirements set forth in 20 U.S.C. § 1232g and 34 CFR Part 99.

With respect to the use and disclosure of personal information contained in VR records, any such data sharing agreement must comply with all of the requirements set forth in 34 CFR 361.38.

Referrals

The primary principle of the referral system is to provide integrated and seamless delivery of services to workers, job seekers, and employers. In order to facilitate such a system, Partners agree to:

- Familiarize themselves with the basic eligibility and participation requirements, as well as with the available services and benefits offered, for each of the Partners' programs represented in the North Central WDA PA CareerLink® system,
- Develop materials summarizing their program requirements and making them available for Partners and customers,
- Develop and utilize common intake, eligibility determination, assessment, and registration forms,
- Provide substantive referrals – in accordance with the North Central WDA Referral Policy – to customers who are eligible for supplemental and complementary services and benefits under partner programs,
- Regularly evaluate ways to improve the referral process, including the use of customer satisfaction surveys,
- Commit to robust and ongoing communication required for an effective referral process, and
- Commit to actively follow up on the results of referrals and assuring that Partner resources are being leveraged at an optimal level.

Accessibility

Accessibility to the services provided by the PA CareerLink® centers and all Partner agencies is essential to meeting the requirements and goals of the local service delivery system. Job seekers and businesses must be able to access all information relevant to them via visits to physical locations as well as in virtual spaces, regardless of gender, age, race, religion, national origin, disability, veteran's status, or on the basis of any other classification protected under state or federal law.

- *Physical Accessibility*

One-stop centers will maintain a culture of inclusiveness and the physical characteristics of the facility, both indoor and outdoor, will meet the latest standards of accessible design. Services will be available in a convenient, high traffic, and accessible location, taking into account reasonable distance from public transportation and adequate parking (including parking clearly marked for individuals with disabilities). Indoor space will be designed in an “equal and meaningful” manner providing access for individuals with disabilities.

- *Virtual Accessibility*

The NCWDB will work with the PA Workforce Development Board (PA WDB) to ensure that job seekers, workers and businesses have access to the same information online as they do in a physical facility. Information must be clearly marked and compliant with Section 508 of the U.S. Department of Health and Human Services code. Partners will comply with the Plain Writing Act of 2010; the law that requires that federal agencies use "clear Government communication that the public can understand and use" and all information kept virtually will be updated regularly to ensure dissemination of correct information.

Partners should either have their own web presence via a website and/or the use of social media, or work out a separate agreement with the local board to post content through its website.

- *Communication Accessibility*

Communications access, for purposes of this MOU, means that individuals with sensory disabilities can communicate (and be communicated with) on an equal footing with those who do not have such disabilities. All Partners agree that they will provide accommodations for individuals who have communication challenges, including but not limited to individuals who are deaf and hard of hearing, individuals with vision impairments, and individuals with speech-language impairments.

- *Programmatic Accessibility*

All Partners agree that they will not discriminate in their employment practices or services on the basis of gender, gender identity and/or expression, age, race, religion, national origin, disability, veteran’s status, or on the basis of any other classification protected under state or federal law. Partners must assure that they have policies and procedures in place to address these issues, and that such policies and procedures have been disseminated to their employees and otherwise posted as required by law. Partners further assure that they are currently in compliance with all applicable state and federal laws and regulations regarding these issues. All Partners will cooperate with compliance monitoring that is conducted at the local level to ensure that all PA CareerLink® programs, services, technology, and materials are physically and programmatically accessible and available to all. Additionally, staff members will be trained to provide services to all, regardless of range of abilities, mobility, age, language, learning style, or comprehension or education level. An interpreter will be provided in real time or, if not available, within a reasonable timeframe to any customer with a language barrier. Assistive devices, such as screen-reading software programs (e.g., JAWS and DRAGON) and assistive listening devices must be available to ensure physical and programmatic accessibility within the local service delivery system.

Outreach

The NCWDB and its Partners will develop and implement a strategic outreach plan that will include, at a minimum:

- An outreach and recruitment plan to the region's job seekers, including targeted efforts for populations most at-risk or most in need,
- An outreach and recruitment plan for out-of-school youth,
- Sector strategies and career pathways,
- Connections to registered apprenticeship,
- Regular use of social media,
- Clear objectives and expected outcomes, and
- Leveraging of any statewide outreach materials relevant to the region.

Monitoring

The NCWDB, or its designated staff, officials from the State and Local administrative entities, the U.S. Departments of Labor, Education, and Health and Human Services have the authority to conduct fiscal and programmatic monitoring to ensure that:

- Federal awards are used for authorized purposes in compliance with law, regulations, and State policies,
- Those laws, regulations, and policies are enforced properly,
- Performance data are recorded, tracked, and reviewed for quality to ensure accuracy and completeness,
- Outcomes are assessed and analyzed periodically to ensure that performance goals are met,
- Appropriate procedures and internal controls are maintained, and record retention policies are followed, and
- All MOU terms and conditions are fulfilled.

All Parties to this MOU should expect regular fiscal and programmatic monitoring to be conducted by each of the above entities, as appropriate.

Non-Discrimination and Equal Opportunity

All Parties to this MOU certify that they prohibit, and will continue to prohibit, discrimination, and they certify that no person, otherwise qualified, is denied employment, services, or other benefits on the basis of: (i) political or religious opinion or affiliation, marital status, sexual orientation, gender, gender identification and/or expression, race, color, creed, or national origin; (ii) sex or age, except when age or

sex constitutes a bona fide occupational qualification; or (iii) the physical or mental disability of a qualified individual with a disability.

The Parties specifically agree that they will comply with Section 188 of the WIOA Nondiscrimination and Equal Opportunity Regulations (29 CFR Part 38; Final Rule December 2, 2016), the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), the Non-traditional Employment for Women Act of 1991, titles VI and VII of the Civil Rights of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1967, as amended, title IX of the Education Amendments of 1972, as amended, and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 37 and 38.

Indemnification

All Parties to this MOU recognize the Partnership consists of various levels of government, not-for-profit, and for-profit entities. Each party to this agreement shall be responsible for injury to persons or damage to property resulting from negligence on the part of itself, its employees, its agents, or its officers. No Partner assumes any responsibility for any other party, State or non-State, for the consequences of any act or omission of any third party. The Parties acknowledge the NCWDB and the one-stop operator have no responsibility and/or liability for any actions of the one-stop center employees, agents, and/or assignees. Likewise, the Parties have no responsibility and/or liability for any actions of the NCWDB or the one-stop operator.

Severability

If any part of this MOU is found to be null and void or is otherwise stricken, the rest of this MOU shall remain in force.

Drug and Alcohol-free Workplace

All Parties to this MOU certify they will comply with the Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR part 182 which require that all organizations receiving grants from any Federal agency maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment under 2 CFR part 180, as adopted by the U.S. Department of Education at 2 CFR 3485, and the U.S. Department of Labor regulations at 29 CFR part 94.

Certification Regarding Lobbying

All Parties shall comply with the Byrd Anti-Lobbying Amendment (31 U.S.C. Section 1352), 29 C.F.R. Part 93, and 34 CFR part 82, as well as the requirements in the Uniform Guidance at 2 CFR 200.450. The Parties shall not lobby federal entities using federal funds and will disclose lobbying activities as required by law and regulations.

Debarment and Suspension

All Parties shall comply with the debarment and suspension requirements (E.O.12549 and 12689) and 2 CFR part 180 and as adopted by the U.S. Department of Labor at 29 CFR part 2998 and by the U.S. Department of Education at 2 CFR 3485.

Priority of Service

All Parties certify that they will adhere to all statutes, regulations, policies, and plans regarding priority of service, including, but not limited to, priority of service for veterans and their eligible spouses, and priority of service for the WIOA title I Adult program, as required by 38 U.S.C. sec. 4215 and its implementing regulations and guidance, and WIOA sec. 134(c)(3)(E) and its implementing regulations and guidance. Partners will target recruitment of special populations that receive a focus for services under WIOA, such as individuals with disabilities, low-income individuals, basic skills deficient youth, and English language learners.

Buy American Provision

Each Party that receives funds made available under title I or II of WIOA or under the Wagner-Peyser Act (29 U.S.C. Section 49, et. seq.) certifies that it will comply with Sections 8301 through 8303 of title 41 of the United States Code (commonly known as the "Buy American Act.") and as referenced in WIOA Section 502 and 20 CFR 683.200(f).

Salary Compensation and Bonus Limitations

Each Party certifies that, when operating grants funded by the U.S. Department of Labor, it complies with TEGL 05-06, Implementing the Salary and Bonus Limitations in Public Law 109-234, TEGL 17-15, Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2016; Final PY 2016 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2016, Public Laws 114-113 (Division H, title I, Section 105) and 114-223, and WIOA section 194(15)(A), restricting the use of federal grant funds for compensation and bonuses of an individual, whether charged to either direct or indirect, at a rate in excess of the Federal Office of Personnel Management Executive Level II.

Non-Assignment

Except as otherwise indicated herein, no Party may, during the term of this MOU or any renewals or extensions of this MOU, assign or subcontract all or any part of the MOU without prior written consent of all other Parties.

Governing Law

This MOU will be construed, interpreted, and enforced according to the laws of the Commonwealth of Pennsylvania. All Parties shall comply with all applicable Federal and State laws and regulations, and Local laws to the extent that they are not in conflict with State or Federal requirements.

Steps to Reach Consensus

1. *Notification of Partners*

The NCWDB Chair (or designee) must notify all Parties in writing that it is necessary to renew and execute the MOU and provide all applicable policies and preceding MOU documents, as applicable.

2. *Partner Meeting*

The NCWDB Chair (or designee) is responsible for contacting all required and optional PA CareerLink® Partners to formally kick-off negotiations, and to ensure that, at a minimum, all Partners from all counties within the North Central WDA are appropriately notified and represented. The NCWDB Chair (or designee) must provide a detailed review of all relevant documents, facts, and information and ensure all Parties have sufficient time to ask questions or voice concerns and are fully aware of expectations and the overall process.

3. *Negotiations*

Partners must submit all relevant documents to the NCWDB Chair (or designee) to begin the drafting of the MOU. During this period, formal or informal meetings (informational and negotiation sessions) may take place electronically or in person, so long as they are conducted in an open and transparent manner, with pertinent information provided to all Parties.

4. *Draft MOU*

The NCWDB Chair (or designee) must email a complete draft of the MOU to all Parties following negotiations.

5. *Notification of Partners*

Within three (3) weeks of receipt of the draft MOU, all Parties must review and return feedback to the NCWDB Chair (or designee). It is the responsibility of the NCWDB Chair (or designee) to ensure all PA CareerLink® Partners to the MOU are aware of the comments and revisions that are needed.

6. *Finalized Draft*

The NCWDB Chair (or designee) must circulate the finalized MOU and secure Partner signatures. The WIOA MOU will be considered fully executed once all signatories have reviewed and signed, and a signed copy has been returned to all Parties.

Dispute Resolution

The following section details the dispute resolution process designed for use by the Partners when unable to successfully reach an agreement necessary to execute the MOU. (Note: This is separate from the North Central WDA Customer Grievance and Complaint Management Policy.) A disagreement is considered to

have reached the level of dispute resolution when an issue arises out of the development and negotiation of an MOU that is not easily coming to a point of resolution. It is the responsibility of the local WDB Chair (or designee) to coordinate the MOU dispute resolution to ensure that issues are being resolved appropriately. Any party to the MOU may seek resolution under this process.

- All Parties are advised to actively participate in Local negotiations in a good faith effort to reach agreement. Any disputes shall first be attempted to be resolved informally.
- Should informal resolution efforts fail, the dispute resolution process must be formally initiated by the petitioner seeking resolution. The petitioner must send a notification to the NCWDB Chair (or designee) and all Parties to the MOU regarding the conflict within 108 business days.
- The NCWDB Chair (or designee) shall place the dispute on the agenda of a special meeting of the Local WDB's Executive Committee. The Executive Committee shall attempt to mediate and resolve the dispute. Disputes shall be resolved by a 2/3 majority consent of the Executive Committee members present.
- The decision of the Executive Committee shall be final and binding unless such a decision is in contradiction of applicable State and Federal laws or regulations governing the Partner agencies.
- The right of appeal no longer exists when a decision is final. Additionally, final decisions will not be precedent-setting or binding on future conflict resolutions unless they are officially stated in this procedure.
- The Executive Committee must provide a written response and dated summary of the proposed resolution to all Parties to the MOU.
- The NCWDB Chair (or designee) will contact the petitioner and the appropriate Parties to verify that all are in agreement with the proposed resolution.

Modification Process

Notification of Partners

When a Partner wishes to modify the MOU, the Partner must first provide written notification to all signatories of the existing MOU and outline the proposed modification(s).

1. *Discussion/Negotiation*

Upon notification, the NCWDB Chair (or designee) must ensure that discussions and negotiations related to the proposed modification take place with Partners in a timely manner and as appropriate.

Depending upon the type of modification, this can be accomplished through email communications of all the Parties. If the proposed modification is extensive and is met with opposition, the NCWDB Chair (or designee) may need to call a meeting of the Parties to resolve the issue. Upon agreement of all Parties, a modification will be processed.

If the modification involves substitution of a party that will not impact any of the terms of the agreement, it can be accomplished by the original party and the new party entering into an MOU that includes the NCWDB, wherein the new party assumes all of the rights and obligations of the original

party. Upon execution, the NCWDB Chair (or designee) presents the agreement as a proposed modification to the MOU, and the remaining steps are followed.

If determined that a Partner is unwilling to agree to the MOU modification, the NCWDB Chair (or designee) must ensure that the process in the Dispute Resolution section as outline below is followed.

2. *Signatures*

The NCWDB Chair (or designee) must immediately circulate the MOU modification and secure Partner signatures. The modified MOU will be considered fully executed once all signatories have reviewed and signed.

The NCWDB will continue to seek out additional partners to the workforce system and the NCWDB Chair (or designee) will negotiate the terms of that participation, including their contribution, if any, to the infrastructure. As long as the addition of new partners and any financial contribution does not negatively impact other partners there will be no need to obtain new signatures for the MOU.

Any increase in contributions to the Operating Budget will not require signatures from all partners. If a modification to the Operating Budget exceeds ten percent (10%) of the overall budget the NCWDB Chair (or designee) will immediately notify all partners and the modified Operating Budget and Infrastructure Funding Agreement will be considered fully executed once all signatories have reviewed and signed.

The modification may be signed in counterparts, meaning each signatory can sign a separate document as long as the NCWDB Chair (or designee) acquires signatures of each party and provides a complete copy of the modification with each party's signature to all the other Parties.

Effective Period

This MOU is entered into on July 1, 2017. This MOU will become effective as of the date of signing by the final signatory below and must terminate on June 30, 2020, unless any of the reasons in the Termination section above apply.

Termination

This MOU will remain in effect until the end date specified in the Effective Period section below, unless:

- All Parties mutually agree to terminate this MOU prior to the end date.
- Federal oversight agencies charged with the administration of WIOA are unable to appropriate funds or if funds are not otherwise made available for continued performance for any fiscal period of this MOU succeeding the first fiscal period. Any party unable to perform pursuant to MOU due to lack of funding shall notify the other Parties as soon as the party has knowledge that funds may be unavailable for the continuation of activities under this MOU.
- WIOA is repealed or superseded by subsequent federal law.
- Local area designation is changed under WIOA.

- A party breaches any provision of this MOU and such breach is not cured within thirty (30) days after receiving written notice from the NCWDB Chair (or designee) specifying such breach in reasonable detail. In such event, the non-breaching party(s) shall have the right to terminate this MOU by giving written notice thereof to the party in breach, upon which termination will go into effect immediately.

In the event of termination, the Parties to the MOU must convene within thirty (30) days after the breach of the MOU to discuss the formation of the successor MOU. At that time, allocated costs must be addressed.

Any party may request to terminate its inclusion in this MOU by following the modification process identified in the Modification Process section above.

All Parties agree that this MOU shall be reviewed and renewed not less than once every 3-year period to ensure appropriate funding and delivery of services.

RESOURCE SHARING AGREEMENT

The purpose of this section is to establish a financial plan, including terms and conditions, to fund the services and operating costs of the North Central WDA PA CareerLink® system. The Parties to this MOU agree that joint funding is a necessary foundation for an integrated service delivery system. The goal of the Resource Sharing Agreement (RSA) is to develop the overarching parameters in establishing a funding mechanism that:

- ❖ Establishes and maintains the Local workforce delivery system at a level that meets the needs of the job seekers and businesses in the Local area,
- ❖ Reduces duplication and maximizes program impact through the sharing of services, resources, and technologies among Partners (thereby improving each program's effectiveness),
- ❖ Reduces overhead costs for any one partner by streamlining and sharing financial, procurement, and facility costs, and
- ❖ Ensures that costs are appropriately shared by PA CareerLink® Partners by determining contributions based on the proportionate use of the one-stop centers and relative benefits received, and requiring that all funds are spent solely for allowable purposes in a manner consistent with the applicable authorizing statutes and all other applicable legal requirements, including the Uniform Guidance.

PA CareerLink® Operating Budget

The purpose of this section is to establish a financial plan, including terms and conditions, to fund the services and operating costs of the North Central WDA local PA CareerLink® system. The Parties to this MOU agree that joint funding is a necessary foundation for an integrated service delivery system. The goal of the Operating Budget is to develop the overarching parameters in establishing a funding mechanism that:

- Establishes and maintains the Local workforce delivery system at a level that meets the needs of the job seekers and businesses in the Local area,

- Reduces duplication and maximizes program impact through the sharing of services, resources, and technologies among Partners (thereby improving each program’s effectiveness),
- Reduces overhead costs for any one partner by streamlining and sharing financial, procurement, and facility costs, and
- Ensures that costs are appropriately shared by PA CareerLink® Partners by determining contributions based on the proportionate use of the one-stop centers and relative benefits received, and requiring that all funds are spent solely for allowable purposes in a manner consistent with the applicable authorizing statutes and all other applicable legal requirements, including the Uniform Guidance.

The Partners consider this Operating Budget the master budget that is necessary to maintain the North Central WDA’s high-standard PA CareerLink® system. Furthermore, the Operating Budget will be the actual document that assigns each partner’s shared cost, or contribution, of funding the North Central WDA local PA CareerLink® system pursuant to the provisions of this MOU and its subparts. The Operating Budget will be recognized as an addendum to this MOU and that all parties may announce their consensus of the Operating Budget through the exchange of correspondence between the local board and partners or by some other agreed upon procedure. Such agreed upon amendments, or modifications, will become part of this MOU. It includes the following cost categories, as required by WIOA and its implementing regulations:

- Infrastructure costs,
- Additional Costs (career services and shared services)

All costs will be allocated according to Partners’ proportionate use and relative benefits received, and reconciled on a quarterly basis against actual costs incurred and adjusted accordingly. The PA CareerLink® Operating Budget is expected to be transparent and negotiated among Partners on an equitable basis to ensure costs are shared appropriately. All Partners must negotiate in good faith and seek to establish outcomes that are reasonable and fair.

All Partners are in agreement that they will contribute to the overall operations of the PA CareerLink® service delivery system, as detailed in the PA CareerLink® Operating Budget.

For purposes of equity and to allow predictability in budget planning, withdrawal, or reduction in staff, of a Partner shall not relieve the Partners of the obligation to continue to support the PA CareerLink® Operating budget through the remainder of the current budget year on the basis calculated on the number of Full-Time Equivalent employees projected in the Operating Budget at the beginning of the budget year.

Partners understand and agree that the operating budget will be updated and approved annually via a separate approval process. The new one-stop operating budget will become an addendum to this MOU.

Cost Allocation Methodology

Within the one-stop system, a variety of allocation methods may be used as agreed upon by the partners, which reflect the best measure of benefit received by the partner programs. The following methods used in this MOU are outlined a table below.

All Partners in the North Central WDA are physically co-located in or represented at a minimum of one (1) one-stop center(s) within the North Central WDA, with the following exceptions:

- Youth Build
- Department of Housing and Urban Development
- Native American Programs
- Senior Community Services Employment Program
- Migrant and Seasonal Farmworkers
- National Farmworker Jobs Program
- Job Corps

Those partners not co-located may link virtually through online service access to a program staff member via PA CareerLink® center resource rooms and through cross-trained front desk staff and other, physically co-located, partner staff who can provide information and referrals.

- Using resource room computers to file UI claims, conduct work searches, and communicate with off-site program staff,
- Using resource room staff assistance for the above services and for general information,
- Using other resource room equipment such as copiers, scanners, fax machines, or assistive technology for individuals with disabilities,
- Obtaining labor market information,
- Attending reemployment workshops,
- File grievances or appeals, etc.

The North Central WDA selected two (2) different allocation bases – as outlined in the Methods of Allocation section below – to determine overall Partner contributions assigned on the RSAB. This was done in an effort:

- To remedy the imbalance of non-physically represented Partners, and
- To comply with the requirement of Partners' contributions having to be in proportion to the Partners' use of the one-stop center(s) and relative benefit received.

Methods of Allocation:

The methods of allocation utilized in each of our Operating Budgets is one of three methods:

- Full Time Equivalent (FTE)
- Rent-Only

- Membership Rate

Partners with staff present on a regular basis contribute to an FTE and share in all of the costs of operating the PA CareerLink® center. In other cases, different arrangements have been negotiated with the review/input of all contributing partners in order to allow other partners to participate at a less than FTE rate. Those partners contribute through a rent only arrangement. In addition, for those partners whose customers may benefit from participation in services and activities of the center but who don't have staff present, they will contribute to a membership rate as reviewed and approved by the contributing partners. Please refer to the attached budgets for specific amounts for each partner.

Cost Reconciliation and Allocation Base Update

All Parties agree that a quarterly reconciliation of budgeted and actual costs and update of the allocation bases will be completed in accordance with the following process:

- Partners will provide the NCWDB with the following information no later than thirty (30) days⁵ after the end of each quarter, as applicable:
 - Quarterly cost information and documentation of the actual costs,
 - Updated staffing information (per the 1st day of a new program year and the 1st day of each subsequent quarter).
- Upon receipt of the above information, the NCWDB, or Fiscal Agent, will provide an Operating Budget Financial Status Report on or before 45 days after the end of the quarter.

INFRASTRUCTURE FUNDING AGREEMENT (IFA)

PA CareerLink® Center infrastructure costs are defined as non-personnel costs that are necessary for the general operation of the PA CareerLink®, including, but not limited to:

- Rental of the facilities;
- Utilities and maintenance;
- Equipment, including assessment-related products and assistive technology for individuals with disabilities; and,
- Technology to facilitate access to the American Job Center, including technology used for the center's planning and outreach activities.

All Parties to this MOU and IFA recognize that infrastructure costs are applicable to all required Partners, whether they are physically located in the PA CareerLink® center or not. Each partner's contributions to these costs, however, may vary, as these contributions are based on the proportionate use and relative benefit received, consistent with the Partner programs' authorizing laws and regulations and the Uniform Guidance.

Partners

Partners funding the costs of infrastructure according to this IFA are the same as identified in the Partners section of the MOU.

Cost Allocation Methodology

All Parties agree that the cost allocation methodology for this IFA will be the same as described in the [Cost Allocation Methodology](#) section of the MOU, subpart Operating Budget.

Cost Reconciliation and Allocation Base Update

All Parties agree that the cost reconciliation and allocation base update for this IFA will be the same as described in the [Cost Reconciliation and Allocation Base Update](#) section of the MOU, subpart Operating Budget.

Steps to Reach Consensus

All Parties agree that the steps to reach consensus for this IFA will be the same as described in the [Steps to Reach Consensus](#) section of the MOU. Partners will make a concerted effort to negotiate the IFA along with the remainder of the MOU, including the overall operating budget, for the North Central WDA CareerLink® System.

Dispute and Impasse Resolution

All Parties will actively participate in Local IFA negotiations in a good faith effort to reach agreement. Any disputes shall first be attempted to be resolved informally. Should informal resolution efforts fail, the process outlined in the [Dispute Resolution](#) section of the MOU must be followed.

If Partners in a local area have employed the dispute resolution process and have failed to reach consensus on an issue pertaining to the IFA, then an impasse is declared and the State Funding Mechanism (SFM) is triggered.

- ◆ *Step 1: Notice of failure to reach consensus given to the Governor.*

If the Parties cannot reach consensus on methods of sufficiently funding a one-stop center's infrastructure costs and the amounts to be contributed by each Local Partner program, the NCWDB is required to notify the Governor. Notification must be given to the Governor by March 31 of each year the MOU is negotiated.

- ◆ *Step 2: Negotiation materials provided to the Governor.*

The NCWDB Chair (or designee) must provide the appropriate and relevant materials and documents used in the negotiations to the Governor, preferably at the time of the notification of failure to reach consensus, but no later than five (5) business days thereafter. At a minimum, the NCWDB Chair (or designee) must provide to the Governor:

- ❖ The local WIOA plan,
- ❖ The cost allocation methodology or methodologies proposed by the Partners to be used in determining the proportionate share,
- ❖ The proposed amounts or budget to fund infrastructure costs,
- ❖ The amount of Partner funds included,
- ❖ The type of funds (cash, non-cash, and third-party in-kind contributions) available (including all documentation on how Partners valued non-cash and third-party in-kind contributions consistent with 2 CFR 200.306),
- ❖ Any proposed or agreed on American Job Center (PA CareerLink®) budgets (for individual centers or a network of centers), and
- ❖ Any partially agreed upon, proposed, RSA or RSAB.
- ❖ Any partially agreed upon, proposed, or draft IFAs.

The local board may also provide the Governor with additional materials that they or the Governor find to be appropriate.

◆ *Step 3: Governor Determinations and Calculations.*

The Governor will:

- ❖ Determine one-stop center infrastructure budget(s),
- ❖ Establish cost allocation methodology(s),
- ❖ Determine Partners' proportionate shares,
- ❖ Calculate statewide caps,
- ❖ Assess the aggregate total of infrastructure contributions as it relates to the statewide cap, and
- ❖ Adjust allocations.

Once all determinations and calculations are completed, the Governor will notify the NCWDB Chair (or designee) of the final decision and provide a revised IFA for execution by the Parties.

◆ *Step 4: Infrastructure Funding Agreement Execution*

The Infrastructure Funding Agreement becomes effective as of the date of signing by the final signatory.

Programs may appeal the Governor's determinations of their infrastructure cost contributions in accordance with the process established under 20 CFR 678.750, 34 CFR 361.750, and 34 CFR 463.750.

Modification Process

All Parties agree to abide by the process for modification, as outlined in the Modification Process section of the MOU. Note: Modification processes for subparts of this MOU may differ than the procedures under the MOU.

Effective Period

This IFA is entered into on July 1, 2017. This IFA will become effective as of the date of signing by the final signatory below and must terminate on June 30, 2020, unless any of the reasons in the Termination section of the MOU apply.

DEFINITIONS

One-Stop Delivery System

The one-stop delivery system (herein also referred to as the PA CareerLink® Service Delivery System) brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. One-stop Partners administer separately funded programs as a set of integrated streamlined services to customers.

[20 CFR 678.300(a); 34 CFR 361.300(a); and 34 CFR 463.300(a)]

Required One-Stop Partners

Department of Labor

- ❖ WIOA title I programs: Adult, Dislocated Worker, and Youth formula programs;
- ❖ Job Corps;
- ❖ YouthBuild;
- ❖ Native American programs;
- ❖ Migrant Seasonal Farmworkers (MSFW) that includes the National Farmworker Jobs Program (NFJP);
- ❖ Wagner-Peyser Act Employment Service program authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as amended by WIOA title III;
- ❖ Senior Community Service Employment Program (SCSEP) authorized under title V of the Older Americans Act of 1965;
- ❖ Trade Adjustment Assistance (TAA) activities authorized under chapter 2 of title II of the Trade Act of 1974;
- ❖ Unemployment Compensation (UC) programs;
- ❖ Jobs for Veterans State Grants (JVSG) programs authorized under chapter 41 of title 38, U.S.C.;
- ❖ Reentry Employment Opportunities (REO) programs (formerly known as Reintegration of Ex-Offenders Program (RExO)) authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) and WIOA sec. 169;

Department of Education

- ❖ Adult Education and Family Literacy Act (AEFLA) program, authorized under WIOA title II;
- ❖ Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins);
- ❖ The State Vocational Rehabilitation (VR) Services program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA title IV;

Department of Health and Human Services

- ❖ Employment and training activities carried out under the Community Services Block Grant (CSBG) programs (42 U.S.C. 9901 et seq.); and
- ❖ Temporary Assistance for Needy Families (TANF) program authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), unless exempted by the Governor under 20 CFR 678.405(b).

[WIOA sec. 121(b)(1)(B); 20 CFR 678.400-405; 34 CFR 361.400-405, and 34 CFR 463.400-405]

Additional One-Stop Partners

Other entities that carry out a workforce development program, including Federal, State, or Local programs and programs in the private sector, may serve as additional Partners in the local PA CareerLink® service delivery system if the Local WDB and chief elected official(s) approve the entity's participation.

Additional Partners may include employment and training programs administered by the Social Security Administration, including the Ticket to Work and Self-Sufficiency Program established under sec. 1148 of the Social Security Act (42 U.S.C. 1320b–19), employment and training programs carried out by the Small Business Administration, Supplemental Nutrition Assistance Program (SNAP) employment and training programs, authorized under secs. 6(d)(4) and 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4) and 2015(o)), Client Assistance Program authorized under sec. 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732), programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), and other appropriate Federal, State, or local programs, including employment, education, and training programs provided by public libraries or in the private sector, programs providing transportation assistance, and programs providing services to individuals with substance abuse or mental health issues.

[20 CFR 678.410; 34 CFR 361.410; 34 CFR 463.410; and TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (p. 7)]

Infrastructure Costs

Non-personnel costs that are necessary for the general operation of the one-stop center, including but not limited to applicable facility costs (such as rent), costs of utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the one-stop center, including technology used for the center's planning and outreach activities. Common identifier costs may be considered as costs of one-stop infrastructure.

[WIOA sec. 121(h)(4); 20 CFR 678.700(a)-(b); 34 CFR 361.700(a)-(b); and 34 CFR 463.700(a)-(b)]

Additional Costs

Shared operating costs and shared services costs may include costs of shared services that are authorized for and may be commonly provided through the one-stop Partner programs, including initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services, referrals to other one-stop Partners, and business services.

[WIOA sec. 121(i)(2); 20 CFR 678.760(b); 34CFR 361.760(b); 34 CFR 463.760(b); and TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (pp. 4-5, Attachment II)]

PA CareerLink® Operating Budget

The PA CareerLink® funding and infrastructure costs, defined as non-personnel costs, necessary for the general operation of the PA CareerLink®, including, but not limited to:

- Rental of the facilities;
- Utilities and maintenance;
- Equipment, including assessment-related products and assistive technology for individuals with disabilities; and,
- Technology to facilitate access to the PA CareerLink®, including technology used for planning and outreach activities.
- Outreach expenses.

All Parties to this MOU recognize that infrastructure costs are applicable to all required Partners, whether they are physically located in the PA CareerLink® or not. Each partner's contributions to these costs, however, may vary, as these contributions are based on the proportionate use and relative benefit received, consistent with the Partner programs' authorizing laws and regulations and the Uniform Guidance.

Infrastructure Funding Agreement (IFA)

The IFA contains the infrastructure costs budget that is an integral component of the overall resource sharing agreement. The other component of the one-stop operating budget consists of applicable career services, shared operating costs, and shared services, which are considered additional costs. While each of these components covers different cost categories, a resource sharing agreement would be incomplete if any of these cost categories were omitted, as all components are necessary to maintain a fully functioning and successful local one-stop delivery system. Therefore, the Departments strongly recommend that the Local WDBs, one-stop partners, and CEOs negotiate the IFA, along with additional costs when developing the operating budget for the local one-stop system. The overall one-stop operating budget must be included in the MOU. IFAs are a mandatory component of the local MOU, described in WIOA sec. 121(c) and 20 CFR 678.500 and 678.755. Similar to MOUs, the Local WDB may negotiate an umbrella IFA or individual IFAs for one or more of its one-stop centers.

The Departments also consider it essential that the IFA include the signatures of individuals with authority to bind the signatories to the IFA, including all one-stop partners, CEO, and Local WDB participating in the IFA.

Changes in the one-stop Partners or an appeal by a one-stop partner's infrastructure cost contributions will require a renewal of the MOU.

[TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (pp. 17-18 and Attachment II)]

North Central Workforce Development Partners Memorandum of Understanding

For the period July 1, 2017 – June 30, 2020

AUTHORITY AND SIGNATURE

By signing my name below, I, _____, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

My signature certifies my understanding of the terms outlined herein and agreement with:

- The MOU
- The Operating Budget

By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

- The MOU
- The Operating Budget
- The Infrastructure Funding Agreement (IFA)

I understand that this MOU may be executed in counterparts, each being considered an original, and that this MOU expires either:

- a) In three (3) years;
- b) Upon amendment, modification, or termination; or
- c) On June 30, 2020, whichever occurs earlier.

Signature

Date

Print Name and Title

Agency Name