



Bay Consortium Workforce Development Board

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Title: Bay Consortium One Stop Certification Process Policy

PURPOSE

The purpose of this policy is to define the requirements for comprehensive, affiliate, and specialized American Job Centers (AJCs) in the Bay Consortium Workforce Development Area (Local Area XIII) of Virginia and to outline the policy and procedures for the certification of the AJCs under the Workforce Innovation and Opportunity Act (WIOA), including establishing quality assurance standards.

REFERENCES

- Workforce Innovation and Opportunity Act (Pub. L. 113-128)
- Workforce Innovation and Opportunity Act Section 121(g) Certification and Continuous Improvement of One-Stop Centers
- United States Department of Labor, Workforce Innovation and Opportunity Act; Joint Final Rule, 20CFR, Part 678 and Part 679, 34 CFR 361.800, and 34 CFR 463.800
- Training and Guidance Letter No. 04-15, Vision for One-Stop Delivery System Under WIOA
- Training and Guidance Letter No. 16-16, One-Stop Operations Guidance for the American Job Center Network
- Training and Guidance Letter No. 19-14, Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014
- United States Department of Labor, Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide
- Commonwealth of Virginia WIOA Combined State Plan
- Virginia Board of Workforce Development Policy No. 600-03, Services to Individuals with Disabilities

POLICY

Federal law requires that Bay Consortium Workforce Development Area (BCWDA) must have at least one certified Comprehensive One-Stop Center in accordance with WIOA Section 121(g), WIOA Section 188, and the Code of Federal Regulations. The federal regulatory language also requires that the One-Stop Affiliate Sites and Specialized Sites be compliant with quality assurance, accessibility and other criteria associated with One-Stop Certification.

Virginia's One-Stop System is the Commonwealth's service delivery mechanism for business and career services. The Comprehensive One-Stop Center, Affiliate Sites, and Specialized Sites, are the service

delivery points in the BCWDA. The Virginia Board for Workforce Development (VBWD) and the Bay Consortium Workforce Development Board (BCWDB) are tasked with ensuring quality service delivery through the One-Stop System. Certification is the required means for verifying appropriate service delivery.

Title I of WIOA requires the State Board (Virginia Board of Workforce Development VBWD) in consultation with Chief Elected Officials (CEOs) and the Bay Consortium Workforce Development Board (BCWDB), to establish objective criteria and procedures for the LWDBs to evaluate and certify the comprehensive, affiliate, and specialized AJCs located within the Bay Consortium Workforce Development Area (BCWDA). Federal law requires that each LWDA must have at least one certified comprehensive AJC in accordance with WIOA Section 121(g), WIOA Section 188, and the Code of Federal Regulations. The federal regulatory language also requires that affiliate and specialized AJCs be compliant with quality assurance, accessibility and other criteria associated with AJC certification.

The purpose of the certification is to: (1) ensure consistent delivery of services across the Commonwealth, (2) ensure continuous improvement of service delivery through the AJCs, (3) furnish a basis for evaluation of service provider effectiveness, and (4) maintain eligibility for AJC infrastructure funding. The evaluation and certification examines effectiveness (including customer satisfaction), physical and programmatic accessibility, and continuous improvement.

CONDITIONS

The following conditions must be met in order to certify the Virginia One-Stop System: 1) the BCWDB for the BCWDA must certify the Comprehensive One-Stop Center in accordance with the VBWD criteria, and 2) the BCWDB must certify the Affiliate Sites within the BCWDA in accordance with the VBWD criteria.

DEFINITIONS

AJCs

American Job Centers (AJCs) are comprehensive, affiliate, and specialized centers where workforce development services and activities are made available to the citizens of the Commonwealth of Virginia.

AJC Staff

AJC Staff is inclusive of WIOA Title I, II, III and IV staff and other partner staff located in the workforce center, paid and volunteer.

Communications Accessibility

Communications Accessibility is accomplished when whatever is written or spoken is as clear and understandable to all individuals, including those who are Deaf/Hard-of-Hearing or with other disabilities, unless it would fundamentally alter the nature of the service or program in question or would result in an undue financial and administrative burden.

Program Accessibility

Program Accessibility is the physical accessibility of facilities, programs, services, technology, and materials for individuals with disabilities.

Programmatic Accessibility

Programmatic Accessibility is accomplished when policies, practices, and procedures provide effective and meaningful opportunity for persons with disabilities to participate in or benefit from aid, benefit, service and training. According to WIOA Section 188 it ensures full participation of people with

disabilities from policy to practice. Programmatic accessibility includes communications accessibility.

Program Year

Program Year is the period that runs from July 1 through June 30 of the subsequent year.

VaWC

Virginia Workforce Connection (VaWC) is the system of record for the WIOA Title I programs in the Commonwealth of Virginia.

REQUIRED PARTNERS

The federally mandated programs for delivery of services through the AJCs include the following:

1. Programs authorized under Title I of WIOA, including Adults, Dislocated Workers, and Youth; Job Corps; YouthBuild; Native American programs; and Migrant and Seasonal Farmworker Programs
2. Wagner-Peyser Employment Services authorized under Title III of WIOA
3. Adult Education and Family Literacy activities authorized under Title II of WIOA
4. Vocational Rehabilitation, authorized under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV
5. The Senior Community Service Employment Program (SCSEP) as authorized under Title V of the Older Americans Act of 1965
6. Carl D. Perkins Career and Technical Education Programs at the postsecondary level
7. Trade Adjustment Assistance as authorized under Trade Act of 1974, as amended
8. Jobs for Veterans State Grants authorized under Chapter 41 of Title 38
9. Community Services Block Grant (CSBG) employment and training activities authorized under Community Services Block Grant Act
10. Department of Housing and Urban Development (HUD) employment and training activities
11. Programs authorized under state unemployment compensation laws.
12. Reentry Employment Opportunities (REG) authorized under Section 213 of the Second Chance Act
13. Temporary Assistance for Needy Families (TANF) authorized under the Social Security Act Title IV part A.

If a program from the above list is not carried out in the Bay Consortium area, the requirements relating to a required AJC partner are not applicable to such program or activity in that local one-stop delivery system (Reference 20 CFR 678.415(a)).

COMPREHENSIVE CENTER REQUIREMENTS

The WIOA requires at least one comprehensive physical AJC in BCWDA. Comprehensive centers should reflect and exemplify the characteristics of a high-quality AJC as described in *TEGL 4-15 Vision for the One-Stop Delivery System under the WIOA*. The comprehensive AJC must be physically and programmatically accessible to individuals with disabilities.

In Virginia, a comprehensive AJC has the following requirements:

A comprehensive AJC is a physical location where both job seeker and employer customers can access the programs, services, and activities of all required AJC partners.

A comprehensive center must have appropriately trained staff to deliver workforce services for each

of the partners detailed in the table below. The executed Memorandum of Understanding (MOU) for AJC services must describe when staff from each partner program will be present on site, how access to program services will be provided to customers when program staff are not physically present, the roles and responsibilities of the partners, and include cost sharing agreements, including the infrastructure agreement.

Programs with Full-Time Staff Physically Present at the Comprehensive AJC

- Adult WIOA Title I
- Dislocated Worker WIOA Title I
- Youth WIOA Title I
- Wagner-Peyser Employment Services WIOA Title III
- Jobs for Veterans State Grants (including Disabled Veteran Outreach Program or Local Veterans Employment Representative Staff)

Programs with Staff Physically Present at least Part-Time at the Comprehensive AJC

The executed Memorandum of Understanding for AJC services should include the staffing commitments for the AJC and a plan to provide sufficient office accommodations for part-time partners to enable the partner to provide high quality service to customers.

- Vocational Rehabilitation WIOA Title IV: Also required to provide regular training to partner staff in the identification and delivery of services to individuals with disabilities, and through strategic investments in hardware and software support the delivery of staff-supported services and self-service clients in the AJC Resource Room.
- Adult Education and Family Literacy WIOA Title II

Programs that must be accessible from the Comprehensive AJC if the program is provided in the local area

- Registered Apprenticeship*
- Non-Credit Workforce Training provided by the Virginia Community College System*
- Virginia Initiative for Employment not Welfare (VIEW)*
- Supplemental Nutrition Assistance Program Employment and Training (SNAP ET)*
- Carl D. Perkins Career and Technical Education Programs at the postsecondary level
- Trade Adjustment Assistance
- Temporary Assistance for Needy Families (TANF)
- Job Corps WIOA Title I
- YouthBuild WIOA Title I
- Native American programs WIOA Title I
- Migrant and Seasonal Farmworker programs WIOA Title I
- The Senior Community Service Employment Program (SCSEP) Title V of Older American Act
- Community Services Block Grant (CSBG) employment and training activities
- Department of Housing and Urban Development (HUD) employment and training activities
- Programs authorized under state unemployment compensation laws
- Reentry Employment Opportunities (REO) authorized under Section 213 of the Second Chance Act

*Specific Virginia Requirement

A comprehensive AJC must provide full access to career services described in 20 CFR 678.430 and training services described in 20 CFR 680.200. **Access** is defined as (1) having program staff physically present at the one-stop career center; or (2) having a staff member from a different partner program physically present at the American Job Center and appropriately trained to provide information to customers about the programs, services, and activities available through partner programs or (3) providing direct linkage through technology to program staff who can provide meaningful information and/or services.

Each comprehensive AJC must provide a full array of labor market information for job seekers, including online access to tools and resources. This information shall be provided by Virginia Works through the Virginia Workforce Connection and VirginiaLMI.com and may be supplemented with local tools and resources.

Comprehensive AJCs must provide access to programs, services, and activities during regular business days and hours. Program access strategies must include consideration for program access during nontraditional hours.

Comprehensive AJCs must have referral processes in place in order for employers and job seekers to have access to specialized or other services available through partner programs and service providers. These processes must be documented in the MOU for AJC services.

AFFILIATE AND SPECIALIZED CENTERS

The BCWDB may also choose to operate other access points to services in addition to comprehensive centers. Such access points are called affiliate or specialized American Job Centers. The MOU for AJC services must describe when staff from each partner program will be present on site, how access to program services will be provided to customers when program staff are not physically present, the roles and responsibilities of partners, and include cost sharing agreements, including the infrastructure agreement.

An affiliate center must have one partner program with a physical staff presence at the location. An affiliate center does not need to provide access to every required partner program, although it is encouraged that remote access be provided, such as program partner electronic intake forms and appointment scheduling at other locations. The frequency of the physical presence of various program staff at the affiliate center is determined at the local level through arrangements with program partners. At each affiliate center, a program partner lead must be identified. This lead could be any partner administering a WIOA Title I, Title II, Title III, Title IV, or Jobs for Veterans State Grant program. This encourages an expansive and inclusive network of physical AJC locations. All affiliated sites must be physically and programmatically accessible to individuals with disabilities.

The BCWDB may have specialized centers to address special needs such as the needs of dislocated workers, youth, or key industry sectors or clusters. Specialized centers do not need to provide access to every required partner, but should be knowledgeable about, and prepared to make referrals to AJC partners in the comprehensive or affiliate centers. Partner services provided through specialized centers must also be determined through partner negotiations at the local level and incorporated into the MOU. All specialized centers must be physically and programmatically accessible to individuals with disabilities.

All affiliate and specialized centers must have referral processes in place to comprehensive centers in order for employers and job seekers to have access to services available through partner programs and service providers. Wagner-Peyser staff must provide meaningful Unemployment Insurance (UI)

assistance to those impacted by UI for all AJCs, even if Wagner-Peyser staff are not physically located in an affiliate center. These processes must be documented in the partner MOU.

COLOCATION OF WAGNER-PEYSER ACT EMPLOYMENT SERVICES

Wagner-Peyser employment service sites cannot be affiliate or specialized one-stop career centers unless they are collocated with another program partner. In this particular case, “another partner program” may not include the partner administering the Jobs for Veterans State Grant Program (JVSG), Trade Act Program, or unemployment insurance programs. If Wagner-Peyser employment services are provided at an affiliate site, there must be at least one or more other partners with a physical presence of combined staff more than fifty (50) percent of the time the center is open.

CERTIFICATION ROLES AND RESPONSIBILITIES

The VBWD, in consultation with the BCWD and CEOs, is responsible for establishing objective criteria and procedures for use by the BCWDB in certifying AJCs. The BCWDB and their CEOs have responsibility for ensuring the achievement of certification and quality standards for all centers. The BCWDA must have at minimum one certified Comprehensive AJC. The goal is to assure that each AJC has been determined to meet uniform certification standards, such that businesses and job seekers can expect to encounter a minimum baseline of quality services regardless of location.

The BCWDB are to be supported by partner program leaders who shall work collaboratively to ensure that policy is clear and enforced, resources are properly allocated, and problems are resolved in a timely fashion. It is expected that service-level certification expectations and reporting metrics are integrated into written agreements with partners and operators.

The VBWD is also responsible for ensuring the certification criteria is reviewed and updated every two years as part of the review and modification of the WIOA State Plan. The VBWD is also responsible for certifying the AJCs when the local board is the One-Stop operator in a Local Workforce Development Area.

The BCWDB are responsible for oversight of the AJC certification process at the local level and for the appointment of a certification team to conduct the certification reviews for each AJC (comprehensive, affiliate, and specialized) in its LWDA (unless the BCWDB is also the One-Stop operator, discussed more fully below). The BCWDB must use the Virginia American Job Center Certification Application (Attachment A) and the corresponding criteria established by the VBWD.

The BCWDB may set higher standards for service coordination beyond those identified in the certification criteria established by the VBWD. However, the additional criteria must be clearly identified in an addendum to the Virginia American Job Center Certification Application.

CERTIFICATION PROCEDURE

Center Certification Teams

If the BCWDB does NOT serve in the role of the One-Stop operator for its LWDA, the BCWDB will work with their Executive Director to appoint a team of three or more individuals to conduct the certification review. In appointing the team, the BCWDB MUST ensure avoidance of conflict of interest. One of the three individuals appointed to serve on the center certification team (CCT) must be a BCWDB member.

The BCWDB shall notify the chief elected official (CEO) of the certification team selection. If the BCWDB *DOES* serve in the role of One-Stop operator for a LWDA, the VBWD shall be responsible for conducting the AJC certification for each AJC in that particular LWDA. Virginia Works will establish a review team of three or more state staff to conduct the certification and ensure there are no conflicts of interest and provide a certification recommend to the VBWD.

The individuals selected to be on any center certification team must be able to conduct an independent and objective evaluation of the AJC(s) and make a recommendation to the BCWDB or VBWD. One individual on the certification team must serve as the “team lead” for contact purposes.

Certification Process

BCWDB staff will provide the CCT with the certification application (Attachment A) and electronic materials to begin a desk and onsite review.

The CCT shall review all necessary documentation including, but not limited to the following:

- The Local MOU/IFA
- Business and/or Local Plan
- Local policies, procedures, and manuals
- Complaints and compliance findings
- Marketing and other printed materials
- Training schedules
- Customer feedback reports

After the initial desk review, the certification team shall contact each center to schedule a time to visit the center and conduct the onsite certification review. The Center Certification Team will adhere to all emergency mitigation requirements and practices established by the Commonwealth of Virginia and the United States Center for Disease Control (CDC) during a pandemic. During a pandemic, interviews and the onsite review may be conducted remotely through electronic communication.

The CCT may request that a center complete a one-stop self-assessment prior to the CCT evaluation. A self-assessment is a helpful tool that can assist the center in addressing potential compliance issues or areas of improvement prior to the certification decision. Centers are encouraged to complete a self-assessment in advance of the certification review.

During the onsite certification review, the certification team shall conduct staff interviews with applicable staff. Interviewees shall include the Center Manager, the local Equal Opportunity Officer, and a random sample of at least 20 percent of the frontline (state and partner) service staff at the AJC to determine their level of knowledge pertaining to the following:

- WIOA partner programs/services
- Local Initiatives
- AJC policies and procedures
- Staff roles and contributions to performance
- Awareness of accessibility requirements and available assistive technologies

The CCT shall determine, as a group, whether an AJC has sufficiently met the certification criteria. To be certified, the center must meet all certification criteria as identified in Attachment A. Center Certification teams must submit a completed Attachment A to the BCWDB or to the VBWD (if state

certification team) within thirty (30) days of conducting the AJC certification review. The CCT may designate a center as certified, not certified, or probationary.

Certified Center: A certified center has met all criteria.

Probationary Center: A probationary center has not met one or more criteria and must be re-evaluated within 6 months.

Not Certified Center: A non-certified center has continued to not meet one or more criteria after the 6-month probationary status.

The CCT may hold an exit interview with the BCWDB and One-Stop Operator if requested. Upon completion of review, the CCT shall present the completed Attachment A to the BCWDB with a recommended certification status. Once the recommendation is approved by the BCWDB, the board shall obtain the signature of the CEO(s) for final approval.

Once the BCWDB and CEO approve the certification of a comprehensive, affiliate, or specialized AJC, the BCWDB chair or designee will submit electronically a copy of Attachment A to the WIOA Title I Administrator for subsequent notice to be sent to the Virginia Board of Workforce Development (VBWD).

For certification reviews conducted by state staff, recommendations will be approved by the VBWD. Applications submitted by state CCT do not require the signature of the local board chair or the local chief elected official.

NON-CERTIFICATION

If the AJC fails to achieve certification on initial review the AJC will be given the “Probationary” status.

The CCT must provide the rationale for the determination and develop with the one-stop operator an action plan with timeline to address each deficient criteria to bring the center into compliance within six (6) months. The local board or designee will provide monthly updates regarding the progress made to address each deficient criteria to Virginia Works. The certification team must re-evaluate the AJC within six (6) months of the written determination utilizing the same method as the initial evaluation. The CCT must submit to the VBWD and the BCWDB, a follow-up, written determination within thirty (30) days of the re-evaluation. If an AJC fails to achieve certification after the re-evaluation review, the center will be given the “Not Certified” status.

The BCWDB shall have a total of six (6) months to bring a probationary AJC into compliance (infrastructure cost-funding will not be impacted during this time frame). If the BCWDB fails to certify any AJC after the probationary period, that AJC will not be eligible for infrastructure-cost funding for the ensuing program year. The BCWDB may also consider additional ramifications for failing certifications in their One-Stop operator contracts.

FREQUENCY OF CERTIFICATIONS

Every AJC (comprehensive, affiliate, and specialized) must be certified every three (3) years with no lapse between certifications. It is recommended that the certification process begin at least six months prior to the current certification expiration date. The VBWD reserves the right to update the certification criteria at any time and issue guidance on when all centers must be compliant with any new criteria.

NEW AJC LOCATIONS

Prior to a local decision to open or relocate an AJC the state must be notified. The local plan and MOU agreement among partners must be updated and submitted to the state to ensure alignment with state plan and policy. The new site must be certified as a comprehensive, affiliate, or specialized AJC and be ADA compliant prior to opening.

If an AJC relocates, the new site must be certified as a comprehensive, affiliate, or specialized AJC and be ADA compliant prior to the relocation.

CRITERIA

Criteria for certification are as follows:

- A. Evaluations of Effectiveness examines the extent to which the AJC integrates available services and meets the needs of local employers and participants.

Evaluations of effectiveness include:

1. The executed MOU identifies the center as a comprehensive, affiliate, or specialized center and includes all required partners.
2. The AJC has an operating budget and cost sharing agreement and a reconciliation process in place with all partners.
3. The AJC has a one-stop operator who has oversight of center operations.
4. The AJC has an inventory containing partner agency contact information and services offered that is available to all center staff.
5. The AJC has a written process in place to promptly greet all customers, identify their needs and reason for their visit, and quickly connect them to appropriate services.
6. The AJC integrates available services for customers. (Review available co-enrollment rates, Not applicable to a new AJC)
7. The AJC integrates available services for businesses. (Review Business Service Team and Job Orders)
8. The AJC staff are cross trained on partner programs and can provide basic information on all partners' programs.
9. Staff at the AJC are aware of the sector strategies and high demand occupation list to meet the needs of local businesses.
10. Staff at the AJC are aware and make available high demand career pathways, including occupations and credentials.
11. The AJC adheres to the use of the official American Job Center logo.
12. The AJC's regular business hours are clearly visible outside of the AJC building.
13. The AJC makes services available to customers outside regular business hours.
14. There is at least one Title I staff member present at the AJC at all times during business hours. (Applies to comprehensive AJC only)
15. The AJC includes customer feedback when evaluating the effectiveness of the center. (Not applicable to a new AJC)
16. The AJC includes employer feedback when evaluating the effectiveness of the center. (Not applicable to a new AJC)
17. Corrective action plans are being implemented to address any programmatic or administrative findings. (Not applicable to a new AJC)

- B. Evaluations of physical and programmatic accessibility must include how well the AJC ensures equal opportunity for individuals with disabilities to benefit from services. The American with Disabilities Act and WIOA Section 188 establish physical and programmatic accessibility standards.

Annually each AJC will be evaluated for physical and programmatic accessibility by Virginia Works. The annual Equal Opportunity (EO) review will address the physical and programmatic accessibility criteria below and will be conducted in accordance with 29 CFR Part 38. As part of the AJC certification process the CCT team must review the most recently completed EO report to confirm that the AJC is compliant and has no unresolved findings. If the AJC has any outstanding EO findings, the AJC will be deemed probationary until all EO findings are resolved.

Evaluations of accessibility include:

1. The local Equal Opportunity Officer periodically reviews policies and procedures regarding accessibility and equal opportunity and provides staff access to training and updates to staff at the AJC.
 2. The AJC includes the required Equal Opportunity tagline on all documents or includes a link or QR code to the EO tagline.
 3. AJC staff communication with persons with disabilities as effectively as with others.
 4. The AJC is physically accessible.
 5. The AJC prohibits employment discrimination by the BCWDB and its partners.
 6. The AJC administers programs in the most integrated setting possible.
 7. The AJC has auxiliary aids and services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity.
 8. The AJC staff provide reasonable accommodations for individuals with disabilities.
 9. The AJC has a written process in place for customers to file Equal Opportunity complaints/grievances and a process for addressing these complaints/grievances when they are filed.
- C. Continuous Improvement requires the AJC network to collect, analyze, and use multiple data resources including the negotiated levels of performance measures. Data to support continuous improvement could stem from: customer satisfaction surveys; use of performance indicators to address technical assistance needs; and professional development opportunities made available to staff to successfully apply latest policies and procedures.

Evaluations of continuous improvement include:

1. The AJC regularly reviews performance data to identify strategies and set goals to improve outcomes. (For new AJCs that do not yet have performance data to evaluate, review the written plan that will be implemented to review performance data.)
2. The AJC has a written process in place to elicit and respond to customer, employer, and partner feedback.
3. The AJC has a written plan for systematic staff development and cross-program training.

SUBMITTING DOCUMENTATION

Documentation regarding the AJC certification should be sent electronically to:

lwdbinquiries@viriniaworks.gov

TECHNICAL ASSISTANCE

Virginia Works will provide technical assistance through a dedicated support team comprised of subject matter experts.

MONITORING

The AJC Certification process will be monitored in accordance with established state and local monitoring policies and guidance documents.