Kansas Department of Commerce
Workforce Development
Policy and Procedures Manual

Policy Number: 5-28-00

Originating Office: Workforce Services

Subject: One-Stop Certification

Issued: May 3, 2017

Revised: August 31, 2022

Program: Workforce Innovation and Opportunity Act (WIOA)

Purpose. To establish policy on the minimum standards for certification of One-Stop Centers (American Job Centers).

Reference: (WIOA), WIOA Sec. 121(g), 20 CFR 678.800, 34 CFR 361.800, 34 CFR 463.800, TEGL 16-16.

Background: It is the responsibility of the **KANSAS**WORKS State Board (State Workforce Board) to assist the Governor in the certification and continuous improvement of a statewide system of activities carried out through the One-Stop delivery system. The **KANSAS**WORKS State Board has developed this document in consultation with Local Area Chief Elected Officials (CEOs) and Local Workforce Development Boards (LWDBs) to assure coordination and non-duplication among programs and activities carried out by One-Stop partners through the establishment of minimum standards for certification of Workforce Centers within a statewide workforce delivery system.

Action: Distribute to all partners, contractors, and subcontractors within the workforce service system. LWDBs must submit an application to certify each Workforce Center. Recertification shall occur no less than every three years thereafter.

Contact: Questions and requests for technical assistance should be directed to (785) 296-0607, TTY (785) 296-3487, workforcesvcs@ks.gov

Policy Statement

Each Local Workforce Development Board (Local Board), in consultation with their Chief Elected Official(s), shall adopt written policy and procedures for the certification of comprehensive One-Stop Centers (aka American Job Centers) and affiliate sites within the Local Workforce Development Area (LWDA).

At a minimum, Local policy shall include provisions for:

1. A listing of those partners and entities providing service through the one-stop system with whom the LWDB and CEO have entered into a current Memorandum of Understanding, to include:
    a. Those partners required to provide program access through the one-stop delivery system pursuant to WIOA Section 121(b), 20 CFR 678.400, 34 CFR 361.400, and 34 CFR 463.400 who have successfully negotiated and signed a Memorandum of Understanding (MOU) with the LWDB and CEO.
    b. Any additional entities (additional partners) who provide carrying out workforce development programs in the Local Area who have entered into a MOU with the LWDB and CEO.
2. A detailed reporting of those partners required to provide program access through the one-stop delivery system pursuant to WIOA Section 121(b), 20 CFR 678.400, 34 CFR 361.400, and 34 CFR 463.400 who have not signed a current Memorandum of Understanding (MOU) with the LWDB and CEO.
3. A list of partners required to provide program access through the one-stop delivery system pursuant to WIOA Section 121(b), 20 CFR 678.400, 34 CFR 361.400, and 34 CFR 463.400 who are not providing services (not operating) within the LWDA and therefore exempt from a Memorandum of Understanding (MOU) with the LWDB and CEO.
4. Certification/verification customers have access to the following programs, services, and activities during regular business days at a comprehensive one-stop center as prescribed in 20 CFR 678.305(c), 34 CFR 361.305(c), and 34 CFR 463.305(c):
    a. At least one WIOA Tile I staff person physically present in the Center
    b. At a minimum, those career services listed in 20 CFR 678 430, 34 CFR 367.430, and 34 CFR 463.430
    c. Access to training services described in 20 CFR 680.200.
    d. Access to any employment and training activities carried out under section 134(d) of WIOA
    e. Access to programs and activities carried out by one-stop partners listed in 20 CFR 678.400 through 20 CFR 678.410, 34 CFR 361.400 through 361.410, and 34 CFR463.400 through 463.410, including the Wagner-Peyser Act ES program
    f. Provision of workforce and labor market information

5. Criteria, including the use of customer feedback, for evaluating the effectiveness of the one-stop center in the integration and provision of available services for participants and business; including:
    a. Providing reasonable accommodations for individuals with disabilities
    b. Making reasonable modifications to policies, practices, and procedures to avoid discrimination against persons with disabilities
    c. Administering programs in the most integrated setting possible
    d. Communicating with persons with disabilities as effectively as with others
    e. Providing appropriate auxiliary aids, including assistive technology devices and services
    f. Providing for the physical accessibility of the one-stop to individuals with disabilities
    g. How the one-stop center supports achievement of the negotiated local performance goals

6. Certification/Verification all applicable physical and programmatic accessibility requirements as set forth in the implementing regulations (e.g., 29 CFR Part 38) and guidance for WIOA sec. 168.
7. Description of how the Local WDBs assess at least once every 3 years the effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers and the one-stop delivery systems using the criteria and procedures developed by the State WDB.
8. Review and update of the local policy criteria as part of the bi-annual Local Plan update process.

Local Policy may add additional criteria, conditions, and certification elements. If a local board adds criteria, it will also need to be reviewed and updated every two years.

LWDBs may certify sites that do not meet the criteria of a Comprehensive One-Stop as additional Affiliated American Job Centers to the extent they meet the definition and criteria established in TEGL 16-16.

In the event a LWDB is the One-Stop Operator in a Local Area, the State WDB will conduct the certification process.

Applications for State recognition of local certifications shall be sent to workforcesvs@ks.gov

DEFINITIONS

Comprehensive Centers

A comprehensive Center is a physical location where job seekers and employer customers can access the programs, services, and activities of all required one-stop partners along with any additional partners as determined by the Local WDB. The one-stop delivery system must include at least one comprehensive physical center in each local area. Comprehensive Centers should reflect and exemplify the characteristics of a high-quality American Job Center as described in DOL's TEGL No. 4-15, and ED's RSA-TAC-15-01 and OCTAE Program Memorandum 15-3. Comprehensive one-stop centers should reflect a welcoming environment to all customer groups who are served by the Centers. All Center staff should be courteous and helpful to all job seekers, businesses, and others who interact with the American Job Centers, in person, by telephone, or online.

A comprehensive Center must have:

1) At least one WIOA title I staff person physically present, and the Center must provide the career services listed in 20 CFR 678.430, 34 CFR 361.430, and 34 CFR 463.430.

2) Access to training services described in 20 CFR 680.200.

3) Access to any employment and training activities carried out under section 134(d) of WIOA.

4) Access to programs and activities carried out by one-stop partners listed in 20 CFR 678.400 through 678.410, 34 CFR 361.400 through 361.410, and 34 CFR 463.400 through 463.410, including the Wagner-Peyser Act ES program; and

5) Workforce and labor market information.

Customers must have access to these programs, services, and activities during regular business days at a comprehensive one-stop center. The Local WDB may establish other service hours at other times to

accommodate schedules of individuals who work on regular business days or who, because of life circumstances, are not able to access the American Job Centers during regular business hours. Access to services outside of regular business hours (i.e., nights and weekends) is encouraged when doing so is possible and best serves the needs of customers. Centers not open outside of the regular business hours should have a plan for how they will provide services to individuals who cannot visit a center during regular business hours.

It is important to note that "providing" career services in the comprehensive does not mean that each required partner must provide these services directly on-site at the comprehensive center. However, it does mean that some career services must be provided directly on-site. Career services may be provided through access to one-stop partner programs and activities, which, as described in 20 CFR 678.305(d), 34 CFR 361.305(d), and 34 CFR 463.305(d), may be delivered in one of three ways:

- Option 1. Having a program staff member physically present at the American Job Center.
- Option 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 all partner programs; or
- Option 3. Making available a direct linkage through technology to a program staff member who can provide meaningful information or services.

The options above offer a wide range of possibilities to partners. Option 2 could require varying levels of assistance depending on the program's needs, but this could be as simple as having an adequately trained Wagner-Peyser ES staff member providing basic program information to a one-stop customer regarding the Job Corps program. In this example, the partner staff member has been trained by someone from the Job Corps program on basic eligibility requirements as well as how to access and complete an enrollment application. Once the application is completed, the partner staff member will connect the customer to a Job Corps representative who can further assist the customer through the enrollment process. This option allows for the customer to receive high quality service through the Center, in a timely manner. In this example, it would be essential that the Wagner-Peyser Act ES staff person providing information about the Job Corps program document his or her time and effort to ensure that the charges to the appropriate program, namely the Job Corps program, for salaries and wages are based on records, that accurately reflect the work performed consistent with Federal cost principles in the Uniform Guidance at 2 CFR 200.430.

Option 3, a direct linkage, can take many forms as well. As described in 20 CFR 678.305(d)(3), 34 CFR 361.305(d)(3), and 34 CFR 463.305(d)(3), a "direct linkage" means providing a direct connection at the Center within a reasonable time, by phone or through a real-time Web-based communication, to a program staff member who can provide program information or services, including career services, to the customer. Solely providing a phone number, Web site, information, pamphlets, or materials does not constitute a "direct linkage".

The flexibility provided through the three optional methods for assuring customer access to required one-stop partner services and activities at the comprehensive centers, ensures that dispersed programs, such as the National Farmworker Jobs Program, Job Corps, or Indian and Native American programs, remain accessible through the American Job Center network.

Local WDBs, in conjunction with the partners and one-stop operator(s), must establish the method or means of providing access to partner programs and document such means or methods in their Memoranda of

Understanding (MOUs). All comprehensive Centers must be physically and programmatically accessible to individuals with disabilities, as described in section 188 of WIOA and its implementing regulations at 29 CFR part 38 (Final Rule published at 81 FR 87130 (Dec. 2, 2016)). To ensure meaningful access to all customers, American Job Centers should incorporate the principles of universal and human-centered design. These principles include, for example, flexibility in space usage; the use of pictorial, written, verbal, and tactile modes to present information for customers with disabilities or English language learners; providing clear lines of sight to information for seated or standing users; providing necessary accommodations; and providing adequate space for the use of assistive devices or personal assistants.

Affiliated Sites:

Local WDBs may also choose to operate other access points to services in addition to comprehensive Centers. Such access points are called affiliate or specialized and are created to supplement and enhance customer access to services. These sites make one or more of the one-stop partners' programs, services, and activities available to job seekers and employers.

Affiliated sites, as described in 20 CFR 678.310, 34 CFR 361.310, and 34 CFR 463.310, allow for more flexibility in terms of the services one-stop partner programs provide. These sites do not need to provide access to every required one-stop partner program. Just as is required of comprehensive Centers, affiliated sites must be physically and programmatically accessible to individuals with disabilities. The frequency of program staff's physical presence in an affiliated site will be determined through partner MOU negotiations at the local level, within the parameters of the Federal regulations at 20 CFR 678.310 through 678.320, 34 CFR 361.310 through 361.320, and 34 CFR 463.310 through 463.320.

Based on local workforce needs, the Local WDB, in conjunction with the partners and one-stop operator(s), may determine that a specialized center, as described in 20 CFR 678.320, 34 CFR 361.320, and 34 CFR 463.320, is more appropriate to serve a particular population and may choose to operate a specialized center(s). For example, a specialized center may be established to serve a specific group of dislocated workers affected by a regional lay-off. In this example, the specialized center would provide

a variety of services tailored to the needs of the dislocated workers, including career coaching, networking opportunities, comprehensive assessment, and employer meetings. The specialized center could also provide flexible office hours, such as evenings and weekends, to support the job search needs of the dislocated workers served by that specialized center. Other specialized centers may be established for youth, veterans, or other specified groups as determined by the Local WDB.

Specialized centers do not need to provide access to every required partner, but should be knowledgeable about, and prepared to make referrals to, American Job Center partners in the comprehensive or affiliate American Job Centers. Partner services provided through specialized one-stop centers must also be determined through partner negotiations at the local level and incorporated into the MOU.

The system is governed locally by a partnership between the Local Workforce Investment Board and their respective Chief Elected Officials. This partnership is responsible for the design of a local system which meets customers' needs and meets the minimum standards contained in this document.

Required Partner Programs Entities

At a minimum, access to the services from the following programs (when operating in the local area) will be included at a Comprehensive One-Stop Center

- WIOA Title I:
    - Youth
    - Adult
    - Dislocated Worker (DW)
    - Job Corps
    - Native and American Indian (NAI)
    - National Farmworker Job Programs (NFJP) / and Seasonal Farmworkers Programs
    - National Dislocated Worker Grants – when applicable
- WIOA Title II:
    - Adult Education and Family Literacy Act (AFLA)
- WIOA Title III:
    - Wagner-Peyser
- WIOA Title IV:
    - State VR
- Other:

    - Unemployment Compensation
    - Trade Act
    - Jobs for Veterans State Grants (JVSG)
    - Senior Community Service Employment (SCESP)
    - Youth Build
    - Second Chance Grants
        - (Offender) Reentry Employment Opportunity (REO)
        - Face Forward
        - Pathways to Justice
    - Carl D. Perkins Career and Technical Education (post-secondary)
    - Community Service Block Grant (CSBG) employment & training (when applicable)
    - Housing and Urban Development (HUD) employment and training (when applicable)

Attachment A

Workforce Center Application for State Certification

Complete one application per Workforce Center.

Workforce Investment Board: _____

Application Contact Name/Title: _____

Address: _____

Phone:_____E-Mail: _____

Workforce Center Type

☐ Comprehensive One-Stop Center
☐ Affiliated Site

Operator Name: _____

Operator Address: _____

Operator Phone:_____E-Mail: _____

Attach the following items:

☐ Current Memorandum of Understanding(s) (MOU)
☐ Current LWIB/One-Stop Operator Agreement

☐ Signed Attestation Page

Attachment B

Workforce Center Application for State Certification

Attestation

The Chair of the Local Workforce Investment Board (or Chief Elected Official) must attest to the following and affix signature below:

I,_____, as Chair/CEO of the LWDA_____Board affirm that to the best of my knowledge, information and belief, the One-Stop Center named in this application has successfully met all of the requirements of the State Policy # - - , applicable Local Area Policy, and documentation is attached hereto.

_____ Date:_____
(Signature of Chair/CEO)

_____
(Printed Name of Chair/CEO)