

## Policy 12-722: Establishment of Workforce Delivery System

<b>Reference State Policy:</b>	WIOAAPL No. 16-09.1
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<b>Policy Obsoletes:</b>	

### **I. Purpose**

The purpose of this policy is to outline the requirements for establishing a workforce delivery system in the local workforce development area.

### **II. Rescission**

ODJFS, [Workforce Innovation and Opportunity Act Policy Letter No. 16-09](#), Establishment of the Workforce Delivery System, (May 30, 2017).

### **III. Background**

The workforce delivery system is the cornerstone of the public workforce development system. It is designed to increase access to, and opportunities for the employment, education, training, and support services that individuals need to succeed in the labor market, particularly those with barriers to employment. The workforce 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 services. This is accomplished by providing all customers access to high-quality American Job Centers (in Ohio, called OhioMeansJobs centers) that connect them with the full range of services available in their communities, whether they are looking to find jobs, build basic educational or occupational skills, earn a postsecondary certificate or degree, or obtain guidance on how to make career choices, or are businesses and employers seeking skilled workers.

The Workforce Innovation and Opportunity Act (WIOA) requires the State and local workforce development areas (local areas) to create and maintain a workforce delivery system that enhances the range and quality of education and workforce development services that employers and individuals can access. The system must include at least one comprehensive physical OhioMeansJobs center in each local area. The system may also have additional arrangements to supplement the comprehensive center. These arrangements may include an affiliated site or a network of affiliated sites and specialized centers.

Under WIOA, OhioMeansJobs centers and partner staff strive to:

- Provide job seekers with the skills and credentials necessary to secure and advance in employment with wages that sustain themselves and their families;

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- Provide access and opportunities to job seekers, including individuals with barriers to employment to prepare for, obtain, retain, and advance in high-quality jobs and high-demand careers;
- Enable businesses and employers to easily identify and hire skilled workers and access other human resource assistance;
- Participate in rigorous evaluation that support continuous improvement of the OhioMeansJobs centers by identifying which strategies work better for different populations; and
- Ensure that high-quality integrated data inform decisions made by policy makers, employers, and job seekers.

### **A. OhioMeansJobs Centers**

#### Comprehensive OhioMeansJobs Centers

A comprehensive OhioMeansJobs center is a physical location where job seeker and employer customers can access the programs, services, and activities of all OhioMeansJobs partners. Wagner-Peyser Act employment services must be co-located in the comprehensive center. The workforce delivery system must include at least one comprehensive physical center in each local area.

A comprehensive OhioMeansJobs center must provide all of the following:

1. At least one WIOA Title I staff person physically present during operating hours, in a center that provides career services;
2. Access to training services;
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 OhioMeansJobs center partners; and
5. Workforce and labor market information.

Customers must have access to these programs, services, and activities during regular business days at a comprehensive OhioMeansJobs center. The local workforce development board (WDB) may establish other service hours at other times to accommodate the schedules of individuals who work on regular business days. 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.

All comprehensive OhioMeansJobs centers must be physically and programmatically accessible to individuals with disabilities.

#### Affiliate OhioMeansJobs Centers

Local WDBs may also choose to operate access points to services in addition to the comprehensive OhioMeansJobs centers. If used by the local area as part of the

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service delivery strategy, affiliate OhioMeansJobs centers must be implemented in a manner that supplements and enhances customer access to services.

An affiliate OhioMeansJobs center is an access point in addition to the comprehensive center in each local area. These centers are created to supplement and enhance customer access to services. This type of center makes available to job seeker and employer customers one or more of the OhioMeansJobs partners' programs, services, and activities. It does not need to provide access to every required OhioMeansJobs center partner program.

Public libraries may provide an additional access point that local WDBs can use as an affiliate OhioMeansJobs center. In addition to offering public computers and internet access for job seekers and individuals, many libraries also provide space for businesses to host career fairs and networking events. As trusted institutions within their communities, libraries are often at the frontline of employment and training related inquiries. Additionally, libraries also serve school-aged youth who can use public resources for career and education planning, along with the traditional adult job seeker.

Affiliate OhioMeansJobs centers allow for more flexibility in terms of the services partner programs provide. These centers do not need to provide access to every required OhioMeansJobs center partner program.

If Wagner-Peyser Act Employment Services are part of an affiliate OhioMeansJobs center, the center must include at least one or more other partners with a physical presence of combined staff more than 50 percent of the time the center is open. In other words, if Wagner Peyser Act Employment Services are located in an affiliate center, there must be staff of at least one other partner in that center who are physically present more than 50 percent of the time the center is open.

All affiliate OhioMeansJobs centers must be physically and programmatically accessible to individuals with disabilities.

### **Specialized Centers**

Based on local workforce needs, the local WDB, in conjunction with the partners and OhioMeansJobs center operator(s), may determine that a specialized center is more appropriate to serve a particular population and may choose to operate a specialized center.

Specialized centers are centers that address specific needs, including those for dislocated workers, youth, or key industry sectors, or clusters. These centers may be time-limited transition centers for rapid response activities or centers located within the prison system. The specialized center must be connected to the comprehensive OhioMeansJobs center or any appropriate affiliate OhioMeansJobs center. Wagner-Peyser Act employment services cannot stand alone in a specialized center; a specialized center must include other programs besides Wagner-Peyser Act employment services.

## **B. OhioMeansJobs Center Partners**

### **Required Partners**

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Section 121(b)(1)(B) of WIOA identifies 13 programs which are required partners in the local workforce delivery system unless that program is not available or provided in the local area.

The required partners are as follows:

1. Programs authorized under Title I of WIOA including:
  - a. Adults;
  - b. Dislocated Workers;
  - c. Youth;
  - d. Job Corps;
  - e. YouthBuild;
  - f. Native American programs; and
  - g. Migrant and Seasonal Farmworker (MSFW) programs;
2. Wagner-Peyser Act Employment Service;
3. Adult Education and Family Literacy Act (AEFLA), (in Ohio, called Aspire);
4. Vocational Rehabilitation;
5. Senior Community Service Employment Program (SCSEP)
6. Career technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act;
7. Trade Adjustment Assistance (TAA) activities;
8. Jobs for Veterans State Grants (JVSG);
9. Employment and training activities carried out under the Community Services Block Grant (CSBG);
10. Employment and training activities carried out by the Department of Housing and Urban Development (HUD);
11. Programs authorized under State unemployment compensation laws;
12. Programs authorized under the Second Chance Act; and
13. Temporary Assistance for Needy Families (TANF).

If approved by the local WDB and the chief elected official(s), other workforce development programs, including Federal, State, or local programs and programs in

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the private sector, may serve as additional partners in the workforce delivery system. Additional partners may include, but are not limited to:

1. Employment and training programs administered by the Social Security Administration (SSA), including Ticket to Work and Self-Sufficiency Program;
2. Employment and training programs carried out by the Small Business Administration (SBA);
3. Supplemental Nutrition Assistance Program (SNAP) employment and training programs;
4. Client Assistance Program authorized under the Rehabilitation Act of 1973;
5. Programs authorized under the National and Community Service Act of 1990; and
6. Other appropriate Federal, State, and local programs, including, but not limited to, employment, education, and training programs provided by public libraries or in the private sector.

### Program Entity Serving as the OhioMeansJobs Center Partner

The program entity carrying out the activities as the OhioMeansJobs center partner is the grant recipient, administrative entity, or organization responsible for administering the funds of the specified program in the local area. The term, "entity," does not include the service providers that contract with, or are subrecipients of, the local entity. For programs that do not include local entities, the responsible State agency must be the partner.

If more than one entity carries out the same required program in the local area, each such entity is considered a separate and distinct required partner that must carry out the roles and responsibilities of a required partner as defined below.

For the Aspire program, the Ohio Department of Higher Education (ODHE), as the State entity responsible for administering or supervising Aspire policy, has delegated its responsibilities to one or more eligible providers in each local area.

For the Vocational Rehabilitation program, the entity that carries out the program is the designated State agency (known as Opportunities for Ohioans with Disabilities) that is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, for individuals with disabilities.

The national programs under WIOA Title I include Job Corps, the Native American program, YouthBuild, and MSFW programs. The entity that carries out the Native American program, YouthBuild, and MSFW program is the grantee of those respective programs. The entity for Job Corps is the Job Corps center. Also, for programs authorized under the Second Chance Act, the grantee is the entity carrying out the program in the local area.

For the Carl D. Perkins Career and Technical Education Act, the entity that carries out the program is the eligible recipient or recipients at the postsecondary level, or a consortium of eligible recipients at the postsecondary level in the local area.

For the Wagner-Peyser Act Employment Service, TAA, JVSG, and unemployment compensation, ODJFS is the entity carrying out the program in each local area.

### Collaboration with the Public Libraries

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Community partnerships are critical to supporting the local area's workforce development system. WIOA explicitly identifies public libraries as potential partners by acknowledging a library's ability to provide an expansive array of services, including boosting skills through online learning, improving individuals' English literacy and digital literacy, and helping individuals find work. Libraries are also recognized as important providers of Federally-supported training and employment for adult education and literacy. Public libraries provide and/or support employment, education, and training programs. Each OhioMeansJobs center must collaborate with at least one public library to facilitate coordination of workforce programs and education and job training resources.

### Roles and Responsibilities of the Required Partners

Jointly funding services is a necessary foundation for an integrated service delivery system. All partner contributions to the costs of operating and providing services within the workforce delivery system must be proportionate to the benefits received and also must adhere to the partner program's Federal authorizing statute and to the Federal cost principles requirement that costs be reasonable, necessary, and allocable.

The required partner's initial priority in the OhioMeansJobs center is their responsibility to implement their program. Once this priority has been established, the partner may participate in shared services, such as overseeing the resource room, assisting with greeting customers, etc., unless prohibited from performing such roles by authorizing statute, order of selection, or other mandates specific to the partner program. These shared services must be adequately distributed amongst all partners able to participate in each activity.

Each required partner must:

1. Provide access to its programs or activities through the workforce delivery system, in addition to any other appropriate locations;
2. Use a portion of funds made available to the partner's programs, to the extent consistent with Federal law authorizing the partner's program and with Federal cost principles and audit requirements in 2 C.F.R. Parts 200 and 2900 (requiring, among other things, that costs are allowable, reasonable, necessary, and allocable), to:
  - a. Provide applicable career services; and
  - b. Work collaboratively with the State and local WDBs to establish and maintain the workforce delivery system. This includes jointly funding the OhioMeansJobs center infrastructure through partner contributions that are based upon:
    - i. A reasonable cost allocation methodology as outlined in Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 16-06, State Mechanism for Funding OhioMeansJobs Center Infrastructure Costs;
    - ii. Federal cost principles and audit requirements; and

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- iii. Any local administrative cost requirements in the Federal law authorizing the partner's program;
3. Enter into a Memorandum of Understanding (MOU) with the local WDB relating to the operation of the workforce delivery system;
4. Participate in the operation of the workforce delivery system consistent with the terms of the MOU, requirements of authorizing laws, Federal cost principles, and all other applicable legal requirements; and
5. Provide representation on the State and local WDBs as required and participate in Board committees as needed.

The infrastructure costs of a comprehensive OhioMeansJobs center are the responsibility of all partners, irrespective of whether a partner is physically located in the center. The purpose for requiring all partner programs to contribute to the costs of the delivery system is to assist in maintaining a system that meets the needs of the local area, reduces duplication of services, and minimizes overhead. Each partner program's contribution is to be calculated based upon that partner's proportionate use of the OMJ Center and relative benefits received by that partner and its program participants that result from participation in the integrated service delivery system.

### **C. Services Provided in the OhioMeansJobs Centers**

#### Career Services

The OhioMeansJobs centers provide services to individual customers based on the individual's needs, including the seamless delivery of multiple services to individual customers. Career services provide local areas with the flexibility to target services to the needs of the job seeker. There is no required sequence of services.

It is important to note that "providing" career services in the OhioMeansJobs centers does not mean that each required partner must provide these services directly on-site. However, it does mean that some career services must be provided directly on-site at the OhioMeansJobs center. Career services may be provided through access to OhioMeansJobs partner programs and activities may be delivered in one of three ways:

1. Having a program staff member physically present at the OhioMeansJobs center;
2. Having a staff member from a different partner program physically present at the OhioMeansJobs center and appropriately trained to provide information to job seekers about programs, services, and activities available through all partner programs; or
3. Making available a direct linkage, as defined in this policy, through technology to a program staff member who can provide meaningful information or services.

Simply scheduling the customer for a future appointment, referring the customer to another physical location to access services, or providing a phone number, brochure, or link to a static web page does not meet the standard of high-quality meaningful information and services being provided in a timely manner as envisioned by WIOA.

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The OhioMeansJobs center must ensure that the center is both physically and programmatically accessible to individuals with disabilities. Physical accessibility requires the OhioMeansJobs centers to be accessible and usable by individuals with disabilities, including compliance with all applicable federal accessible design standards. All partners must be able to operate ADA adaptive equipment and know how to access language interpretive services, including sign language. The OhioMeansJobs center must use a language interpretive service and may not use partner program staff or the customer's family members who happen to be bi-lingual for language translation.

There are three types of career services: basic career services; individualized career services, and follow-up career services. While basic career services are to all participants, individualized career services are available to participants after the OhioMeansJobs center staff have determined that such services are required to retain and obtain employment.

The applicable career services to be delivered by required OhioMeansJobs Center partners are as follows and are authorized to be provided under each partner's programs:

1. Basic career services must be made available and must include the following services, as consistent with allowable program activities and Federal cost principles:
  - a. Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
  - b. Outreach, intake, orientation, and provision of information and other services available through the OhioMeansJobs center. For the TANF program, individuals must be provided with the opportunity to initiate an application for TANF assistance and non-assistance benefits and services, which may be implemented through the provision of paper application forms or links to the application web site;
  - c. Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skill gaps), and supportive service needs;
  - d. Labor exchange services, including:
    - i. Job search and placement assistance, and, when needed by an individual, career counseling including provision of information on in-demand industry sectors and occupations and provision of information on nontraditional employment; and
    - ii. Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the workforce delivery system;
  - e. Provisions of referrals to and coordination of activities with other programs and services, including programs and services within the workforce

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delivery system and, when appropriate, other workforce development programs;

- f. Provision of workforce and labor market information, including the provision of statistical information relating to local, regional, and national labor market areas, including:
  - i. Job vacancy listings in labor market areas;
  - ii. Information on job skills necessary to obtain the vacant jobs listed; and
  - iii. Information relating to local in-demand occupations and the earnings, skill requirements, and opportunities for advancement in those jobs;
- g. Provision of performance information and program cost information on eligible providers of education, training, and workforce services by program and types of providers;
- h. Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures;
- i. Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance;
- j. Assistance in establishing eligibility for financial aid assistance for training and education programs not provided under WIOA; and
- k. Provision of information and meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation.

2. Individualized career services must be made available if determined appropriate in order for an individual to obtain or retain employment and must be available at all the comprehensive OhioMeansJobs centers. These services include the following:

- a. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include:
  - i. Diagnostic testing and use of other assessment tools; and
  - ii. In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- b. Development of an individual employment plan;
- c. Group counseling;
- d. Individual counseling;

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- e. Career planning;
  - f. Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;
  - g. Internships and work experiences linked to careers;
  - h. Workforce preparation activities;
  - i. Financial literacy;
  - j. Out-of-area job search assistance and relocation assistance; and
  - k. English language acquisition and integrated education and training programs.
3. Follow-up services must be provided, as appropriate, including counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.

TANF agencies must identify employment services and related support being provided by the TANF program, within the local area, that qualify as career services and ensure access to them via the local OhioMeansJobs center.

### Business Services

Local areas must establish and develop relationships and networks with large and small employers and their intermediaries. The provision of business services supports the local workforce system to meet the needs of businesses in the local area. To assist in this, applicable OhioMeansJobs center partners develop, offer, and deliver quality business services that assist businesses in overcoming the challenges of recruiting, retaining, and developing talent for the regional economy. To support area employers most effectively, OhioMeansJobs center staff, including designated partner staff, must:

1. Have a clear understanding of industry skill needs;
2. Identify appropriate strategies for assisting employers, and coordinate business service activities across the OhioMeansJobs center partner programs, as appropriate; and
3. Incorporate an integrated and aligned business services strategy among OhioMeansJobs center partners to present a unified voice for the OhioMeansJobs center in its communications with employers.

Certain services must be made available to local employers, specifically labor exchange activities and labor market information. These services include:

1. Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the workforce delivery system; and

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2. Provision of workforce and labor market employment statistical information, including the provision of accurate information relating to local, regional, and national labor market areas, including:
  - a. Job vacancy listings in labor market areas;
  - b. Information on job skills necessary to obtain the vacant jobs listed; and
  - c. Information relating to local in demand occupations and the earnings, skill requirements, and opportunities for advancement in those jobs.

Customized business services may be provided to employers, employer associations, or other such organizations. These services are tailored for specific employers and may include:

1. Customized screening and referral of qualified participants in training services to employers;
2. Customized services to employers, employer associations, or other such organizations, on employment-related issues;
3. Customized recruitment events and related services for employers including targeted job fairs;
4. Human resource consultation services, including but not limited to assistance with:
  - a. Writing/reviewing job descriptions and employee handbooks;
  - b. Developing performance evaluation and personnel policies;
  - c. Creating orientation sessions for new workers;
  - d. Honing job interview techniques for efficiency and compliance;
  - e. Analyzing employee turnover;
  - f. Creating job accommodations and using assistive technologies; and/or
  - g. Explaining labor and employment laws to help employers comply with discrimination, wage/hour, and safety/health regulations;
5. Customized labor market information for specific employers, sectors, industries, or clusters; and
6. Other similar customized services.

Local areas may also provide other business services and strategies that meet the workforce investment needs of area employers, in accordance with partner programs' statutory requirements and consistent with Federal cost principles. These business services may be provided through effective business intermediaries working in conjunction with the local WDB, or through the use of economic development, philanthropic, and other public or private resources in a manner determined appropriate by the local WDB. All business services and strategies must be reflected

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in the regional and/or local plan. Allowable activities, consistent with each partner's authorized activities, include, but are not limited to:

1. Developing and implementing industry sector strategies;
2. Customized assistance or referral for assistance in the development of a registered apprenticeship program;
3. Developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, and other effective initiatives for meeting the workforce investment needs of area employers and workers;
4. Assistance to area employers for managing reductions in force in coordination with rapid response activities and with strategies for the aversion of layoffs;
5. The marketing of business services to appropriate area employers, including small and mid-sized employers; and
6. Assisting employers with accessing local, State, and Federal tax credits.

Fee-for-services are not required to be charged to employers. Additionally, fees may not be charged for the following services:

1. Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the workforce delivery system; and
2. Provision of workforce and labor market information, including the provision of statistical information relating to local, regional, and national labor market areas, including:
  - a. Job vacancy listings in labor market areas;
  - b. Information on job skills necessary to obtain the vacant jobs listed; and
  - c. Information relating to local in demand occupations and the earnings, skill requirements, and opportunities for advancement in those jobs.

A fee may be charged for customized business services. Additionally, business services and strategies that meet the workforce investment needs of area employers may be provided on a fee-for-services basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local WDB.

The local WDB may examine the services provided compared with the assets and resources available within the workforce delivery system and through its partners to determine the appropriate cost structure for services, if any.

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Any fees earned are recognized as program income and must be expended by the partner in accordance with the partner program's authorizing statute, implementing regulations, and Federal cost principles identified in Uniform Guidance.

### Role of Unemployment Insurance Program in the OhioMeansJobs Center

Many areas of opportunity exist for improved integration of the Unemployment Insurance (UI) program into the workforce delivery system, including, but not limited to:

1. Helping UI claimants access the full range of services, including basic career and labor exchange services, both on-line and in-person through the OhioMeansJobs centers.
2. Ensuring claimants meet eligibility requirements, including searching and registering for work, participating in reemployment services, and ensuring that a feedback loop exists to provide UI program staff with information about any potential eligibility issue.
3. Working with Rapid Response teams.
4. Connecting UI claimants to reemployment services.
5. Providing effective services to veterans who file for benefits under the Unemployment Compensation for Ex-Service members (UCX) program.
6. Undertaking strategies to promote entrepreneurship.
7. Ensuring claimants are fully notified of deadlines and eligibility requirements associated with Trade Adjustment Allowances (TRA), Alternative Trade Adjustment Assistance (ATAA), and Reemployment Trade Adjustment Assistance (RTAA) programs.

WIOA requires, as a career service, the provision of both information and assistance to individuals regarding the filing of an UI claim. In the context of providing assistance with UI claims, "meaningful assistance" means, per 20 C.F.R. 678.430:

1. Providing assistance on-site using staff who are well trained in unemployment compensation claims filing and the rights and responsibilities of claimants; or
2. Providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.

"Meaningful assistance" means having staff well-trained in UI claims filing and claimant rights and responsibilities. This assistance requirement only encompasses helping individuals navigate Ohio's claims filing process and providing the individual with general information on their responsibilities as a claimant. These functions are informational in nature and not directly related to determining the claimant's eligibility for benefits. Staff providing this assistance may be Wagner-Peyser or other OhioMeansJobs center partner staff who have been properly trained to provide this type of assistance and service.

Only UI state merit staff may, in person at the OhioMeansJobs center or remotely, answer questions, provide advice, or make decisions that could affect a claimant's UI eligibility.

In the OhioMeansJobs centers, meaningful assistance to individuals seeking assistance in filing a UI claim includes the following activities:

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1. Computers must be made available for individuals to file a claim for unemployment insurance or to file an appeal of their claim.
2. Telephones must be made available with access to the toll-free phone numbers established by the Office of Unemployment Insurance Operations for individuals to use when seeking assistance from UI merit staff in filing claims or appeals. Individuals must not simply be referred to a general information phone number.
3. Posters providing claimants information on how to file unemployment insurance claims must be visible in the resource room.
4. Additional documents that provide assistance to claimants must be available in the resource room.
5. Resource room staff must be trained and have the knowledge to navigate Ohio's claims filing processes and to provide general information to the claimant on their responsibilities as a claimant.

Meaningful assistance may be provided by other technology. It must be a technology approved by the State that enables trained staff to provide the assistance. Examples of technology that enables remote assistance include live web chat applications or other similar technology.

### **D. OhioMeansJobs Center Operators**

The OhioMeansJobs center operator is the entity or consortium of entities that coordinates the service delivery of required OhioMeansJobs center partners and service providers. The local WDB must select the OhioMeansJobs center operator through a competitive process at least every 4 years. WIOAPL No. 16-08, Procurement of the OhioMeansJobs Center Operator, provides guidance to the local WDBs for the procurement of the OhioMeansJobs center operator.

#### Role of the OhioMeansJobs Center Operator

At a minimum, the OhioMeansJobs center operator must coordinate the service delivery of the required partners and service providers. These roles may include, but are not limited to the following:

1. Conduct partner meetings;
2. Implement local WDB policies;
3. Coordinate partner services;
4. Ensure shared services within the OhioMeansJobs center are adequately distributed amongst all partners;
5. Oversee employer services;
6. Manage technological resources (e.g., local system website);
7. Require effective internal tracking requirements and referral processes;
8. Coordinate the resource room and computer labs;
9. Report performance and budget information to the local WDB on a regular basis; and
10. Ensure all partners are able to operate ADA adaptive equipment and know how to access language interpretive services, including sign language.

In defining the roles of its OhioMeansJobs center operator, the local WDB must consider how it will empower the operator to maintain an orderly, professional, and compliant work environment in the OhioMeansJobs center(s), such as by granting the Operator:

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1. Functional supervision over partner staff with the partner's voluntary agreement, including staff whose supervisor may be located elsewhere;
2. Authority to monitor and report to the WDB each partner's level of participation in the operation of the workforce delivery system consistent with the terms of the MOU and each partner's adherence to OhioMeansJobs center operating protocols; or
3. Autonomy to launch initiatives, plan events, and establish operating protocols with the local WDB's expectation of, and support for, partner cooperation.

Local WDBs may establish additional roles of the OhioMeansJobs center operator, including, but not limited to:

1. Coordinating service providers across the workforce delivery system;
2. Being the primary provider of services within the center;
3. Providing some of the services within the center; or
4. Coordinating service delivery in a multi-center, which may include affiliated sites.

The OhioMeansJobs center operator may not perform the following functions:

1. Convene system stakeholders to assist in the development of the local plan;
2. Prepare and submit local plans;
3. Be responsible for oversight of itself;
4. Manage or significantly participate in the competitive selection process for OhioMeansJobs center operators;
5. Select or terminate OhioMeansJobs center operators, career services, and youth providers;
6. Negotiate local performance accountability measures; or
7. Develop and submit a budget for activities of the local WDB in the local area.

An entity serving as an OhioMeansJobs center operator, that also serves a different role with the workforce delivery system (including provider of career and youth program services or local area fiscal agent), may perform some or all of these functions when it is acting in its other role, if it has established sufficient firewalls and conflict of interest policies and procedures.

WIOAPL No. 15-18.1 outlines the roles and responsibilities of the OhioMeansJobs center operator as well as the requirements for the development of the multi-function agreement when the OhioMeansJobs center operator performs more than one function.

### **IV. Definitions**

Access: To each partner program and its services means:

1. Having a program staff member physically present at the OhioMeansJobs center;
2. Having a staff member from a different partner program physically present at the OhioMeansJobs center appropriately trained to provide information to

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customers about the programs, services, and activities available through partner programs; or

3. Making available a direct linkage through technology to program staff who can provide meaningful information or services.

Affiliate OhioMeansJobs center: A site that makes available to job seekers and employer customers one or more of the OhioMeansJobs center's partners' programs, services, and activities.

Career services: Services identified in section 134(c)(2) of WIOA and consist of three types:

1. Basic career services;
2. Individualized career services; and
3. Follow-up services.

Comprehensive OhioMeansJobs center: A physical location where job seekers and employer customers can access the programs, services, and activities of all required OhioMeansJobs center partners.

Direct linkage: Providing direct connection at the OhioMeansJobs 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 to the customer. Solely providing a phone number, web site, information, pamphlets, or materials does not constitute a "direct linkage."

Entity: The grant recipient, administrative entity, or organization responsible for administering the funds of the specified program in the local area.

Memorandum of understanding (MOU): An agreement developed and executed between the OhioMeansJobs center partners and the local WDB, with the agreement of the chief elected official, relating to the operation of the OhioMeansJobs delivery system in the local area.

OhioMeansJobs center operator: One or more entities designated or certified under section 121(d) of WIOA.

OhioMeansJobs center partner: An entity described in section 121(b)(1) and (2) of WIOA who participates in the operation of the workforce delivery system.

Public library: A library that is open to the public and that is one of the following:

1. A library that is maintained and regulated under section 715.13 of the Revised Code;
2. A library that is created, maintained, and regulated under Chapter 3375. of the Revised Code;
3. A library that is created and maintained by a public or private school, college, university, or other educational institution; or
4. A library that is created and maintained by a historical or charitable organization, institution, association, or society.

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Specialized centers: Centers that address specific needs, including those for dislocated workers, youth, or key industry sectors, or clusters.

Workforce delivery system: A system under which entities responsible for administering separate workforce development, education, and other human resource programs collaborate to create a seamless system of service delivery that will enhance access to the programs' services and improve long term employment outcomes for individuals and businesses.

### **V. State Requirements**

WIOA requires the State to create and maintain a workforce delivery system that enhances the range and quality of education and workforce development services that employers and individuals can access. Programs and providers must collaborate, coordinate, and integrate activities and information so that the system as a whole is cohesive and accessible for individuals and employers alike.

When designing the system, States must ensure that information on the availability of career services is available at all OhioMeansJobs center physical locations and access points, including electronic access points, regardless of where the individuals initially enter the local workforce system. Therefore, the workforce system must include at least one comprehensive physical OhioMeansJobs center in each local area. The system may also have additional arrangements to supplement the comprehensive center. These arrangements include an affiliate center or a network of affiliate centers and specialized centers.

A state infrastructure funding methodology must be implemented to ensure required partner funding is available to support infrastructure costs of any OhioMeansJobs centers in the local areas where partners and the local WDB are unable to reach agreement on memorandum of understanding terms and partner funding to support the OhioMeansJobs centers. The details and restrictions of Ohio's state infrastructure funding methodology is in Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 16-06, State Mechanism for Funding OhioMeansJobs Center Infrastructure Costs.

### **VI. Local Workforce Development Area Requirements**

#### **A. Identification of the OhioMeansJobs Center(s)**

The local WDB must establish at least one comprehensive OhioMeansJobs center in the local area. The location of this center is at the discretion of the local WDB and the chief elected official (CEO).

Additional comprehensive, affiliate, or specialized OhioMeansJobs centers may also be established in the local area at the discretion of the local WDB and chief elected official(s) based upon the need for additional centers in the local area. Such considerations may include:

1. Customer use (the number of customers who enter the center during hours of operation) of the comprehensive, affiliate and/or specialized OhioMeansJobs centers;
2. Funding available for the comprehensive, affiliate, and/or specialized centers, including program funds and lease agreements;
3. Partner availability in the centers; and
4. The potential enhancement of customer access to services.

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The local WDB must notify the Ohio Department of Job and Family Services, Office of Workforce Development of the identification of the comprehensive center(s) and any affiliate and/or specialized center(s) in the local area. This is done by identifying such centers in the local and/or regional plans or e-mailing [OWDPOLICY@jfs.ohio.gov](mailto:OWDPOLICY@jfs.ohio.gov).

### **B. Access to Required Partners**

The local WDB must ensure that all required partners identified in section 121(b)(1) of WIOA have a physical presence or provide access to their programs in the comprehensive OhioMeansJobs center. Customers must have access to these programs, services, and activities during regular business days at a comprehensive OhioMeansJobs center. A comprehensive OhioMeansJobs center must have at least one WIOA Title I staff person physically present.

An affiliate center does not need to provide access to every required OhioMeansJobs center partner program. The frequency of program staff's physical presence in the affiliate center will be determined at the local level. If Wagner-Peyser employment services are provided at an affiliate center, there must be at least one or more other partners in the center with a physical presence of combined staff more than 50 percent of the time the center is open. Additionally, the other partner must not be the local Disabled Veterans' Outreach Program Specialists (DVOPS), or unemployment compensation programs. If Wagner-Peyser Act employment services and any of these 3 programs are provided at an affiliate OhioMeansJobs center, an additional partner or partners must have a presence of combined staff in the center more than 50 percent of the time the center is open.

### **C. Availability of Services**

The local WDB must ensure that the OhioMeansJobs centers provide services to individual customers based on the individual's needs, including the seamless delivery of multiple services to individual customers. There is no required sequence of services.

The local WDB must coordinate with all required OhioMeansJobs Center partners, including those with no staff physically present in an OhioMeansJobs center, to provide basic career services, individualized career services, and business services to customers and employers at the comprehensive and affiliate centers. Furthermore, access to training services must be provided for those customers who have been deemed in need of these services.

OhioMeansJobs center staff are trained and equipped in an ongoing learning environment with the skills and knowledge needed to provide effective services to job seekers, including those with disabilities, and businesses in an integrated, regionally focused framework of service delivery.

### **D. Selection of the OhioMeansJobs Center Operator**

The local WDB must select the OhioMeansJobs center operator through a competitive process at least every 4 years. WIOAPL No. 16-08, [Procurement of the OhioMeansJobs Center Operator](#), provides guidance to the local WDBs for the procurement of the OhioMeansJobs center operator.

## **Policy 12-722: Establishment of Workforce Delivery System**

Some of the factors which should be considered and prioritized by the local WDB include:

1. Understanding the local WDB's responsibilities under WIOA as it pertains to the OhioMeansJobs center operator and the local workforce system.
2. The local WDB's vision and goals for the local system and how the local system will be structured with respect to the number of OhioMeansJobs centers, the types of centers, the types of services to be provided, and the focus of the local area.
3. The relationship between the local WDB and the operator and the expectations of the local WDB for the operator's role.
4. The procurement process, management of the process, potential conflicts of interest, and management of the contract.

### **VII. Technical Assistance**

Ongoing support, guidance, training and technical assistance on the development of the workforce system are available to all local areas.

Requests for technical assistance may be sent to ODJFS, Office of Workforce Development: [WIOAQNA@jfs.ohio.gov](mailto:WIOAQNA@jfs.ohio.gov).

### **VIII. References**

Workforce Innovation and Opportunity Act, §§106 and 121, Public Law 113-128.

20 C.F.R. §§ 678.300-440, 678.600-635, 678.800, and 683.295.

2 C.F.R. Parts 200 and 2900.

Rehabilitation Act of 1973, §101(a)(2), Public Law 93-112, 29 U.S.C. § 701 et seq.

USDOL, Training and Employment Guidance Letter No. 17-16, Infrastructure Funding of the One-Stop Delivery System, (January 18, 2017).

USDOL, Training and Employment Guidance Letter No. 16-16, One-Stop Operations Guidance for the American Job Center Network, (January 18, 2017).

USDOL, Unemployment Insurance Program Letter No. 20-15, Unemployment Insurance and the Workforce Innovation and Opportunity Act of 2014, (August 13, 2015).

USDOL, Training and Employment Guidance Letter No. 4-15, Vision for the One-Stop Delivery System under the Workforce Innovation and Opportunity Act, (August 13, 2015).

USDOL, Training and Employment Notice 35-15, Encouraging Collaborations between the Workforce Investment System and Public Libraries to Meet Career and Employment Needs, (May 4, 2016).

Ohio Revised Code § 6301.06.

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 16-06, State Mechanism for Funding OhioMeansJobs Center Infrastructure Costs, (November 10, 2016).

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ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 16-08, Procurement of the OhioMeansJobs Center Operator and Provider of Career Services (February 24, 2017).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-18.1, Local Workforce Development Area Governance (January 30, 2017).