



April 2017

Guidance for Negotiating Local WIOA Memoranda of Understanding

This guidance will support college collaborations with local workforce development councils leading to the development of a local MOU for delivery of WorkSource services, as required under federal law.

Update on Infrastructure Funding Agreements

Earlier this year, SBCTC provided guidance to colleges regarding the negotiations of the Infrastructure Funding Agreement (IFA) required under WIOA. The IFA is the agreement between required WorkSource partners in local areas for how costs of services provided through the WorkSource system will be shared by partners. The Workforce Training and Education Coordinating Board (Workforce Board), which oversees WIOA implementation, made a recommendation to the Governor that the due date for the IFA be extended to January 1, 2018. Though we have not heard final confirmation of this decision, our understanding is that the January 1, 2018 due date will be upheld.

Local workforce development councils (WDCs) need to notify the workforce Board no later than October 1, 2018 if negotiations on the IFA are stalled or unsuccessful. If, after mediation and assistance, there is still no agreement by November 1, the Workforce Board has recommended that the Governor then implement the State Funding Mechanism to determine the cost-sharing structure among partners in that local area. To date, the State Funding Mechanism has not been described.

Local MOUs – Due June 30, 2017

The IFA is one part of a broader agreement between workforce system partners. While the IFA due date has been delayed, the overarching Memoranda of Understanding describing how services will be provided in the local areas must be in place for the program year starting July 1, 2017. This means that an agreement with the local WDC must be in place, except for the final IFA, by June 30, 2017. The local MOU will help CTCs understand what their proportionate share of the cost of WorkSource service delivery would be and should inform the IFA negotiations moving forward.

Requirements for a local MOU

WIOA Sec 121 (c) describes the purpose and required contents of the local MOU. The local WDC leads the development of the MOU, and it must include the local area's WorkSource partners as identified under the state WIOA plan.

Washington's federally required WIOA plan (called Talent and Prosperity for All or "TAP") identifies three different types of programs within Washington's workforce development system:

1. Programs explicitly named as TAP partners, which are **required** WorkSource partners and must be included in the local MOU.

2. Programs with requirements of participation in the WorkSource system in the program's authorizing law, and must be included in the local MOU (including the IFA), but are not TAP partners.
3. Programs which are critical to the success of the larger workforce development plan in Washington, but are not required WorkSource partners and not required to be included in the local MOU.

The following table describes where different CTC programs and services fall.

TAP Partner/ Required WorkSource Partner	Required WorkSource Partner, not TAP partner	Workforce System Partner Program
TANF (WorkFirst) *	Postsecondary career and technical education programs authorized under Carl D. Perkins Career and Technical Education Act, i.e. all approved professional-technical programs on college campuses	Apprenticeship
* CTCs provide TANF services under contract with DSHS		Customized Training Program
Basic Education for Adults (WIOA Title II)		Job Skills
		BFET
		Worker Retraining

The local MOU should describe how the local area partners will work together to deliver on the promises of the state TAP plan:

1. Customers receive integrated services leading to employment and careers. (The system is designed around the customer and not around the programs, similar to our system's guided pathway focus.)
2. Business engagement is increased in meaningful and valuable ways.
3. Customers have universal accessibility through technology and barrier removal
4. Performance accountability systems are updated, leading to continual improvement of the system.

CTC's and the local MOU

As discussed in prior guidance, any agreements made should be made collaboratively and through consensus. Colleges should expect to be engaged by the local workforce board and the broader workforce development system as the MOU is being developed.

Colleges should not feel compelled to sign any agreements they did not help develop in a collaborative manner with other workforce partners.

As the CTCs engage with the local areas to determine how to deliver on the promise of the TAP plan, the following areas should be considered.

Umbrella or Individual MOU?

Most workforce development areas have more than one CTC within its boundary. SBCTC recommends that colleges within a workforce development area work together to design an umbrella MOU to include all the colleges within that area. Alternatively, colleges can enter into individual agreements with the local WDC.

How will the next-generation WorkSource work better for our students and our community employers?

WIOA asks all the partners who work to serve job seekers and employers to rethink how they deliver services and put the end-user at the center of decision-making. Local MOU conversations are opportunities for CTCs to advocate for improvements to the services students and businesses in our communities are provided. Below are some examples of improvements to the WorkSource system that the college could advocate for through both the general local MOU and the IFA agreement.

Current Students

- Students receive employment services appropriate for their educational attainment level and the industry they are trained in
- Consider pre-scheduling follow-up appointments for students with WIOA funding in order to get job placement assistance
- Development of a case management referral system in which WIOA program staff and college staff can ensure services are delivered and students are not lost between referral handoffs.

Prospective Students

- Referral to education and training for anyone below the Tipping Point (at least 45 college credits and a credential related to those credits).
- For dislocated workers and other WIOA eligible students, suitable access to Individual Training Accounts
- Connecting WIOA customers who need a high school credential with CTCs, even when referred to training or on-the-job learning outside of the CTC system. High school credits might be available to them.
- Support for completion of required paperwork form system partners (i.e. CAT/TB)
- Differentiated services based on employability and education/skill level of job seekers.

Businesses/Employers

- Business engagement professionals operating out of WorkSource represent the full menu of services for employers, including access to the wide range of for-credit and not-for-credit workforce training options available through the CTCs. CTCs can use multiple programs and services to upskill incumbent workers and backfill with skilled new workers.

What do CTCs have to offer the WorkSource system?

As partners in the WorkSource system and the broader workforce development system, CTCs have a lot to offer workers and employers alike.

Workforce education funding programs like WorkFirst, BFET, Opportunity Grant and Worker Retraining can offer financial assistance for tuition, fees, books and supplies; wrap-around support services; work-based learning/paid internships; and case management on campus. All CTC students have access to career and academic advising, disability services, counseling, and applied learning, and intern/externships.

Much of Title II Adult Basic Education programming is delivered through our CTC's Basic Education for Adults programming. Adults who need access to a high school credential, language acquisition programs, coursework to prepare them for college-level courses and the skills to become employed are well served through programs like HS 21+, Integrate English Language and Civics Education, and I-BEST offerings on CTC campuses across the state. These offerings are all part of the educational pathway towards sustainable-wage careers.

Employers can already access Job Skills and Customized Training Programs for their incumbent workers, as well as other types of contract training; find a supply of recently trained graduates or students looking for work-based learning opportunities; connect with Centers of Excellence to meet their broader workforce needs; get support from co-housed small business incubators; participate in job fairs; and influence curriculum for development of their employee pipeline through program advisory boards.

Resources

WIOA Sec. 121(c) "Memorandum of Understanding"

[Workforce Training and Education Coordinating Board WIOA resources \(including TAP Plan\)](#)

DOLETA FAQs Infrastructure Funding Guidance Dec. 27 2016

Toolkit for IFA development

https://ion.workforcegps.org/resources/2017/03/23/13/30/Sample_MOU_Infrastructure_Costs_Toolkit