



## Missouri Division of Workforce Development

DWD Issuance 01-2016

Issued: September 28, 2016  
Effective: September 28, 2016

**Subject: Functional Leadership for Missouri Job Centers Guidance and Policy**

- Purpose: This Issuance provides guidance on the relationships among Local Workforce Development Boards (Board), One-Stop Operators, and Functional Leaders. It clarifies lines of authority and responsibility.
- Background: Missouri Job Centers (Center) employ a Next Generation Career Center (NGCC) model that extends beyond partnership and collocation. The model integrates service delivery and customer flow to better help customers. This integrated flow includes three major functions: welcome, skill development, and employment. Integrated, cross-trained teams, working under Functional Leadership, fulfill these functions. The NGCC model requires staff to collaborate in the delivery of services for multiple programs. The staff receives direction and day-to-day assignments from a Functional Leader who may or may not be their employer of record.
- Substance: ***Role of the Boards*** — Under the Workforce Innovation and Opportunity Act (WIOA),<sup>1</sup> Boards are responsible for the designation, oversight, and continued operation of Centers<sup>2</sup> in each of the 14 Local Workforce Development Areas (LWDA) of the State. The Boards have the responsibility to ensure that employment and training services in their communities operate at a high level of quality and satisfy the expectations and needs of their customers. The Boards are also responsible for the selection of One-Stop Operators to administer One-Stop Delivery System Services. The Boards act in conjunction with the Division of Workforce Development (DWD) to designate the Functional Leader for every Center.<sup>3</sup> Although the Board may assign additional roles to the One-Stop Operator, including providing some of the services within the Center, the selection and retention of the Functional Leader is a joint responsibility of the Board and DWD. Comprehensive One-Stop Centers, by definition,<sup>4</sup> must offer specific services<sup>5</sup> that require State merit staffing. Therefore, the State must approve supervision that entails planning, organizing, or directing those activities.

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<sup>1</sup> Pub. Law 113-128. [29 U.S.C. 3101 et seq.].

<sup>2</sup> Comprehensive One-Stop Centers, as defined at 20 CFR 678.305 (*Workforce Innovation and Opportunity Act, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule*, ETA Docket 2015-0002, August 19, 2016.)

<sup>3</sup> DWD Issuance 12-2015, "Memorandum of Understanding Guidelines for Local Workforce Development Boards."

<sup>4</sup> WIOA sec. 121(b)(1)(B)(ii) [29 U.S.C. 3151(b)(1)(B)(ii)]; 20 CFR 678.305(b)(4) [*Final Rule*.]

<sup>5</sup> Wagner-Peyser, Vocational Rehabilitation, Unemployment Insurance, and Jobs for Veterans State Grants.

***Role of the One-Stop Operator***—WIOA<sup>6</sup> and the Final Rules<sup>7</sup> outline the One-Stop Operator selection process. The One-Stop Operator’s primary role is to coordinate the service delivery of required One-Stop Partners and service providers.<sup>8</sup> This Issuance is not intended to restrict any Board flexibility, nor mandate any additional requirements regarding the One-Stop Operator.

***Role of the Functional Leader***— Management of the operation of the Comprehensive One-Stop Center (including team assignments, workflow, work schedules, and staff training needs) is the purview of the Functional Leader designated by the Board in consultation with DWD. This management role includes the day-to-day supervision of service delivery, excepting personnel and disciplinary functions. The Functional Leader serves at the joint pleasure of the Board and DWD, who determine the filling of, or removal from, that position in accordance with the employer of record’s personnel policies. Each Functional Leader has the authority to organize staff by function, to designate team leads, and to establish the duties of each team. The Functional Leader focuses on the day-to-day supervision of service delivery. The employer of record, either the State or the service provider, performs formal supervision (hiring, firing, and appraisal).

**The Functional Leader:**

- Schedules daily team assignments and workflow;
- Arranges daily work schedules to ensure proper customer coverage in conjunction with the DWD supervisor;
- Coordinates vacations/unscheduled absences with the employer of record to ensure Center customer coverage;
- Ensures proper staff training and provides technical assistance, as needed;
- Provides constructive feedback to the Center staff regarding their duties;
- Provides input regarding employee performance to formal supervisors;
- Notifies formal supervisors immediately of any leave requests or unexcused absences, disciplinary needs, changes in employee status (resignations, etc.); and
- Identifies Center staffing needs to the One-Stop Operator.

**The Functional Leader is *not* responsible for:**

- The interview process of Center staff; except as formal supervisor;
- Disciplinary action of staff, except as formal supervisor;
- Completing performance appraisals, except for staff in their direct employ; or
- The Family and Medical Leave Act of 1993, except for staff in their direct employ.<sup>9</sup>

Functional Leaders should only have access to personnel information or disciplinary actions for staff under their direct, formal supervision.

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<sup>6</sup> WIOA se. 121(d) [29 U.S.C. 3151(d)].

<sup>7</sup> 20 CFR 678.600 et seq. (*Workforce Innovation and Opportunity Act, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule*, ETA Docket 2015-0002, August 19, 2016.)

<sup>8</sup> 20 CFR 678.620 [*Final Rule*].

<sup>9</sup> 5 U.S.C. 6381 et seq.; 29 U.S.C. 2601 et seq.

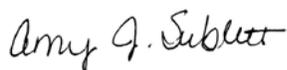
The Functional Leader must be housed in the One-Stop Career Center. Functional Leaders are not required to be onsite full time at non-comprehensive (affiliate) Centers. Nevertheless, the assigned Functional Leader must spend a minimum of one day a week at each non-comprehensive site.

***Designation of the Functional Leader*** —The Board, in consultation with DWD, designates or selects, or terminates, the Functional Leader with the approval of the DWD Director. If there is an issue with the Functional Leader, the Board should work with DWD to address the issue. The designated Functional Leader may be an existing Center staff person, or may be chosen through a competitive procurement process. If the Board chooses the procurement process, the Functional Leader must serve as an *independent contractor* and not as an employee of the Board.

Funding this position is determined on a case-by-case basis as part of the overall NGCC cost-sharing agreement developed between DWD and the Board.

4. Action: This Issuance is effective immediately and this information should be distributed to appropriate individuals. All Boards, their staffs and subrecipients, and DWD staff should be aware of these stipulations related to their duties and fulfill the requirements of the regulations and policies cited.
5. Contact: Direct questions regarding this Issuance to the respective DWD Regional Manager assigned to the One- Center in question.
6. Reference: None.
7. Rescissions: This Issuance rescinds and supersedes DWD Issuance 18-2009, “Functional Leadership for Missouri’s Next Generation Career Centers,” dated February 11, 2010.
8. Attachments: None.

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