



Missouri Department of Higher Education and Workforce Development

OWD Issuance 04-2019

Release Number—Program Year

Release Date:
September 10, 2019
Effective Date:
September 10, 2019
Expiration Date:
Continuous, until further notice

SUBJECT:

Missouri Comprehensive Job Center and Affiliate Job Center Certification Evaluation and Criteria

- ATTACHMENTS:** (1)—Reviewer Responsibilities
(2)—Missouri Comprehensive Center Certification Review Form
(3)—Missouri Affiliate Job Center Certification Review Form
(4)—Staff Interview Questions

This Issuance is Official Policy of the Missouri Division of Workforce Development

ISSUING AUTHORITY:

Mardy Leathers
Director
Office of Workforce Development

THIS ISSUANCE DOES NOT REQUIRE CREATION OR ALTERATION OF A CORRESPONDING LOCAL POLICY

KEYWORDS:

Certification; Criteria; Local Workforce Development Boards; Workforce Innovation and Opportunity Act (WIOA)

THIS ISSUANCE AFFECTS:

- Missouri One-Stop Delivery System (MJC/AJCs)
- WIOA Title I Local Areas/Local Boards/Local Plans
- WIOA Title I In-State Funding
- WIOA Title I Performance/Accountability
- WIOA Title I One-Stop Delivery/Service Providers
- WIOA Adult Employment/Training
- WIOA Dislocated Worker Employment/Training
- WIOA Youth Workforce Investment Activities
- WIOA Title III Wagner-Peyser Act Services
- WIOA Section 188 Nondiscrimination Issues
- National/Statewide Programs/Grants
- WIOA Fiscal/Administrative Procedures
- Trade Adjustment Assistance
- State of Missouri Workforce System Procedures

FOR THE ATTENTION OF:

- OWD State Professional Staff
- One-Stop frontline staff
- Chief Elected Officials
- Local Fiscal Agents
- LWDB Chairpersons
- LWDB Directors
- LWDB Members
- One-Stop Operators
- One-Stop Functional Leaders
- Service Providers
- Local Equal Opportunity Officers
- Local Regulatory Compliance Monitors
- Local JVSG Veterans Reps
- Local Trade Act Reps

RESCISSIONS:

None

REFERENCES:

- WIOA Sec. 121 [[29 U.S.C. 3151](#)] and .Sec. 188 [[29 U.S.C. 3248](#)].
- [20 CFR Part 678](#), sections 678.310, 678.715, 678.730, and 678.800.
- [29 CFR Part 38](#).
- USDOL, Employment & Training Administration, Training and Employment Guidance Letter ([TEGL](#)) [No. 04-15](#), “Vision for the One-Stop Delivery System under the Workforce Innovation and Opportunity Act (WIOA).”
- U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter ([TEGL](#)) [No. 16-16](#), “One-Stop Operations Guidance for the American Job Center Network,” January 18, 2017.
- DOL Employment and Training Administration (ETA) [Certification of American Job Centers FAQs](#), May 4, 2017.

SUMMARY:

This Issuance communicates Missouri's process and criteria for evaluating and certifying Comprehensive (full service) Missouri Job Centers (CJC) and Affiliate Job Centers (AJC) under the Workforce Innovation and Opportunity Act (WIOA). This Issuance supersedes and replaces previous guidance on the subject.

BACKGROUND:

Title I of WIOA requires the Missouri Workforce Development Board (MOWDB), in consultation with local Chief Elected Officials (CEO) and Local Workforce Development Boards (LWDB) in their Local Workforce Development Area (LWDA) to establish objective criteria and procedures to evaluate and to certify Comprehensive and Affiliate Job Centers at least once every three years. This evaluation and certification examines effectiveness (including customer satisfaction), physical and programmatic accessibility, and continuous improvement. The LWDB must certify CJsCs and AJCs to be eligible for infrastructure cost funding. When the LWDB is the one-stop operator,¹ the MOWDB must certify the one-stop center.

SUBSTANCE:I. CJC and AJC Evaluation and Certification Criteria

CJC and AJC certification is the responsibility of the LWDB. The LWDB shall be responsible for establishing Certification Review Teams and coordinating reviews for each CJC and AJC in its LWDA utilizing the criteria and process established by the MOWDB. An AJC is defined as a site that makes available to jobseekers and employer customers one or more of the one-stop partners' programs, services and activities. Each member of the LWDB's Certification Review Team must use:

- Missouri Comprehensive Job Center Certification Review Form (Attachment 2) for each full service CJC.
- Missouri Affiliate Job Center Certification Review Form (Attachment 3) for each AJC.

The Office of Workforce Development (OWD) on behalf of MOWDB, is responsible for oversight of the CJC and AJC certification process and shall review and update the certification criteria every two years as part of the review and modification of the WIOA State Plan. The LWDB may establish additional criteria and set higher standards for service coordination beyond those set by MOWDB. Any such additional criteria must be clearly identified in addenda to the applicable Certification Review Form. LWDBs that choose to establish additional criteria may modify the certification forms to include additional expectations but must, at minimum, complete all parts of the appropriate attached review form for each CJC and AJC.

II. Certification Review Teams

The Certification Review Teams are responsible for conducting independent and objective evaluations of CJsCs and AJCs, and making certification recommendations to the LWDB.

The Certification Review Teams shall be comprised, at minimum, of the LWDB chair or his/her designee, a representative from a core WIOA partner agency, a representative from a required WIOA partner agency, and a representative from the OWD Regulatory Compliance Team, assigned by the OWD Director. The chair of the local board or his/her designee must convene and lead the Certification Review Team to conduct an independent, objective evaluation of each CJC and AJC.

Conflict of Interest and Confidentiality:

WIOA, its law and implementing regulations, was designed to minimize organizational conflicts of interest through segregation of duties, disclosure, and recusal in order to foster public and partner confidence. Because conflicts of interest can adversely impact the reputation and integrity of Missouri Job Centers, it is important to avoid even the appearance of conflict of interest. One-stop certification evaluations must be conducted by individuals who do not have a financial tie to the LWDB and must be free of any conflicts of interest. Additionally, because Certification Review Team members will have access to

¹ [20 CFR 679.410](#).

private and confidential documents and information, each certification review team member must take and pass the Workforce Development confidentiality test and must sign a confidentiality statement. Each Certification Review Team member must also sign a Reviewer Responsibilities Form (Attachment 1) prior to the certification review.

III. CJC and AJC Evaluation Process and Certification Frequency

A. Timeline

At a minimum, the CJs and AJs shall be evaluated for certification once every three years. The LWDB may conduct additional site evaluations as they determine to be appropriate and warranted. Current CJC and AJC certification requirements are effective from the date of this Issuance. The LWDB will have until June 30, 2020, to complete CJC and AJC evaluations and submit certification determinations to Workforce Development, as described in Section IV of this issuance.

B. Evaluation Process

Each LWDB must meet the requirements of and follow the procedures described in this section for certification of each CJC and AJC in its local area. The local Certification Review Team must take the following steps in its evaluation:

1. Schedule onsite evaluations of all CJC and AJC sites, and
2. Complete the appropriate Review Form during the onsite evaluations.

On-Site Evaluation will include:

a) Interviews

The Certification Team shall conduct staff interviews, using standard interview questions (Attachment 4) provided by the MOWDB. Interviewees shall include the One-Stop Operator responsible for that CJC or AJC, the OWD Supervisor (CJs only), the Functional Leader or Program Operator Supervisor and a random sample of at least 20 percent of the frontline (OWD and partner) staff at that center to determine their level of knowledge pertaining to the following:

- Programs and services, including WIOA required partner programs/services;
- Local initiatives;
- CJC or AJC policies and procedures;
- Staff roles and contributions to performance; and
- Awareness of accessibility requirements and available assistive technologies.

b) Surveys

OWD shall develop a customer satisfaction survey for job center customers that, at a minimum, will determine whether or not:

- Why customers visited the CJC or AJC;
- If customers receive the services they requested;
- If customers receive information about services of which they were not aware;
- If the services were easy to access;
- If the facilities were easy to access, and if the customers were able to easily move around inside the facility; and
- How services could be improved.

The Certification Review Team shall evaluate customer satisfaction survey results. The LWDB shall be responsible for disseminating the survey to customers served in the Job Centers.

OWD shall develop an employer satisfaction survey for employer customers that, at a minimum, will determine whether or not:

- Employers received the services or information for which they contacted the Comprehensive or Affiliate Job Center;

- Employers were informed of services of which they were not aware;
- Services were perceived as beneficial by the employers;
- Services received met employers' expectations; and
- How programs/services could be improved.

The Certification Review Team shall evaluate employer satisfaction survey results. The LWDB shall be responsible for disseminating the survey to local employers served.

C. Documentation Review

To ensure that CJs and AJs are in compliance with all State and Federal regulations and policies, The Certification Review Team may request to inspect documentation which could include, but are not limited to, contracts, policy manuals, the local plan and/or other local policy or procedural documents.

D. Pre-Certification Requirements

A memorandum of understanding (MOU) between the local board and each required one-stop partner must be fully executed prior to the certification of CJs and AJs that must:

- Include a description of the services to be provided, the method of service delivery, the location(s) at which the services will be provided, and the cost sharing of infrastructure and local workforce delivery system costs. The MOU must accurately reflect the way in which required partners will integrate services; and
- Be consistent with MOWDB's current policy on MOUs and funding of local workforce delivery system operations in relation to negotiating costs and services.

A review of center's accessibility must be completed. Minimum certification criteria are required by WIOA to evaluate the CJC or AJC physical accessibility. This includes ensuring that the layout is inclusive of individuals regardless of their range of abilities and mobility. This also requires the physical characteristics of the facility to comply with 29 CFR part 38, the 2010 or most recent ADA standards for Accessible Design and the Uniform Federal Accessibility Standards.

- Prior to the Certification Review Team visit, every CJC and AJC should have completed an accessibility audit by a qualified inspector, such as an inspector from Centers for Independent Living (CIL), using Americans with Disabilities Act standards and criteria. The Certification Review Team will inspect any areas found deficient by the ADA audit as part of the site visit. Any deficiencies should be noted on the Certification Review Form.
- Every Certification Review Team will inspect technology in the CJC or AJC as part of the review process. At minimum, the centers should meet the technology standards of the current OWD Issuance on the "Minimum Standards for Assistive Technologies in Missouri Job Centers"². Any deficiencies should be noted on the Certification Review Form.

IV. Certification Determination

CJC and AJC Certification Review Teams shall determine, as a group, whether each CJC or AJC has sufficiently met the certification criteria. Certification Review Teams shall use the Missouri Comprehensive Job Center Certification Review Form (Attachment 2) or the Missouri Affiliate Job Center Certification Review Form (Attachment 3) and submit a written determination to OWD and the MOWDB **within 30 days** of conducting the evaluations (not to extend beyond the aforementioned deadlines). Written determinations shall include:

² [DWD Issuance 12-2017](#).

- Correspondence from the LWDB Chair informing OWD if the CJC or AJC has been determined “Certified” or “Not Certified”;
- A signed Reviewer Responsibilities for each Certification Review Team member;
- A complete CJC or AJC Review Form documenting that each criteria reviewed included necessary comments to support the basis for determinations on criteria;
- Details regarding areas of deficiency;
- An action plan to bring deficient CJs or AJs into compliance; and
- Date for follow-up review, if necessary. **Reevaluation of failed CJs or AJs must be conducted within 90 days of the written determination.** The Certification Review Team shall submit to OWD, the MOWDB and the LWDB a follow-up, written determination within 30 days of the reevaluation.

V. Non-certification

CJs or AJs that fail to achieve certification after the 90-day reevaluation review shall be deemed probationary and OWD shall so notify the CEO. The LWDB shall have one year to bring the probationary CJC or AJC into compliance. If a LWDB fails to certify any CJC or AJC prior to the beginning of the ensuing Program Year, that CJC or AJC will not be eligible for infrastructure cost funding for the ensuing Program Year. This applies to both the Local Funding Mechanism³ and the State Funding Mechanism⁴ for that purpose by State policy in alignment with Federal policy as described in WIOA⁵ and the regulations.⁶

ROLES, RESPONSIBILITIES, and REQUIRED ACTIONS:

Action: This Issuance is effective immediately. The LWDB should review this Issuance with appropriate staff, establish their Certification Review Teams in accordance with this Issuance, proceed with evaluations, and determine certification status of all CJs and AJs in the LWDA by June 30, 2020. Written certification determination and supporting documentation should be submitted to OWD no later than July 15, 2020.

INQUIRIES:

Please direct all questions or comments regarding this Issuance document to dwdpolicy@dhewd.mo.gov. Direct procedural questions or requests for technical assistance on its contents to OWDLocalPlan@dhewd.mo.gov. All active Issuances are available at jobs.mo.gov/dwdissuances. Expired/rescinded Issuances are available on request.

Missouri Department of Higher Education and Workforce Development is an [equal opportunity](#) employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.

³ [20 CFR 678.715](#).

⁴ [20 CFR 678.730](#).

⁵ WIOA Sec. 121(h)(1)(A)(i)(II) [[29 U.S.C. 3151\(h\)\(1\)\(A\)\(i\)\(II\)](#)]

⁶ [20 CFR 678.730](#) and [20 CFR 678.800\(d\)](#).