

Policy Area: One-Stop Service Delivery	
Title of Policy: Requirements for Local Memorandum of Understanding (MOU)	Number: 300-03 (2016)
Effective Date: July 1, 2016	Review by Date: July 1, 2018
Approved Date: June 23, 2016	Approved by:
Revision Date:	 Mark Herzog, Chair

I. Purpose

The purpose of this issuance is to detail the requirements for a local Memorandum of Understanding (MOU) under the Workforce Innovation and Opportunity Act (WIOA) and apply a consistent set of standards for MOU development.

II. Summary

The local Memorandum of Understanding (MOU) is the recognized vehicle for the Local Board to implement an agreement among the one-stop partner programs regarding one-stop delivery of services in the local workforce development area. Under the WIOA, two or more Local Boards may negotiate, develop, and implement a joint MOU as part of regional planning and operations. Within a local area, the Local Board may establish an “umbrella” agreement that creates a single MOU negotiated among all partners.

III. References

- Workforce Innovation and Opportunity Act (Pub. L. 113-128)
- Training and Employment Notice No. 05-14, *Workforce Innovation and Opportunity Act Announcement and Initial Informational Resources*
- Training and Guidance Letter No. 19-14, *Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014*
- Notice of Proposed Rulemaking (NPRM) Docket No. ETA-2015-0002, RIN: 1205-AB74: Subpart C, § 678.500 and § 678.510
- Code of Virginia, Chapter 24, § 2.2-2471 *Powers and Duties of the Board; Virginia Workforce System created*

IV. Policy

The Virginia Board of Workforce Development (VBWD) shall provide guidance to Local Boards regarding development, implementation and continual monitoring of local MOUs. At the onset of WIOA, for the first two program years under the Combined State Plan (PY 2016 and PY 2017), the State of Virginia has 15 single Board regions; therefore, all MOUs will not involve negotiation between two or more Local Boards. To ensure a level of consistency in the MOU process involving all 15 Local Boards and local workforce development areas, MOUs shall cover the following details:

1. A description of services to be provided through the one-stop delivery system, including the manner in which the services will be coordinated and delivered through the system.
2. A plan on how the costs of the services and the operating costs of the system will be funded that incorporates shared delivery costs locally.
3. A specific provision outlining how one-stop infrastructure costs will be funded.
4. Locations and addresses of all comprehensive and affiliate one-stop centers in the local workforce development area and a list of which partners will have a physical presence at each location.
5. Methods for referring individuals between the one-stop operators and partners for appropriate services and activities.
6. Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery system.
7. Methods to ensure that service can continue in the case of a natural or manmade disaster.
8. A termination clause which protects the integrity of the local operations if one or more partners fail to meet their financial obligations described in the MOU.
9. The duration of the MOU and procedures for amending it.

V. Procedures

To facilitate consistency and transparency in the MOU process, each negotiated local MOU must be submitted to the Title 1 Administrator prior to May 31 each year and a consolidated status reported provided to state workforce agency partners and the VBWD within 30 days. Questions or issues regarding the local MOU will be provided to the appropriate Local Board staff for resolution, if necessary.

Local MOUs must reflect the service standards established in VBWD Policy 300-01, *Quality Standards for One-Stop Career Centers in Virginia*. Further, local MOUs must address cost sharing and infrastructure costs in a fair and equitable manner consistent with all policies and procedures. The review of local MOUs will be conducted with an eye toward equitable cost sharing among partners, including a consistent approach to in-kind costs.

As Local Boards and one-stop partners are negotiating the local MOU, if difficulty in reaching agreement or an impasse has occurred, the Title I Administrator must be notified in writing immediately in order to direct a State MOU Resolution Team to provide technical assistance and finalize a solution. This notification should occur no later than April 30.

This MOU Resolution Team will be comprised of agency-designated staff with decision-making authority from each of the partner agencies working toward a local agreement and shall include a staff member from the affected local workforce board. If the State MOU Resolution Team is unable to finalize a solution within 30 days of notification by local partners, the Governor will make final determinations on the terms of the MOU for those

program partners over which he has decision-making authority and will impose a cost sharing arrangement.