

Workforce Investment Act

Frequently Asked Questions

Vol. III

This publication is intended to address some of the most frequently asked questions regarding the Workforce Investment Act, One-Stop systems, local authority and other program related interests. The questions listed are not exhaustive and often represent a series of questions around a specific topic. Answers have been developed that are consistent with federal and state rules and policy. References are included.

33. Who do we bring to the table for the negotiation of ODJFS services in the One-Stop? Who will sign the MOU on behalf of ODJFS?

The local office manager is your first contact. The local office manager's supervisor, the District Coordinator, or their designee, will serve as negotiator on behalf of ODJFS.

Tom Hayes, Director, will be signing the Memorandum of Understanding for the One-Stop systems on behalf of ODJFS.

34. Why doesn't ODJFS consider allocating TAA funds to local areas?

On August 6 the President signed into law HR3009, the Trade Act of 2002, which reauthorized and extended the Trade Adjustment Program until September of 2007 as well as making significant changes to the eligibility requirements, contracting process and benefits provided. Funds provided under the Trade Act must be utilized for persons determined eligible pursuant to the submission of a petition for certification of eligibility making formula allocation impossible. However, the Act specifically requires coordination with One-Stops, includes One-Stop partners and Operators as authorized to submit petitions on behalf of affected workers and relaxes the contracting requirements to align eligible training programs with the Workforce Investment Act. The U. S. Department of Labor is conducting implementation training in September in which we expect to obtain additional procedural detail. It is our intent to involve local One-Stops fully in the discussion of how to coordinate all locally available funds with WIA and other funding sources for maximum benefit for our customers. We intend to provide training to local One-Stop partners throughout the State of Ohio concerning procedures required to fully utilize these funds.

35. Have we eliminated the no wrong door policy?

We have not eliminated the "no wrong door" policy. The Workforce Investment Act requires that information on the availability of core services be available regardless of where individuals initially enter the statewide system¹. At the same time, WIA requires one physical One-Stop center in each workforce area in which Core services are provided and Intensive, Training, Labor Exchange and partner programs are accessible². Partner sites may be linked electronically to the physical One-Stop

¹ Workforce Investment Act of 1998, PL 105-220 29 U.S.C. 134(c)(2)(B)(ii)(II)

² Workforce Investment Act of 1998, PL 105-220 29 U.S.C. 134(c)(2)(A)

center. Negotiated decisions regarding access to required partner services must be based upon the effective use of available resources and maximum services to customers.

36. Will the One-Stop Systems pay for SCOTI?

SCOTI is a web-based system. The costs for the development of the basic software as well as the ongoing software and support costs of the server(s) upon which the SCOTI software resides will be paid by ODJFS. If future enhancements to the existing system provided by ODJFS are requested by local One-Stops, and such changes are not generally required by all users of the system, such changes, with the consent of the involved parties, may be charged to the benefiting area(s). Costs related to the communications lines and associated infrastructure costs may or may not be borne wholly by ODJFS depending on the configurations requested, the relationship of the requests to current ODJFS provided systems and the availability of funds.

37. Will the State work with local areas on the “Final” version of the Certification Process Document?

Yes. All local areas are encouraged to comment on the draft as it stands today. Numerous changes have been made in recent months based upon the feedback we received. Please forward all comments to our website, www.ohioworkforce.org. The certification test in progress with the pilots is designed to let us know if the tool is a valid test instrument that works for the One Stop System. The outcome of the test certification currently in progress is not a pass/fail, but an ongoing effort of continuous improvement. Prior to officially releasing the final version of the Certification Process Document it will be available for comment via the website and reviewed by the Workforce Development Executive Leadership Council (ELC).

38. Assuming every local area will use the same MOU template, if we meet the conditions of Wagner-Peyser through at least three conditions of referral, will ODJFS sign the MOU?

The three conditions of referral referred to in the question do not relate to any specific requirement of law or regulation. The requirements of Wagner-Peyser are only one of the components of the MOU. Participation in the operation of the One-Stop, costs as well as methods of referral are items that should be negotiated and addressed in the MOU. ODJFS is committed to negotiating the most cost effective and efficient method of referral for the local area. Once an agreement is reached, an MOU may be signed.

39. If a local area asked to be certified and they do not make it – what is the time frame for the next review?

Presently, the Certification Process Document lists the three levels as certified, conditional and not certified. Depending on the level achieved, the accompanying action plan, continuous follow-up with the State on progress and completion of the action plan, and other pending request for certification will dictate the time frame for the next review. Our current plan has ODJFS making an initial communication within the first 30 days of the request from the local area.

40. Will the WIA monitoring and Certification process happen at the same time?

ODJFS will make every effort to coordinate the efforts of program monitoring, fiscal auditing, and one-stop certification. However, it is truly dependent upon the annual monitoring and audit cycle of the local area and the preparedness of the One-Stop system for certification.

41. What has the State found has worked and has not worked in the pilots?

The State is currently assessing benchmarks from the Pilots. The Office of Research, Assessment and Accountability (ORAA) has divided their assessment into 4 groupings: (1) Project Management; (2) ODJFS state staff that participated in the transition; (3) One-Stop Operator and partner staff, and; (4) the customer. The assessment is scheduled to be completed and available by the end of this year.

42. If a local area achieves the necessary points to be certified, will there be anything else in the way of getting certified?

Generally speaking, no. However, there may be extreme situations where proceeding with certification could be halted, such as special audits that question the fiscal integrity of the system.

43. Why not brainstorm with us on our local needs?

ODJFS will continue to be a more active partner with local leadership in the development of ideas and strategies intended for the alignment of services and economic ways of managing systems. We continue to make significant strides in this area. One-Stop system development, rapid response funding, electronic system development and other topics are frequently discussed issues in the Bureau of Workforce Services new Policy Committee made up of State, County and Association members. Nine statewide sessions have been held to provide an overview of the labor exchange portion of the SCOTI system. Employers, county staff, state staff and various partner representatives attended these sessions. Technical assistance sessions have been held statewide to provide information on the Memorandum of Understanding and Certification process. Participant evaluations were very positive and we expect to have another round of these sessions in October. Weekly updates are provided on www.ohioworkforce.org. The Executive Leadership Committee has had 3 meetings to discuss a wide range of policy issues confronting all of us as we move toward the complete implementation of workforce strategies in Ohio. Finally, we are always available on an ad-hoc basis to address the needs of business, organized labor, community groups, statewide organizations and others on a wide range of Ohio workforce issues.

44. What about other mandated partners and getting them to the table?

The ODJFS Office of Workforce Development is working with mandated partners to determine an effective interface of services and operations at the local level. Funding shortages remain a primary issue with state as well as local programs in these times of declining resources. Meetings are also now occurring at the cabinet level among the Departments of Development, Education, Job and Family Services and Board of Regents to improve coordination efforts at that level.

45. Were the Pilots set up to design best practices? What happened to “locally-driven”?

The pilot project was a demonstration project intended to develop data and information that may be used by locals and the state administration for one-stop system development across the state. Cost data

and program coordination experience has resulted in a wide range of information that may now be relied upon to develop policy and guidelines for future use.

All one-stop systems are locally driven. The Local Workforce Board (See FAQ Vol. I, Question #1) and Local Elected Officials are responsible for the certification of a one-stop operator and the oversight of a local one-stop system development and operation.

46. Will SCOTI trace customer flow in a one-stop?

SCOTI is intended to provide a customer tracking system regarding participation and service. Additional queries regarding customer tracking are contingent on factors discussed in FAQ, question #36, above.