



LOCAL WORKFORCE DELIVERY SYSTEM – MEMORANDUM OF UNDERSTANDING GUIDE

GUIDE TO THE MEMORANDUM OF UNDERSTANDING

PREFACE

This guide outlines required and optional components of Pennsylvania’s Local Workforce Delivery System Memorandum of Understanding, or MOU, and provides information about funding the one-stop delivery system’s costs.

Recommendations throughout this guide align with Pennsylvania’s MOU Policy and associated sample MOU template. Local workforce development boards, or LWDBs, are highly encouraged to use the *Sample MOU Template*, however, this format is not required. Additional supporting resources found on the Pennsylvania Department of Labor & Industry, or L&I, website include the *MOU Authority and Signature Page*, *MOU Negotiation Outcome Notification* template, *PA CareerLink® Operating Budget Bulletin* and the *MOU Negotiators and Signers Contact List*, which may not be exhaustive but can assist LWDBs in identifying the proper negotiators and signatories to the MOU.

For submission of MOU related forms, budgets, and documentation or to ask technical questions, email the PA CareerLink® Finance and Budget Unit resource account at RA-LI-PACL-FINOP@pa.gov.

Some provisions in this guidance not required under WIOA, its regulations, or the Uniform Guidance. Instead, these common provisions are contained in many contracts and MOUs; therefore, local areas should consider the provisions.

INTRODUCTION

PA CareerLink® merges workforce development, educational and human resource services into a seamless, customer-focused service delivery network that enhances access to programs services and improves long-term employment outcomes for individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated, streamlined services to customers as referenced in 20 CFR 678.300(a), 34 CFR 361.300(a) and 34 CFR 463.300(a).

To establish a high quality one-stop delivery system and enhance collaboration amongst partner programs, LWDBs are required to negotiate and develop a MOU with all required partners present in their local area, as well as any additional partners involved in the local workforce delivery system. The creation of a strong introduction and a joint (cross-agency) mission and vision statement that ties back into the goals and objectives of the local area’s WIOA local and regional plans assists with negotiations and emphasizes how vital the process is to the economic growth of the local area. Local areas are encouraged to work together in the spirit and intent of WIOA.

The LWDB is required to conduct this business in an open manner as referenced in the Pennsylvania [Sunshine Provisions](#). This act requires agencies to deliberate and take official action on agency business

in an open and public meeting. These meetings must have prior notice, and be open to public attendance, participation and comment before an agency can take any official action.

WHAT IS THE MEMORANDUM OF UNDERSTANDING?

The MOU serves as a functional tool, as well as a visionary plan for how the LWDB and PA CareerLink® partners will work together to create a unified service delivery system that best meets the needs of their shared customers. The development of the MOU will help define how partners can work together on renewing a shared commitment to state and local partners in meeting the needs of both business customers and the workforce.

MOUs must be reviewed at least every three (3) years by each of the partners, and signatures are applied accordingly. There are three primary components of the MOU: (1) the MOU terms and conditions; (2) the Infrastructure Funding Agreement, or IFA; and (3) the Operating Budget, or OB.

TYPES OF MOUS

The commonwealth recommends that the LWDB and PA CareerLink® partners have maximum flexibility to negotiate MOUs that best serve their respective local area's needs and customers. To this end, both "umbrella" agreements that encompass all partners and individual partnership agreements crafted between each partner are allowed based upon LWDB determination.

Single "Umbrella" MOU

A LWDB and PA CareerLink® partners may develop a single "umbrella" MOU addressing the issues related to operation of PA CareerLink® and that applies to the LWDB, its chief elected official, or CEO, and all partners. The commonwealth strongly encourages using this MOU type to facilitate a transparent and flexible agreement.

Individual Agreements

The LWDB, with the agreement of its CEO, may enter into separate agreements with individual partners or groups of partners in the one-stop service delivery system.

REQUIRED COMPONENTS OF THE MOU

The MOU must include, but is not limited to, the following as described in WIOA Section 121(c) and 20 CFR Part 678:

- 1. List of all partners.** The list must include the partners entering the MOU, the partner program of affiliation, and contact information for each entity. (Each local area's program partners point of contact information includes their respective local area negotiator and authorized signer's information).

Throughout MOU development, including modification or amendment, local board staff must ensure that the authorized signer's information is the same as the individual(s) that sign the

agreement. Therefore, the list of partners entering the MOU and the *MOU Authority and Signature Page* (i.e., signatory page) must be identical.

2. **A description of the process used to develop the MOU.** The MOU must articulate the steps taken to populate the MOU. This step is necessary because should non-consensus ever occur, an LWDB must be able to state how they attempted to approach this requirement.

Partners may use the following recommended steps to reach consensus:

- i. Notification of Partners: The LWDB Chair (or designee) must notify all parties in writing that it is necessary to renew and execute the MOU and provide all applicable policies and preceding MOU documents.
- ii. Kickoff Meeting: The LWDB Chair (or designee) is responsible for convening all required and additional PA CareerLink® partners to formally begin negotiations, and to ensure that, at a minimum, all partners from all counties within the local workforce development area, or LWDA, are appropriately represented. The kickoff meeting should take place within three (3) weeks* of partner notification as it must be hosted in a timely manner to allow for all steps to be conducted in good faith and in an open and transparent environment.

At the kickoff meeting, the LWDB Chair (or designee) must provide a detailed review of all relevant documents, facts, and information while ensuring all parties have sufficient time to ask questions, voice concerns and are fully aware of expectations and processes.

- iii. Negotiations: Over the course of four (4) weeks* following the formal kickoff meeting, partners must submit all relevant documents to the LWDB Chair (or designee) to begin the drafting of the MOU. During this timeframe, additional formal or informal meetings (informational and negotiation sessions) may take place, if conducted in an open and transparent manner with pertinent information provided to all parties.
- iv. Draft MOU: Within six (6) weeks* of the kickoff meeting, the LWDB Chair (or designee) must provide a complete draft of the MOU to all parties.
- v. Review and Comment: Within three (3) weeks* of receipt of the draft MOU, all parties must review and return feedback to the LWDB Chair (or designee). It is advised that each party also use this time to allow their respective legal advisors to review the MOU. It is the responsibility of the LWDB Chair (or designee) to ensure all PA CareerLink® partners to the MOU are aware of the comments and needed revisions.
- vi. Finalized Draft: The LWDB Chair (or designee) must circulate the finalized MOU and secure partner signatures within four (4) weeks* of receipt of feedback. The MOU will be considered fully executed once all signatories have reviewed and signed, and a signed copy has been returned to all parties.

If a partner is unwilling to sign the MOU, then the LWDB Chair (or designee) must ensure that the agreed upon dispute resolution process is followed.

- vii. MOU Negotiation Outcome Notification: During a planned MOU renewal, the LWDB Chair (or designee) must submit a notice of consensus or impasse and any other required documentation to L&I's PA CareerLink® Finance & Budget Unit resource account RA-LI-PACL-FINOP@pa.gov by March 10.

Refer to the *MOU Negotiation Outcome Notification* template as well as the *Local Workforce Delivery System Memorandum of Understanding Policy* located on L&I's website for additional information.

* The time period incorporated is for hypothetical purposes only. Neither WIOA nor its implementing regulations impose such a requirement.

3. **Access to services.** Each partner must describe how it will fulfill the WIOA requirement that each MOU contain provisions describing the services provided through PA CareerLink®. At least one comprehensive workforce center in each local area must be identified, as well as any affiliated sites and/or specialized centers where partner programs are accessed. These provisions must address services provided as well as the coordination and delivery of services.

There are three types of partner services available to those accessing a customer-focused service delivery network whether at PA CareerLink® locations, online or through outreach efforts: (1) business, (2) job seeker and (3) youth. The MOU must contain information indicating which partners or entities are providing services and where services are being delivered. Local areas can either devise effective means to communicate this information within the MOU or use the *Optional WIOA Service List* located on L&I's website. The PA CareerLink® Operator is tasked with the coordination of services and may be consulted in the presentation of this information.

At a minimum, the local area must make all required services available, as applicable to the program. Permissible services may be provided per WIOA or program statutory and regulatory requirements. WIOA section 134(d) details other permissible local area employment and training activities not notated in the *Optional WIOA Service List*. If a party to the MOU is providing any of these services or activities, this should be added to the appropriate service list. Additional services may be provided on a case-by-case basis with the LWDB and CEO approval.

If using the *Optional WIOA Service List*, ensure all available services and associated services within each PA CareerLink® location are included in a set of the three (3) service type tables. Nearly all required and permissible local area services and activities are included in the *Optional WIOA Service List*, but flexibility to add more services is accorded. Each service location must have its own WIOA partner service list. L&I recognizes that more than one partner or entity may provide the same service; therefore, documenting a service with multiple partners or entities is permissible.

To support the description of "access to services," include:

- Services that will be accessible through PA CareerLink®, including the location(s) at which these services will be accessible;
- Method of delivery for each required partner providing services, and a description of how these services will be coordinated; and

- If assistance is needed to establish what services each partner provides and how they are provided. For this provision, consider the following:
 - a) Is the partner physically present in the center (if yes: part-time or full-time)?
 - b) If not physically present, will PA CareerLink® staff need to supply support, such as assistance to customers using online tools?
 - c) What services will the partner offer?
 - d) How do those services support a career pathway?
 - e) How will the partner interact with other one-stop programs?
 - f) How will the partner provide supervision and guidance to its staff?
 - g) What administrative and other supports may the partner require?
 - h) Include a description of any priority populations identified by the MOU partners. At a minimum, WIOA requires each MOU to address unemployment insurance claimants; low-income adults, including TANF and SNAP recipients; adult education and literacy participants; individuals with disabilities; veterans; older workers; displaced homemakers; re-entry populations; and youth, including youth that face barriers to employment.

Note: When identifying career services that each partner will provide, the LWDB must ensure there is no duplication of services where possible.

4. **Collaborative professional development.** A well-trained and informed staff is critical to providing comprehensive, high-quality service. State and non-state staff need training and guidance to carry out unfamiliar or new roles and to develop or enhance current skills; therefore, developing a universal professional development curriculum open to all PA CareerLink®, partner and state staff is essential. Collaborative professional development will enhance staff's knowledge and skills, while promoting collaboration and consistent service delivery.

Each program year, state agencies and local areas must develop a professional development plan based on data (collected from training assessments) and in alignment with state goals.

Collaborative professional development is a multi-step approach that identifies training requirements, planning, execution, and assessment of training activities (e.g., seminars, workshops, trainings). Successful implementation includes the development, sharing, and reporting of training information which should all be conducted as efficiently and effectively as possible. Training proficiency, equipment availability, and personnel resources must also be considered. Possible professional development topics may include but are not limited to technology, customer service, case management, coaching, diversity and inclusion, job search skills, collaboration, program requirements and referral practices, business services, and labor market information.

The MOU defines ways in which partners can work together to establish a commitment to state and local partners to meet the needs of business customers and the workforce. The MOU must describe the use and sharing of information and other efforts at cooperation, collaboration, and coordination. The creation of a structured collaborative professional development plan can include

curriculum already in use by state agencies (e.g., CareerLink® 101, Metrix Learning Training via SkillUp® PA, etc.).

- 5. Infrastructure funding agreement, or IFA.** The MOU must describe how the infrastructure and other shared costs of resources will be funded. Joint infrastructure funding is a critical part of supporting integrated service delivery. Therefore, under WIOA, each required partner must contribute a portion of their funds toward maintaining the PA CareerLink®.

The LWDB may negotiate an umbrella IFA or individual IFA for one or more of its one-stop centers. An essential component of an IFA includes signatures from authorized representatives of all participating one-stop partners, CEO and LWDB on the *MOU Authority and Signature Page*. WIOA specifies local one-stop center infrastructure costs as non-personnel costs that are necessary for the general operation of the local one-stop center. Local one-stop center infrastructure costs include, but are not limited to, the following:

- Facility rental
- Utilities
- Equipment and Technology
- Facility maintenance
- Property insurance
- Security services
- Common identifier costs

Required partners who are located offsite may use a different allocation base to determine their contribution. Offsite partners will need to determine “relative benefit” when allocating infrastructure costs. It could be true that these offsite partners may not contribute to every infrastructure line item if there is no relative benefit received. For example, an offsite partner may not receive a benefit from the water bill; however, the offsite partner does benefit from signage or common identifiers that reference that partner’s programs and services. In this example, the offsite partner would not contribute to the utility line item but would help with costs for signage and common identifiers. This contribution is negotiated during the MOU process and is based upon an agreed relative benefit.

Note: When considering the development of new outreach materials, one-stop delivery systems are required to include a common one-stop delivery system identifier, in addition to using any state- or locally developed identifier in the identification of products, programs, activities, services, facilities, and related property and materials. The American Job Center® Network is a unifying name and brand that identifies online and in-person workforce development services as part of a single network. To access and complete the Terms of Use agreement and to download the logo and tagline for future usage, go to <https://www.dol.gov/agencies/eta/american-job-centers/style-guide>. For more information and resources go to <https://ion.workforcegps.org/resources/2016/09/30/12/11/AJC-Common-Identifier-and-Branding>.

Additional Costs. Each partner that carries out a program or an activity as part of the one-stop delivery system must use a portion of program or activity funds available to contribute to the local one-stop center additional (non-infrastructure) costs based on their proportional use relative to the benefit received by the partner through participation in the one-stop delivery system. Additional costs must include applicable career services (identified in the WIOA regulations at 20 CFR 678.430)

as well as shared operating costs and shared services that are necessary for local one-stop center general operation. Each partner's contribution must adhere to that partner program's federal authorizing statute and to the federal cost principles requiring that costs are reasonable, necessary, and allocable.

- The details of the MOU will specify the funding sources that support the partner's ongoing career services programs. Career service costs should be allocated only to those partners responsible for providing the service. These amounts reflected within the MOU's Operating Budget, or OB, show each partner's contribution. Required partners must contribute to additional costs related to the operation of the one-stop delivery system. Additional partners are encouraged, but not required, to contribute to additional costs. Shared service costs may include services that are authorized for, and may be commonly provided through, the one-stop partner programs. Examples may include, but are not limited to, the following:
 - Initial intake
 - Assessment of needs
 - Appraisal of basic skills
 - Identification of appropriate services to meet such needs
 - Referrals to other one-stop partners
 - Integration and streamlining of services including business services, customer satisfaction measurements and staff
 - LWDB staff functions not otherwise paid using WIOA Title I funds that support the general operations of the local one-stop centers.

Infrastructure and additional costs can be funded through cash, non-cash, and third-party in-kind contributions, and can include any funding from philanthropic organizations, other private entities, or other alternative financing options. Funding must be stable and equitable. The LWDB and partners may define their own methodology to determine contribution amounts, so long as it is based on the partner's proportionate use and benefit received and is consistent with the Uniform Guidance and WIOA's promulgating regulations.

Note: For more information or assistance with cost allocation, review the Cost Allocation and Cost Allocation Plans (CAPs) online training module available on WorkforceGPS, as well as the Financial Management Policy and its accompanying Financial Management Guide, or FMG.

6. **Operating budget.** The one-stop OB is the MOU's financial plan agreed upon by the one-stop partners, CEO and LWDB. The OB is used to achieve the MOU's goals of delivering services in a local area. The OB consists of costs specifically identified in the statute, i.e., infrastructure costs, defined in WIOA sec. 121(h)(4), and additional costs, defined in WIOA sec. 121(i).

The OB may include separate budgets for each PA CareerLink® comprehensive, affiliate, or specialized center. Once the OB is established and agreed upon by the LWDB and all partners, negotiations of partner contributions toward infrastructure and additional costs of the local PA CareerLink® system will commence.

While signatures are not required for the OB, TEGL 17-16 requires that the partners review and agree on the OB at least once a year. The OB is approved once all the partners concur, and each local area determines how concurrence will be documented. Submission of the annual OB to L&I's

Bureau of Workforce Development Administration is due no later than May 1st. OBs, one-stop/staffing surveys and expenditure reporting must be submitted on L&I's downloadable templates found within the Financial Management Policy.

Current staffing levels and negotiations with one-stop program partners are evaluated and used to determine the proposed PA CareerLink® funding level for each LWDA. The use of the Cost Allocation Reimbursement System, or CARS, provides drawdown information. Expenditures are reported on the quarterly Operating Budgets-Financial Status Reports, or OB-FSR. Local boards must ensure that submissions comply with L&I guidance and that current templates are used. Refer to the *PA CareerLink® Operating Budget Bulletin* located on the L&I website for additional direction.

7. **Methods of referral and data sharing.** The methods by which individuals and business customers are referred between one-stop partners for services and activities must be negotiated in the MOU. These referral methods must strive to include a coordinated and integrated approach to common intake procedures, career services, business services and data sharing among partners.
 - In line with WIOA's intent, PA CareerLink® staff is required to connect customers to partners through effective integration or referral processes that are impartial and designed to efficiently meet the customer's individual needs.
 - All parties must specifically state in the MOU how partners will refer individuals to appropriate services and activities.
 - All parties must provide performance information that supports the achievement of performance goals, consistent with the requirement of law and as outlined in Pennsylvania's Combined State Plan.
 - All parties agree to work cooperatively to share data to the extent necessary (and as permitted or required by applicable statute or regulation) and enter into data-sharing agreements as required thereto.
8. **Methods to ensure the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed.** The MOU must include the provision of necessary and appropriate access to services, including access to technology and materials, made available through PA CareerLink® to these populations.
9. **The executed MOU must contain the time period in which the MOU is in effect.** To ensure appropriate funding and delivery of services, the executed MOU must be reviewed and renewed not less than every three (3) years. When a planned three (3) year MOU renewal occurs, the renewed MOU must be effective on or before the current MOU's expiration date.

During the MOU rollout process, a LWDB should make all partners aware of the requirements concerning amendment and modification, as well as any substantial changes that requires an unplanned renewal of the MOU as outlined in TEGE 16-16, RSA TAC 17-02, and OCTAE Program Memo 17-4, One-Stop Operations Guidance for the American Job Center® Network. The MOU Terms and Conditions must include a description of the modification process. Amendment or modification

of the MOU only requires the parties to review and agree to the elements of the MOU that changed within 90 days of the qualifying event. Substantial changes that require an unplanned renewal of an MOU requires all parties to review and agree to all elements of the MOU and re-sign the MOU within 180 days of the qualifying event.

Non-substantive changes to the MOU do not require renewal of the MOU (e.g., minor revisions to the budget, changes to the one-stop partner's infrastructure-cost contributions, or adjustments made due to the annual reconciliation of the budget). Substantial changes will require renewal of the MOU (e.g., changes in one-stop partners or a change due to the election of a new CEO).

10. Assurances. The MOU must contain an assurance that it will be reviewed and updated, at a minimum, every three (3) years to ensure it contains up to date information regarding funding, delivery of services and changes in the signatory official of the LWDB, CEO or PA CareerLink® partner(s).

11. Signatures. Party signatures must be obtained and made part of the MOU. If there is no local partner (e.g., state unemployment insurance program, national programs such as YouthBuild), a state or national partner's authorized signatory must sign.

A completed, signed and dated *MOU Authority and Signature Page* is required for each MOU signatory official representing a party to the MOU. Refer to the *MOU Authority and Signature Page* located on the L&I website for additional direction.

12. Other provisions. Any other provisions agreed to by the parties regarding operation of PA CareerLink®.

FUNDING MECHANISMS

Local Funding Mechanism – Local control through federal guidance is a tenet of WIOA. Initiating local cost sharing negotiations permits decision-making to remain at the local level. Local funding through fair and reasonable negotiations among direct partners results in stronger partnerships, and local autonomy allows for decisions unique to each area. LWDBs are encouraged to negotiate equitable IFAs with all partners to avoid dispute and non-consensus which triggers the State Funding Mechanism, or SFM. State guidance and support is available to local areas throughout the negotiation process to avoid the SFM.

State Funding Mechanism – If the LWDB, CEO and one-stop partners in a local area reach an impasse related to infrastructure cost funding despite L&I Staff's informal dispute resolution assistance, the SFM will be triggered as described in 20 CFR 678.745. The SFM, used by the Governor, is developed by the Pennsylvania Workforce Development Board, or PA WDB, using a formula based on factors including (1) the number of one-stop centers in a local area, (2) the population served by such centers, (3) the services provided by such centers, and (4) other factors relating to the performance of such centers that the PA WDB determines are appropriate.

The SFM does not apply to additional partners and cannot be triggered by an additional partner's disagreement on IFA terms or their refusal to sign the IFA. While additional partners are not subject to

the SFM, they are still required to contribute to the one-stop infrastructure cost funding in accordance with the program's proportionate use of the one-stop center and relative benefit received, consistent with the requirements for one-stop partner contributions in WIOA, 20 CFR Part 678 and the Uniform Guidance at 2 CFR Part 200.

Under the SFM, for required partner programs that grant awards to entities independent of Governor authority (e.g., Job Corps center contractors or grant recipients of the U.S. Department of Labor national programs), the Governor continues to determine the amount each applicable partner must contribute to assist in paying the one-stop centers infrastructure costs. WIOA and its regulations grant this authority to the Governor.

Native American programs are not subject to the SFM. The lack of agreement on infrastructure costs with Native American programs does not trigger the SFM for the local area. As required one-stop partners, Native American programs are strongly encouraged to contribute to infrastructure costs but are not required to make such contributions under WIOA. Any agreement regarding the contribution or non-contribution to infrastructure costs by Native American programs must be documented in the MOU and must be based on the program's proportionate use and relative benefits received, consistent with the Uniform Guidance.

STATE FUNDING MECHANISM APPEAL PROCESS

WIOA provides that a state mechanism allocation determination may only be appealed if the determination is inconsistent with the requirements of WIOA Sec. 121(h)(2)(E). Pursuant to 20 CFR 678.750 the permissible grounds for an appeal are that the state's determination is inconsistent with:

- the proportionate-share requirements in 20 CFR 678.735(a),
- the cost-contribution limitations in 20 CFR 678.735(b), or
- the cost-contribution caps in 20 CFR 678.738.

A one-stop required partner shall appeal the SFM determination imposed upon it within twenty-one (21) calendar days, consistent with 20 CFR 678.750. The appeal must be a formal written correspondence and make specific reference to that portion of cash, non-cash, or third-party in-kind contributions which the determination requires the one-stop required partner to provide.

To be considered for state review, an appeal must:

- Be addressed to the attention of:
PA Department of Labor & Industry
Deputy Secretary for Workforce Development
651 Boas Street, 17th Floor
Harrisburg, PA 17121

Or the appellant may email to the attention of:
The PA CareerLink® Finance & Budget unit at RA-LI-PACL-FINOP@pa.gov

- Contain a subject line identifying the appellant and designating the letter or email as a formal appeal of the SFM determination.

- Identify the basis for the appeal to include full citations from WIOA or the WIOA Final Rules in Title 29 or Title 34 of the Code of Federal Regulations that support the appeal; and
- The letter or email be signed and dated by the appellant.

Furthermore, it is recommended that the appellant include the basis for the appeal in the correspondence.

L&I will acknowledge receipt of the appeal within seven (7) calendar days and will ensure all requirements for state review are met. L&I will then submit the appeal, on behalf of the appellant, to the Governor's Policy Office which will return a final determination within forty-five (45) calendar days of receiving the appeal from L&I. Typically, this timeframe will occur between May 16th until June 30th; however, the state acknowledges that, in rare circumstances, this timeframe may not always be applicable. Adjustments to these dates may be made as necessary by the state, but the forty-five (45) calendar day determination period will be maintained.

Until the appeals process is completed, the appellant will remain liable for its contributions as originally determined in the SFM. If a one-stop partner's appeal to the state using the process described in 20 CFR 678.750 is successful and results in a change to the one-stop partner's infrastructure-cost contributions, then the MOU between the LWDB and applicable partner(s) *must* be updated to reflect the final one-stop partner infrastructure-cost contributions.

Appendix A: General Timeline for the MOU and Operating Budget

The timeframes identified below may not always be applicable. Local boards are to consider their parameters and unique circumstances and adjust the suggested MOU timeline accordingly.

START-END PERIOD	REQUIREMENTS AND SUGGESTED ACTIONS
Jan - Feb	<p>LWDB notifies partners of the need to convene to negotiate the MOU; convening meeting occurs; LWDB provides partners with policies and other pertinent information and makes requests to partners so that first draft of the MOU can be written.</p> <p>Operating Budgets are updated annually, agreed upon by all MOU Parties and attached to the MOU. LWDB or fiscal agent provides PA CareerLink® operator and partners preliminary shared costs based upon actual figures from the prior year or sound estimates.</p> <p>BWDA should be contacted to estimate available state partner funds via email at the PA CareerLink® Finance and Budget Unit resource account: RA-LI-PACL-FINOP@pa.gov.</p>
Feb - March	<p>Partners provide requested information to LWDB. MOU first draft is completed and provided to the MOU parties for review and negotiation. Negotiation ensues.</p> <p>LWDB or fiscal agent will help the PA CareerLink® operator collect, compile, and analyze a preliminary statement of benefits as it relates to the Operating Budgets and the identification of all shared costs at each PA CareerLink® site.</p> <p>During a planned MOU renewal, the LWDB must submit the <i>MOU Negotiation Outcome Notification</i> (consensus or impasse) template to BWDA on or before March 10th.</p>
March - April	<p>If the LWDB submits a <i>MOU Negotiation Outcome Notification</i> template noting an impasse, the dispute resolution process (with L&I support) will occur between March 11th until April 15th.</p> <p>Most MOU components (e.g., <i>Introduction, System Structure and Terms and Conditions</i>) are expected to have been agreed upon by all parties. The <i>Infrastructure Funding Agreement</i> should be finalized by the end of April.</p> <p>LWDB or fiscal agent will work with the PA CareerLink® operator and partners to assign dollar values and validate appropriate methodologies for assigning a fair share of allocable PA CareerLink® costs to create an Operating Budget.</p>
May - June	<p>The Operating Budget must be submitted to BWDA no later than May 1st of each year. BWDA's review and concurrence will follow.</p> <p>LWDB or fiscal agent will work with BWDA to reach finalized shared costs. The Operating Budget, and any modifications, must be submitted to BWDA as they occur.</p> <p>Finalized shared costs will be entered into the Operating Budget. Parties to the MOU will review and approve a final Operating Budget.</p> <p>The Infrastructure Funding Agreement and Operating Budget are incorporated within the MOU.</p> <p>All parties to the MOU must submit to the LWDB a completed MOU Authorization and Signature Page for inclusion into the MOU.</p>

Appendix B: Required Programs in the PA CareerLink® Workforce Service Delivery System

Required Program	Program Authorization	Federal Agency	State Agency or Grantee
Youth Workforce Investment Activities	WIOA—Title I, Subtitle B, Chapter 2	Department of Labor, U.S. DOL	Entity listed on WIOA Title 1 Grant Agreement receiving funds
Adult Employment and Training Activities	WIOA—Title I, Subtitle B, Chapter 3	U.S. DOL	Entity listed on WIOA Title 1 Grant Agreement receiving funds
Dislocated Worker Employment and Training Activities	WIOA—Title I, Subtitle B, Chapter 3	U.S. DOL	Entity listed on WIOA Title 1 Grant Agreement receiving funds
Job Corps	WIOA—Title I, Subtitle C	U.S. DOL	Local Area grantee(s), if located in LWDA
Native American Programs	WIOA—Title I, Sec. 166 (29 U.S.C. 3221)	U.S. DOL	Council of Three Rivers American Indian Center, Inc
National Farmworker Jobs Program (NFJP)	WIOA—Title I, Sec. 167	U.S. DOL	PathStone Corp. grantee, if operable in LWDA
YouthBuild Program	WIOA—Title I, Sec. 171 (29 U.S.C. 3226)	U.S. DOL	Local Area grantee(s), if operable in LWDA
Adult Education and Family Literacy Activities (AEFLA)	WIOA—Title II Adult Education and Family Literacy Act program	Department of Education, DoEd	Local Area grantee(s)
Wagner-Peyser Act Employment Service Program	Wagner-Peyser Act (29 U.S.C. 49 et seq.), as amended by WIOA Title III	U.S. DOL	PA Department of Labor & Industry
Vocational Rehabilitation State Grant Programs	Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et. seq.), as amended by WIOA Title IV	DoEd	PA Department of Labor & Industry, Office of Vocational Rehabilitation (OVR)
Senior Community Service Employment Program (SCSEP)	Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.)	U.S. DOL	Local Area grantee(s)
Postsecondary Career & Technical Education (Perkins V)	Carl D. Perkins Vocational & Applied Technology Act of 2006 (20 U.S.C. 2301 et seq.) and (as amended Pub. L. No. 115-224)	DoEd	Local Area grantee(s), if operable in LWDA
Trade Adjustment Assistance (TAA)	Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.)	U.S. DOL	PA Department of Labor & Industry
Jobs for Veterans State Grant Programs	38 U.S.C. Chapter 41	U.S. DOL	PA Department of Labor & Industry, Bureau of Workforce Programs and Operations
Employment and Training Activities- Department of Community Economic Development	Community Services Block Grant Act (CSBG) (42 U.S.C. 9901 et seq.)	Department of Health and Human Services, DHS	PA Department of Economic Development
Employment and Training Activities – Department of Housing and Urban Development	Employment and Training activities carried out under Department of Housing and Urban Development	Department of Housing and Urban Development	Local Area Housing Authority grantee(s), if operable in LWDA
State Unemployment Insurance (UI) Program	Social Security Act 9 of 1935 (Title III, IX and XII) and Federal Unemployment Tax Act (FUTA) of 1939	U.S. DOL	PA Department of Labor & Industry
Reentry Employment Opportunities (REO) Programs	Second Chance Act of 2007, Sec. 212 (42 U.S.C. 17532) and WIOA Title I, Sec. 169	Department of Justice	Local Area grantee(s), if operable in LWDA
Temporary Assistance for Needy Families (TANF)	(43 U.S.C. 601 et seq.)	DHS	PA Department of Human Services

In addition to the required programs listed in Table 1, WIOA specifies that one-stop centers may incorporate other partner programs, including:

- Employment and training programs administered by the Social Security Administration (e.g., Ticket to Work);
- Employment and training programs carried out by the Small Business Administration;
- Any employment and training activities requirement of recipients under the Supplemental Nutrition Assistance Program (SNAP, formerly known as the Food Stamp program) and work programs for those recipients who are able-bodied adults without dependents;
- The Client Assistance Program authorized under section 112 of the Rehabilitation Act of 1973;
- Programs authorized under the National and Community Service Act of 1990 (e.g., AmeriCorps); and
- Other appropriate government or private-sector programs.

Appendix C: Supporting Information and Related References

Statutes

- [Public Law \(Pub. L.\) 113-128, Workforce Innovation and Opportunity Act \(WIOA\)](#)
- [Rehabilitation Act of 1973 \(29 U.S.C. 794\) Section 504](#)
- [Buy American Act \(Pub. L 111-350\) Title 1, Sections 8301- 8303, dated January 4, 2011](#)
- [Further Continuing Appropriations Act, 2013 \(Pub. L 113-6\) Division F, Title I, Sections 1101 \(a\)\(4\) and 1102, dated March 26, 2013](#)
- [Consolidated Appropriations Act, 2012 \(Pub. L 112-74\) Division F, Title I, Section 105, dated December 23, 2011](#)
- [Age Discrimination Act of 1975 \(42 U.S.C. 6101\)](#)
- [Nontraditional Employment for Women Act of 1991 \(Pub. L102-235\)](#)
- [Wagner-Peyser Act \(29 U.S.C. 49\)](#)
- [Title IX of the Education Amendments of 1972](#)
- [Title VI of the Civil Rights Act of 1964 \(42 U.S.C. 2000d et seq.\)](#)
- [41 U.S.C. Section 702](#)
- [42 U.S.C. Section 503](#)
- [42 U.S.C. Section 601-619](#)
- [The Nontraditional Employment for Women Act of 1991 \(Pub. 102-235\), dated December 12, 1991](#)

Regulations

- [Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule](#)
- [Workforce Innovation and Opportunity Act; Department of Labor Only; Final Rule](#)
- [Programs and Activities Authorized by the Adult Education and Family Literacy Act \(Title II of the Workforce Innovation and Opportunity Act\); Final Rule](#)
- [State Vocational Rehabilitation Services Program; State Supported Employment Services Program; Limitations on Use of Subminimum Wage; Final Rule](#)
- [29 Code of Federal Regulations \(CFR\), Part 98, Subpart F, General Principles Relating to Suspension and Debarment Actions](#)
- [2 CFR, Chapter 2, Office of Management and Budget Guidance for Grants and Agreements](#)
- [2 CFR 182, Government Wide Requirements for Drug-Free Workplace \(Financial Assistance\)](#)
- [20 CFR Part 603, Federal-State Unemployment Compensation \(UC\) Program; Confidentiality and Disclosure of State UC Information](#)
- [29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998 \(WIA\)](#)
- [29 CFR Part 38, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act](#)
- [29 CFR Part 93, New Restrictions on Lobbying](#)
- [29 CFR 98, —Government Wide Debarment and Suspension \(Non-procurement\)](#)
- [3 CFR 1986, Debarment and Suspension](#)
- [58 CFR 51751, Continuance of Certain Federal Advisory Committees](#)
- [34 CFR 361, State Vocational Rehabilitation Services Program](#)

Appendix C: Supporting Information and Related References

- [34 CFR 363, The State Supported Employment Services Program](#)
- [45 CFR 260, —General Temporary Assistance for Needy Families \(TANF\)](#)
- [45 CFR 205.50, Public Assistance Programs, Safeguarding Information for the Financial Assistance Programs](#)

Federal Guidance

- [USDOL FAQ On WIOA Infrastructure Costs, dated April 1, 2016](#)
- [U.S. Department of Education Rehabilitation Services Administration Policy Directive 16-03, —Workforce Innovation and Opportunity Act \(WIOA\) Requirements for Unified and Combined State Plans, || dated March 9, 2016](#)
- [Unemployment Insurance Program Letter \(UIPL\) 20-15, Unemployment Insurance and the Workforce Innovation and Opportunity Act of 2014, dated August 13, 2015](#)
- [Training and Employment Guidance Letter \(TEGL\) 05-06, —Implementing the Salary and Bonus Limitations in Public Law 109-234, || dated August 15, 2006](#)
- [Quick Reference Guide to WIOA Join Final Rule, dated June 27, 2016](#)
- [Training and Employment Notice \(TEN\) 13-20, WIOA Operating Guidance, Jan. 4, 2021](#)

Other References

- [WIOA State Plan, July 1, 2020-June 30, 2024](#)
- [WIOA Technical Document 2016-01, —Definitions for WIOA Implementation](#)
- [Department of Labor \(DOL\) CFR Chapter II, Part 2900 et al. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule \(also known as the *Uniform Guidance*\), 2 CFR Part 200, December 19, 2014](#)
- [Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Technical Amendments, 2 CFR Part 2900, Dec. 30, 2015](#)
- [TEGL, 16-16, One-Stop Operations Guidance for the American Job Center Network, Jan. 18, 2017](#)
- [TEGL 17-16, Infrastructure Funding of the One-Stop Delivery System, Jan. 18, 2017](#)