



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

SAMUEL D. ROBERTS
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

Administrative Directive

Section 1

Transmittal:	18-ADM-03
To:	Social Services District Commissioners
Issuing Division/Office:	Integrated Family Assistance Programs/ Employment and Income Support Programs
Date:	May 23, 2018
Subject:	Workforce Innovation and Opportunity Act (WIOA) Local Memorandum of Understanding Guidance and Templates
Suggested Distribution:	Employment Coordinators Temporary Assistance Directors Staff Development Coordinators
Contact Person(s):	Employment Services Advisor or Bureau of Employment and Advancement Services at: (518) 486-6106
Attachments:	
Attachment Available Online:	<input type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
					Workforce Innovation and Opportunity Act of 2014, §121(c). Regulations: Workforce Innovation and Opportunity Act, Part 678 Subpart C, Part 678.420, Part 678.430, part 678.305, and Part 678.500.

Section 2

I. Summary

Under the federal Workforce Innovation and Opportunity Act (WIOA), TANF is a required partner in the New York State (NYS) Career Center System. As such, social services districts (districts) are required to provide access and a direct linkage to TANF funded programs and services through Career Centers within their local area. In addition, districts must enter into a local Memorandum of Understanding (MOU) with their respective Local Workforce Development Board (LWDB) relating to the provision of services through the Career Center System and the funding of infrastructure costs for Career Centers.

This Administrative Directive (ADM) advises districts of their roles and responsibilities under WIOA and introduces guidance documents which were jointly developed by the NYS WIOA Interagency Team to provide guidance on the requirements of the local MOU.

II. Purpose

The purpose of this ADM is to provide guidance to districts on the requirements of WIOA with respect to the roles and responsibilities of a required partner in the NYS Career Center system. Furthermore, the ADM contains guidance and templates with instructions for completing the local area MOU developed and executed between LWDB and Career Center partners.

III. Background

Signed into law on July 22, 2014, WIOA replaces the Workforce Investment Act of 1998 and is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

The U.S. Departments of Labor and Education issued the WIOA Final Rules in the Federal Register on August 19, 2016. To review the Final Rules and the associated materials provided by the federal government, visit: <https://www.doleta.gov/wioa/>.

Additional information and resources can be found at the TANFWIOA Resource HUB at: <https://peerta.acf.hhs.gov/ofa-initiative/426>.

WIOA aligns federal investments in support of job seekers and employers by requiring that access to the six “core” WIOA programs and other mandatory partner programs be provided at Career Centers. Furthermore, WIOA aligns the performance indicators across the core WIOA programs and requires the performance goals to reflect the local economic conditions and participant characteristics. To better serve low-income populations and to make services easier to access, WIOA adds TANF as a required partner, unless the State decides to opt out. In New York State, TANF, and by extension, districts, are included as required partners of the NYS Career Center System.

To promote closer coordination between districts and Career Center partners, the Office of Temporary and Disability Assistance (OTDA) actively participates on the NYS WIOA Interagency Team, which was formed in 2015 to support the implementation of WIOA in New York State. The team is comprised of the State agencies responsible for administering the core and partner programs:

- NYS Department of Labor
- NYS Department of Education: Adult Education
- NYS Department of Education: Adult Career & Continuing Education Services – Vocational Rehabilitation (ACCES-VR)
- NYS Office of Children and Family Services – Commission for the Blind
- NYS Office for the Aging
- NYS OTDA

The Interagency Team collaboratively developed the NYS WIOA Combined State Plan and meets regularly with the goals of aligning and fostering partnerships among State and local workforce programs, developing strategies to enhance the NYS Career Center System, and ensuring compliance with WIOA requirements.

Districts and Career Center partners share the goal of helping individuals enter employment and achieve economic security, and WIOA presents an opportunity to further strengthen the working relations among Career Center partners. Through greater collaboration with Career Centers, districts can improve access to workforce services and maximize local employment and training resources for temporary assistance recipients and other low-income individuals.

IV. Program Implications

As required partners of the Career Center System, districts must provide access to TANF funded programs and services through Career Centers. Each required Career Center partner (including districts), in addition to providing access to its programs, must enter into a MOU with their respective LWDB, relating to the provision of services through the Career Center System and the funding of infrastructure costs for Career Centers.

The local MOU in NYS has two components:

1. The Service Delivery MOU component, focusing on service delivery and coordination, and the estimated budget of the Career Center System; and,
2. The Infrastructure Funding MOU component, focusing on infrastructure costs of Career Centers.

Districts should coordinate with Career Center partners to align and improve access to employment, training and supportive services offered in the local area and to streamline the referral process for the broad range of individuals served through the NYS Career Center System. By partnering and coordinating with Career Centers, districts can leverage existing workforce resources, improve service efficiency by reducing duplications, and ensure that district clients can benefit from the full array of services available through the NYS Career Center System.

V. Required Actions

A. Access to TANF funded programs and services

Districts must provide access to TANF funded programs and services through Career Centers. Access to TANF funded programs and services may be provided through one or more of the following ways:

1. Having a district or contract staff physically present at a Career Center to provide information on TANF funded programs.
2. Equipping Career Center staff with sufficient training/cross-program knowledge and materials in order to provide meaningful information to customers about TANF funded programs and services.
3. Making available a direct linkage by phone or through technology to designated district staff who can provide meaningful information to Career Center customers about TANF funded programs and services.

In addition, WIOA requires that individuals be provided with the opportunity to initiate an application for TANF funded benefits and services at Career Centers which could be

achieved through the provision of paper application forms. In the absence of an online application, districts must make available copies of the LDSS-2921: “New York State Application for Certain Benefits and Services” and PUB-1301: “Instructions for Completing the New York State Application for Certain Benefits and Services” at Career Centers within their local area. Districts should ensure that Career Center partners can provide clear information to customers regarding where and how to file their application for benefits with districts.

Districts should also encourage the use of the pre-screening function of www.myBenefits.ny.gov or, if in New York City, <https://access.nyc.gov/> at Career Centers to provide customers with information on different economic and work supports available in New York State.

Districts should maintain formal communications with Career Center partners and increase coordination on cross-program training and workforce activities at the local level. Districts are advised to establish liaisons with Career Centers to serve as point persons for the day-to-day client cross-program needs; and to keep Career Center partners apprised of the districts’ available supportive services and employment programs.

An increase in cross-program knowledge through cross-training will enable districts and partners to better serve and make referrals for the wide range of individuals seeking help through the Career Center System, regardless of which program they may apply for initially. By collaborating and sharing information on workforce and business activities, districts and partners can reduce duplication and maximize their respective staff capacity and funding streams.

Furthermore, OTDA encourages districts to participate on LWDBs and/or associated committees. LWDBs work to align workforce programs to provide coordinated and complementary services to job seekers and employers. Representation on the local board would allow districts to be involved in the strategic planning for meeting the workforce needs of the local area. Districts should consult with LWDB Directors regarding the possibility of joining the local board or participating in board activities.

B. Development of MOU and Technical Guidance

Career Center partners including districts are required to enter into the Service Delivery MOU and the Infrastructure Funding MOU with their respective LWDBs. LWDBs are responsible for convening their local partners in the development of both MOU components.

In NYS, to allocate costs proportionately without undue effort and cost, only co-located partners are required to contribute to the Career Center’s infrastructure costs through locally negotiated cost allocation methodologies. However, all districts must review and be signatory to both the Service Delivery MOU and the Infrastructure Funding MOU.

A technical advisory and MOU guidance and templates were developed collaboratively by the NYS WIOA Interagency Team and reviewed by appropriate State agency staff to expedite the signatory process of the MOUs for LWDBs. These documents were previously sent to district Commissioners and are included here for reference:

1. The Workforce Development System Technical Advisory #18-3 provides guidance to the NYS Career Center System on the requirements of the local WIOA MOU. Technical Advisory #18-3 is posted on the NYSDOL’s Policy Directives webpage at: <https://labor.ny.gov/workforcenypartners/tas.shtm>.

2. The New York State Local Workforce Development Area Service Delivery MOU Guidance and Template provides a sample MOU template with instructions for the Service Delivery MOU.
3. The New York State Local Workforce Development Area Infrastructure Funding MOU Guidance and Template provides the required template with instructions for the Infrastructure Funding MOU. LWDBs and required Career Center System partners are required to follow this guidance and template to complete the Infrastructure Funding MOU.

The MOU Guidance and Templates can be found on the NYSDOL website at: <https://labor.ny.gov/workforce/swib/swibresources.shtm> under the Local MOU Resources section.

VI. System Implications

There are no systems implications.

Issued By

Name: Nancy P. Maney
Title: Deputy Commissioner
Division/Office: Integrated Family Assistance Programs