

**ARKANSAS CAREER DEVELOPMENT
NETWORK WORKFORCE CENTER CAREER
DEVELOPMENT AND CERTIFICATION
INSTRUMENT**



MEMORANDUM

To: Local Workforce Investment Boards

From: Artee Williams, Director

Date: November 30, 2010

RE: Certification of Arkansas Workforce Centers;
Arkansas Workforce Center Accessibility

In accordance with Section 121(d) of the Workforce Investment Act, the local workforce investment board, with agreement of the chief elected official(s), is authorized to designate and certify One-Stop operators. * Local workforce investment boards should use the enclosed Arkansas Workforce Center Certification Instrument, which is Attachment B-2 of Arkansas's State Unified Plan, to certify at least one full-service One-Stop Center in each local workforce investment area.

Please use a separate certification instrument to certify each Arkansas Workforce Center in your local area and return the completed certification instruments to this office.

Also, please note that the last item on page 17 of the attached Certification Instrument addresses accessibility. To ensure that the Arkansas Workforce Centers in your local area meet the criteria for certification, please follow the instructions in the certification document.

***Note: Workforce Investment Act 117(d) prohibits the local board from designating itself or its administrative entity as the One-Stop operator without approval from the Governor.**

Enclosure: Arkansas Workforce Center Certification Instrument.

AW:dl

Arkansas Workforce Center
Development and Certification
Instrument

This instrument will be used by the Arkansas Workforce Investment Board to certify the Arkansas Workforce Centers of Arkansas to ensure compliance with the federal Workforce Investment Act of 1998 and Arkansas Act 1125 of 1999.

The parts of this instrument in Times New Roman font provide direction and guidance to the local workforce investment boards and local center operators that outlines the minimum requirements for certification.

The parts of this instrument in Ariel font will be used to conduct, verify, and record that the Arkansas Workforce Center is in compliance with all applicable state and federal laws and regulations.

Local Workforce Investment Area _____

Arkansas Workforce Center Address

Center Operator _____

Arkansas WIB Monitor _____

Certification Date _____

Signature of Monitor _____

Certification Criteria for One-Stop Delivery Systems State of Arkansas

The One-Stop delivery system is a system under which entities responsible for administering separate workforce investment, educational, and other human resource programs and funding streams (referred to as Arkansas Workforce Center partners) collaborate to create a seamless system of service delivery that will enhance access to the programs' services and improve long-term employment outcomes for individuals receiving assistance.

The responsibility of ensuring the creation and maintenance of a One-Stop delivery system that enhances the range and quality of workforce development services that are accessible to individuals seeking assistance is assigned to the local, State and Federal level.

General Description of One-Stop Delivery System

What is the One-Stop delivery system?

In general, the Arkansas One-Stop delivery system is a system under which entities responsible for administering separate workforce investment, educational, and other human resource programs and funding streams (referred to as Center partners) under the federal Workforce Investment Act of 1998 (WIA) collaborate to create a seamless system of service delivery that will enhance access to the programs' services and improve long-term employment outcomes for individuals receiving assistance.

Title I of WIA assigns responsibilities at the local, state, and federal level to ensure the creation and maintenance of a One-Stop delivery system that enhances the range and quality of workforce development services that are accessible to individuals seeking assistance. The system must include at least one comprehensive physical center in each local area that must provide the core services specified in WIA section 134(d)(2), and must provide access to other programs and activities carried out by the Center partners.

While each local area must have at least one comprehensive center (and may have additional comprehensive centers), WIA section 134(c) allows for arrangements to supplement the center. These arrangements may include:

- A network of affiliated sites that can provide one or more partners' programs, services and activities at each site;
- A network of Center partners through which each partner provides services that are linked, physically or technologically, to an affiliated site that assures individuals are provided information on the availability of core services in the local area; and
- Specialized centers that address specific needs, such as those of dislocated workers.

The design of the local area's One-Stop delivery system, including the number of comprehensive centers and the supplementary arrangements, must be described in the local plan and be consistent with the memorandum of understanding executed with the Center partners.

- The center is: _____ A comprehensive physical center
- _____ A network of affiliated sites that can provide one or more partners' programs, services and activities at each site
- _____ A network of center partners through which each partner provides services that are linked, physically or technologically, to an affiliated site that assures individuals are provided information on the availability of core services in the local area
- _____ A specialized center that address specific needs, such as those of dislocated workers (Describe)

Arkansas Workforce Center Partners and the Responsibilities of Partners

Who are the required Center partners?

WIA section 121(b)(1) identifies the entities that are required partners in the local One-Stop systems. The required partners are the entities that carry out the following programs:

- Programs authorized under title I of WIA, serving:
 - Adults
 - Dislocated workers
 - Youth
 - Job Corps
 - Native American programs
 - Migrant and seasonal farm worker programs;, and
 - Veterans' workforce programs (WIA sec. 121(b)(1)(B)(i))
- Programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.); (WIA sec. 121(b)(1)(B)(ii).)
- Adult education and literacy activities authorized under title II of WIA; (WIA sec. 121(b)(1)(B)(iii))
- Vocational rehabilitation programs authorized under parts A and B of title I of the Rehabilitation Act (29 U.S.C. 720 et seq.); (WIA sec. 121(b)(1)(B)(iv).)
- Welfare-to-work programs authorized under sec. 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5) et seq.); (WIA sec. 121(b)(1)(B)(v).)
- Senior community service employment activities authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.); (WIA sec. 121(b)(1)(B)(vi))
- Postsecondary vocational education activities under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.); (WIA sec. 121 (b)(1)(B)(vii).)
- Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.); (WIA sec. 121(b)(1)(B)(viii).)
- Activities authorized under chapter 41 of title 38, U.S.C. (local veterans' employment representatives and disabled veterans outreach programs); (WIA sec. 121(b)(1)(B)(ix).)

- Employment and training activities carried out under the Community Services Block Grant (42 U.S.C. 9901 et seq.); (WIA sec. 121(b)(1)(B)(x).)
- Employment and training activities carried out by the Department of Housing and Urban Development; (WIA sec. 121(b)(1)(B)(xi).) and
- Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law); (WIA sec. 121(b)(1)(B)(xii).)

The required partners are identified as follows: (List agency)

- Programs authorized under title I of WIA, serving:
 - Adults _____
 - Dislocated workers _____
 - Youth _____
 - Job Corps _____
 - Native American programs _____
 - Migrant and seasonal farm worker programs _____
 - Veterans' workforce programs _____
- Programs authorized under the Wagner-Peyser Act

Adult education and literacy activities authorized under title II of WIA

- Vocational rehabilitation programs authorized under parts A and B of title I of the Rehabilitation Act _____
- Welfare-to-work programs authorized under sec. 403(a)(5) of the Social Security Act _____
- Senior community service employment activities authorized under title V of the Older Americans Act of 1965 _____
- Postsecondary vocational education activities under the Carl D. Perkins Vocational and Applied Technology Education Act

- Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance activities authorized under chapter 2 of title II of the Trade Act of 1974

- Activities authorized under chapter 41 of title 38, U.S.C.

- Employment and training activities carried out under the Community Services Block Grant _____

- Employment and training activities carried out by the Department of Housing and Urban Development _____
- Programs authorized under State unemployment compensation laws _____

What other entities may serve as One-Stop partners?

WIA provides that other entities that carry out a human resource program, including federal, state, or local programs and programs in the private sector may serve as additional partners in the One-Stop system if the Local Board and chief elected official(s) approve the entity's participation. Additional partners may include:

- TANF programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)
- Employment and training programs authorized under section 6(d)(4) of the Food Stamp Act of 1977 (7 U.S.C. 2015(d)(4))
- Work programs authorized under section 6(o) of the Food Stamp Act of 1977 (7 U.S.C. 2015(o))
- Programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.)
- Other appropriate programs, including programs related to transportation and housing, and programs in the private sector (WIA section 121(b)(2))

Additional One-Stop Center partners include:

- TANF programs authorized under part A of title IV of the Social Security Act _____
- _____
- Employment and training programs authorized under section 6(d)(4) of the Food Stamp Act of 1977 _____
- _____
- Work programs authorized under section 6(o) of the Food Stamp Act of 1977 _____
- _____
- Programs authorized under the National and Community Service Act of 1990 _____
- _____
- Other appropriate programs, including programs related to transportation and housing, and programs in the private sector _____
- _____
- _____
- _____

What entity serves as the One-Stop partner for a particular program in the local area?

The "entity" that carries out the program and activities listed above and serves as the One-Stop partner is the grant recipient, administrative entity, or organization responsible for administering the funds of the specified program in the local area. The term "entity" does not include the service providers that contract with or are subrecipients of the local administrative entity. For programs that do not include local administrative entities, the responsible State Agency should be the partner.

For title II of WIA, the entity that carries out the program for the purposes of this document is the State eligible entity. The State eligible entity may designate an eligible provider as the "entity" for this purpose.

Entity: _____

For title I, Part A, of the Rehabilitation Act, the entity that carries out the program for the purposes of this document is the designated State agency or designated unit specified under WIA section 101(a)(2) that is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities.

Entity: _____

Under WIA, the national programs, including Job Corps, the WIA Indian and Native American program, the Migrant and Seasonal Farm Workers program, and the Veterans' Workforce Investment program, are required One-Stop partners. Local Boards must include them in the One-Stop delivery system where they are present in their local area. In local areas where the national programs are not present, States and Local Boards should take steps to ensure that customer groups served by these programs have access to services through the One-Stop delivery system.

Entity/Program: _____

Entity/Program: _____

Entity/Program: _____

Entity/Program: _____

Entity/Program: _____

What are the responsibilities of the required One-Stop partners?

All required partners must:

- Make available to participants through the One-Stop delivery system the core services that are applicable to the partner's programs (WIA section 121(b)(1)(A).)
- Use a portion of funds made available to the partner's program, to the extent not inconsistent with the federal law authorizing the partner's program, to:
 - Create and maintain the One-Stop delivery system
 - Provide core services; (WIA sec. 134(d)(1)(B))
- Enter into a memorandum of understanding (MOU) with the Local Board relating to the operation of the One-Stop system that meets the requirements of Sec. 662.300, including a description of services, how the cost of the identified services and operating costs of the system will be funded, and methods for referrals (WIA sec. 121(c))
- Participate in the operation of the One-Stop system consistent with the terms of the MOU and requirements of authorizing laws; (WIA sec. 121(b)(1)(B).) and
- Serve as a representative on the local workforce investment board. (WIA sec. 117(b)(2)(A)(vi).)

Required Partner: _____

_____ Makes available to participants through the One-Stop delivery system the core services that are applicable to the partner's programs

_____ Uses a portion of funds made available to the partner's program, to the extent not inconsistent with the federal law authorizing the partner's program, to:
_____ Create and maintain the One-Stop delivery system
_____ Provide core services

_____ Has entered into a memorandum of understanding (MOU) with the Local Board relating to the operation of the One-Stop system that meets the requirements of Sec. 662.300, including a description of services, how the cost of the identified services and operating costs of the system will be funded, and methods for referrals

_____ Participates in the operation of the One-Stop system consistent with the terms of the MOU and requirements of authorizing laws

_____ Serves as a representative on the local workforce investment board

(Use additional sheets as needed. Document all items and attach.)

What are a program's applicable core services?

The core services applicable to any One-Stop partner program are those services described below that are authorized and provided under the partner's program. These core services as identified in section 134(d)(2) of the WIA are:

- Determinations of whether the individuals are eligible to receive assistance under subtitle B of title I of WIA
- Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the One-Stop delivery system;
- Initial assessment of skill levels, aptitudes, abilities, and supportive service needs;
- Job search and placement assistance, and where appropriate, career counseling;
- Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including--
 - Job vacancy listings in such labor market areas
 - Information on job skills necessary to obtain the listed jobs
 - Information relating to local occupations in demand and the earnings and skill requirements for such occupations
- Provision of program performance information and program cost information on:
 - Eligible providers of training services described in WIA section 122;
 - Eligible providers of youth activities described in WIA section 123;
 - Providers of adult education described in title II;
 - Providers of postsecondary vocational education activities and vocational education activities available to school dropouts under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.); and
 - Providers of vocational rehabilitation program activities described in title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.)
- Provision of information on how the local area is performing on the local performance measures and any additional performance information with respect to the One-Stop delivery system in the local area;
- Provision of accurate information relating to the availability of supportive services, including, at a minimum, child care and transportation, available in the local area, and referral to such services, as appropriate;
- Provision of information regarding filing claims for unemployment compensation;
- Assistance in establishing eligibility for--
 - Welfare-to-work activities authorized under section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)) available in the local area; and
 - Programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area
- Follow-up services, including counseling regarding the workplace, for participants in workforce investment activities authorized under subtitle (B) of title I of WIA who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate

Inventory of Arkansas Workforce Center's Core services:

One-Stop Partner/Agency _____ provides these core services as identified in section 134(d)(2) of the WIA:

_____ Determinations of whether the individuals are eligible to receive assistance under subtitle B of title I of WIA

_____ Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the One-Stop delivery system

Initial assessment of skill levels, aptitudes, abilities, and supportive service needs;

_____ Job search and placement assistance, and where appropriate, career counseling

_____ Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including--

_____ Job vacancy listings in such labor market areas

_____ Information on job skills necessary to obtain the listed jobs

_____ Information relating to local occupations in demand and the earnings and skill requirements for such occupations

_____ Provision of program performance information and program cost information on:

_____ Eligible providers of training services described in WIA section 122;

_____ Eligible providers of youth activities described in WIA section 123;

_____ Providers of adult education described in title II;

_____ Providers of postsecondary vocational education activities and vocational education activities available to school dropouts under the Carl D. Perkins

Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.); and

_____ Providers of vocational rehabilitation program activities described in title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.)

_____ Provision of information on how the local area is performing on the local performance measures and any additional performance information with respect to the One-Stop delivery system in the local area;

_____ Provision of accurate information relating to the availability of supportive services, including, at a minimum, child care and transportation, available in the local area, and referral to such services, as appropriate;

_____ Provision of information regarding filing claims for unemployment compensation;

_____ Assistance in establishing eligibility for—

_____ Welfare-to-work activities authorized under section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)) available in the local area; and

_____ Programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area

_____ Follow-up services, including counseling regarding the workplace, for participants in workforce investment activities authorized under subtitle (B) of title I of WIA who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate

(Use additional sheets as needed. Document all items and attach.)

Memorandum of Understanding of the One-Stop Delivery System

What is the Memorandum of Understanding?

The Memorandum of Understanding (MOU) is an agreement developed and executed between the Local Board, with the agreement of the chief elected official, and the Center partners relating to the operation of the One-Stop delivery system in the local area.

_____ Each Arkansas Workforce Center partner has entered into an MOU relating to the operation of the One-Stop delivery system in the local area.

The MOU must contain the provisions required by WIA section 121(c)(2). These provisions cover services to be provided through the One-Stop delivery system; the funding of the services and operating costs of the system; and methods for referring individuals between the Center operators and partners. The MOU's provisions also must determine the duration and procedures for amending the MOU, and may contain any other provisions that are consistent with WIA title I and these regulations agreed to by the parties. (WIA sec. 121(c).)

Each partner MOU contains provisions describing:

- _____ The services to be provided through the one-stop delivery system
- _____ How the costs of such services and the operating costs of the system will be funded
- _____ Methods for referral of individuals between the center operator and the center partners, for the appropriate services and activities
- _____ The duration of the memorandum and the procedures for amending the memorandum during the term of the memorandum

Is there a single MOU for the local area or are there to be separate MOU's between the Local Board and each partner?

A single "umbrella" MOU may be developed that addresses the issues relating to the local One-Stop delivery system for the Local Board and all partners, or the Local Board and the partners may decide to enter into separate agreements between the Local Board and one or more partners. Under either approach, the requirements described in Sec. 662.310 apply. Since funds are generally appropriated annually, financial agreements may be negotiated with each partner annually to clarify funding of services and operating costs of the system under the MOU.

WIA emphasizes full and effective partnerships between Local Boards and Center partners. Local Boards and partners must enter into good-faith negotiations. Local Boards and partners may request assistance from a State agency responsible for administering the partner program, the Governor, State Board, or other appropriate parties. The State agencies, the State Board, and the Governor may also consult with the appropriate Federal agencies to address impasse situations after exhausting other alternatives. The Local Board and partners must document the negotiations and efforts that have taken place. Any failure to execute an MOU between a Local Board and a required partner must be reported by the Local Board and the required partner to the Governor or State Board, and the State agency responsible for administering the partner's

program, and by the Governor or the State Board and the responsible State agency to the Secretary of Labor and to the head of any other Federal agency with responsibility for oversight of a partner's program. (WIA sec. 121(c).)

If an impasse has not been resolved through the alternatives available under this section any partner that fails to execute an MOU may not be permitted to serve on the Local Board. In addition, any local area in which a Local Board has failed to execute an MOU with all of the required partners is not eligible for State incentive grants awarded on the basis of local coordination of activities under 20 CFR 665.200(d)(2). Where and to what extent must required Center partners make core services available?

At a minimum, the core services that are applicable to the program of the partner under Sec. 662.220, and that are in addition to the basic labor exchange services traditionally provided in the local area under the Wagner-Peyser program, must be made available at the comprehensive Arkansas Workforce Center. These services must be made available to individuals attributable to the partner's program who seek assistance at the center. The adult and dislocated worker program partners are required to make all of the core services listed in Sec. 662.240 available at the center in accordance with 20 CFR 663.100(b)(1).

The applicable core services may be made available by the provision of appropriate technology at the comprehensive Arkansas Workforce Center, by co-locating personnel at the center, cross-training of staff, or through a cost reimbursement or other agreement between service providers at the comprehensive Arkansas Workforce Center and the partner, as described in the MOU.

_____ Adequately described in each partner MOU

The responsibility of the partner for the provision of core services must be proportionate to the use of the services at the comprehensive Arkansas Workforce Center by the individuals attributable to the partner's program. The specific method of determining each partner's proportionate responsibility must be described in the MOU.

_____ Adequately described in each partner MOU

Individuals attributable to the partner's program may include individuals who are referred through the comprehensive Arkansas Workforce Center and enrolled in the partner's program after the receipt of core services, who have been enrolled in the partner's program prior to receipt of the applicable core services at the center, who meet the eligibility criteria for the partner's program and who receive an applicable core service, or who meet an alternative definition described in the MOU.

Under the MOU, the provision of applicable core services at the Center by the Center partner may be supplemented by the provision of such services through the networks of affiliated sites and networks of Center partners described in WIA section 134(c)(2).

What services, in addition to the applicable core services, are to be provided by Center partners through the One-Stop delivery system?

In addition to the provision of core services, Center partners must provide access to the other activities and programs carried out under the partner's authorizing laws. The access to these services must be described in the local MOU.

_____ Adequately described in each partner MOU

20 CFR part 663 describes the specific requirements relating to the provision of core, intensive, and training services through the One-Stop system that apply to the adult and the dislocated worker programs authorized under title I of WIA. Additional requirements apply to the provision of all labor exchange services under the Wagner-Peyser Act. (WIA sec. 134(c)(1)(D).)

How are the costs of providing services through the One-Stop delivery system and the operating costs of the system to be funded?

The MOU must describe the particular funding arrangements for services and operating costs of the One-Stop delivery system. Each partner must contribute a fair share of the operating costs of the One-Stop delivery system proportionate to the use of the system by individuals attributable to the partner's program. There are a number of methods, consistent with the requirements of the relevant OMB circulars, that may be used for allocating costs among the partners. Some of these methodologies include allocations based on direct charges, cost pooling, indirect cost rates and activity-based cost allocation plans. Additional guidance relating to cost allocation methods may be issued by the Department of Labor in consultation with the other appropriate federal agencies.

_____ Adequately described in each partner MOU

Does title I require Center partners to use their funds for individuals who are not eligible for the partner's program or for services that are not authorized under the partner's program?

No. The requirements of the partner's program continue to apply. The Act intends to create a seamless service delivery system for individuals seeking workforce development services by linking the Center partners in the One-Stop delivery system. While the overall effect is to provide universal access to core services, the resources of each partner may only be used to provide services that are authorized and provided under the partner's program to individuals who are eligible under such program. (WIA sec. 121(b)(1).)

Arkansas Workforce Center Operators

Who is the Center operator?

The Center operator is the entity that performs the role described in paragraph (c) of this section. The types of entities that may be selected to be the Center operator include:

A postsecondary educational institution;

An Employment Service agency established under the Wagner-Peyser Act on behalf of the local office of the agency;

A private, nonprofit organization (including a community-based organization);

A private for-profit entity;
A government agency; and
Another interested organization or entity.

Center operators may be a single entity or a consortium of entities and may operate one or more Arkansas Arkansas Workforce Centers. In addition, there may be more than one Center operator in a local area.

The Center is _____ a single entity or _____ a consortium of entities. (Describe)

The agreement between the Local Board and the Center operator shall specify the operator's role. That role may range between simply coordinating service providers within the center to being the primary provider of services within the center. (WIA sec. 121(d).)

_____ Adequately described in agreement between the Center operator and the local board

How is the Center operator selected?

The Local Board, with the agreement of the chief elected official(s), must designate and certify Center operators in each local area. The Center operator is designated or certified through a competitive process, or under an agreement between the Local Board and a consortium of entities that includes at least three or more of the required Center partners identified at Sec. 662.200. (WIA sec. 121(d).)

The Center operator was designated or certified
_____ Through a competitive process, or
_____ Under an agreement between the Local Board and a consortium of entities that includes at least three or more of the required Center partners

Under what limited conditions may the Local Board be designated or certified as the Center operator?

The Local Board may be designated or certified as the Center operator only with the agreement of the chief elected official(s) and the Governor. The designation or certification must be made publicly, in accordance with the requirements of the "sunshine provision" in WIA section 117(e), and must be reviewed whenever the biennial certification of the Local Board is made under 20 CFR 663.300(a). (WIA sec. 117(f)(2).)

Logo

The design of the local area's One-Stop delivery system must be described in the local plan and be consistent with the memorandum of understanding executed with the Center partners. The design must include the adopted system logo below:



Arkansas Arkansas Workforce Center

_____ Arkansas Workforce Center is in compliance.

Nondiscrimination and Equal Opportunity Provisions

Center operators and partners and respective staff must assure that applicants, claimants, participants of Workforce programs shall not be discriminated against on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief and, if receiving WIA program benefits, citizenship/ status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially assisted program or activity (Section 188 of WIA and 29 CFR Part 37.20 identifies civil right laws).

_____ Nondiscrimination policies are included in MOUs.

Center operators and partners must agree on a single One-Stop Equal Opportunity Officer who will process local complaints of discrimination and attempt to address same as prescribed by 29 CFR Part 37, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of WIA." The parties to this agreement will abide by 29 CFR Part; Section 188 of WIA, and implementing directive issued by the State.

_____ A Arkansas Workforce Center Equal Opportunity Officer has been designated.

Dissemination of Nondiscriminatory Policies

Center operators and partners must ensure the establishment of a Notice and Communication system that makes all registrants, applicants, eligible applicant/registrants, applicants for employment, employees and interested members of the public aware of the recipient's obligation to operate in a nondiscriminatory manner, and further, the extent of the right of members of these groups to file complaints of discrimination. Center operators and partners will accomplish such dissemination of information by:

- Including the Arkansas Workforce Center's non-discrimination policy in brochures, pamphlets and communications which are designed to acquaint registrants, applicants,

eligible applicants/registrants, applicants for employment, employees and interested members of the public with the Workforce programs and services

- Ensuring recruitment brochures and other materials routinely made available to the public include the statements ensuring “equal opportunity employer/program” and “auxiliary aids and services are available upon request to individuals with disabilities” and, where a telephone number is included on these materials, a TDD/TTY number must be provided for an equally effective means of communication
- Communicating information in a language other than English as required by federal regulations
- Notifying all customary referral sources that services and benefits are provided in a non-discriminatory manner
- Displaying posters indicating the Workforce program’s nondiscriminatory policies in prominent places throughout the Board’s offices and provider facilities.

The Center operator and partners comply as follows:

_____ Including the Arkansas Workforce Center’s non-discrimination policy in brochures, pamphlets and communications which are designed to acquaint registrants, applicants, eligible applicants/registrants, applicants for employment, employees and interested members of the public with the Workforce programs and services

_____ Ensuring recruitment brochures and other materials routinely made available to the public include the statements ensuring “equal opportunity employer/program” and “auxiliary aids and services are available upon request to individuals with disabilities” and, where a telephone number is included on these materials, a TDD/TTY number must be provided for an equally effective means of communication

_____ Communicating information in a language other than English as required by federal regulations

_____ Notifying all customary referral sources that services and benefits are provided in a non-discriminatory manner

_____ Displaying posters indicating the Workforce program’s nondiscriminatory policies in prominent places throughout the Board’s offices and provider facilities.

(Attach documentation and examples.)

The notice included as an attachment of this document, as required by 29 CFR 37.54, shall be posted where all internal and external customers are able to review. This notice shall also be included in all the Orientation to Complaint Procedure forms for the Workforce Investment Act Title I.

_____ Notice is included.

Planning Process

Arkansas Workforce Center partners must participate in a joint planning process that results in a regional workforce plan to be submitted in accordance with guidelines issued by the State Workforce Investment Board.

_____ Arkansas Workforce Center meets objective.

Capacity Building

Center partners agree to identify capacity building needs of the Center staff to deliver services described in Section IIA and to be familiar with services offered by other Center partners. Center partners agree to work collaboratively with the State and other Centers to ensure delivery of training in response to identified needs.

_____ A process exists to ensure Center Staff are trained in the knowledge and skills necessary to deliver Workforce services.

Marketing

Participating programs, in coordination with state marketing efforts, must jointly participate in an effort to market to customers a multi-level package of services available at the Center.

_____ A copy of the marketing plan in place to jointly market Arkansas Workforce Center Services is attached.

Orientation/Customer Choice

_____ Mechanisms exist to inform customers about the full range of services available at the Center.

_____ Arkansas Workforce Center customers have a choice in the services they receive and the manner in which they receive these services. Describe mechanisms to inform customers about the full range of services available at the center.

_____ The Arkansas Workforce Center enables customers to select services for which they may be eligible and which are appropriate to their needs and circumstances.

_____ Mechanisms are in place for providing choice to the customer regarding the manner in which they receive selected services.

Customer Flow

_____ Procedures exist to facilitate customer flow through Center services.

Describe the process/procedures to facilitate customer flow through appropriate Center services. Describe how customers are referred to needed services not available at the Center.

Information Sharing

Arkansas Workforce Center partners must agree to develop a process whereby information that is collected by one program provider at the Center is transferred to other provider staff on a need-to-know basis and in accordance with confidentiality. Once this process is developed, the Center partners must agree to implement this procedure.

_____ The process within the Center to transfer data collected by one program at the Center to other provider staff is fully described.

_____ Provisions to make sure the information is on a need-to-know basis and in accordance with confidentiality are in place.

Technology

_____ Equipment and infrastructure are in place to make computer based job assistance/search available to all customers.

_____ Workstations are made available for customer self-access.

_____ The Center's infrastructure maintained to ensure compatibility.

Customer Choice

Center Partners will implement the Arkansas Workforce Center customer satisfaction system and measures designed by the State Workforce Investment Board. Customer feedback will be utilized for continuous improvement of system design and service delivery.

_____ Center is in compliance.

Informed Choice

Center partners must implement the informed choice requirements issued by the State Workforce Investment Board.

_____ Center is in compliance.

Performance Measures

Center partners must implement the Workforce performance measures issued by the State Workforce Investment Board.

_____ Partners have incorporated a review and analysis of performance measures as a part of their continuous improvement process for system design and service delivery.

Accessibility

Arkansas Workforce Centers must comply with all federal, state, and local laws ensuring accessibility to all. Local boards and Center operators should consult the ADA (Americans With Disabilities Act) Title II Action Guide for State and Local Governments and Supplement on Employment to ensure that Arkansas Workforce Centers meet all applicable compliance standards.

_____ Center is in compliance.

ATTACHMENT

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and

Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any WIA Title I – financially program or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity;

Providing opportunities in, or treating any person with regard to, such a program or activity; or

Making employment decisions in the administration of, or in connection with, such a program or activity.

What To Do If You Believe You Have Experience Discrimination

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or

The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, D.C. 20210

If you file your complaint with recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue the Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your complaint within 30 days of the date on which you received the Notice of Final Action.