



ADWS Policy Number: WIOA I-B – 6.4 Effective Date: January 31, 2023

Certification of Arkansas Workforce Centers Policy and Procedures

PURPOSE: The purpose of this policy is to provide guidance concerning the certification of Arkansas Workforce Centers.

REFERENCES:

WIOA §§ 101(d), 121(g), & 188
A.C.A. 15-4-3706 & 15-4-3711
20 CFR 652.202, 678.310, 678.800 & 679.130
34 CFR 361.800, 361.310, 361.315, 463.310, & 463.800
TEGLs 15-16 & 16-16

BACKGROUND:

Consistent with the requirement in WIOA § 121(e)(4) for the use of a common identifier, the U.S. Department of Labor (DOL), in coordination with the U.S. Department of Education (ED), established the American Job Center network, a unifying name and brand that identifies online and in-person workforce development services as part of a single network of publicly-funded services [TEGL 16-16]. Within the American Job Center network, Arkansas has branded its one-stop centers as Arkansas Workforce Centers.

The vision for the American Job Center network reflects the long-standing and ongoing work of dedicated workforce professionals to align a wide range of publicly-funded or privately-funded education, employment, and training programs, while also providing high-quality customer service to all job seekers, workers, and businesses [TEGL 16-16]. This vision supports the vision that the Arkansas Workforce Development Board (AWDB) adopted for the Arkansas Workforce Development Delivery System at their regular quarterly meeting in October 2015. Their stated vision is for Arkansas to have a world-class workforce that is well educated, skilled, and working in order to keep Arkansas's economy competitive in the global marketplace.

The workforce system envisioned by the Workforce Innovation and Opportunity Act (WIOA) is quality-focused, employer-driven, customer-centered, and tailored to meet the needs of regional economies. It is

designed to increase access to and opportunities for the employment, education, training, and support services that individuals need to succeed in the labor market, particularly those with barriers to employment. It aligns workforce development, education, and economic development programs with regional economic development strategies to meet the needs of local and regional employers, and provides a comprehensive, accessible, and high-quality workforce development system. This is accomplished by providing all customers access to high-quality workforce development centers that connect them with the full range of services available in their communities, whether they are looking to find jobs, build basic educational or occupational skills, earn a postsecondary certificate or degree, obtain guidance on how to make career choices, or are businesses and employers seeking skilled workers [Arkansas State Plan 2020-2023].

The purpose of the Arkansas Workforce Centers is to [TEGL 16-16]:

- Provide job seekers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages.
- Provide access and opportunities to all job seekers, including individuals with barriers to employment, such as individuals with disabilities, to prepare for, obtain, retain, and advance in high-quality jobs and high-demand careers.
- Enable businesses and employers to easily identify and hire skilled workers and access other supports, including education and training for their current workforce.
- Participate in rigorous evaluations that support continuous improvement of workforce centers by identifying which strategies work better for different populations.
- Ensure that high-quality integrated data inform decisions made by policy makers, employers, and jobseekers.

The local workforce development board (LWDB), with the agreement of the chief elected officials (CEOs), is responsible for oversight of the one-stop delivery system, developing and entering into the memorandum of understanding described in WIOA § 121(c), and designating or certifying one-stop operators under WIOA § 121(d) [WIOA § 121(a), TEGL 15-16].

The management of the Arkansas workforce delivery system is the shared responsibility of the Arkansas Workforce Development Board (AWDB), local Workforce Development boards (LWDBs), elected officials (CEOs), the core WIOA partners, other required partners, and workforce center operators [TEGL 16-16]. (These core partners and required partners are listed below.)

Each LWDB must use a competitive process for the selection or designation of a one-stop operator, even if the one-stop operator is a consortium of three or more partners or is the LWDB itself. This competitive process must be repeated every four (4) years [TEGL 15-16]. Records and supporting documentation on the expending of Federal funds for the competitive selection of the one-stop operator must be retained to sufficiently support the expenditures reported on the quarterly ETA-9130 form. Record retention requirements are also applicable to document the lack of the conflict of interest in the selection of one-stop operator, as well as all other LWDB decisions [WIOA§121(d)(2)A), 20 CFR 678.605(c), 20 CFR 678.615(a), & TEGL 15-16]. Other Specific information concerning the selection or designation of one-stop operators, especially when a LWDB applies to be the one-stop operator, may be found in WIOA § 107(g)(2), WIOA § 121(d), and TEGL 15-16.

At least once every three (3) years, the Arkansas Workforce Center (whether comprehensive and affiliate) must be evaluated and certified [WIOA § 121(g)(1), 20 CFR 678.800, 34 CFR 361.800, & 34 CFR 463.800]. Centers may also be evaluated for cause at any time [A.C.A. 15-4-3711].

The one-stop operator carries out the following activities through the Arkansas Workforce Centers [TEGL 16-16]:

- Facilitates integrated partnerships that seamlessly incorporate services for the common customers served by multiple program partners.
- Develops and implements operational policies that reflects an integrated system of performance, communication, and case management, and uses technology to achieve integrated and expanded service offerings.
- Organizes and integrates Arkansas Workforce Center services by function (rather than by program), when permitted by a program's authorizing statute and, as appropriate, through coordinating staff communication, capacity building, and training efforts. Functional alignment involves having Arkansas Workforce Center staff who perform similar tasks serve on relevant functional teams (e.g. skills development team or business service teams), using strategies outlined in TEGL 16-16.
- Ensures that all basic career services are available during business hours, whether the center is comprehensive or affiliate.

POLICY:

The Arkansas Workforce Development Board (AWDB), in consultation with Chief Elected Officials (CEOs) and local workforce investment boards (LWDBs), must review and update the objective criteria and procedures to use when certifying its American Job Centers. This collaboration is done every two (2) years as part of the review and modification of the Arkansas WIOA Combined State Plan [WIOA § 121(g)(1), 20 CFR 679.130, 20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800]. The criteria must evaluate the Arkansas Workforce Centers and one-stop delivery system for effectiveness, including customer satisfaction, physical and programmatic accessibility, and continuous improvement [WIOA § 121(g)(1) and 20 CFR 678.800].

The AWDB criteria for evaluation of the comprehensive Workforce centers is the minimum criteria listed in this policy. Affiliate centers are required to meet only the criteria that are relevant to the programs in these centers.

LWDBs may establish additional criteria relating to service coordination achieved by the one-stop delivery system. If the LWDB does establish additional criteria, the criteria must be in their Local Plan, which must be approved by the AWDB [20 CFR 678.800, 34 CFR 361.800, 34 CFR 463.800, & TEGL 16-16].

Although management of the Workforce Centers is the shared responsibility of the AWDB, LWDBs, CEOs, the six WIOA cored program partners, required one-stop partners and other additional one-stop partners, Arkansas Workforce Center operators, and service providers [TEGL 16-16], LWDBs have the responsibility of oversight of the Centers with respect to a successful service delivery system [WIOA §121(a)(3)]. The certification process establishes a minimum level of quality and consistency of services in Arkansas Workforce Centers across the State. The certification criteria allow States to set standard expectations for customer-focused seamless services from a network of employment, training, and

related services that help individuals overcome barriers to obtaining and maintaining employment.

Evaluations of effectiveness must include how well the one-stop center integrates available services for participants and businesses, meets the workforce development needs of participants and the employment needs of local employers, operates in a cost-efficient manner, coordinates services among the one-stop partner programs, and provides access to partner program services to the maximum extent practicable, including providing services outside of regular business hours where there is a workforce need, as identified by the LWDB. These evaluations must take into account feedback from one-stop customers. They must also include evaluations of how well the one-stop center ensures equal opportunity for individuals with disabilities to participate in or benefit from the one stop center services. These evaluations must include criteria evaluating how well the centers and delivery systems take actions to comply with the disability-related regulations implementing WIOA §188 [20 CFR 678.800(b), 34 CFR 361.800, & 34 CFR 463.800].

Comprehensive Arkansas Workforce Centers:

Each LWDA must have at least one certified comprehensive Arkansas Workforce Center, as described in WIOA § 121(g), 20 CFR 678.305, 34 CFR 361.305, and 34 CFR 463.305 [TEGL 16-16 (4)(C)]. Each comprehensive Arkansas Workforce Center must have during regular business hours [TEGL 16-16 (4)(C) & 20 CFR 678.305]:

- At least one WIOA title I staff person physically present
- Career services provided as listed in 20 CFR 678.430, 34 CFR 361.430, and 34 CFR 463.430
- Access to training services described in 20 CFR 680.200
- Access to any employment and training activities carried out under WIOA §134(d)
- Access to programs and activities carried out by one-stop partners listed in 20 CFR 678.400 through 678.410, 34 CFR 361.400 through 361.410, and 34 CFR 463.400 through 463.410
- Workforce and labor market information.

A customer must have access to all these programs, services and activities during regular business hours [TEGL 16-16, 20 CFR 678.305(c), 34 CFR 361.305(c); & 34 CFR 463.305(c)]. The LWDB may establish other service hours and other times to accommodate the schedules of individuals who work on regular business days or who, because of life circumstances, are not able to access the comprehensive Center during regular business hours. Centers that are not open outside of regular business hours should have a plan for how they will provide services to individuals who cannot visit a center during regular business hours [TEGL 16-16 & 20 CFR 678.305(c)].

“Access” does not mean that each required partner must provide these services directly on-site and the Arkansas Workforce Center. Some career services must be provided directly on-site, but access may also be provided in one of three ways [TEGL 16-16]:

- Having program staff member physically present at the Arkansas Workforce Center,
- Having a staff member from a different partner program physically present at the Arkansas Workforce Center and appropriately trained to provide information to customers about the programs, services, and activities available through all partner programs, or
- Making available a direct linkage through technology to a program staff member who can provide meaningful information or services.

The Arkansas Workforce Center Certification Criteria requires the center to have a business liaison team as the single point of contact for business services. It is expected that staff involved with initiating employer contacts will participate on the team in a coordinated outreach program under the Arkansas Workforce Center name and marketing approach. The team will consist of business contact staff from all partner programs and will, at a minimum, provide the following structure and coordination in approaching the business community [Arkansas State Plan 2020-2023, p. 66]:

- A team leader to coordinate the activities of the team
- A coordinated “script” to market the system to employers
- Use of the Arkansas Workforce Center name as the primary marketing approach, with agency specialty areas (i.e. Arkansas Rehabilitation Services, Services for the Blind, DVOP/LVER Veterans Services) presented as a part of the overall system as needed
- An information sharing strategy that makes contact results available to all team members
- A clear menu of services across all partners
- A division of duties with employer sector specializations as deemed appropriate for quality customer service
- Multiple agency participation with clear cost and information sharing commitments
- At a minimum, job search, employer contacts, job orders, or job development leads performed by any center staff as a result of outreach will be entered into the Wagner- Peysner database (Arkansas Job Link)

The evaluation of the hours of access to service must be part of the evaluation of effectiveness in the one-stop certification process [20 CFR 678.305(c)]. Suggestions for ways that services can be provided during all business hours without representatives of all programs physically at the comprehensive center can be found in TEGL 16-16 and 20 CFR 678.305.

All comprehensive Arkansas Job Centers must be physically and programmatically accessible to individuals with disabilities, as described in WIOA §188 and 29 CFR 38. To ensure meaningful access to all customers, Arkansas Workforce Centers should incorporate the principles of universal and human-centered design. These principles include, for example, flexibility in space usage; the use of pictorial, written, verbal, and tactile modes to present information for customers with disabilities or English language learners; providing clear lines of sight to information for seated or standing users; providing necessary accommodations; and providing adequate space for the use of assistive devices or personal assistants [TEGL 16-16].

Required Partners:

WIOA § 121(b) identifies the required and additional one-stop programs that must be available in a comprehensive workforce center. Generally, the entity that carries out the program serves as the one-stop partner. This may be the grant recipient, administrative entity, or organization responsible for

administering the funds of the specified program in a local area. The term “entity” does not include the service providers that contract with, or are subrecipients of, the local administrative entity. It is the responsibility of Federal grant recipient to ensure that the subrecipient that is providing services in that local area on its behalf participates in the one-stop delivery system. If the Federal grant recipient has issued or awarded part of or its entire program funds to a sub-recipient or subcontractor in accordance with program requirements, the Federal grant recipient remains the entity responsible for fulfilling the roles and responsibilities of a one-stop partner program. If a program does not have a local administrative entity, the responsible State agency is considered the one-stop partner. If a program listed below is not carried out in a local area, the requirement relating to a required one-stop partner are not applicable to that program or entity in regard to that local area’s one-stop delivery system [20 CFR 678.415, 34 CFR 361.415, 34 CFR 463.415, & TEGL 16-16].

Representatives of the following programs and activities (one-stop partners) must be in all comprehensive centers if the programs or activities exist in the areas served by the centers, as explained in the previous paragraph [WIOA § 121(b)(B), 20 CFR 361.400, 20 CFR 678.400, 34 CFR 361.400, 34 CFR 463.400 & TEGL 16-16]:

- WIOA title I-B Adult, Dislocated Worker, and Youth programs
- WIOA title I-B Job Corps
- WIOA title I-D YouthBuild
- WIOA title I-D Native American programs
- WIOA title I-D (Sec. 167) Migrant and Seasonal Farmworker programs
- WIOA title II Adult Education and Family Literacy Act (AEFLA) programs
- WIOA title III Wagner-Peyser Act Employment Service programs authorized under the Wagner-Peyser Act (20 U.S.C. 49 et seq.) as amended by WIOA title (III)
- WIOA title IV-B Vocational Rehabilitation (VR) programs authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. et seq.) as amended by WIOA title IV
- Senior Community Service Employment Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et. seq.)
- Career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (The representative is the eligible recipient(s) at the postsecondary level or a consortium of eligible recipients at the postsecondary level in the local area) [20 CFR 678.415]
- Trade Adjustment Assistance activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.)
- Jobs for Veterans State Grants programs authorized under chapter 41 of title 38, U.S.C.
- Employment and training activities carried out under the Community Services Block Grant (42 U.S.C. 9901 et seq.)
- Employment and training activities carried out by the Department of Housing and Urban Development
- Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law)
- Reentry Employment Opportunities (REO) programs authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) and WIOA sec. 169
- Temporary Assistance for Needy Families (TANF) authorized under part A of title IV of the Social

Security Act (42 U.S.C. 601 et seq.)

Specific information concerning the entities out each of these programs and activities may be found in 20 CFR 678.415, 34 CFR 361.415, & 34 CFR 463.415.

Additional Partners:

With the approval of the LWDB and the CEOs, additional entities that carry out workforce development programs may be one-stop partners. These additional partners may include, but are not limited to *[WIOA §121(b)(2), 34 CFR 361.410, 34 CFR 463.410, & TEGL 16-16]*:

- Employment and training programs administered by the Social Security Administration, including the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b-19)
- Employment and training programs carried out by the Small Business Administration
- Supplemental Nutrition Assistance Program (SNAP) employment and training programs authorized under section 6(d)(4) and 6(o) of the Food and Nutrition Act of 2008 (U.S.C. 2015(d)(4))
- Client Assistance Program authorized under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732)
- Programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.)
- Other appropriate Federal, State, or local programs, including, but not limited to, employment, education, and training programs provided by public libraries or in the private sector

Affiliate Arkansas Workforce Centers:

Local areas may also have affiliate Arkansas Workforce Centers to increase the availability of one-stop services to individuals in the local areas *[20 CFR 678.300 d)]*. An affiliate Arkansas Workforce Center is a site that makes available to job seekers and employer customers one or more of the one-stop partners' programs, services, and activities. An affiliate site does not need to provide access to every required one-stop partner program. The frequency of program staff's physical presence in the affiliated site will be determined at the local level through partner memorandum of understanding (MOU) negotiations. If affiliate sites are used by a local area as part of the service delivery strategy, the affiliate site must be implemented in a manner that supplements and enhances customer access to services *[20 CFR 678.310, 34 CFR 361.310, 34 CFR 463.310, & TEGL 16-16]*.

All affiliated sites must be physically and programmatically accessible to individuals with disabilities, as described in WIOA § 188 and 29 CFR part 38 *[20 CFR 678.310, 34 CFR 361.310, 34 CFR 463.310, & TEGL 16-16]*.

Wagner-Peyser Act employment services cannot be a stand-alone affiliate site. *[20 CFR 652.202, 20 CFR 678.310, 20 CFR 678.315, 34 CFR 361.310, 34 CFR 361.315, 34 CFR 463.310]*. If Wagner-Peyser Act employment services are provided at an affiliated site, there must be at least one or more other partner in the affiliated site with a physical presence of combined staff more than fifty (50) percent of the time the center is open. In addition, the other partner must not be the partner administering local veterans' employment

representatives, disabled veterans' outreach program specialists, or unemployment compensation programs. If Wagner-Peyser Act employment services and any of these 3 programs are provided at an affiliated site, an additional partner or partners must have a presence of combined staff in the center more than fifty (50) percent of the time the center is open [20 CFR 652.202, 20 CFR 678.315, 34 CFR 361.315; 463.315].

Roles of Partners

1. Provide Career Services (must be available in all Arkansas Workforce Centers):

At a minimum, all of the basic career services described in *WIOA §134(c)(2)(A)(i-xi)*, *20 CFR 678.430(a)*, *34 CFR 361.430(a)*, and *34 CFR 463.430(a)* must be provided in local area through the one-stop delivery system (see these references and TEGL 16-16 for more details concerning this list):

- Determination whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs, including co-enrollment among these program
- Outreach, intake, and orientation to inform about other programs and services available through the one-stop delivery system
- Initial assessment of skill levels, aptitudes, abilities, and supportive service needs
- Labor exchange services, including job search, career counseling, information on in-demand occupations, information on nontraditional employment, and information from career profiles and interest inventories
- Referrals to, and coordination of activities with, other programs and services
- Workforce and labor market employment information, including job vacancy listings, information on job skills necessary to obtain the vacant jobs listed, and information related to local occupations in-demand, their earnings, skill requirements, and opportunities for advancement
- Performance information and program cost information on eligible training providers
- Information on local performance measures
- Information concerning and referral to childcare, child support, medical assistance, SNAP, earned income tax credit, HUD housing assistance, TANF, transportation assistance, and other supportive services
- Assistance in obtaining financial aid for training programs, if not provided through WIOA
- Assistance in filing unemployment insurance claims

2. Provide Individualized Career Services as appropriate to eligible individuals when these services are necessary for an individual to obtain or retain employment [20 CFR 678.430(b), 34 CFR 361.430(b), 34 CFR 463.430(b), & TEGL 16-16] (Must be available in all comprehensive centers):

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include diagnostic testing, other assessment tools, and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals
- Development of an individual employment plan
- Group counseling, which involves addressing certain issues, problems, or situations shared by group members

- Individual counseling, which is a one-on-one session regarding certain issues, problems, or situations
 - Career planning
 - Short-term pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training
 - Internships and work experiences (including transitional jobs) that are linked to careers
 - Workforce preparation activities, as listed in 34 CFR 463.34
 - Financial literacy services for youth
 - Out-of-area job search assistance and relocation assistance
 - English language acquisition programs, as described in 34 CFR 463.31
 - Integrated education and training programs, as described in 34 CFR 463.35
 - VR career services authorized under 34 CFR 361.48(b)
3. **Provide Follow-up Career Services** as appropriate and allowed for each partner program.
 4. **Provide Business Services** as described in 20 CFR 678.435, 34 CFR 361.435, 34 CFR 463.435, and TEGL 16-16 and as is appropriate for each partner program.
 5. **Develop a Memorandum of Understanding (MOU)** [20 CFR 678.500, 34 CFR 361.500, 34 CFR 463.500, TEGL 16-16]

The MOU is an agreement developed and executed by the LWDB and the one-stop operators, with the agreement of the CEOs, relating to the operation of the one-stop delivery system. Each Center may use an “umbrella” MOU that groups all partner programs together, or partners may enter into separate agreements between each partner or groups of partners.

MOUs must include [TEGL 16-16]:

- A description of the services to be provided, the method of providing the services, the frequency of the program staff’s physical presence in an affiliated site, and the method of referring individuals between partners.
- A description of how the shared costs of services provided by the one-stop system and the operating costs of the system will be funded. (The infrastructure funding agreement is separate.)
- How the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials available through the one-stop system.
- Method(s) for referral to appropriate services and activities between the one-stop operator and partner programs or between partner programs.
- The duration of the MOU (The MOU must be renewed not less than once every three years.)
- The MOU modification process. (Requirements for modification are in TEGL 16-16, page 20.)
- The signatures of the CEO(s), the LWDB Director, and authorized representatives of each partner program.

Additional information about the requirement of MOUs may be found in TEGL 16-16.

PROCEDURES:

It is the responsibility of the one-stop operator to ensure that basic career services as identified in WIOA §134(c)(2) are available at all times during business hours; to facilitate integrated partnerships to serve common customers; to ensure that the Workforce Center is compliant with WIOA §188; to develop and implement an integrated system of performance, communication, and case management; to ensure that technology is used to integrate and expand service offerings; and to encourage communication, capacity-building, and training between partner programs [TEGL 16-16].

Arkansas Workforce Centers (both comprehensive and affiliate) must be evaluated no less than once every three years [WIOA § 121(g)(1), 20 CFR 678.800, 34 CFR 361.800, & 34 CFR 463.800]. This evaluation is carried out by the LWDB (or the Arkansas WDB in those cases where the LWDB is the one-stop operator), using the most recent Form 6.4 (*Application for Arkansas Workforce Certification*) approved by the AWDB. If any criteria or higher standards for service coordination have been established by the LWDB and placed in the Local Plan or the Local Plan modification, and the plan has been approved by the AWDB, the additional criteria must be clearly identified in an addendum to Form 6.4 (*Application for Arkansas Workforce Center Certification*). The center may also be evaluated “for-cause” at any time.

Workforce Center certification teams will be established by each LWDB (or the AWDB in those cases where LWDBs are the one-stop operators [20 CFR 678.800(a)(3)]) and are responsible for conducting independent and objective evaluations of workforce center sites and making certification recommendations to the LWDBs (or AWDB in those cases where the LWDB is the one-stop operator).

Workforce Center certification teams are comprised of at least three members. Suggested team members are: a Local WDB member (only one is allowed, per the Arkansas Sunshine Law), at least one individual who represents local partners (but not a LWDB member) with specific expertise serving populations with disabilities or other barriers to employment, and at least one additional member who has expertise in at least one category being evaluated. A LWDB staff member may be included if the LWDB staff does not dually serve in the role as the one-stop operator. Certification team members should be free of conflicts of interest (e.g., The one-stop operator staff may not be on the team. Neither can the local office manager nor anyone else who is housed in the Center.) Certification teams may utilize experts from the state level or outside of the local area to ensure evaluations are objective. They may also utilize local experts who represent targeted populations but have no financial ties with the workforce site. They may divide responsibilities based on the expertise of the individual members.

Workforce center certification teams will render written determinations within 30 days of conducting one-stop site evaluations. There are three possible determinations: (1) certification, (2) provisional certification with a requirement that one-stop operators provide action plans and timelines for meeting certification standards, and (3) not-certified or decertified.

When a LWDB completes the Application(s) for Certification, the application(s) must be submitted by email to wioa@arkansas.gov for review and confirmation before the certification is final. Provisional certifications must be accompanied by a detailed description of the issues/concerns identified so that one-stop operators have sufficient information around which to develop required action plans and timelines. A determination to not certify a workforce center site must be accompanied by a detailed description of the deficiencies, including an explanation as to why the certification team believed the deficiencies could not be addressed or resolved provisionally. AWDB staff must review the application and additional information before the determination is final.

If the determination of the Certification Team is “not certified,” ADWS will not only review all submitted documentation, but will also perform a follow-up visit of the workforce center and to talk with the Certification Team. If this is the first time a determination of other than “certified” has been received by the One-Stop operator at that location or if this is the first time for the certification of that particular location and operator, ADWS will work with the LWDB to determine if a “provisionally certified” determination would be more appropriate and what steps should be taken to bring the one-stop into certification.

If the workforce certification team renders a “not-certified” or “decertified” determination, and a “provisionally certified” determination has been made recently without improvement, then a decision must be made by the LWDB concerning next actions to be taken. If the decision is to terminate the one-stop operator and issue a new request-for-proposals, plans must be submitted to the State to ensure continuity of service between the time the one-stop operator leaves and a new one-stop operator is selected. If other remedies are determined to be more appropriate, this plan of action must be submitted to the State. In either case, a second certification evaluation must be completed within six (6) months of the determination if the improvement plan was effective or if more action must occur.

The marketing activity utilizing the Arkansas Workforce Center name is allowed when the LWDB approves and issues a certification. If a certification is revoked, the affected center must cease using the Arkansas Workforce Center name in all marketing until the identified problems are addressed.

Appeals

Operators of comprehensive workforce center sites that are not certified may choose to appeal those determinations, in writing, to the LWDB (or the AWDB in those cases where the LWDB is the one-stop operator), using the LWDB or AWDB appeals process. Those appeals will be subject to the processes and procedures outlined in the appropriate appeals policy.