

AGENDA

January 31, 2023

ARKANSAS WORKFORCE DEVELOPMENT BOARD EXECUTIVE COMMITTEE MEETING

10:00 a.m.

Estimated Time: 1 hour

Call to Order & Roll Call (3 min).....Tom Anderson, Chair

Agenda Item 1: ACTION

WIOA Title I Program Policies (30 mins) Eddie Thomas, Employment Assistance – Asst. Dir.
Arkansas Division of Workforce Services

Note: Policies will be presented and voted on separately.

- *Regional and Local Plan Two-Year Modifications Policy Guidance (Mary Wilson, Policy Specialist)*
- *ADWS Policy No. 6.4- Certification of Arkansas Workforce Centers Policy and Procedures (Claudia Griffin, Policy Specialist)*
- *ADWS Policy No. 6.5 Certification of Local Workforce Development Boards (Claudia Griffin, Policy Specialist)*
- *ADWS Policy No. 4.5 - WIOA Title I-B Eligible Training Provider (Eddie Thomas, Assistant Director)*

Board Open Discussion (5 mins)

Public Opportunity to Address the Board (3 mins)

Announcements (2 mins)

Adjournment

Location - Via Zoom



**For Consideration of the
Arkansas Workforce Development Board
Executive Committee**

January 31, 2023

AGENDA ITEM 1 – INFORMATION: WIOA Title I Program Policies

INFORMATION/RATIONALE: Under the legislative roles of the board, the board must review various statewide policies for the implementation of WIOA throughout the workforce development system. The policies presented before the board today fall within these requirements. The following policies will be presented and voted on separately:

- Regional and Local Plan Two-Year Modifications Policy Guidance
- ADWS Policy No. 6.4- Certification of Arkansas Workforce Centers Policy and Procedures
- ADWS Policy No. 6.5 Certification of Local Workforce Development Boards
- ADWS Policy No. 4.5 - WIOA Title I-B Eligible Training Provider



Hugh McDonald
SECRETARY OF COMMERCE

Charisse Childers, Ph.D.
DIRECTOR
DIVISION OF WORKFORCE SERVICES

DIVISION OF WORKFORCE SERVICES ISSUANCE NUMBER PY XX-XX

January 31, 2023

FROM: Charisse Childers, Ph.D., Director

TO: Local Workforce Development Board Chairs
Local Workforce Development Board Directors
Local Chief Elected Officials

SUBJECT: Modification requirements for Workforce Innovation and Opportunity Act (WIOA) Regional and Local Plans - Program Years PY 22-23

- I. **Purpose:** The purpose of this workforce system guidance is to provide modification requirements, submission process, and deadline for the required modifications of the WIOA Regional and Local Plans for (PYs) 2022-2023. Local workforce development boards are expected to share this guidance with their respective board chairs and chief elected officials (CEOs).
- II. **References:**
 - a. WIOA §§106(a)(c),102,108
 - b. 20 CFR 679
 - c. 29 CFR part 38.
 - d. TEN 21-16
 - e. TEGL 4-21
- III. **Background:** The Workforce Innovation and Opportunity Act requires each local workforce development board to submit a four-year plan to the Governor's administrative entity. Each plan must be modified at the end of the first two years to reflect changes in labor market and economic conditions or other factors affecting the implementation of the local plan.
- IV. **Content:** For the purpose of developing and submitting Regional and Local Plan modifications for PYs 22-23, it is critical that local boards reevaluate economic and labor market information (LMI) and adjust strategies for what may currently be a different set of growing and declining industries, occupations, and skills, thereby ensuring Regional and Local Plan modifications reflect changes in the labor market and economic conditions and other factors affecting the implementation of Local Plans as required by **[WIOA §102(c)(3)(A)]**.
- V. **Action Required:** Local board members and chief elected officials must review and modify their plans **[WIOA § 108 (a)]**. Modifications to the plan must be highlighted within the plan so they are easily recognizable. Plans must be submitted to the Arkansas Division of Workforce Services (ADWS) by **April 15, 2023**.

Regional Plan Modification Requirement [20 CFR§ 679.530]:

At the end of the first 2-year period of the 4-year local plan, the local workforce development boards within a planning region, in partnership with the appropriate chief elected officials, must review the regional plan, and prepare and submit modifications to reflect changes in:

- regional labor market and economic conditions; and
- other factors affecting the implementation of the local plan, including but not limited to changes in financing available to support WIOA title I and partner provided WIOA services.

A. Local Plan Modification Requirement [20 CFR§ 679.580]: At the end of the first 2-year period of the 4-year local plan, each local workforce development board, in partnership with the appropriate chief elected official, must review the local plan, and prepare and submit modifications to the local plan to reflect changes in:

- Labor market and economic conditions; and
- other factors affecting the implementation of the local plan, including but not limited to:
 - significant changes in local economic conditions,
 - changes in the financing available to support WIOA title I and partner-provided services,
 - changes to the Local WDB structure, and
 - the need to revise strategies to meet local area performance goals.

Note: Only regions specified by the State as described in WIOA §106(a) must submit regional plans.

B. Public Comment Period. Plan modifications must be posted for a 30-day period of public comment as described in WIOA §106(d). Notification of the posting of the regional/local plan(s) must be made simultaneously to all relevant regional/local stakeholders, as well as to the ADWS. The 30-day comment period must begin and be completed in time to meet the April 15, 2023, submission date.

Any comments received concerning the contents of the regional or local plan modifications must be addressed within that plan prior to the submission of the plan to the Arkansas Division of Workforce Services. [20 CFR §679.510(b); §679.550(b)]

C. Modified Plan Submission and Approval.

A. Submission. All modified regional/local plan packages must be submitted electronically to the following email address by close of business on April 15, 2023. Please submit electronically to: wioa@arkansas.gov .

B. Approval. Modifications to regional/local plan submitted to the ADWS are considered approved if the ADWS provides the point of contact with notification of approval; or at least 90 days has passed since the receipt of the modified plan by ADWS and the plan point of contact has not received communication from ADWS, whichever comes first [WIOA § 108(e)].

C. Non-Approval. A regional or local Plan submitted to the ADWS will not be approved for any of the following reasons [20 CFR 679.520; 679.570]:

- There are deficiencies in workforce investment activities that have been identified through audits and the local area has not made acceptable progress in implementing

plans to address deficiencies; or

- The plan does not comply with applicable provisions of WIOA and the WIOA regulations, including the required consultations and public comment provisions, and the nondiscrimination requirements of 29 CFR part 38.
- The plan does not align with the State Plan, including with regard to the alignment of the core programs to support the strategy identified in the State Plan in accordance with WIOA sec. 102(b)(1)(E) and § 676.105.

E. **Inquiries.** All questions or concerns may be submitted to Eddie Thomas, ADWS EA Assistant Director at Eddie.Thomas@arkansas.gov.

F. **Attachments:**

Policy 4.7- Regional and Local Plan Guidance Policy & Procedures:

Appendix A. PY2020 - PY2023 Regional Plan Template

Appendix B. PY2020 - PY2023 Local Plan Template

Appendix C. Local Area WIOA Negotiated Performance Goals

Appendix D. PY2022 - PY2023 Planning References and Resources

G. **Expiration Date:** June 30, 2024



Workforce Innovation and Opportunity Act
Office of Employment Assistance

ADWS Policy Number: WIOA I-B 4.7 Effective Date: January 31, 2023

**ARKANSAS DIVISION OF WORKFORCE SERVICES
REGIONAL AND LOCAL PLAN GUIDANCE POLICY**

- I. Purpose:** The purpose of this workforce system guidance is to provide modification requirements, submission process, and deadline for the required modifications of the WIOA Regional and Local Plans for (PYs) 2022-2023. Local workforce development boards are expected to share this guidance with their respective board chairs and chief elected officials (CEOs).
- II. References:**
- a. WIOA §§106(a)(c),102,108
 - b. 20 CFR 679
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 - d. TEN 21-16
 - e. TEGL 4-21
- III. Background:** The Workforce Innovation and Opportunity Act requires each local workforce development board to submit a four-year plan to the Governor's administrative entity. Each plan must be modified at the end of the first two years to reflect changes in labor market and economic conditions or other factors affecting the implementation of the local plan.

Regional Plan Modification Requirement [20 CFR§ 679.530]:

At the end of the first 2-year period of the 4-year local plan, the local workforce development boards within a planning region, in partnership with the appropriate chief elected officials, must review the regional plan, and prepare and submit modifications to reflect changes in:

- regional labor market and economic conditions; and
- other factors affecting the implementation of the local plan, including but not limited to changes in financing available to support WIOA title I and partner provided WIOA services.

Local Plan Modification Requirement [20 CFR§ 679.580]: At the end of the first 2-year period of the 4-year local plan, each local workforce development board, in partnership with the appropriate chief elected official, must review the local plan, and prepare and submit modifications to the local plan to reflect changes in:

- Labor market and economic conditions; and
- other factors affecting the implementation of the local plan, including but not limited to:
 - significant changes in local economic conditions,
 - changes in the financing available to support WIOA title I and partner-provided services,
 - changes to the Local WDB structure, and
 - the need to revise strategies to meet local area performance goals.

Note: Only regions specified by the State as described in WIOA §106(a) must submit regional plans.

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PY 2022 - 2023 Regional Plan Modification Requirements

WIOA requires regional planning – a broad strategic approach to planning focused on the overarching vision, goals, alignment, and shared responsibilities within the region.

In a narrative format, please address the following elements in the modification of the 4-year regional plan.

- 1.1. Provide a labor market and economic analysis of the workforce development planning region. This regional analysis must include:
 - A. The economic conditions,
 - B. Labor force employment and unemployment data,
 - C. Information on labor market trends,
 - D. Workforce development activities,
 - E. The educational and skill levels of the workforce, including individuals with barriers, and
 - F. The development and implementation of sector initiatives for existing and emerging in-demand industry sectors or occupations for the region.

Indicate the sources of regional labor market and economic data. **[WIOA Sec. 106(c)(1)(C)]**

- 1.2. Based upon the regional labor market and economic conditions analysis and *Arkansas's Workforce Development Plan (PY 2020 –PY 2023)* describe the planning region's economic and workforce development-oriented vision and strategic goals. **[WIOA Sec. 106(c) and Sec. 107(d)]**
- 1.3. Describe how the planning region will establish an agreement concerning how the planning region will collectively negotiate and reach agreement with the State on local levels of performance for, and report on, the performance accountability measures described in WIOA Section 116(c), for local areas and the planning region. **[WIOA Sec. 106(c)(H)] [20 CFR 677.210(b) and (c)] and [20 CFR 679.510(a)(2)]**

PY 2022 - 2023 Local Plan Modification Requirements

WIOA requires each Local WDB, in partnership with the appropriate chief elected official, to review and submit modifications to their local plan. The following sections of the local plan must be modified:

- Labor Market and Economic Conditions
- Significant Changes in Local Economic Conditions
- Changes in the Financing Available to Support WIOA Title I and Partner Provided Services
- Changes to the Local Workforce Development Board Structure
- The Need to Revise Strategies to Meet Local Performance Goals
- Covid Recovery, Readiness, Diversity, and Inclusion

Section 1: Workforce and Economic Analysis

Please provide a separate response for each of the elements listed below.

1.1. Provide an analysis of the economic conditions, including existing and emerging in-demand industry sectors and occupations; and the employment needs of employers in those industry sectors and occupations. **[WIOA Sec. 108(b)(1)(A)] and [20 CFR 679.560(a)]**

Note: Per WIOA Sec. 108(c), existing economic regional and/or local area analyses may be used if sourced data and/or derived analyses are economically relevant and current (i.e., within two years of the issuance of this guidance).

1.2. Provide an analysis of the local workforce, including current labor force employment (and unemployment) data, and information on labor market trends, and the educational and skill levels of the workforce in the region, including individuals with barriers to employment. **[WIOA Sec. 108(b)(1)(C)] and [20 CFR 679.560(a)]**

1.3. Provide an analysis and description of workforce development activities, including type and availability of education, training, and employment activities. Include analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the education and skill needs of the workforce and the employment needs of employers in the region.

Section 2: COVID Recovery, Readiness, Diversity, and Inclusion

Responses are focused on the local area's readiness to continue full operations in the post-COVID era as well as adherence to the Administration's Diversity, Equity, and Inclusion of Workforce Services Initiative.

- 2.1 What is the Local Area's vision for equitable and inclusive recovery and reemployment? What are community partners' roles in this vision? How much of this vision is accomplishable with current WIOA funding?
- 2.2 How has the Local Area modified their service delivery strategies and services as the Arkansas Workforce Centers have safely reopened? Is there a thoughtful strategy to deliver services safely and effectively to all individuals, reflective of the President's emphasis on diversity, equity and inclusion of workforce services, and this strategy has been put into action across the local area?

Appendix A: PY 2020 – PY 2023 Regional Plan Template

WIOA requires regional planning— a broad strategic approach to planning focused on the overarching vision, goals, alignment, and shared responsibilities within the region.

Please address the following elements in a narrative of 15 pages or less.

- 1.1 Provide the following:
 - A. A reference name for the planning region;
 - B. Identification of the local workforce development areas that comprise the planning region;
 - C. Identification of the county(ies) each local workforce development area serves;
 - D. Identification of the key planning region committee members charged with drafting the regional plan;
 - E. Indication of the local workforce development area each committee member is associated with; and
 - F. A list of key planning region committee meeting dates. [WIOA Sec. 106(a) and (c)]

- 1.2 Provide a labor market and economic analysis of the workforce development planning region.

This regional analysis must include:

- A. The economic conditions;
- B. Labor force employment and unemployment data;
- C. Information on labor market trends;
- D. Workforce development activities;
- E. The educational and skill levels of the workforce, including individuals with barriers; and
- F. The development and implementation of sector initiatives for existing and emerging in-demand industry sectors or occupations for the region.

Indicate the sources of regional labor market and economic data. [WIOA Sec. 106(c)(1)(C)]

- 1.3 Based upon the regional labor market and economic conditions analysis and *Arkansas's Workforce Development Plan (PY2020-2023)* describe the planning region's economic and workforce development-oriented vision and strategic goals. [WIOA Sec. 106(c) and Sec. 107(d)]

- 1.4 Describe regional strategies used to facilitate engagement of businesses and other employers, including small employers and in-demand industry sector occupations. Describe methods and services to support the regional workforce system in meeting employer needs. [WIOA Sec. 106(c)]

- 1.5 Describe how the planning region will define and establish regional workforce development service strategies. Describe how the planning region will develop and use cooperative workforce development service delivery agreements. [WIOA Sec. 106(c)(B)]

- 1.6 Describe how the planning region will define and establish administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate, for the region. [WIOA Sec. 106(c)(E)]

- 1.7 Describe how the planning region will determine and coordinate transportation and other supportive services for the region. [WIOA Sec. 106(c)(F)]

- 1.8. Describe strategies and services the planning region will employ to coordinate workforce development programs/services with regional economic development services and providers. **[WIOA Sec. 106(c)(G)]**
- 1.9. Describe how the planning region will establish an agreement concerning how the planning region will collectively negotiate and reach agreement with the State on local levels of performance for, and report on, the performance accountability measures described in WIOA Section 116(c), for local areas and the planning region. **[WIOA Sec. 106(c)(H)] [20 CFR 677.210(b) and (c)] and [20 CFR 679.510(a)(2)]**

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Appendix B: PY 2020 - 2023 Local Plan Template

WIOA requires each local workforce area to develop a local plan that supports and is submitted as a component of its associated regional plan. The narratives framed in the local plan will include more detailed, actionable plans and objectives, consistent with the local plan's respective regional plan strategic visions and goals.

Please address the elements outlined below.

Local plans are not expected to exceed 75 pages.

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Section 1: Workforce and Economic Analysis

Please provide a separate response for each of the elements listed below.

1.1 Provide an analysis of the economic conditions, including existing and emerging in-demand industry sectors and occupations; and the employment needs of employers in those industry sectors and occupations.

[WIOA Sec. 108(b)(1)(A)] and [20 CFR 679.560(a)]

Note: Per WIOA Sec. 108(c), existing economic regional and/or local area analyses may be used if sourced data and/or derived analyses are economically relevant and current (i.e., within two years of the issuance of this guidance).

1.2 Provide an analysis of the knowledge and skills required to meet the employment needs of the employers in the local area, including employment needs for in-demand industry sectors and occupations. **[WIOA**

Sec. 108(b)(1)(B)] and [20 CFR 679.560(a)]

1.3 Provide an analysis of the local workforce, including current labor force employment (and unemployment) data, and information on labor market trends, and the educational and skill levels of the workforce in the region, including individuals with barriers to employment.

[WIOA Sec. 108(b)(1)(C)] and [20 CFR 679.560(a)]

1.4. Provide an analysis and description of workforce development activities, including type and availability of education, training, and employment activities. Include analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the education and skill needs of the workforce and the employment needs of employers in the region.

[WIOA Sec. 108(b)(1)(D)] and [20 CFR 679.560(a)]

Section 2: Strategic Vision and Goals

Section 2 responses will require input from members of the local workforce development board and other local stakeholders. Please provide a separate response for each of the elements listed below.

- 2.1 Describe the local board's strategic vision and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment). Include goals relating to the performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A) to support regional economic growth and economic self-sufficiency. **[WIOA Sec. 108(b)(1)(E)]**
- 2.2 Describe how the local board's vision and goals align with and/or supports the vision and goals for the State's workforce development system as established by the Arkansas Workforce Development Board. **[WIOA Sec. 108(b)(1)(E)]** (See Appendix D: Planning References and Resources)
- 2.3 Describe how the local board's vision and goals contributes to each of the governor's goals. **[WIOA Sec. 108(b)(1)(E)]** (See Appendix D: Planning References and Resources) Note: The State Plan includes several objectives under each goal.
- 2.4 Describe how the local board's goals relate to the achievement of federal performance accountability measures. **[WIOA Sec. 108(b)(1)(E)]**

Section 3: Local Area Partnerships and Investment Strategies

Many of the responses in this section, such as targeted sector strategies, should be based on strategic discussions with the local board and partners. Please provide a separate response for each of the elements listed below.

3.1 Considering the analysis described in Appendix B - Section 1, describe the local board's strategy to work with the entities that carry out the core programs to align resources available to the local area, to achieve the strategic vision and goals described in element 2.1. This analysis should include:

- A. A description of the local workforce development system; include key stakeholders and entities associated with administrative and programmatic/service delivery functions. Examples include elected officials, advocacy groups, local workforce development board and committee structure, fiscal agent, operator(s), required program partners, and major contractors providing Adult/Dislocated Worker/Youth program elements. Describe respective roles and functional relationships to one another;
- B. A list of all Arkansas Workforce Centers in the local area; include address, phone numbers, and hours of operation; and
- C. An attached organization chart that depicts the chief elected official (s), local board, administrative and fiscal entities, and service providers. [WIOA §108(a), §108(b)(1)(F)]

3.2 Describe the workforce development system in the local area that identifies the programs that are included in that system and how the local board will work with the entities carrying out core and other workforce development programs to support alignment to provide services, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et. seq), that support the strategy identified in the State plan under section 102(b)(1)(E). [WIOA Sec. 108(b)(2)]

Note: The six (6) core programs identified by WIOA are: Adult, Dislocated Worker, Youth, Adult Education and Literacy, Wagner-Peyser Program, and Vocational Rehabilitation.

3.3 Describe how the local board, working with the entities carrying out core programs, will expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the local board will facilitate the development of career pathways and co-enrollment, as appropriate, in core programs, and improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable). [WIOA Sec. 108(b)(3)]

3.4 Identify and describe (for each category below) the strategies and services that are and/or will be used to:

- A. Facilitate engagement of employers, including small employers and employers in in-demand industry sectors and occupations, in workforce development programs in addition to targeted sector strategies;
- B. Support a local workforce development system that meets the needs of businesses;
- C. Better coordinate workforce development programs and economic development; and
- D. Strengthen linkages between the one-stop delivery system and unemployment insurance programs.

This may include the implementation of initiatives such as incumbent worker training programs, on-the-job training programs, work-based learning programs, apprenticeship models, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies that support the local board's strategy in element 3.1. [WIOA Sec. 108(b)(4)(A) and (B)]

3.5 Describe local and regional efforts to support and/or promote entrepreneurial skills training and microenterprise services, in coordination with economic development and other partners. [WIOA Sec. 108(b)(5)]

3.6 Describe how the local board coordinates education and workforce investment activities with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services. [WIOA Sec. 108(b)(10)]

3.7 Describe efforts to coordinate supportive services provided through workforce investment activities in the local area, including facilitating transportation for customers. [WIOA Sec. 108(b)(11)]

3.8 Describe strategies to implement the operational goals of the local one-stop system, maximizing coordination of services provided by the State's employment services under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), and the local board's service providers to improve services and avoid duplication. [WIOA Sec. 108(b)(12)]

3.9 Describe how the local board will carry out a review of local applications submitted under WIOA Title II Adult Education and Literacy, consistent with the local plan (as described in WIOA Sec. 107(d)(11) and WIOA Sec. 232). [WIOA Sec. 108(b)(13)]

3.10 Based on the analysis described in Appendix B - Section 1, identify the industries where a sector partnership is currently being convened in the local area or where there will be an attempt to convene a sector partnership and the timeframe. Categorize the sector partnerships as active, emerging, or exploring as defined below.

- Active
 - Has a clear coordinator, convener, or convening team;
 - Is led by industry as demonstrated by private sector members playing leadership roles;
 - Has broad industry engagement as demonstrated by industry members attending meetings, partnering on activities, providing in-kind or financial resources, or similar;
 - Includes critical and engaged partners across programs from workforce development;
 - Can demonstrate that the partnership is not “just a workforce thing,” “just an economic development thing,” or “just an education thing.”
 - Operates in a true labor market region, not within the confines of a workforce area or other geopolitical boundaries;
 - Operates under shared strategic plan, road map, etc.;
 - Can demonstrate clearly identified priorities and an action plan, be able to demonstrate recent or current activities, services or products that are a direct outcome of the partnership.

- Emerging
 - Has at least an interim coordinator, convener, or convening team;
 - Has engaged at least one private sector champion to help drive the launch and implementation of a sector partnership;
 - Includes individuals from workforce development, education, economic development and other programs or organizations in strategic partner roles;
 - Actively working to implement strategic priorities outlined in a launch meeting.

- Exploring
 - Is in the infancy stage, but actively considering or planning the preparation needed to launch a partnership;
 - Working to identify partners who would be involved;
 - Determining if the partnership really makes sense for the community.

3.11 Does the local board currently leverage or have oversight of funding outside of WIOA Title I funding to support the local workforce development system? Briefly describe the additional funding and how it will impact the local system. If the local board does not currently have oversight of additional funding, describe any plans to pursue them.

Section 4: Program Design and Evaluation

Many of the responses below should be based on strategic discussions between the local board and one-stop partners. Please provide a separate response for each of the elements listed below.

4.1 Describe the one-stop delivery system in the local area including:

- A. The local board's efforts to ensure the continuous improvement of eligible providers of services, including contracted service providers and providers on the eligible training provider list, and ensure that such providers meet the employment needs of local employers, workers, and jobseekers. [WIOA Sec. 108(b)(6)(A)]
- B. How the local board will facilitate access to services provided through the one-stop delivery system in remote areas, using technology, and through other means. [WIOA Sec. 108(b)(6)(B)]
- C. How entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with WIOA section 188, and applicable provisions of the Americans with Disabilities Act of 1990 regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities. [WIOA Sec. 108(b)(6)(C)] (See Appendix D: *Planning References and Resources*)
- D. List all required and optional program partners; indicate the program(s) each partner provides and the physical location where the program(s) can be accessed. Describe the roles and resource contributions of the partners. [WIOA Sec. 108(b)(6)(D)]
- E. Describe how the workforce centers are implementing and transitioning to an integrated technology-enabled intake and case management information system for core programs. [WIOA Sec. 108(b)(21)]

4.2 Describe the local board's assessment of the type and availability of adult and dislocated worker employment and training activities in the local area. [WIOA Sec. 108(b)(7)]

4.3 Describe how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities. [WIOA Sec. 108(b)(8)]

4.4 Describe the local board's assessment of the type and availability of youth workforce activities, including activities for youth with disabilities. Identify successful models and best practices for youth workforce activities relevant to the local area. [WIOA Sec. 108(b)(9)]

Note: This section must include a description of the program design elements as well as how the local area will implement the 14 program elements.

- 4.5 Describe local board actions to become and/or remain a high-performing local board, consistent with the factors developed by the Arkansas Workforce Development Board. **These factors have not been determined but will include effectiveness and continuous improvement criteria for local boards.** [WIOA Sec. 108(b)(18)] **(See Appendix D: Planning References and Resources)**
- 4.6 Describe how training services will be provided in accordance with **WIOA Sec. 134(c)(3)(G)**, the process and criteria for issuing individual training accounts. **[WIOA Sec. 108(b)(19)]**
- 4.7 If contracts for training services are used, describe processes utilized by the local board to ensure informed customer choice in the selection of training programs, regardless of how the training services are to be provided. **[WIOA Sec. 108(b)(19)]**
- 4.8 Describe the process utilized by the local board to ensure that training provided is linked to in-demand industry sectors or occupations in the local area, or in another area to which a participant is willing to relocate. **[WIOA Sec. 108(b)(22)] and [WIOA Sec. 134(c)(3)(G)(iii)]**

Section 5: Compliance

Responses are focused on the local area's compliance with federal or state requirements. Please provide a separate response for each of the elements listed below.

- 5.1 Describe the replicated cooperative agreements, as defined by **WIOA 107(d)(11)**, in place between the local board and the Vocational Rehabilitation programs operated in the area with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination. **[WIOA Sec. 108(b)(14)]**
- 5.2 Identify the entity responsible for the disbursement of grant funds as determined by the Chief Elected Official(s). **[WIOA Sec. 108(b)(15)]**
- 5.3 Describe the competitive processes to award the subgrants and contracts for activities funded by WIOA Title I programs within the local area. This includes, but is not limited to, the process used to award funds to a one-stop operator and other sub-recipients/contractors of WIOA Title I adult, dislocated worker, and youth services. **[WIOA Sec. 108(b)(16)]**
- 5.4 Describe the local area's negotiated local levels of performance for the federal measures and their implications upon the local workforce system; attach the completed Performance Targets Template. **[WIOA Sec. 108(b)(17)]** *Note: See Appendix D: Planning References and Resources "Performance Targets Template".*
- 5.5 Describe the indicators used by the local board to measure performance and effectiveness of the local fiscal agent (where appropriate), eligible providers and the one-stop delivery system, in the local area. **[WIOA Sec. 108(b)(17)]**

- 5.6 Describe the process used by the local board for the receipt and consideration of input into the development of the local plan in compliance with WIOA section 108(d). Describe the process to provide an opportunity for public comment prior to submission of the local plan. Be sure to address how members of the public, including representatives of business, labor organizations, and education were given an opportunity to provide comments on the local plan. **[WIOA Sec. 108 (b)(20)]**
- 5.7 Prior to the date on which the local board submits a local plan, the local plan must be made available to members of the public through electronic and other means.
- A. Describe how the local board made the local plan available for public comment. **[WIOA Sec. 108(d)(1)];**
 - B. Describe how the local board collected and considered public comments for inclusion in the local plan. **[WIOA Sec. 108(d)(2)];** and
 - C. If any comments were received that represent disagreement with the local plan, include such comments within the local plan's attachments. **[WIOA Sec. 108(d)(3)]**
- 5.8 List the name, organization, and contact information of the designated equal opportunity officer for each workforce center within the local area.

Section 6: COVID Recovery, Readiness, Diversity, and Inclusion

Responses are focused on the local area's readiness to continue full operations in the post-COVID era as well as adherence to the Administration's Diversity, Equity, and Inclusion of Workforce Services Initiative.

- 6.1 What is the Local Area's vision for equitable and inclusive recovery and reemployment? What are community partners' roles in this vision? How much of this vision is accomplishable with current WIOA funding?
- 6.2 How has the Local Area modified their service delivery strategies and services as the Arkansas Workforce Centers have safely reopened? Is there a thoughtful strategy to deliver services safely and effectively to all individuals, reflective of the President's emphasis on diversity, equity and inclusion of workforce services, and this strategy has been put into action across the Local Area?
- 6.3 What are the local strategies to identify, engage and enroll participants who may be unaware of the services available through the public workforce system? How have you ensured these strategies reach all populations, including marginalized and underserved populations?
- 6.4 Has the Local Area created an outreach and engagement plan to make the public more aware of the available services of the public workforce system? If no, does the Local Area plan to create such a plan?

- 6.5 How are partners, including non-traditional and community organizations, being engaged to improve access to services for all populations, including marginalized populations? Is this different for in-person vs. online services? What decisions were made regarding the capacity of the Local Area to provide remote and in-person services to marginalized populations?

- 6.6 What is the Local Area’s plan for increasing the volume of paid and unpaid work experiences, which may include summer and other employment, youth apprenticeship or pre-apprenticeship programs, internships and job shadowing, and on-the-job training? How does this strategy engage and meet the needs of all eligible youth, including those with disabilities or language barriers, and other marginalized or underserved populations?

Section 7: Plan Assurances

Planning Process and Public Comment		References
<p><input type="checkbox"/> 7.1 The local board has processes and timelines, consistent with WIOA Section 108(d), to obtain input into the development of the local plan and provide the opportunity for comment by representatives of business, labor organizations, education, other key stakeholders, and the public for a period that is no less than 30 days.</p>	WIOA Sections 108(d); 20 CFR 679.550(b)	
<p><input type="checkbox"/> 7.2 The final local plan is available and accessible to the public.</p>	20 CFR 679.550(b)(5)	
<p><input type="checkbox"/> 7.3 The local board has established procedures to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes.</p>	WIOA Section 107(e); 20 CFR 679.390 and 679.550	
Required Policies and Procedures		References
<p><input type="checkbox"/> 7.4 The local board makes publicly available any local requirements for the public workforce system, such as policies, including policies for the use of WIOA Title I funds.</p>	20 CFR 679.390	
<p><input type="checkbox"/> 7.5 The local board has established a written policy or procedure that identifies circumstances that might present conflict of interest for any local workforce investment board or entity that they represent and provides for the resolution of conflicts.</p>	WIOA Section 107(h); 20 CFR 679.410(a)-(c)	
<p><input type="checkbox"/> 7.6 The local board has copies of memoranda of understanding between the local board and each one-stop partner concerning the operation of the one-stop delivery system in the local area and has provided the State with the latest versions of its memoranda of understanding.</p>	WIOA Section 121(c); 20 CFR 678.500-510	
<p><input type="checkbox"/> 7.7 The local board has written policy or procedures that ensure one-stop operator agreements are reviewed and updated no less than once every three years.</p>	WIOA Section 121(c)(v)	
<p><input type="checkbox"/> 7.8 The local board has negotiated and reached agreement on local performance measures with the local chief elected official(s) and the Governor.</p>	WIOA Sections 107(d)(9) and 116(c); 20 CFR 679.390(k) and 677.210(b)	
<p><input type="checkbox"/> 7.9 The local board has procurement policies and procedures for selecting one-stop operators, awarding contracts under WIOA Title I Adult and Dislocated Worker funding provisions, and awarding contracts for Youth service provision under WIOA Title I in accordance with applicable state and local laws, rules, and regulations, provided no conflict exists with WIOA.</p>	WIOA Sections 121(d) and 123; 20 CFR 678.600-615 and 681.400	
<p><input type="checkbox"/> 7.10 The local board has procedures for identifying and determining the eligibility of training providers and their programs to receive WIOA Title I individual training accounts.</p>	WIOA Sections 107(d)(10), 122(b)(3), and 123;20 CFR 679.370(l)-(m) and 680.410-430	

Required Policies and Procedures (Continued)	References
<p>7.11 <input type="checkbox"/> The local board has written procedures for resolving grievances and complaints alleging violations of WIOA Title I regulations, grants, or other agreements under WIOA and written policies or procedures for assisting customers who express interest in filing complaints at any point of service, including, at a minimum, a requirement that all partners can identify appropriate staff contacts and refer customers to those contacts.</p>	<p>WIOA Section 181(c); 20 CFR 683.600</p>
<p>7.12 <input type="checkbox"/> The local board has established at least one comprehensive, full-service one-stop center and has a written process for the local Chief Elected Official and local board to determine that the center conforms to the definition therein.</p>	<p>WIOA Section 121(e)(2)(A); 20 CFR 678.305</p>
<p>7.13 <input type="checkbox"/> All partners in the local workforce and education system described in this plan ensure the physical, programmatic and communications accessibility of facilities, programs, services, technology, and materials in one-stop centers for individuals with disabilities.</p>	<p>WIOA Section 188; 29 CFR parts 37.7-37.9; 20 CFR 652.8(j)</p>
<p>7.14 <input type="checkbox"/> The local board ensures that outreach is provided to populations and sub-populations who can benefit from one-stop services.</p>	<p>WIOA Section 188; 29 CFR 37.42</p>
<p>7.15 <input type="checkbox"/> The local board implements universal access to programs and activities to individuals through reasonable recruitment targeting, outreach efforts, assessments, service delivery, partner development, and numeric goals.</p>	<p>WIOA Section 188; 29 CFR 37.42</p>
<p>7.16 <input type="checkbox"/> The local board complies with the nondiscrimination provisions of Section 188 and assures that Methods of Administration were developed and implemented.</p>	<p>WIOA Section 188; 29 CFR 37.54(a)(1)</p>
<p>7.17 <input type="checkbox"/> The local board collects and maintains data necessary to show compliance with nondiscrimination provisions of Section 188.</p>	<p>WIOA Section 185; 29 CFR 37.37</p>
<p>7.18 <input type="checkbox"/> The local board complies with restrictions governing the use of federal funds for political activities, the use of the one-stop environment for political activities, and the local board complies with the applicable certification and disclosure requirements</p>	<p>2 CFR Part 225 Appendix B; 2 CFR Part 230 Appendix B; 48 CFR 31.205-22; RCW 42.52.180; TEGL 2-12</p>
<p>7.19 <input type="checkbox"/> The local board ensures that one-stop Migrant and Seasonal Farmworker (MSFW) and business services staff, along with the Migrant and Seasonal Farm Worker program partner agency, will continue to provide services to agricultural employers and MSFWs that are demand-driven.</p>	<p>WIOA Section 167</p>
<p>7.20 <input type="checkbox"/> The local board follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIOA, and applicable Departmental regulations.</p>	<p>WIOA Sections 116(i)(3) and 185(a)(4); 20 USC 1232g; 20 CFR 677.175 and 20 CFR part 603</p>

Administration of Funds	References
<p>7.21 <input type="checkbox"/> The local board has a written policy and procedures to competitively award grants and contracts for WIOA Title I activities (or applicable</p>	<p>WIOA Section 108(b)(16); 20 CFR 679.560(a)(15);</p>
<p>federal waiver), including a process to be used to procure training services made as exceptions to the Individual Training Account process.</p>	<p>WIOA Section 134(c)(3)(G); 20 CFR 680.300-310</p>
<p>7.22 <input type="checkbox"/> The local board has accounting systems that follow current Generally Accepted Accounting Principles (GAAP) and written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to insure proper disbursement and accounting of WIOA adult, dislocated worker, and youth program funds.</p>	<p>WIOA Section 108(b)(15)</p>
<p>7.23 <input type="checkbox"/> The local board ensures compliance with the uniform administrative requirements under WIOA through annual, on-site monitoring of each local sub-recipient.</p>	<p>WIOA Section 184(a)(3); 20 CFR 683.200, 683.300, and 683.400-410</p>
<p>7.24 <input type="checkbox"/> The local board has a written debt collection policy and procedures that conforms with state and federal requirements and a process for maintaining a permanent record of all debt collection cases that supports the decisions made and documents the actions taken with respect to debt collection, restoration, or other debt resolution activities.</p>	<p>WIOA Section 184(c); 20 CFR Part 652; 20 CFR 683.410(a), 683.420(a), 683.750</p>
<p>7.25 <input type="checkbox"/> The local board will not use funds received under WIOA to assist, promote, or deter union organizing.</p>	<p>WIOA Section 181(b)(7); 20 CFR 680.850</p>
Eligibility	References
<p>7.26 <input type="checkbox"/> The local board has a written policy and procedures that ensure adequate and correct determinations of eligibility for WIOA-funded basic career services and qualifications for enrollment of adults, dislocated workers, and youth in WIOA-funded individualized career services and training services, consistent with state policy on eligibility and priority of service.</p>	<p>20 CFR Part 680 Subparts A and B; 20 CFR Part 681 Subpart A</p>
<p>7.27 <input type="checkbox"/> The local board has a written policy and procedures for awarding Individual Training Accounts to eligible adults, dislocated workers, and youth receiving WIOA Title I training services, including dollar and/or duration limit(s), limits on the number of times an individual may modify an ITA, and how ITAs will be obligated and authorized.</p>	<p>WIOA Section 134(c)(3)(G); 20 CFR 680.300-320</p>
<p>7.28 <input type="checkbox"/> The local board has a written policy and procedures that establish internal controls, documentation requirements, and leveraging and coordination of other community resources when providing supportive services and, as applicable, needs-related payments to eligible adult, dislocated workers, and youth enrolled in WIOA Title I programs.</p>	<p>WIOA Sections 129(c)(2)(G) and 134(d)(2); 20 CFR 680.900-970; 20 CFR 681.570</p>

<p>7.29 <input type="checkbox"/> The local board has a written policy for priority of service at its workforce centers for local workforce providers that ensures veterans and eligible spouses are identified at the point of entry, made aware of their entitlement to priority of service, and provided information on the array of employment, training and placement services and eligibility requirements for those programs or services.</p>	<p>Jobs for Veterans Act; Veterans' Benefits, Health Care, and Information Technology Act; 20 CFR 1010; TEGL 10-09</p>
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Appendix C: Performance Goals

Plan modifications must identify expected levels of performance for each indicator of performance for the two years covered by the plan modification. The local boards must reach an agreement with the ADWS, on the negotiated levels of performance for each of the two years of the plan modification.

The Adult, Dislocated Worker, Youth will have two full years of data available to make reasonable determinations of expected levels of performance for the following levels of performance for the following indicators for

Program Years 22-23:

- Employment (Second Quarter after Exit),
- Employment (Fourth Quarter after Exit),
- Credential Attainment Rate, and
- Measurable Skills Gains.

PY2022 – PY 2023 Performance Targets Template

Local Area WIOA Negotiated Performance Goals

Name of local workforce development area: _____

WIOA Performance Measures	Local Area PY22-23 Performance Goals
Employment (Second Quarter after Exit)	
Adult	%
Dislocated Worker	%
Youth (Education or Training Activities or Employment)	%
Employment (Fourth Quarter after Exit)	
Adult	%
Dislocated Worker	%
Youth (Education or Training Activities or Employment)	%
Median Earnings (Second Quarter after Exit)	
Adult	\$
Dislocated Worker	\$
Youth	\$
Credential Attainment Rate	
Adult	%
Dislocated Worker	%
Youth	%
Measurable Skill Gains	
Adult	%
Dislocated Worker	%
Youth	%
Effectiveness in Serving Employers	
Adult	Baseline
Dislocated Worker	Baseline
Youth	Baseline

Appendix D: Planning References and Resources

Local Areas must list each of the state's strategic goals in their plans and develop their own objectives for inclusion in the local plan.

State of Arkansas Combined Workforce Development Strategic Plan (*State Plan*)

On July 22, 2014, President Obama signed the Workforce Innovation and Opportunity Act (WIOA) providing a framework for Governors and states to make changes to their workforce systems. The federal law sets the parameters for the workforce system which is an integral part of the State's ability to serve jobseekers and employers. WIOA will enable the State to align workforce priorities across multiple partners, training providers, employers, and others to ensure we are creating a skilled workforce for today and the future.

An effective workforce development system will be built on a foundation of alignment, innovation, employer engagement, accountability structures and improved data. Arkansas will look beyond WIOA to set broad goals for a comprehensive workforce development system. We will do this by providing the highest quality of service to jobseekers and employers through well-coordinated approaches at the state and local levels. System access will be enhanced using technology and creative partnerships with community organizations and other service providers. While access will be improved for all jobseekers, the provision of services and training will be focused on those most in need and hardest to serve.

The four main goals in the State's Combined WIOA Plan are as follows:

Strategic Goal 1: Develop an efficient partnership with employers, the educational system, workforce development partners, and community-based organizations to deliver a platform that will prepare a skilled workforce for existing and new employers.

Goal 1 Objectives:

1. Expand employer partnerships through the support of industry engagement.
2. Identify and promote best practices (private and public) for developing and sustaining partnerships.
3. Expand partnership with economic development to refine sector strategies.
4. Improve communication/participation between education entities, local and state boards, government agencies, community-based organizations, and employers.
5. Increase accountability and clarity of action between all workforce related boards.
6. Increase the utilization of Registered Apprenticeship programs as viable talent development opportunities.
7. Increase connections with employers and Vocational Rehabilitation agencies to provide support and employment for youth and adults with disabilities.
8. Partner with K-12 education, higher education, career and technical education, and adult education to provide consistent rules and eliminate barriers to implementing training programs around the State.
9. Explore data sharing opportunities with non-governmental organizations that are committed partners to the state's workforce center system that will lead to improved intake, referral, and case management for customers served by multiple agencies (both public and private).
10. Expand small business participation.

Strategic Goal 2: Enhance service delivery to employers and jobseekers.

Goal 2 Objectives:

1. Develop a common intake process for jobseekers and businesses that will efficiently connect them with services available from all workforce development partner programs and identify any barriers to employment that need to be addressed.
2. Develop an integrated data system that will enable the sharing of information between partner agencies to more efficiently service both employers and jobseekers.
3. Promote training that leads to industry recognized credentials and certification.
4. Support transportable skill sets for transportable careers.
5. Support career pathways development and sector strategy initiatives to meet business and industry needs.
6. Expand service delivery access points using virtual services.
7. Develop a common business outreach strategy with a common message that will be utilized by all workforce system partners.
8. Develop a menu of services available at each service delivery access point that provides a list of the services and training opportunities available through Arkansas's talent development system.
9. Utilize customer satisfaction surveys to ensure continuous improvement of the State's talent development system.
10. Explore data sharing opportunities with non-governmental organizations that are committed partners to the state's workforce center system that will lead to improved intake, referral, and case management for customers served by multiple agencies (both public and private).

Strategic Goal 3: Increase awareness of the State's Talent Development System

Goal 3 Objectives:

1. Increase access to the workforce development system through a no wrong door approach to services.
2. Change employer and jobseeker perceptions of the workforce system.
3. Develop an image-building outreach campaign that educates Arkansans about the services and the career development opportunities available in the State.
4. Utilize technology, including social media and search engine optimization, to better connect jobseekers and employers with the talent development system in Arkansas.
5. Develop a user-friendly website that provides a common repository of information about career development opportunities that are relevant to K-12 education, parents, educators, adults, employers, government agencies, and the public.

Strategic Goal 4: Address Skills Gaps

Goal 4 Objectives:

1. Conduct a statewide skills and asset analysis to determine the skills gap present and resources available to solve the skills issue.
2. Develop and implement an action plan to close the basic core, technical, and soft skills gaps in Arkansas.
3. Analyze the effectiveness of currently used job readiness standards and ensure coordination between the Arkansas Career Readiness Certificate program and the Workforce Alliance for Growth in the Economy (WAGE) program.

PY 2020 – PY 2023 Combined State Plan to be found at <http://dws.arkansas.gov/wioa.htm>

State Policy and Guidance.

State policy can be found at <http://dws.arkansas.gov/wioa.htm>

Labor Market and Workforce Information.

A. Discover Arkansas

Labor Market Information Portal Arkansas Labor Market Information (LMI) is posted online using the <https://www.discover.arkansas.gov/> and is available to the public.

B. Arkansas State Plan Economic and Workforce Analysis

The Arkansas Combined State Plan includes an analysis of the current workforce. The data provided in Section II of the state plan under strategic elements may be very helpful to local boards in conducting a local area and regional economic and workforce analysis.

To provide local workforce boards in the state with tools for development planning in their own areas, data were downloaded and prepared from the Arkansas Division of Workforce Services Labor Market Information (LMI) website, www.discover.arkansas.gov. These data were then turned into interactive visualizations, which are available at the following websites. These visualizations can be downloaded as an image or in PDF format. The goal is to help stakeholders at the state and local level better understand future industry and occupational needs and to provide workforce development boards with the tools needed to better serve their areas.

The data available at <http://arkansasresearchcenter.org/arc/index.php?cid=153> includes:

- Industries
- Job Growth
- Projected Job Growth by Workforce Development Area
- Projected Job Growth by Industry
- Percent Workforce

These data demonstrate the current makeup of the workforce by major industry, as well as projections of the number of jobs these industries will need.

The data available at <http://arkansasresearchcenter.org/arc/index.php?cid=154> includes:

Arkansas Occupations, which includes data visualizations concerning occupations in Arkansas, both current and projections. Occupations are listed by their Standard Occupation Code (SOC) title. The SOC system is hierarchical. SOC Major codes are the top-level occupational areas, such as "Construction and Extraction Occupations." At the next level would be SOC Minor, one of which for the above would be "Construction Trades Workers." Finally, there is SOC Detail, such as "Stonemasons" or "Carpenters." This web tool allows users to manipulate the data by indicating the level of detail desired.

Other Resources.

- TEN 1-15; Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide; July 6, 2015
- TEGL 37-14; Update on Complying with Nondiscrimination Requirements: Discrimination Based on Gender Identity, Gender Expression and Sex Stereotyping are Prohibited Forms of Sex Discrimination in the Workforce Development System; May 29, 2015, Americans with Disabilities Act (ADA)



Hugh McDonald
SECRETARY OF COMMERCE

Charisse Childers, Ph.D.
DIRECTOR
DIVISION OF WORKFORCE SERVICES

DIVISION OF WORKFORCE SERVICES ISSUANCE NUMBER PY XX-XX

January 31, 2023

FROM: Charisse Childers, Ph.D., Director

TO: Local Workforce Development Board Members
Local Workforce Development Board Directors
Local Chief Elected Officials
Arkansas Workforce Center Partners

SUBJECT: Certification of Arkansas Workforce Centers

- I. **Purpose:** The purpose of this issuance is to announce the development of ADWS Policy No. WIOA I-B – 6.4 (*Certification of Arkansas Workforce Centers Policy and Procedures*) and provide basic instructions to Local Workforce Development Boards (LWDBs) regarding the certification of Arkansas Workforce Centers.
- II. **Recission:** This issuance replaces ADWS Issuance No. PY 17-04 (*Certification of Arkansas Workforce Centers*)
- III. **References:**
 - WIOA §§ 101(d), 121, & 188
 - 20 CFR 678.800 & 679.130
 - 34 CFR 361.800 & 463.800
 - TEGL 16-16
- IV. **General Information:** 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 one-stop delivery system. (The one-stop delivery system has been banded nationally as the American Job Center network [TEGL 16-16], and in Arkansas as Arkansas Workforce Centers, a part of the American Job Center network.) This collaboration is done every two (2) years as part of the review and modification of the Arkansas 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, availability, customer satisfaction, physical and programmatic accessibility, and continuous improvement [WIOA § 121(g)(1) and 20 CFR 678.800]. This assessment must also examine the physical and programmatic accessibility in accordance with WIOA § 188 and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), Local WDBs may establish additional criteria relating to service coordination achieved by the one-stop delivery system.

LWDBs are responsible for oversight of the Arkansas Workforce Center(s) in their areas and the delivery of services through those centers [WIOA § 121(a)(3)]. As part of this oversight, LWDBs must assess each Arkansas Workforce Center, following procedures and criteria established by the AWDB, at least once every three years. If the LWDB is the one-stop operator, the Arkansas Workforce Development Board must certify the centers in that area [WIOA § 121(g)(1), 20 CFR 678.800, 34 CFR 361.800, and 34 CFR 463.800].

Due to the onset of the COVID pandemic in 2020, the certification process was delayed until such time that the normal operations of the Arkansas Workforce Centers could resume.

Action Required: Local Workforce Development Boards (LWDBs) and their contractors, as well as partner agencies, should distribute ADWS Policy No. WIOA I-B – 6.4 (*Certification of Arkansas Workforce Centers Policy and Procedures*) and Form 6.4 (*Arkansas Workforce Center Application for Certification*) throughout the system to ensure that workforce system staff are familiar with its content and requirements.

Except in areas where the LWDB serves as the Arkansas Workforce Center operator, each LWDB must complete an Application for Arkansas Workforce Center Certification for every physical center in their geographical local workforce area, including both comprehensive and affiliate centers. Where a LWDB serves as the Arkansas Workforce Center operator, the AWDB must use the criteria to assess and certify the Center(s) [20 CFR 679.130(f)(1)].

In selecting the certification team, LWDBs should utilize caution in ensuring that no more than one (1) Local Workforce Board member participates on the Workforce Center Certification Team. The inclusion and participation of at least two (2) Local Board Members would be viewed as a “meeting” and would require meeting all public notice requirements [Arkansas Freedom of Information Handbook, 20th edition, p. 33].

Each Arkansas Workforce Center, whether comprehensive or affiliate, must be certified by the appropriate entity, using the attached Form 6.4 (*Arkansas Workforce Center Application for Certification*) and the must be submitted to ADWS at wioa@arkansas.gov. by COB March 30, 2023, with the Subject Line “Application for Arkansas Workforce Center Certification”. ADWS, on behalf of the Governor, will review all certification applications and provide confirmation of approval to local boards by April 30, 2023, contingent upon compliance by local areas.

V. **Inquiries:** All questions or concerns are welcome and may be submitted to the following email: wioata@arkansas.gov

VI. **Attachments:**

ADWS Policy No. WIOA I-B – 6.4 (*Certification of Arkansas Workforce Centers Policy and Procedures*)

Form 6.4 (*Arkansas Workforce Center Application for Certification*)

VII. Expiration Date: June 30, 2024



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 15-15].

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), 34 361.305(c); & 34 CFR 463.305(c)]. The LWDB may establish other service hours at 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- Peyser 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.



Hugh McDonald
SECRETARY OF COMMERCE

Charisse Childers, Ph.D.
DIRECTOR
DIVISION OF WORKFORCE SERVICES



Form 6.4
**ARKANSAS WORKFORCE CENTER
APPLICATION FOR CERTIFICATION**

LWDB Name:	Date:
One-Stop Operator:	
Center Manager / OSO Contact:	
Phone of Contact:	
Email of Contact:	
Address of Contact:	
Website for OSO:	
Hours of Operation:	

- Type of Certification:** New Certification
 Continued Certification – Date of Last Certification: _____
- Level of Certification:** Comprehensive
 Affiliate

Instructions

This application is to be completed within no less than once every three years for each workforce center the LWDB is seeking to designate as a certified or recertified Arkansas Workforce Center (either a comprehensive center or an affiliate center). The form is to be completed by the Local Certification Team, but this form may also be used by the One-Stop Operator and one-stop partners as a self-check. The Local Certification Team composition, requirements for the Arkansas Workforce Center, the location of Federal requirements, and other directions are outlined in ADWS Policy 6.4. If the LWDB has compliance criteria in addition to the criteria required by the Arkansas Workforce Development Board, these criteria must also be monitored during the visit in addition to the criteria listed in this form.

Step 1 – Each member of the Center Certification Team must be listed in the appropriate box.

Step 2 – When the Center has been selected for certification, the Center Certification Team will contact the appropriate Center Manager / Contact Person for that Center and schedule the Center Certification visit. For-cause evaluation visits may also be conducted as the LWDB deems appropriate.

Step 3 – Upon arrival at the Center, the Center Certification Team must check-in with the Center Manager / OSO Contact.

Step 3 – The Center Certification Team will request that the Center Manager / OSO Contact provide the documents listed in the Documents Reviewed section below either prior to the onsite certification visit or during the certification visit.

Step 5 –The Center Certification Team will conduct an interview with the Center Manager / Contact Person in order to explain the process and to complete the **Partners Represented in Workforce Center** and **Services Checklist** sections of the application. Care must be taken to ensure that no more than one LWDB member participates in the interview, the discussions, or the evaluation of a Workforce Center.

Step 6 - The Center Certification Team will complete Certification Criteria section of this application via a combination of walking around, observing Center operations, and interviewing the Workforce Center staff and Partner staff.

For each criterion in this section, the Center Certification Team denote “Meets” or “Not Meets” on the application. If “Meets” is selected, the “evidence or basis of determination” must be articulated in the accompanying narrative box. If “Not Meets” is selected, the necessary improvements required to meet the criterion must be described in the accompanying narrative box.

For the Certification Team to recommend to the LWDB that a Workforce Center be certified or recertified, all criteria must be assessed as “Meets” and all indicators must be met. In making their decisions, LWDBs may require additional evidence other than that provided in this application.

Workforce Center Certification Team Members

FIRST NAME	LAST NAME	AGENCY/ENTITY REPRESENTED

Documents Reviewed

Check the boxes for the documents that were reviewed by the Center Certification Team (add notes as appropriate on separate paper, and attach to this application):

- Local MOU and IFA
- Business Plan
- Local Plan
- Local policies, procedures, manuals (List names of policies, procedures, and manuals reviewed on separate paper:
- Complaint and compliance findings
- Marketing and other printed materials
- Training schedules
- Customer feedback reports
- Customer employment plans / case notes
- Local grievance, complaint, and appeals policy, including the document posted at the Workforce Center, including State one-page procedure for individuals
- Most recent annual EO monitoring report in accordance with WIOA §188
- Recent external monitoring reports, including financial reports
- Plan for providing services after-hours

Partners Represented in Workforce Center

Instructions:

Check the appropriate box for each required Program/Partner.

If the programs or activities of a listed entity are not available in the area serviced by the Workforce Center, the entities are not required to be represented in the center and must be marked as Not Applicable.

See Policy 6.4 concerning requirements for comprehensive and affiliate centers

“On-Site scheduled hours per week” is the normal number of hours each week that at least one representative is physically at the Workforce Center.

“Off-Site Electronic Connection” means that a partner is normally available by phone or computer during all business hours to assist Workforce Center Customers.

“Non-Compliant” means:

- A representative of WIOA title I-B Adult, Dislocated Worker, and Youth program is not normally available during all business hours at a comprehensive center; or
- A representative of a required partner provides services in the local area, but not at this comprehensive center.

PARTNERS REPRESENTED IN WORKFORCE CENTER				
Partner	On-Site scheduled hours per week	Off-Site Electronic Connection	Not Applicable	Non-Compliant
WIOA title I-B Adult, Dislocated Worker, and Youth programs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WIOA title I-B Job Corps		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WIOA title I-D YouthBuild		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WIOA title I-D Native American programs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WIOA title I-D (Sec. 167) Migrant and Seasonal Farmworker programs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WIOA title II Adult Education and Family Literacy Act (AEFLA) programs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WIOA Title III Wagner-Peyser Act Employment Service programs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WIOA Title IV-B Vocational Rehabilitation (VR) – Arkansas Rehabilitation Services		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senior Community Service Employment Programs authorized under title V of the Older Americans Act of 1965		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Career and Technical Education Programs authorized under the Carl D. Perkins Act of 2006 (usually local state-supported college or technical institution)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade Adjustment Assistance (Chapter 2 of the Trade Act of 1974)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jobs for Veterans State Grants programs (Chapter 41 of title 37, U.S.C. §4102A(b)(5))		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment and training activities carried out under the Community Services Block Grant (42 U.S.C. 9901 et seq.)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment and training activities carried out by the Department of Housing & Urban Development		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unemployment Compensation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reentry Employment Opportunities (REO) authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532 and WIOA 169)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Temporary Assistance for Needy Families authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Partner:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Partner:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Service Checklist

Purpose: To establish what services are provided in the Workforce Center

Requirements:

A comprehensive center must provide on-site all basic career services listed in 20 CFR 678.430, 34 CFR 361.430, and 34 CFR 463.430 and training services listed in 20 CFR 680.200.

An affiliate center must provide at least one or more of the partner programs. The frequency of program staff’s physical presence in the affiliated site is determined at a local level. Affiliate sites are access points in addition to the comprehensive one-stop center(s) in each area, and they must be implemented in a manner that supplements and enhances customer access to services.

Instructions: Identify if the following services are available on-site for customers. (“yes” means all services within a row are available.)

For comprehensive Workforce centers, customers must have access to the programs, services, and activities listed below during regular business. Affiliate centers must provide services depending on what programs are available in the center during which times (Affiliate centers may consider “during all business hours” in the charts below to mean “during the scheduled time the partners providing these services are available.”

“Access” to each partner program and its services means:

- a) Having a program staff member physically present at the one-stop center;
- b) Having a staff member from a different partner program physically present at the one-stop center appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; or
- c) Making available a direct link through technology to program staff who can provide meaningful information or services. “A direct link” means providing direct connection at the one-stop center, within a reasonable time by phone, or through a real-time Web-based communication to a program staff member who can provide program information of services to the customer. “A direct linkage” cannot exclusively be providing a phone number or computer Web site or providing information, pamphlets, or materials.

A comprehensive Arkansas Workforce Center must have at least one WIOA title I-B staff person physically present during all business hours.

<h2 style="text-align: center;">Basic Career Services</h2>	Is Service Provided on site during all business hours?
1. Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Outreach, intake (including worker profiling), and orientation to information and other services available through the Workforce delivery system. For TANF programs, individuals must be provided with the opportunity to initiate an application for TANF assistance and non-assistance benefits and services.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive services needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Labor exchange services, including job search, placement assistance, career counseling (information on in-demand industry sectors and nontraditional employment), and appropriate recruitment and other business services on behalf of employers (including information and referrals to specialized business services other than those traditionally offered through the one-stop delivery system.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Provision of referrals to and coordination of activities with other programs and services, including programs and services within the Workforce delivery system and, when appropriate, other workforce development programs.	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas (including job vacancy listings in labor market areas and information on job skills necessary to obtain the vacant jobs listed; and information relating to local occupations in demand and the earnings, skills requirements, and opportunity for advancement for those jobs.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Provision of performance information and program cost information on eligible providers of education, training, and workforce services by program and type of providers.	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures.	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance. (including childcare, child support, medical or child health assistance available through the State's Medicaid program and Children's Health Insurance Program, benefits under SNAP, assistance through the earned income tax credit, assistance under TANF, and other supportive services and transportation provided through that TANF.	<input type="checkbox"/> Yes <input type="checkbox"/> No

10. Provision of information and meaningful assistance to individuals seeking assistance in filling a claim for unemployment compensation. (“Meaningful assistance” means (a) providing assistance on-site using staff who are well-trained in unemployment compensation claims filing and the rights and responsibilities of claimants or (b) providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Individualized Career Services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. All of these services must be provided at comprehensive Workforce Centers. At affiliate Workforce Centers, the services must be provided if an included partner is authorized to provide such services.

Individualized Career Services	Is Service Provided on site during business hours?
1. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers (i.e. diagnostic testing and use of other assessment tools and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals)	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Development of an individual employment plan to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of and information about the eligible training providers.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Group counseling	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Individual counseling	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Career planning	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. 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	<input type="checkbox"/> Yes <input type="checkbox"/> No

7. Paid or unpaid internships and work experiences (a planned, structured learning experience that takes place in a workplace for a limited period of time) that are linked to careers	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Workforce preparation activities	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Financial literacy services	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Out-of-area job search assistance and relocation assistance.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. English language acquisition and integrated education and training programs.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Other Career Services	Is Service Provided on site?
1. Follow-up services must be provided, as appropriate, including: Counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. TANF agencies must identify employment services and related support being provided by the TANF program within the local area that qualify as career service and ensure access to them via the local one-stop delivery system.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Notes:

Training Services: Eligible Adults and Dislocated Workers through WIOA title I-B must have access to the following training services through the Arkansas Workforce Center, if they are eligible for such services, need training in order to obtain employment leading to self-sufficiency, cannot obtain employment leading to self-sufficiency without such services, have the ability to be successful in such training, and such training is available. Determination of eligibility, the availability, and appropriateness of training services, as well as starting the process for such services, must be available during business hours.

Training Services	Is Service Provided?
1. A. Occupational skills training, including training for nontraditional employment.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. On-the-job training (OJT).	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Incumbent worker training.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Programs that combine workplace training with related instruction, which may include cooperative education programs.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Training programs operated by the private sector.	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Skills upgrading and retraining.	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Entrepreneurial training.	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Job readiness training provided in combination with training listed in 1-7 above	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, if they are provided concurrently or in combination with training listed in 1-7 above	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training	<input type="checkbox"/> Yes <input type="checkbox"/> No

Business Services: Services to businesses are vital to the success of Arkansas Workforce Centers. Although most of these services are provided by WIOA title III Wagner-Peyser representatives, the following services may be provided by other partners, including a Business Services Team. Each Arkansas Workforce Center should have a Business Services Team to assist employers in their service areas.

Workforce Center Business Services Team Members

FIRST NAME	LAST NAME	AGENCY/ENTITY REPRESENTED	Program(s) Represented

The following business services must be available through the Arkansas Workforce Center:

Business Services	Is Service Provided?
1. Workforce and Labor Market Information	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Develop, convene, or implement industry or sector partnerships	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Establish and develop relationships and networks with large and small employers and their intermediaries.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Customized services to employers, employer associations, or other such organizations, on employment-related issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No

5. Customized recruitment events and related services for employers including targeted job fairs.	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Human resource consultation services, e.g., writing/reviewing job descriptions and employee handbooks; Developing performance evaluation and personnel policies; Creating orientation sessions for new workers; Honing job interview techniques for efficiency and compliance; Analyzing employee turnover; or Explaining labor laws to help employers comply with wage/hour and safety/health regulations.	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Customized labor market information for specific employers, sectors, industries, or clusters.	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Customized assistance or referral for assistance in the development of a registered apprenticeship program.	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Listing of Job Orders.	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Applicant Referral.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Employer Needs Assessment.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Access to Facilities.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Translation Services.	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Developing and delivering innovative workforce investment services and strategies for area employers, e.g., career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area employers and workers.	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. Assistance in managing reductions in force in coordination with rapid response activities and with strategies for the aversion of layoffs, and the delivery of employment and training activities to address risk factors.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Arkansas Workforce Center Certification Criteria

The local center certification team shall assess and determine if the one- stop center has met each criterion below by indicating “Meets” or “Not Meets”.

Please Note: To be certified the center must meet all certification criteria as identified in below.

Standards		Meets	Not Meets
A. Evaluation of Effectiveness			
A.1	Integrates available services for participants and businesses.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Are core partners co-located, at least on a part-time basis? If not co-located, what procedure in in place to ensure all partner programs are accessible and available through the Workforce Center? How are partners collaborating to ensure customers receive the most appropriate services? Interview business services staff. Are all core partners represented on the business services team? Are business outreach efforts coordinated amongst partners to avoid duplication?</i>		
	Evidence:		
A.2	Meets the workforce development needs of participants and the employment needs of local employers.	<input type="checkbox"/>	<input type="checkbox"/>
	Evidence:		
A.3	Operates in a cost-efficient manner.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify cost-sharing processes and procedures are in place and that there is a current cost-sharing agreement among all partners attached to the local MOU.</i>		
	Evidence:		

Standards		Meets	Not Meets
A.4	Coordinates services among the Workforce partner programs.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>How does the Workforce Center management staff identify ways to integrate services to prevent duplication? Are there regular meetings among center staff and partners to address integration of services? Are there policies and procedures in place for making referrals to ALL partner programs?</i>		
	Evidence:		
A.5	Evaluations take into account feedback from Workforce Center customers, including a process for obtaining customer feedback from both employers and job seekers regarding how Workforce services are provided.	<input type="checkbox"/>	<input type="checkbox"/>
	Evidence:		
A.6	Adult Education and Literacy services and Vocational Rehabilitation services are available through Workforce Centers.	<input type="checkbox"/>	<input type="checkbox"/>
	Evidence:		
A.7	Services funded through other partner programs are accessed through Workforce Centers.	<input type="checkbox"/>	<input type="checkbox"/>
	Evidence:		

Standards		Meets	Not Meets
A.8	Identify Sector strategies that meet the needs of local businesses are undertaken through Workforce Centers.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify through staff interviews. Do staff know what the targeted sectors are for the region? Has staff received information and/or training on sector strategies?</i>		
	Evidence:		
A.9	Identify targeted career pathways, including occupations and credentials, needed for in-demand occupations for the Workforce Centers in a local area.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Has staff received information and/or training on career pathways strategies? Do staff appear to understand career pathways and how to use pathway information when assisting customers?</i>		
	Evidence:		
A.10	Identify Workforce Center customer flow business process and how job seekers access career and training services.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify through staff interview and observation.</i>		
	Evidence:		
A.11	The Local MOU between the local workforce board and all required Workforce partners is signed and in place.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Review copy of the local MOU to ensure the requirement has been met.</i>		
	Evidence:		
A.12	There are no center-specific, unresolved Programmatic, Administrative, or Equal Opportunity compliance findings.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Interview Local Equal Employment Officer and Center Manager</i>		
	Evidence:		

Standards		Meets	Not Meets
A.13	The Center has a “Center Manager” (may be referred to by other titles) who has oversight of center operations.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Identify the Center Manager.</i>		
A.14	The Workforce Center adheres to branding requirements and utilizes the official Arkansas Workforce Center logo.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Is the logo properly utilized on handouts, brochures, and other printed materials?</i>		
A.15	Workforce Center staff utilize the Arkansas Job Link System to document all customer activities for job seekers and employers.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify through observation and staff interviews.</i>		
A.16	The Workforce Center abides by Veterans Preference and Priority of Service Requirements.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Observe welcome/intake process. Are customers always asked if they are a veteran? How does the center know which customers are veterans? What policies and procedures are followed? Do staff appear to be aware of Veteran priority of service? Interview the center’s Disabled Veteran Outreach Program specialist (if applicable).</i>		
A.17	The Workforce Center ensures Priority of Service for Adult program participants, in accordance with.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>How is the center ensuring priority for eligible adult program participants? Are staff aware of the Requirements of WIOA I-B Policy 2.3 Eligibility for Adult Program?</i>		
	Evidence:		

Standards		Meets	Not Meets
A.18	A directory containing partner agency contact information and services offered is available to all center staff.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify written or electronic inventory listing is in place and readily available to all staff.</i>		
	Evidence:		
A.19	A menu of available services that is provided to individuals entering the Center.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Is this menu of services provided verbally via a Center visitor orientation or in written form?</i>		
	Evidence:		
B. Evaluations of Physical and Programmatic Accessibility			
B.1	Provision of reasonable accommodations for individuals with disabilities.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Review reasonable accommodations policy and/or procedures. Staff interviews</i>		
	Evidence:		
B.2	Verification that reasonable modifications to policies, practices, and procedures are made where necessary to avoid discrimination against persons with disabilities.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Review reasonable accommodations policy and/or procedures. Staff interviews</i>		
	Evidence:		

Standards		Meets	Not Meets
B.3	Administration of programs in the most integrated setting appropriate.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Staff interviews, including scenarios and observation where appropriate</i>		
	Evidence:		
B.4	Communication with persons with disabilities is conducted as effectively as with others.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Staff interviews, including scenarios and observation where appropriate</i>		
	Evidence:		
B.5	Provision of appropriate auxiliary aids and services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify through staff interviews and observation. Staff and program partners are able to demonstrate they know how to use adaptive and assistive technologies and are aware of the available resources.</i>		
	Evidence:		
B.6	Verify that programmatic and physical accessibility exists.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Verify through observation and staff interviews. Are staff aware of interpreter services/technology available for limited English proficient individuals? Are staff able to articulate how the services are being delivered in an accessible way?</i>		
	Evidence:		

Standards		Meets	Not Meets
B.7	<p>Identify how services will be made available to customers outside regular business hours, including whether physical Workforce access is available outside regular business hours.</p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><i>Staff interview: Does the center provide services outside of regular business hours when the need is identified?</i></p> <p>Evidence:</p>		
B.8	<p>There is at least one WIOA Title I staff member present at the Workforce Center at all times during business hours.</p> <p><i>Verify through observation or timesheets.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Evidence:</p>		
B.9	<p>Regular business hours are clearly visible outside of the Workforce Center building.</p> <p><i>Verify through observation.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Evidence:</p>		
B.10	<p>The local Equal Opportunity Officer periodically reviews policies and procedures regarding accessibility and equal opportunity and provides staff training and updates.</p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><i>Interview with Equal Opportunity Officer. Verify the last time the EO officer reviewed/updated policies/procedures. Have staff received training? How often is training provided? Are new employees trained?</i></p> <p>Evidence:</p>		
B.11	<p>The required Equal Opportunity tagline is included on all documents.</p> <p><i>Verify through document inspection. Review forms, brochures, and handouts given to all customers</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p>Evidence:</p>		

Standards		Meets	Not Meets
B.12	<p>There is a process in place for customers to file Equal Opportunity complaints/grievances and a process for addressing these complaints/grievances when they are filed.</p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><i>Review procedural documents pertaining to EO complaints/grievances. Review process for filing complaints.</i></p>		
	Evidence:		
C. Continuous Improvement			
C.1	<p>Supports the achievement of the negotiated local levels of performance for the indicators of performance for the local area.</p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><i>How is the center staff involved in the negotiation of local levels of performance?</i></p>		
	Evidence:		
C.2	<p>Contributes to negotiated local levels of performance.</p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><i>Do center management and staff know and understand the WIOA performance measures? Has training been provided? Does the center management and staff understand their role in achieving performance?</i></p>		
	Evidence:		
C.3	<p>Identifies a continuous improvement plan when customer feedback indicates issues exist or performance is lacking.</p>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><i>Review policy for reviewing and responding to customer concerns/grievances. Are staff aware of policy and procedures if they receive a customer complaint?</i></p>		
	Evidence:		

Standards		Meets	Not Meets
D. Quality Assurance			
D.1	Customer Relations: Job seeker and business customer satisfaction survey results.	<input type="checkbox"/>	<input type="checkbox"/>
	Evidence:		
D.2	Operations: Registrations, participants, service and training activities, job orders, hires, and customers served.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>How does the center track and analyze number of registrations, participants, service, and training activities, credentials earned, job orders, hires, and customer served? How is data reviewed with staff? How often is the data reviewed?</i>		
D.3	Professional Development: Activities and staff certifications.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Review professional development activities. Identify professional development completed in past year. How often is professional development offered?</i>		
D.4	Adherence to the MOU?	<input type="checkbox"/>	<input type="checkbox"/>
	<i>MOU clearly defines infrastructure cost sharing.</i>		
D.5	Assure standards established for state workforce performance are met.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Operator and Service Provider staff are aware of the LWDB negotiated performance levels for each Program Year. LWDB negotiated performance levels are either met or exceeded for each program year.</i>		
D.5	Evidence:		

Best or Notable Practices

The One-Stop Operator is encouraged to suggest examples of noteworthy practices below.

Best Practices or Notable Practices
Identify any best or notable practices of this Workforce Center in the categories below: Creation and implementation of virtual tools due to COVID-19, Partner relationships, Business Services Team, and Communication Efforts.
<p style="text-align: center; opacity: 0.5; font-size: 48px; transform: rotate(-30deg);">DRAFT 1/17/23</p>

Improvement Opportunities

The One-Stop Operator is encouraged to suggest areas the center should consider strengthening its performance:

Improvement Opportunities

Identify any areas that the center could improve performance, using the categories below:
Develop relationships with local partners (City, Civic, or Service Organizations),
Develop training sessions for Employers on services and tools they can utilize at the Workforce Center,
Continue to work and comply with all social distancing and other CDC recommendations post COVID, and
Enhance job seeker and business feedback regarding services provided.

DRAFT 1/11/20

Each time an LWDB certifies a Workforce Center, it must submit the completed Arkansas Workforce Center Application for Certification to the Arkansas Division of Workforce Services.

Please submit the completed and signed Application for Arkansas Workforce Center Application for Certification to: WIOA@arkansas.gov

LWDA Name:

Name of Workforce Center:

Comprehensive or Affiliate Status:

Address of Workforce Center:

Hours of Workforce Center:

Phone Number of Workforce Center:

Website of Workforce Center:

Completion Date of the Workforce Center Certification:

Review: Certification Period:

Certifying Body (LWDB or AWDB):

Center Certification Team Reviewers:

Lead Reviewer Contact Email and Phone:

Recommendation:

- Certified
- Provisional
- Not Certified

If Provisional Status specify date that final review must occur by (within 3 months):

I certify to the best of my knowledge and belief that the information in this Workforce Center Certification Tool is correct, and that we have appropriate documentation on file to support the submissions claimed herein and the recommendation category selected.

Printed Name of LWDB/AWDB Chair:

Signature of LWDB/AWDB Chair:

Date of Signature:

Printed Name of Chief Elected Official:

Signature of Chief Elected Official:

Date of Signature:



Hugh McDonald
SECRETARY OF COMMERCE

Charisse Childers, Ph.D.
DIRECTOR
DIVISION OF WORKFORCE SERVICES

DIVISION OF WORKFORCE SERVICES ISSUANCE NUMBER PY XX-XX

January 31, 2023

FROM: Charisse Childers, Ph.D., Director

TO: Local Workforce Development Board Members
Local Workforce Development Board Directors
Local Chief Elected Officials

SUBJECT: Certification of Local Workforce Development Boards

I. **Purpose:** The purpose of this issuance is to announce the development of ADWS Policy No. WIOA I-B – 6.5 (*Certification of Local Workforce Development Boards*), which elaborates on information in the *CEO Membership Guide for Local Workforce Development Boards*; and to provide basic instructions to Local Workforce Development Boards (LWDBs) regarding the certification of such boards.

II. **References:**
WIOA § 107
20 CFR 679
Arkansas Act 907 of 2015
A.C.A. § 15-4

III. **General Information:** A.C.A. § 15-4-3709 requires that in every local development area (LWDA) there is a local workforce development board (LWDB) certified by the governor at least once every two (2) years. This local board must consist of representatives of specific positions who were nominated by specific entities, as described in A.C.A. § 15-4 and Arkansas Policy No. WIOA I-B – 6.5 (*Certification of Certification of Local Workforce Development Boards Policy and Procedures*). Certification is based on proper membership of the LWDB and on proper actions taken by the LWDB.

IV. Action Required:

All required documentation listed in ADWS Policy No. WIOA I-B - 6.5, section E.6 must be uploaded to the LWDA's permanent maintenance file through the ADWS SharePoint System. Additionally, local areas must submit a completed Local Workforce Development Board Certification packet to wioa@arkansas.gov by **COB on March 15, 2023**.

V. **Inquiries:** All questions or concerns may be submitted to wioata@arkansas.gov.

VI. Attachments:

- ADWS Policy No. WIOA I-B – 6.5 (*Certification of Local Workforce Development Boards Policy and Procedures*)
- CEO Membership Guide for LWDBs, Attachment A (Board Member Appointment Form)
- CEO Membership Guide for LWDBs, Attachment B (Certification of Local Workforce Development Boards)

VII. Expiration Date: June 30, 2024

DRAFT 1/17/23

Chief Elected Official's Members State of Arkansas - Certification of Local Workforce Development Boards

LWDB Name

Located in

Board Member Roster

Date of Submission

A. Membership Summary

Category	Count of Members	Percentage of Board Membership
Business <i>(Minimum 51%)</i>		
Representatives of the Workforce <i>(20%)</i>		
Education Entities		
Government and Economic Development		
Other		
Total		

NOTE: Membership consists of dual representation in the categories of: (If Applicable)

B. Business Representatives (minimum 51% of board)

Name	Company	Title	Optimum Policy-making	Hiring Authority	Employment opportunities reflect high quality work-relevant training and development in in-demand industry sectors or occupations	Nominated by local business or trade association	Small Business	Minority
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Add Row

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C. Representatives of the Workforce (minimum 20% of board)

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
			Organized Labor	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Organized Labor	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Labor-Apprenticeship Partnership	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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D. Education Entities

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
			Adult Education & Literacy	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Institution of Higher Education	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Add Row

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E. Government and Economic Development

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
			Economic & Community Development	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Wagner-Peyser Program	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Rehabilitation Services - ARS	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Rehabilitation Services - DSB	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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F. Other

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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G. Board Contact Information

Name	Mailing Address	Email	County

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H. Chief Elected Official Approval

Chief Elected Official Name

Signature

Date

**Email
Board Staff**



ADWS Policy Number: WIOA I-B – 6.5 Effective Date: January 31, 2023

Certification of Local Workforce Development Boards Policy and Procedures

PURPOSE: The purpose of this policy is to provide guidance concerning the membership and certification of Local Workforce Development Boards.

REFERENCES:

WIOA § 107
20 CFR 679
Arkansas Act 907 of 2015
A.C.A. § 15-4

BACKGROUND:

Arkansas Act 907 of 2015 requires that in every local workforce development area (LWDA) there is a local workforce development board (LWDB) certified by the Governor, and the purpose of this board is to carry out the functions described in A.C.A. § 15-4-3711 [2 CFR 679.350; A.C.A. § 15-4-3709(a)]. The Governor, in partnership with the Arkansas Workforce Development Board (AWDB), must establish the criteria for use by the chief elected officials (CEOs) in the LWDA's to use in the appointment of members of the LWDBs [WIOA § 107(b)(1); A.C.A. § 15-4-3709(b)].

If, after a reasonable effort, the CEO(S) are unable to reach an agreement concerning the membership of the LWDB, the Governor may appoint the members of the LWDB from among the individuals nominated or recommended for those memberships [A.C.A. § 15-4-3709(g)(3)].

POLICY and PROCEDURES:

A. Certification: The Arkansas Division of Workforce Services, as the WIOA administrative agent of the Governor, will certify each LWDB once every two years [A.C.A. § 15-4-3710(a)].

B. Membership on the LWDB:

The purpose of the LWDB is to:

- Provide strategic and operational oversight in collaboration with the required and additional partners and workforce stakeholders to help develop a comprehensive and high-quality workforce development system in the local area,
- Assist in the achievement of the State's strategic and operational vision and goals as outlined in the Combined State Plan, and
- Maximize and continue to improve the quality of services, customer satisfaction, and effectiveness of the services provided [20 CFR 679.300(b)].

To accomplish this purpose, the members of each LWDB must be carefully chosen from individuals who can best contribute to providing the benefits of the Workforce Innovation and Opportunity Act to all eligible individuals in the local workforce development area (LWDA). To ensure that the most effective representatives of required entities are included on the LWDB, all LWDB member must have optimum policy-making authority within the LWDA for the entities they represent [20 CFR 679.320(ff)]. "Optimum policy-making authority" is defined as an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action [20 CFR 679.340(a)].

The Chief Elected Official(s) of the LWDA appoint the members of the LWDBs, based on the criteria developed by the Governor, partnership with the AWDB, and based on the nomination criteria below [WIOA § 107(b)(1)]; 20 CFR 679.320; & A.C.A. § 15-4-3709(b)&(g)(1)]. If there are more than one CEO in the LWDB, the CEO agreement must include how appointments to the LWDB will be accomplished [WIOA §107(c)(B), A.C.A. § 15-4-3703(1)(A), & A.C.A. § 15-4-3709(g)(2)]. The selection of members for each LWDB will be made from nominees as required in this policy. If there is no required nomination or appointment requirement for a particular situation, such as how the nominations will be divided among the counties of the local area or the entities from which nominations will be accepted when such entities are not specified in State or Federal law, regulations or guidance, the CEO(s) may designate a nomination and/or appointment process as part of the CEO agreement.

When a representative of an Arkansas state agency is required, the Director or Deputy Director of the agency may designate the required representative(s) for the LWDB. If possible, this representative must work within the local area. This designation must be accepted by the CEO(s). The designation of the agency representative must be done in writing by July 1 of each year, either by letter or email signed by the Director or Deputy Director of the agency.

The CEO(s) must establish by-laws, consistent with this State policy for LWDB membership that at a minimum address [20 CFR 679.310(g)]:

- 1) The nomination process used by the CEO(s) to select the Local WDB chair and members;
- 2) The term limitations and how the term appointments will be staggered to ensure only a portion of the membership expire in a given year;
- 3) The process for notifying the CEO(s) of a LWDB member vacancy to ensure a prompt nominee;
- 4) The proxy and alternative designee process that will be used when a LWDB member is unable to attend a meeting and assigns a designee as per the requirements at 20 CFR 679.110(d)(4);
- 5) The use of technology, such as phone and web-based meetings, that will be used to promote LWDB member participation;
- 6) The process to ensure LWDB members actively participate in convening the workforce development system's stakeholders, brokering relationships with a diverse range of employers, and leveraging support for workforce development activities; and

- 7) A description of any other condition governing appointment or membership on the LWDB as deemed appropriate by the CEO(s).

At a minimum, the criteria for the membership of each LWDB must follow the following guidelines [A.C.A. § 15-4-3709(c)]. Documentation attesting to the criteria must be maintained and made available to the certification team.

1. **Business Representatives.** At least fifty-one percent (51%) of the LWDB must be representatives of businesses in the LWDA [WIOA § 107(b)(A)(i); A.C.A. § 15-4-3709(c)(1)] or representatives of organizations that represent businesses in the LWDA [WIOA § 107(b)(A)(i); A.C.A. § 15-4-3709(c)(1)(B)]. At least two (2) of the members must represent small businesses as defined by the U.S. Small Business Administration [20 CFR 679.320(b)]. Each business representative must meet all of the lettered criteria below:
 - a. The business(es) must provide employment opportunities that, at a minimum, include high-quality, work-related training and development in in-demand industry sectors or occupations in the LWDA [A.C.A. § 15-4-3709(c)(1)(B)].
 - b. Each of the business representatives must hold at least one of the following roles in the business described in 1.a above or the organization representing businesses, as described in 1.a above. [WIOA § 107(2)(A); 20 CFR 679.320; A.C.A. § 15-4-3709 (c)(1)(A-B)]:
 - Be the business owner
 - Be the chief executive officer (CEO)
 - Be the chief operating officer (COO)
 - Be another business executives
 - Be another employee with optimum policymaking authority (A representative with “optimum policy-making authority” is an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action [20 CFR 679.340(a)].)
 - Be another employee with optimum hiring authority
 - c. Each of the business representatives must be appointed by the Chief Elected Official(s) from among individuals nominated by local business organizations and business trade associations [WIOA A.C.A. §15-4-3709(c)(1)(C)].
2. **Labor representatives.** Not less than twenty percent (20%) of the members of each LWDB are representatives of the workforce within the LWDA who meet at least one of the following lettered criteria [WIOA § 107(2)(B); 20 CFR 679.320(c); A.C.A. § 15-4-3709(c)(2)]. At least one representative from each of the lettered criteria must be included on the LWDB unless the criterion does not apply or the criterion contains the phrase “may include.”:
 - a. If employees of businesses in the LWDA are represented by one or more labor unions or organizations, the CEO(s) must select at least two labor representatives from individuals nominated by local labor federations [WIOA §107 (2)(B)(i); 20 CFR 679.320(c)(1)]; 20 CFR A.C.A. § 15-4-3709(c)(2)(A)];

If no employees of businesses in the LWDA are represented by labor unions or organization, or if there are an insufficient number of nominations by the local labor federations after contacting all known labor federations in the LWDA, the CEO(s) must select representatives from individuals nominated by other organizations that represents employees [20 CFR 679.320(c)(1); A.C.A. § 15-4-3709(c)(2)(A)].

- b. If there is a labor organization or a training director from a joint labor-management apprenticeship program in the LWDA, a representative must be selected from this program [WIOA § 107(2)(B)(II); 2 CFR 679.320(c)(2); A.C.A. § 15-4-3709(c)(2)(B)]. If more than one program exists in the LWDA, only one program is required to be represented, although nothing prevents the CEO(s) from selecting more than one representative of labor-management apprenticeship programs.

If the LWDA does not have such a joint program, a representative of an apprenticeship program in the LWDA must be selected [WIOA § 107(2)(B)(ii); 2 CFR 679.320(c)(2); A.C.A. § 15-4-3709(c)(2)(B)].

- c. Labor representatives may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including but not limited to, organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities [WIOA § 107(2)(B)(ii); 2 CFR 679.320(c)(3); A.C.A. § 15-4-3709(c)(2)(C)].
- d. Labor representatives may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including, but not limited to, representatives of organizations that serve out-of-school youth [WIOA § 107(2)(B)(iv); 2 CFR 679.320(c)(4); 20 CFR 679.320(d)(1); A.C.A. § 15-4-3709(c)(2)(D)].

Note: For B.2. and B.3 of this policy and any other requirement for “demonstrated experience and expertise,” the term means that the individual has one of the following characteristics [20 CFR 679.340(b):

- Is a workplace learning supervisor as defined in WIOA § 3(70) - an individual employed by an organization who has the knowledge and skills necessary to advise other employees of that organization about the education, skill development, job training, career counseling services, and credentials, including services provided through the workforce development system, required to progress toward career goals of such employees in order to meet employer requirements related to job openings and career advancements that support economic self-sufficiency;
- Contributes to the field of workforce development, human resources, training and development, or a core program function; or
- Is recognized by the LWDB for valuable contributions in education or workforce development related fields.

3. Education and Training Representatives. Each LWDB must include representatives of entities administering education and training activities in the LWDA [A.C.A. § 15-4-3709(c)(3)]. At least one representative from each of the following lettered criteria must be included on the LWDB unless the criterion does not apply or the criterion contains the phrase “may include.”:

- a. Include a representative of eligible providers administering adult education and literacy activities [WIOA § 107(b)(2)(C)(i); 20 CFR 679.320(d)(1); A.C.A. § 15-4-3709(c)(3)(A)];
- b. Include a representative of institutions of higher education providing workforce investment activities, including, but not limited to, community colleges [20 CFR 679.320(d)(2); [WIOA § 107(b)(2)(C)(ii); A.C.A. § 15-4-3709(c)(3)(B)];

- c. May include representatives of local educational agencies and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment [20 CFR 679.320(d)(1); A.C.A. § 15-4-3709(c)(3)(C)].

4. Government and Community Development Representatives. Each LWDB must include representatives of government and of economic and community development entities serving the LWDA [WIOA § 107(b)(2)(D)(ii); A.C.A. § 15-4-3709(c)(4)].

At least one representative from each of the following lettered criteria must be included on the LWDB unless the criterion does not apply:

- a. Include a representative of economic and community development entities [WIOA § 107(D)(i); A.C.A. § 15-4-3709(c)(4)(A)];
- b. Include an appropriate representative from an Arkansas Division of Workforce Services office providing services to the LWDA under the Wagner-Peyser Act. 29 U.S.C. § 49 et seq., [WIOA § 107(a)(2)(D)(ii); A.C.A. § 15-4-3709(c)(4)(B)];
- c. Include an appropriate representative of the Arkansas Division of Workforce Services carrying out programs under Subchapter 1 of the Rehabilitation Act of 1973, 28 U.S.C. §701 et seq., other than 29 U.S.C. §112 [repealed], §732, or 741, serving the LWDA [WIOA § 107(D)(iii); A.C.A. § 15-4-3709(c)(4)(C)].

5. Other LWDB Members:

- a. The LWDB may include representatives of agencies or entities administering programs serving the LWDA relating to transportation, housing, and public assistance [WIOA § 107(D)(iv); A.C.A. § 15-4-3709(c)(4)(D)]; and
- b. The LWDB may include representatives of philanthropic organizations serving the LWDA [WIOA § 107(D)(v); A.C.A. § 15-4-3709(c)(4)(E)].
- c. Each LWDB may include other individuals or representatives of entities that the CEO(s) in the LWDA may determine to be appropriate [WIOA § 107(E); A.C.A. § 15-4-3709(c)(5)].

C. LWDA Governance and Administration:

1. Annually, the members of the LWDB must elect a LWDB chairperson and a vice-chairperson from among the business representatives described in B.1 of this policy [A.C.A. § 15-4-3709(d)].
2. Each local workforce development board must meet at least quarterly and may meet more often at the call of the chairperson or upon the written request of a majority of the members of the LWDB [A.C.A. § 15-4-3709((e))].
3. The LWDB must designate and direct the activities of standing committees to provide information and to assist the LWDB in carrying out activities under A.C.A. §15-4-3711 [A.C.A. § 15-4-3712(a)(1)]. A standing

committee must be chaired by a member of the LWDB. It may include other members of the LWDB, and it must include other individuals appointed by the LWDB who are not members of the LWDB and who the LWDB determines have appropriate experience and expertise to advise the LWDB, as defined in 20 CFR 679.340(b) [WIOA § 107(b)(4)(A), 20 CFR 679.360(a), A.C.A. § 15-4-3712(a)(2)].

At a minimum, the LWDB must designate the following standing committees [A.C.A. § 15-4-3712(b)(1)]:

- a. One-Stop Committee: This standing committee must provide information and assist with operational and other issues relating to the one-stop delivery system. The One-Stop Committee may include members representative of the one-stop partners [A.C.A. § 15-4-3712(b)(1)(A,B)].
- b. Youth Committee: This standing committee must provide information and assistance with planning, operations, and issues involving the provision of services to youth. This committee must include representatives of community-based organizations with demonstrated records of success in serving eligible youth [A.C.A. § 15-4-3712(b)(2)(A,B)].
- c. Committee for Services to Individuals with Disabilities: This standing committee provides information and assistance to the LWDB with regard to services for individuals with disabilities, including, but not limited to, issues relating to compliance with Section 188 of the Workforce Innovation and Opportunity Act (Pub. L. No. 113-128), and with applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on finding employment opportunities for individuals with disabilities, including providing the appropriate supports and accommodations to employment [A.C.A. § 15-4-3712(b)(3)].

A local WDB may designate standing committees in addition to these listed standing committees [A.C.A. § 15-4-3712(c)].

4. The LWDB must comply with A.C.A § 25-19 concerning the Arkansas Freedom of Information Act, including A.C.A. § 25-19-106 concerning Open Public Meetings. Part of this requirement is that two or more LWDB members may not discuss Board matters outside of open, recorded meeting [A.C.A. § 25-19-106]. Minutes and recordings of meetings must be kept and may be examined for compliance with the Arkansas Freedom of Information Act, including A.C.A. § 21-8-1001:
 - a. No member of a state board or commission or board member of any entity receiving state funds shall participate in, vote on, influence, or attempt to influence an official decision if the member has a pecuniary interest in the matter under consideration by the board, commission, or entity.
 - b. A member of a state board or commission or any entity receiving state funds may vote on, influence, or attempt to influence an official decision if the only pecuniary interest that may accrue to the member is incidental to his or her position or accrues to his or her as a member of a profession, occupation, or large class to no greater extent than the pecuniary interest could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.
 - c. No member of a state board or commission or board member of an entity receiving state funds shall participate in any discussion or vote on a rule or regulation that exclusively benefits the member.
5. No member of any entity receiving state funds shall use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others [A.C.A. § 21-8-1002].

6. **Nepotism laws:** Because LWDBs are subrecipients of federal funds administered by state agencies, Nepotism laws for a state Board or commission, A.C.A. § 21-8-101 Nepotism laws apply to the LWDBs:
 - a. A person who is related within the second degree, by consanguinity or affinity, to a member or employee of a state board or commission shall not be eligible for appointment as a member of the board.
 - b. A person who is related within the second degree, by consanguinity or affinity, to a member of a state board or commission shall not be eligible for employment by the board or commission. The CEO(s) may develop a more stringent nepotism policy for the local area than A.C.A. §21-8-101.
7. Conflict of interest forms listing entities for which there might be a conflict of interest for the LWDB member must be completed by each LWDB member prior to their first LWDB meeting. Such forms must be available during the LWDB certification, as well as any other monitoring visit, along with minutes and recording of Board meetings.
8. The CEO(s) must fill a vacancy in the required category in the same manner as the original appointment within 60 calendar days from the effective date of the resignation, termination, or other event causing a vacancy. During the 60-day period, the LWDB will be able to act as a body and conduct business. Any action taken by the Board with a vacancy in the required category beyond such 60-day period will be void. The CEO(s) must develop bylaws that include information about filling vacancies, as described in 20 CFR 679.310(g).

E. LWDB Certification:

1. Once every two (2) years, the Governor must certify one (1) local workforce development board for each local workforce development area in the state [A.C.A. § 15-4-3710(a)].
2. The certification must be based on:
 - a. The first certification of a LWDB will be based on membership criteria given in A.C.A. § 15-4-3709 and in Section B of this policy [A.C.A. § 15-4-3710(b)].
 - b. The second and subsequent certifications will be based on membership criteria and the extent to which the LWDB has ensured that the work investment activities carried out in the LWDA have enabled the LWDA to meet the corresponding performance accountability measures and achieve sustained fiscal integrity [A.C.A. § 15-4-3710(b)].
3. Failure of a LWDB to achieve certification must result in the appointment and certification of a new LWDB [A.C.A. § 15-4-3710(c)]. This new LWDB may be appointed and certified for the LWDA pursuant to a reorganization plan developed by the Governor in consultation with the CEO(s) in the LWDA [A.C.A. § 15-4-3710(e)].
4. After providing notice and an opportunity for comment, the Governor may decertify a local workforce development board at any time for:
 - a. Fraud or abuse;

- b. Failure to carry out the functions specified for the local workforce development board, as listed in A.C.A. § 15-4-3711; or
- c. Failure to meet the local performance accountability measures for two (2) consecutive program years [A.C.A. § 15-4-3710(d)].

5. Documents that must be available to the Certification Team for review are:

- a. **CEO Agreement**, if there are more than one (1) CEO in the LWDA, that specifies the respective roles of the individual CEOs
 - i. In the appointment of the members of the LWDB from the individuals nominated to be members [WIOA §107(c)(B), A.C.A. §15-4-3703(1)(B) & A.C.A. §15-4-3709(g)(2)(A)] and
 - ii. In carrying out the other responsibilities assigned to the CEO(s) under WIOA A.C.A. §15-4-3709(g)(2)(A)].
- b. The CEO(s) by-laws discussed in 20 CFR 679.310(g)
- c. All nomination forms, signed by the CEO(s) appointing the LWDB member
- d. Board minutes for the last two (2) years, showing attendance and the voting/abstaining of members
- e. The most recent Local Plan (and the Regional Plan, if appropriate)
- f. The Youth Service Provider Chart (Listing of 14 elements and the available service provider(s) for each
- g. LWDB Title I-B Grievance and Complaint Procedures, as required by ADWS Policy No. WIOA I-B - 4.3
- h. Local Priority of Service of Veterans Policy and Procedures, as required by ADWS Policy No. WIOA I-B - 2.2
- i. Local Priority of Service for Individuals with Barriers to Employment Policy and Procedures, as required by ADWS Policy No. WIOA I-B – 2.8
- j. Local Follow-up Services Policy for Adults and Dislocated Workers, as described in ADWS Policy No. WIOA I-B – 3.1
- k. Local Work Experience Policy, as required by ADWS Policy No. WIOA I-B – 3.8
- l. Local Supportive Services Policy and Procedures, as required by ADWS Policy No. WIOA I-B – 3.9
- m. Local Confidentiality Policy and Procedures, as required by ADWS Policy No. WIOA I-B – 4.1
- n. Local Self-Sufficiency Definition, as required in 20 CFR 680.710
- o. Local ITA Policy and Procedures
- p. Contracts and/or agreements for the provision of Title I-B Services
- q. All RFPs and RFQs issued in the last two (2) years for services that must be procured through a competitive bidding process

Appeals: If the Governor, determines that a reorganization of the LWDA is required because of substantial violation of WIOA title I or because the LWDA has failed to meet local performance indicators for consecutive program years, the LWDB may appeal this to the U.S. Department of Labor as explained in ADWS Policy No. 6.1 (current version), WIOA §§ 116(g)(2)(A) & 184(b); 20 CFR 361.225, 463.225, 677.225, 683.410, or 683.650, depending on the reason for the reorganization determination.

Chief Elected Official's Members State of Arkansas - Certification of Local Workforce Development Boards

LWDB Name

Located in

Board Member Roster

Date of Submission

A. Membership Summary

Category	Count of Members	Percentage of Board Membership
Business <i>(Minimum 51%)</i>		
Representatives of the Workforce		
Education Entities		
Government and Economic Development		
Other		
Total		

NOTE: Membership consists of dual representation in the categories of: (If Applicable)

B. Business Representatives (minimum 51% of board)

Name	Company	Title	Optimum Policy-making	Hiring Authority	Employment opportunities reflect high quality work-relevant training and development in in-demand industry sectors or occupations	Nominated by local business or trade association	Small Business	Minority
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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C. Representatives of the Workforce (minimum 20% of board)

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
			Organized Labor	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Organized Labor	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Labor-Apprenticeship Partnership	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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D. Education Entities

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
			Adult Education & Literacy	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Institution of Higher Education	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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E. Government and Economic Development

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
			Economic & Community Development	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Wagner-Peyser Program	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Rehabilitation Services - ARS	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
			Rehabilitation Services - DSB	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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F. Other

Name	Company	Title	Category	Optimum Policy-making	Hiring Authority	Minority
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Add Row Delete Last Row

G. Board Contact Information

Name	Mailing Address	Email	County

Add Row

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H. Chief Elected Official Approval

I attest that that this individual was nominated and appointed in accordance to the requirements in A.C.A. §15-4-3709.

Chief Elected Official Name

Signature

Date

**Email
Board Staff**



ADWS Policy Number: WIOAI-B 4.5, Change 1

Effective Date: January 31, 2023

Arkansas Division of Workforce Services Eligible Training Provider Policy

PURPOSE:

To provide policy and procedure guidance required under the Workforce Innovation and Opportunity Act (WIOA) for training providers on Arkansas' statewide Eligible Training Provider List (ETPL).

REFERENCES:

WIOA, Section 122
(TEGL)No. 8-19
20 CFR 680.410, 430, 510, 470, & 480
WIOA Section 122 (b)(1)
WIOA Section 122 (d)(1)
WIOA Section 3(24)
WIOA Section 133
WIOA Section 134 (c)(E)

BACKGROUND:

WIOA Section 122 requires states to establish criteria, information requirements, and procedures regarding the eligibility of providers of training services to receive funds provided under section 133(b) for the provision of training services in local areas in the State.

The Arkansas Division of Workforce Services (ADWS) is the entity responsible for publishing and maintaining the comprehensive Arkansas Eligible Training Provider List with cost information. In alignment with WIOA, the publishing of ETPL by ADWS promotes customer choice, and enables job seekers to compare offerings on the ETPL and select the most appropriate training program with the assistance of Arkansas Workforce Center Staff.

Arkansas Division of Workforce Services Eligible Training Provider Policy and Procedures

POLICY:

The ADWS as the Governor's Administrative Entity, after consultation with the Arkansas Workforce Development Board, must establish criteria, information requirements, and procedures regarding the eligibility of providers of training services to receive funds provided under section 133 (b) for the provision of local areas in the State [WIOA & 122(a)].

An eligible training provider is the only type of entity that receives funding for training services as defined in 20 CFR 680.200, through an individual training account (ITA) [20 CFR 680.410]. A training provider that is not on the Arkansas ETPL cannot receive WIOA funds for training services.

In accordance with [20 CFR 680.410], an ETP must be included on the Arkansas ETPL and must provide a program of training services and must be one of the following types of entities:

- A. An institution of higher education that provides a program that leads to a recognized postsecondary credential;
- B. Entities that carry out programs registered under the National Apprenticeship Act; or
- C. Other public or private providers of training services that may include:
 - a. Community-based organizations;
 - b. Joint labor-management organizations; and
 - c. Eligible providers of adult education and literacy activities under Title II of WIOA if the activities are provided in combination with training services.

Arkansas' List of eligible training providers, training provider programs, and accompanying information must be made available in a manner that does not reveal personally identifiable information about an individual participant. [20 CFR 680.500]

Except in specific circumstances listed in WIOA § 122(h), WIOA § 134(c)(3)(G)(ii), 20 CFR 680.320, TEGL 19-16, and TEGL 8-19, Occupational Skills Training is provided for WIOA title I Adults, Dislocated Workers, and Out-of-School Youth through an individual training account (ITA) that is used to purchase training from an Eligible Training Provider [WIOA § 134(c)(3)(G)(i); TEGL 19-16; TEGL 3-18; TEGL 8-19]. Eligible training providers (ETPs) must be certified by the State and local areas before they may receive funding through ITAs. Only ITAs require the use of an eligible training provider. Other training services required by contracts are not required to be certified as an ETP [TEGL 8-19].

An ITA is a payment agreement established by a local workforce development board on behalf of a participant with a training provider on the eligible training provider List (ETPL). An ITA may be used to pay for any allowable type of training, as listed in WIOA Sec. 134(c)(3)(D), 20 CFR 680.200, TEGL 19-16, and TEGL 8-19, as long as the program of study is on the state list of eligible training providers. However, ITAs are usually used for occupational skills training.

Occupational skills training is organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. Such training must [20 CFR 681.540]:

1. Be out-come oriented and focused on an occupational goal specified in ISS or IEP
2. Be of sufficient duration to impart the skills needed to meet the occupational goal
3. Lead to the attainment of a recognized postsecondary credential, as described in TEN 25-19

4. **Meet the quality standards in WIOA *sec. 123*.**

Individual Training Account:

While participants can select training from the ETPL, the LWDB policies determine the type and funding amounts for each program. Local WDBs must have the authority to write procedures for making payments, selecting individual training account options such as: vouchers, checkbooks, electronic transfers, setting duration and amounts of individual training accounts and policy regarding exceptions. The authority to restrict the duration of ITAs or to restrict funding amounts should not be used to establish limits that arbitrarily preclude WIOA participants from selecting a training provider of their choice.–

The LWDB **may choose not to fund** specific training programs based on, but not limited to, the following reasons:

- Lack of high occupational demand; or
- High tuition costs compared to similar programs; or
- Lack leading to a self-sufficient wage; or
- Lack leading to a USDOL – defined “industry recognized credential”

Licensing:

In-state and out-of-state post-secondary institutions must be authorized by a state governing body—such as the Arkansas Division of Higher Education Commission (ADHE), Arkansas Department of Education (ADE), Arkansas Division of Career and Technical Education (ADE CTE), Arkansas State Board of Private Career Education, Higher Learning Commission (HLC) to operate in the State of Arkansas. This does not apply to Registered Apprenticeships (RAs).

AJL ProviderLink ETPL Application and Program Instructions:

Prospective Eligible Training Providers must apply for eligibility approval status for their programs electronically using AJL ProviderLink, a web-based training application. To be included on the Eligible Training Provider List (ETPL), training providers must set up a user account for the ETPL application in AJL ProviderLink for the Local Workforce Development Board (LWDB) for the area where they wish to provide training services. The instructions to set up the user account for the AJL ProviderLink ETPL Application are included with this link, [*AJL ProviderLink ETPL Application and Program Instructions.*](#)

The user account is designed to enable prospective providers to simultaneously apply for program approval for the WIOA Title I Individual Training Accounts (ITAs).

Being placed on the State ETP list is contingent upon the approval of a training institution’s electronic application and at least one postsecondary occupational program.

Eligibility status for a training institution is one year from the date of approval by the State; however, provider and program approvals will end on a program year basis annually by July 1st thru June 30th. After the initial and first renewal or subsequent program performance reporting data is approved in AJL ProviderLink, eligibility status for a training institution can be approved for one year from the date of renewal or subsequent performance by the State.

An entity that carries out programs under the National Apprenticeship Act will be included and maintained on the ETPL for so long as their program remains registered. These providers are required to contact ADWS to make known

their desire to be listed and provide documentation that verifies their program is a registered apprenticeship program certified by the U.S. Department of Labor/Office of Apprenticeship.

In-Demand Occupations and Projected Employment Opportunities:

Local WDBs may approve a training provider program if there is a demand for an occupation. Local WDBs are responsible for giving training institutions information on occupations in-demand and sectors of the economy that have a high potential for sustained demand or growth within the labor market area. Using labor market information, a local WDB is responsible for determining occupational demand in its local area or in another local area to which a youth, adult or dislocated worker is likely to be willing to relocate.

Local WDBs should instruct providers wishing to explore occupations in-demand in the Arkansas economy to view labor market data found on the Discover Arkansas Labor Market Information Section, *Projected Employment Opportunities List*, for the State or local area. An occupation is considered an in-demand or employment opportunity for a local area if it appears on the [Projected Employment Opportunities List \(arkansas.gov\)](http://arkansas.gov) for the State or local area. Occupations on an adjacent local area's list, including local areas in other states, may also be considered employment opportunities in the local area. If a local area would like to train in an occupation that is not on their local area's Projected Employment Opportunities List, but is on the list of an adjacent area, they should contact the Division of Workforce Services with the information located in the Labor Market Information section, ["Adding to the List"](#), of the occupation within the Discover Arkansas Labor Market Information Section web site. For local areas in other states, the LWDB must provide the adjacent area's projected employment opportunities list, along with the adjacent state's contact information and occupations to be trained in before the occupations can be added.

Transferring WIOA Participants:

Local WDBs will determine the feasibility of transferring WIOA participants to another eligible training provider with the same or similar program, when an eligible training provider is removed from the ETP list.

Primary factors to consider in transferring participants are the length of time remaining to complete the training program, necessity and reasonability of allowing participants to continue with a training provider removed from the State ETP list. WIOA participants enrolled with an eligible training provider removed from the ETP list may complete the program for the duration of an ITA. Local WDBs are encouraged to minimize disruption to WIOA participants, to the extent as possible.

Eligible Training Provider Policy and Procedures

Procedures:

To be included on the Eligible Training Provider List (ETPL), providers must submit an electronic application, to the Local Workforce Development Board (LWDB) for the area where they wish to provide training services. A separate electronic application must be submitted for each training program. Also, if applying for a training program to be offered at different training locations, a separate electronic application is required for each training location. Each occupation associated with the training program must be on the current *Projected Employment Opportunities List*. [Projected Employment Opportunities \(arkansas.gov\)](https://www.arkansas.gov)

An entity that carries out programs under the National Apprenticeship Act will be included and maintained on the ETPL for so long as their program remains registered. These providers will be required to contact ADWS to make known their desire to be listed and provide documentation that verifies their program is a registered apprenticeship program certified by the U.S. Department of Labor, Office of Apprenticeship.

Required Information for Initial Eligibility [TEGL 8-19]:

The information to be included on the initial application is described below.

1. A description of each training program to be offered, including the costs of tuition, books, and fees.
2. The program completion rate for **all** individuals participating in the applicable program to be offered by the provider.

To calculate: The number of all participants who completed the program/course during the reporting period divided by the total number of all participants.

3. If the training provider is in a partnership with business/industry and an explanation of the partnership.
4. If the training program leads to a recognized postsecondary credential and a description of the credential.
5. If the program aligns with in-demand industry sectors and occupations.

The Initial Eligibility Certification Process:

1. Providers eligible to apply under this section will complete an online electronic application for “initial certification” through the automated AJL ProviderLink ETPL Application and Program Instructions located at <https://www.arjoblink.arkansas.gov/training>. Providers must apply for each individual program. If multiple training locations exist, an application must be made for **each location**. Providers may make application to any or all Local Workforce Development Boards (LWDBs) at the same time.
2. The LWDBs will receive the application via AJL ProviderLink if (1) The program’s CIP Code appears on the current *Projected Employment Opportunities List* for the State or Local Workforce Development Area, and (2) Required items are completed and meet minimum qualifications.
3. The LWDB will electronically approve or disapprove each application received via AJL ProviderLink. The LWDB is responsible for ensuring that the provider’s performance information meets or exceeds the State minimum levels.
4. Upon approval by the LWDB, the provider will be automatically placed on the AJL ProviderLink website as a WIOA Eligible Training Provider for the applicable program.

If the training provider does not have performance data because the training program is a new program, then the provider must submit the following information to the LWDB of application to include:

1. Written justification for the missing data, and
2. The process that will be used to track and record the required information for re-certification.

The Continued Eligibility Certification Process:

1. Providers eligible to apply under this section will complete an online electronic application for “continued certification” through the automated AJL ProviderLink ETPL Application and Program Instructions located at <https://www.arjoblink.arkansas.gov/training>. Providers must apply for each individual program. If multiple training locations exist, an application must be made for each location. Providers may make application to any or all Local Workforce Development Boards (LWDBs) at the same time.
2. The LWDBs will receive the application via AJL ProviderLink if (1) The program’s CIP Code appears on the current Projected Employment Opportunities List for the State or Local Workforce Development Area, and (2) Required items are completed and meet minimum qualifications.
3. The LWDB will electronically approve or disapprove each application received via AJL ProviderLink. The LWDB is responsible for ensuring that the provider’s performance information meets or exceeds the State minimum levels.
4. Upon approval by the LWDB, the provider will be automatically placed on the AJL ProviderLink website as a WIOA Eligible Training Provider for the applicable program.

Continued Eligibility [TEGL 8-19]:

The information to be included on the continued application is described below.

1. The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program
2. The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program
3. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program
4. The percentage of program participants who obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in or within 1 year after exit from the program
5. Information on cost of attendance, including cost of tuition and fees, for program participants
6. Information on the program completion rate for program participants
7. A description of how the provider provides access to training services, including to rural areas, including the use of technology
8. A description of the degree to which training program(s) align with in-demand industries and occupations in the State, as identified in State and Local Plans
9. Any applicable state licensure requirements of training providers and licensing status of providers of training is applicable
10. A description of training provider’s ability to offer industry-recognized certificates and/or credentials

11. A description of training provider's ability to offer programs that lead to a recognized post-secondary credentials
12. A description of the quality of the program of training services including a program that leads to a recognized post-secondary credential
13. A description of the ability of the providers to provide training services that are physically and programmatically accessible for individuals who are employed and individuals with barriers to employment, including individuals with disabilities
14. The timeliness and accuracy of the eligible training provider's performance reports
15. Relevant information reported to State agencies on Federal and State training programs other than programs within WIOA Title I-B.

The ADWS will not limit customer choice nor decrease the number of available training providers, we will prioritize certain individual criteria elements listed above during our evaluation for continued eligibility. Our primary focus will be placed upon the WIOA performance criteria, Numbers 1-4, followed by criteria Numbers 5-8. The remaining criteria elements will be given no special emphasis.

Program Exit:

As defined for the purpose of performance calculations, exit is the point after which a participant who has received services through any program meets the following criteria:

1. For the adult, dislocated worker, and youth programs authorized under WIOA title I, the AEFLA program authorized under WIOA title II. And the Employment Service Program authorized under Wagner-Peyser Act, as amended by WIOA title III, exit date is the last day of service.
2. The last day of service cannot be determined until at least 90 days has lapsed since participant last received services; services do not include self-services, information-only services or activities, or follow-up services. This also requires that there are no plans to provide the participant with future services.

For consideration of renewal of programs, an eligible training provider must add continued program performance data in AJL ProviderLink annually for the current PY ending June 30th, and this will avoid any interruption of eligibility. The instructions to add the performance data is included in the following link, [AJL ProviderLink ETPL Application and Program Instructions](#).

Performance data must be added by the end of each program year between July 1st and August 15th. The continued eligibility review conducted is required for both the program and the eligible training provider as an institution.

The training provider and program approval date(s) will be extended for an additional year if the training providers meets the fiscal, programmatic integrity and performance standards. The State will not update any program approval for continued eligibility that does not meet the eligibility criteria.

Upon completion of the review of continued eligibility criteria, the training provider will be made aware of any programs for denial or removal via email correspondence or a notification from the AJL ProviderLink system along with the appeal process.

The State may consider a 30-day extension for a provider who has extenuating circumstances if performance cannot be entered prior to a program's renewal, expiration date.

Performance:

LWDBs have the authority to increase the levels of performance required by the State and require additional verifiable program-specific information from training providers for initial eligibility. The Arkansas Division of Workforce Services/Employment Assistance (EA) Section must be notified if these levels of performance are increased.

To facilitate the public and stakeholder access to such information, training provider outcomes information will also be published on <https://www.trainingproviderresults.gov/>.

State Minimum Performance Standards for Training Providers

Performance Measure	Calculation	State Minimum Level
ALL PARTICIPANT PERFORMANCE MEASURES Programs must meet the State minimum level for the performance measure.		
Program CompletionRate	The number of all participants who completed the program during the reporting period divided by the total number of all participants.	19.5 %

Besides the requirements above, the State has established additional minimum performance standards to evaluate the Renewal/Continued Eligibility determination for programs at the end of each program year (July 1- June 30). The State Minimum Performance Standards implemented by State in accordance with the requirements stipulated by Section 116 of the WIOA for eligible training provider programs inclusion to the state’s ETPL for all are:

All Program Participants

1. Credential Attainment Rate (state minimum performance level: **25%**)

The percentage of those participants enrolled in an education or training program who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program.

2. Employment Rate 2nd Quarter after Exit (state minimum performance level: **40%**)

The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program.

3. Employment Rate 4th Quarter after Exit (state minimum performance level: **45%**)

The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program.

4. Median Earnings – 2nd Quarter After Exit (state minimum performance level: **\$1,500 per quarter**).

The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program.

WIOA Title I-B

5. Credential Attainment Rate (state minimum performance level: 25%)

The percentage of those participants enrolled in an education or training program who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program.

6. Employment Rate 2nd Quarter after Exit (state minimum performance level: 25%)

The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program.

7. Employment Rate 4th Quarter after Exit (state minimum performance level: 25%)

The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program.

8. Median Earnings – 2nd Quarter After Exit (state minimum performance level: \$2,000 per quarter)

The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program.

Registered Apprenticeships [TEGL 8-19]:

Registered Apprenticeship (RA) Programs are automatically eligible to be included on the ETP list. RA programs are an exception to the initial and continued eligibility certification process. They are exempt from performance and reporting-related requirements. These programs have already gone through a rigorous assessment as part of the registration process with the U.S. Department of Labor, Office of Apprenticeship (DOL/OA). Information required for an RA program to be added to the ETP is:

- Occupation (s) included with the registered apprenticeship program;
- Name and address of the Registered Program Sponsor;
- Name and address of the related technical instruction provider, including the location of the facility if different from the program sponsor's address;
- Method and length and length of instruction, and
- The number of active applications.

Substantial Violation:

Under WIOA, an institution commits a substantial violation when it: (1) fails to meet the state's procedure for timely and accurately submitting required information for annual ETP performance reporting, (2) fails to meet the state's procedure for timely and accurately submitting all required information for initial or continued eligibility, (3) intentionally provides false information, or (4) violates any provision of WIOA Title I or its regulations, including the nondiscrimination and equal opportunity provisions.

The State will consider exceptional circumstances beyond the institution's control (e.g., natural disasters, unexpected personnel transitions, and unexpected technology-related issues) when determining if an institution committed a substantial violation for failing to timely and accurately submit required information. If it is determined that exceptional circumstances existed, then a substantial violation did not occur. If it is determined that an institution committed a substantial violation, the institution is prohibited from having its programs on the published ETPL for a minimum of two years and it is liable to repay any WIOA Youth, Adult, and Dislocated Worker Program funds it received during the period of noncompliance.

Arkansas Division of Workforce Services (ADWS) Responsibilities:

The ADWS is the designated state agency for WIOA administration and is responsible for:

- Ensuring that the information contained on the ETPL is accurate and current.
- Establishing a process for adding programs to the ETPL and verifying their "approved" status.
- Maintaining the list of eligible training providers and programs approved by LWDB.
- Providing an updated list to all LWDBs and the public through the State's website.
- Establishing initial eligibility criteria for new training providers and setting minimum levels of performance for all training providers to remain eligible.
- Submitting all reports to the appropriate Federal Agency as required.
- Distributing the ETPL, accompanied by credential, cost and performance information for each ETPL training program throughout Arkansas.
- Allowing training providers to appeal a denial or removal of eligibility, including an opportunity for a hearing at the state level, after a training provider receives an unsatisfactory decision.
- Providing technical assistance to the local areas and the training providers.

Required Local Workforce Development Board (LWDB) Responsibilities:

Local workforce development boards are responsible for carrying out the procedures assigned to them by the State [20 CFR 430 (c)].

Local Boards must:

- Carry out the procedures assigned to the Local workforce development boards by the State, such as determining the initial eligibility of entities providing a program of training services, renewing the eligibility of providers and programs, and considering the possible termination of an eligible training provider due to the provider's submission of inaccurate eligibility and performance information or the provider's substantial violation of WIOA requirements;
- Work with the State to ensure there are sufficient numbers and types of providers of training services, including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities described under WIOA sec. 107(d)(10)(E), serving the local area; and
- Ensure the dissemination and appropriate use of the State list of eligible training providers and programs through the local one-stop delivery system, including formats accessible to individuals with disabilities [20 CFR.430 (c)(3)].
- Local boards must collect performance information required by the state and determine if the providers meet the state's performance criteria [20 CFR 680.430 (c)(1)]

Local WDBs cannot use the local list to limit choices for WIOA participants. Local WDBs have the option, by law to establish higher performance levels and make a case for in-demand occupations that may differ from the State's. Any local WDBs that have established higher minimum performance standards above the state minimum requirements may remove a program of training services from the eligible programs in the local area for failure to meet the higher performance levels, but only if applied consistently to all approved providers within their local area.

The LWDB is responsible for:

- Reviewing training programs for initial eligibility;
- Ensuring that all participants are enrolled in approved training programs, as identified on the ETPL.
- Collecting performance and cost information and any other required information related to programs from training providers;
- Monitoring training providers for compliance and performance;
- Evaluating performance data of all training providers during the continued eligibility review to verify that the training programs meet minimum performance standards;
- Allowing training providers to appeal a denial or removal of eligibility of programs that includes an opportunity for a hearing at the local level, a timely decision and a right to appeal if the provider is unsatisfied with the LWDB decision.

Each local WDB must develop and maintain procedures to determine the eligibility of a training provider's programs in an objective and consistent manner. Each local WDB must define its own procedures, consistent with the requirements of this policy. Procedures must clearly describe how reviewer(s) will apply any local policies related to the following factors:

- Quality training programs linked to in-demand occupations as determined by the local WDB.
- Performance and cost information, including program-specific performance and cost information of the local outlet(s) of multi-site eligible training providers.
- Information indicating how programs are responsive to local requirements.
- Other appropriate information related to the objectives of WIOA.

Performance Data Requirements for ETP Annual Reporting (Excluding Registered Apprenticeships):

- ETPs must submit accurate and timely information for participants receiving training under WIOA Title I–B.
- ETPs must provide the information necessary to determine program performance and to meet requirements per WIOA. The ETP must agree to make their data available to validate the information submitted for reporting,
- The annual performance reports must contain individual-level data for all participants in programs offered by the ETP that include at least one (1) student receiving WIOA funding.
- The performance data is due in AJL ProviderLink and ADWS between July 1 through August 31 of every year.

Denial, Removal, and/or Appeal of Training Providers and/or Programs:

A training provider must meet the requirements for eligibility and provide accurate information in order

to retain its status as an eligible training provider. Only the Governor's Administrative Entity can remove eligible training providers and programs from the ETP list after appropriate due process.

Local WDBs may take steps to request removal of eligible training providers and/or programs from the ETP list in consultation with the ADWS ETP Coordinator. The State can deny and/or remove a program, an eligible training provider, or both when the individual:

Denial of a Program/Provider (may reapply for approval after 6 months):

- Fails to meet the minimum criteria for initial eligibility as specified above;
- Fails to complete the initial eligibility application in AJL ProviderLink;
- Failure to have a license to operate by a private career school as required in the state of Arkansas;
- Fails to add the subsequent eligibility performance reporting ending dates and performance data in AJL ProviderLink as required;
- Program renewal expired past the renewal date and/or
- Program not approved by the local board.

Removal of a Program/Provider (may reapply for approval after 1 year):

- Fails to supply available participant data required for the performance review within due dates established and unwilling to supply required and available participant data by the ADWS staff;
- Violates state and/or local laws;
- State or local required performance levels are not met;
- Loses its educational license or accreditation;
- Fails to notify any program changes including, but not limited to, costs or location of training;
- Ceases to be in business and/or lost its license to operate;
- Fails to meet criteria or minimum performance levels as part of the annual or biennial review of initial or continued eligibility;

Removal of a Provider (may reapply for approval after 2 years):

- Substantially violates any provision of Title I of WIOA and its regulations including 29 CFR Part 38, the nondiscrimination and equal opportunity provisions, and
- Intentionally supplies inaccurate data.

Appeal of Training Providers and Programs:

If a provider of training services has its eligibility denied, are terminated due to substantial violations, failure to provide requested performance information without reasonable justification, or otherwise are removed for good cause, the training provider will be notified that their training program is being removed from the State's training provider list. This information regarding the decision will be submitted to the contact person listed on the training provider's account.

The training provider may appeal the denial or termination within ten (10) calendar days from the date of receipt of notice of termination by submitting an appeal request to the following email address:
ADWS.WIOAAppeals@arkansas.gov.

The State will review the appeal, provide opportunity for a hearing, and issue a written decision/response within (30) calendar days of the receipt of the appeal. The Director will appoint a hearing officer.

The ADWS ETP Coordinator or designee shall remove a provider and/or program that was determined to be no longer eligible no earlier than the 31st calendar day from the issuance of the removal notice.

However, if a training provider initially chooses to appeal, a training provider and/or program that is

subject to removal shall remain on the state ETPL until the appeal is concluded.

After official removal of a training provider and/or program from the ETP list, local WDBs cannot fund WIOA participants enrolled in the removed training provider and/or its programs. Per WIOA Section 122, a training provider removed from the ETP list for failure to meet performance or is in violation of the WIOA regulations, cannot apply for eligibility for one year after the official removal date. Training providers may appeal a removal decision under the appeal process.

Monitoring:

The ADWS will monitor the LWDBs for ETPL compliance during annual monitoring visits or desk reviews. The LWDB monitor will randomly select WIOA participant files and validate that the data has been uploaded into the system correctly, ensuring that the annual report is accurate.

Reciprocal Agreement:

States may enter into agreements, on a reciprocal basis, with other states to permit eligible providers of training services to accept individual training accounts from provided in another state. [WIOA §122 (g)] Under the current policy, training providers must have a physical and permanent Arkansas mailing address. Arkansas currently has reciprocal agreements with the state of Missouri. **Only providers located in states bordering the state of Arkansas and approved Apprenticeship Sponsors are eligible for inclusion on the Arkansas ETPL.**

These agreements allow Arkansas participants to use ETPs if that training provider appears on the other State's ETPL. Similarly, WIOA participants in the reciprocal states can utilize programs that are on Arkansas' ETPL.

Contact:

For any questions related to this policy, please contact the ADWS Employment Assistance Unit at WIOATA@arkansas.gov.