

MISSISSIPPI
Policy Number 20
LOCAL ONE-STOP INFRASTRUCTURE POLICY
Workforce Innovation and Opportunity Act
Office of Grant Management

I. SCOPE AND PURPOSE

To provide guidance to Mississippi's local workforce development boards (LWDBs), Chief Elected Officials (CEOs), and all one-stop partners regarding the establishment of a local one-stop center operating budget and the negotiation of infrastructure and additional cost funding agreements between LWDBs and all Workforce Innovation and Opportunity Act (WIOA) required one-stop partners to jointly support the costs associated with local one-stop centers¹ and one-stop delivery systems. The funding agreements of local one-stop centers are attachments to the memoranda of understanding (MOU) between LWDBs and all WIOA required one-stop partners.

II. REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) Sections 121, 134
- WIOA Regulations §361.300-§361.435, §361.500-§361.510, §361.700-§361.760, §678.400-§678.430, §678.700-§678.760,
- Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR Parts 200 and 2900
- U.S. Dept. of Education One-Stop Infrastructure Costs FAQs, Released: December 28, 2016
- TEGL 17-16: Infrastructure Funding of the One-Stop Delivery System, Released January 18, 2017

III. DEFINITIONS

Comprehensive One-Stop Center

- (a) A comprehensive one-stop center is a physical location where job seeker and employer customers can access the programs, services, and activities of all required one-stop partners. A comprehensive one-stop center must have **at least one title I staff person physically present.**
- (b) The comprehensive one-stop center must provide:
 - (1) Career services, described in WIOA Sec. 134(c)(2);
 - (2) Access to training services described in § 680.200 of the WIOA regulations;
 - (3) Access to any employment and training activities carried out under sec. 134(d) of WIOA;
 - (4) Access to programs and activities carried out by one-stop partners listed in §§ 678.400 through 678.410 of the WIOA regulations, including the Employment Service program authorized under the Wagner-Peyser Act, as amended by WIOA title III (Wagner-Peyser Act Employment Service program); and
 - (5) Workforce and labor market information.
- (c) Customers must have access to these programs, services, and activities during regular business days at a comprehensive one-stop center.

¹ Local one-stop centers include comprehensive, affiliate, and specialized centers in a local workforce development area.

Affiliate One-Stop Center

- (a) An affiliated site, or affiliate one-stop center, is a site that makes available to job seeker and employer customers one or more of the one-stop partners' programs, services, and activities. An affiliated 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. Affiliated sites are access points in addition to the comprehensive one-stop center(s) in each local area. If used by local areas as a part of the service delivery strategy, affiliate sites must be implemented in a manner that supplements and enhances customer access to services.
- (b) As described in WIOA regulations § 678.315, Wagner-Peyser Act employment services **cannot** be a stand-alone affiliated site.

Specialized One-Stop Center

Specialized centers address specific needs, including those of dislocated workers, youth, or key industry sectors, or clusters.

Access

"Access" to each partner program and its services means:

1. Having a program staff member physically present at the one-stop center;
2. 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
3. Making available a direct linkage through technology to program staff who can provide meaningful information or services.
 - i. A "direct linkage" 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 or services to the customer.
 - ii. A "direct linkage" cannot exclusively be providing a phone number or computer Web site or providing information, pamphlets, or materials.

One-Stop System

The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers.

State Funding Mechanism

The state funding mechanism is the formula the state will develop and apply that will determine the infrastructure costs of all WIOA required one-stop partners in a local area when one or more partners fail to reach consensus locally.

IV. REQUIREMENTS

WIOA requires each LWDB to develop and finalize a Memorandum of Understanding (MOU) among itself and its WIOA-required partners with the agreement of the CEO for the Local Workforce Development Area (LWDA). The MOU coordinates operation of the local one-stop delivery system, provision of programs and services, and apportionment of costs. The MOU must include two types of funding agreements pertaining to the costs of the local one-stop centers and delivery system in each LWDA: Infrastructure Funding Agreement(s) (IFA) and Additional Cost Funding Agreement(s).

A. One-Stop Center Operating Budget

The local one-stop center operating budget is a financial plan in which one-stop partners, with approval from the LWDB in each LWDA, will agree upon and use to determine each partner's contribution to certain costs contained therein. The local one-stop center operating budget will contain a set of components that consists of costs that are specifically identified in WIOA: infrastructure costs and additional costs.

B. Funding Agreements

Once the local one-stop center operating budget has been established and agreed upon by all one-stop partners, with approval from the LWDA, negotiations of partner contributions towards infrastructure and additional costs of local one-stop centers will begin.

1. Infrastructure Funding Agreement

WIOA requires the agreed upon contributions towards *infrastructure* costs by each one stop-partner to be memorialized in an IFA between the LWDB or its designee and all WIOA-required one-stop partners and any additional partners. For the purpose of affiliate and specialized centers, only the LWDB or its designee and those partners participating in the operation of that center are required to enter into the IFA for that particular center.

2. Additional Cost Funding Agreement

The agreed upon contributions by each partner towards *additional* costs shall be memorialized in an Additional Cost Agreement and attached to the MOU.

All funding agreements shall be products of good faith local discussion and negotiation amongst the partners. Each required one-stop partner must contribute to the infrastructure and additional costs of local one-stop centers and the one-stop delivery system based on the program's proportionate use and benefit received, consistent with the Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200 (Uniform Guidance). LWDBs and one-stop partners may define their own methodology to determine contribution amounts, so long as it is based on the partner's proportionate use and benefit received, consistent with the Uniform Guidance, and WIOA regulations.

C. Mississippi's WIOA One-Stop Partners

One-stop partners shall contribute towards infrastructure costs and additional costs of local one-stop centers.

Mississippi's Combined State Plan Core Partners (as listed on page 4 of Mississippi's approved Combined State Plan) include:

- Programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);
- 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 of the U.S.C.;
- Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law);
- Vocational Rehabilitation programs authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) (other than section 112 or part C of title I of such Act (29 U.S.C. 732, 741);
- Temporary Assistance to Needy Families (TANF) activities authorized under part A of title IV

of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C);

- Programs authorized under Title I of WIOA, including;
 - Adult
 - Dislocated worker
 - Youth
- Adult Education and Literacy activities authorized under title II of WIOA; and
- The Senior Community Service Employment Program (SCSEP) authorized under Title V of the Older Americans Act (42 U.S.C. 3056 et seq.).

Mississippi's Combined State Plan Strategic Partners (page 4 of state plan) include:

- Postsecondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);
- Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);
- Employment and training activities carried out by the Department of Housing and Urban Development; and
- Programs authorized under Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

Additional programs and entities that carry out activities as part of the one-stop delivery system may be included as one-stop partners with the approval of the LWDB and chief elected official. All partners, including additional partners, must be identified in the MOU and funding agreements. All one-stop partners shall negotiate funding agreements with the LWDB or its designee through their respective governing entities as specified by Federal and/or State law. Additional partners are only required to contribute towards infrastructure costs. Additional partners MAY contribute towards additional costs, but they are not required to do so.

D. Roles and Responsibilities

1. Local Workforce Development Boards

The LWDB may designate an individual to carry out the LWDB's roles and responsibilities outlined herein. The designee must consult with the LWDB on a regular basis throughout the negotiation process. LWDBs shall be responsible for the following:

- Serving as a consult to MDES Office of Grant Management (OGM), as needed, in the development of this guidance;
- Acting as the convener for the purpose of negotiating funding agreements;
- Ensuring the one-stop partners adhere to all applicable guidance;
- Working with the one-stop partners to achieve consensus and informally mediate any possible conflicts or disagreements;
- Providing technical assistance to new one-stop partners and local grant recipients to ensure they are informed and knowledgeable of the elements contained in the MOU and funding agreements;
- Developing a local one-stop center operating budget as a starting point for the negotiations;
- Ensuring the negotiations include an agreed upon budget and methodology for allocating infrastructure and additional costs amongst all partners;
- Ensuring allocation methodology complies with the Uniform Guidance and be based on

proportionate use and benefit received by each partner program;

- Ensuring that all of the infrastructure and additional costs are paid according to the provisions of the MOU; and
- Informing OGM if there is an impasse.

2. One-Stop Partners

Each one-stop partner in the local workforce area shall be responsible for the following:

- Designating an individual(s) who is knowledgeable about the partner programs and activities and has the authority to commit the partner programmatically and financially to act on its behalf in the negotiations, if applicable;
- Acting in good faith to negotiate infrastructure and additional costs in accordance with this guidance; and
- Entering into the local MOU and attached funding agreements.

3. MDES Office of Grant Management

OGM shall be responsible for the following:

- Providing guidance and technical assistance to each LWDB and partners throughout the infrastructure and additional cost negotiation process;
- Convening state-level partner teams, in coordination with the LWDB, to negotiate each local funding agreement if needed; and
- Monitoring of IFA and Additional Cost Agreements.

4. State Workforce Investment Board

The SWIB shall be responsible for the following:

- Serving as a consult to OGM, as needed; and
- Developing the formula to be used under the state funding mechanism to determine a local one-stop center's operating budget (if not agreed upon locally or rejected) and determine each partner's contribution to infrastructure costs of the local one-stop centers.

5. Infrastructure Costs

Each partner that carries out a program or an activity as part of the one-stop delivery system must use a portion of the funds available for the program or activity to contribute to the infrastructure costs of local one-stop centers based on their proportional use relative to the benefit received by the partner through their participation in the local one-stop center. Each partner's contribution must adhere to that partner program's Federal authorizing statute and to the Federal Cost Principles requiring that costs are reasonable, necessary, and allocable. WIOA specifies infrastructure costs of local one-stop centers as non-personnel costs that are necessary for the general operation of the local one-stop center. Local one-stop center infrastructure costs may include, but are not limited to:

- Facility rental;
- Utilities and maintenance;
- Equipment (including assessment-related products and assistive technology for individuals with disabilities);

- Technology to facilitate access to the local one-stop centers, including technology used for the center's planning and outreach activities; and
- Common identifier costs, such as the cost of signage for local one-stop centers.

6. Additional Costs

Each partner that carries out a program or an activity as part of the one-stop delivery system should use a portion of the funds available for the program or activity to contribute to the additional (non-infrastructure) costs of the local one-stop centers based on their proportional use relative to the benefit received by the partner through their participation in the one-stop delivery system. Additional costs must include applicable career services (identified in the WIOA regulations §678.430) and may include shared operating costs and shared services that are necessary for the general operation of the local one-stop center. Required partners must contribute to additional costs, however; additional partners are encouraged to contribute though they are not required to do so. Shared service costs may include:

- Initial intake;
- Assessment of needs;
- Appraisal of basic skills;
- Identification of appropriate services to meet such needs;
- Referrals to other one-stop partners;
- Business services; and
- LWDB staff functions not otherwise paid using WIOA Title I funds and support the general operations of the local one-stop centers.

Each partner's contribution must adhere to that partner program's Federal authorizing statute and to the Federal Cost Principles requiring that costs are reasonable, necessary, and allocable.

7. Types of Funds a One-Stop Partner May Use to Make Infrastructure and Additional Cost Contributions

Infrastructure and additional costs can be funded through cash, non-cash, third-party in-kind contributions, and can include any funding from philanthropic organizations or other private entities, or through other alternative financing options. Funding must be stable and equitable. The one-stop partner's proportionate share must be calculated in accordance with the Uniform Guidance based upon a reasonable cost allocation methodology whereby infrastructure and additional costs are charged in proportion to use of the local one-stop center/system, relative to the benefit received. Costs must also be allowable, reasonable, necessary, and allocable. (For more information, see §678.720, §678.760).

8. Examples of Reasonable Infrastructure and Additional Cost Allocation Methodologies

Examples of reasonable cost allocation methodologies for infrastructure costs may include using a partner's square footage footprint within a local one-stop center, number of full-time equivalents available to a local one-stop center, or number of clients served by the partner within the one-stop delivery system, and/or a combination of all of the above.

9. Infrastructure and Additional Funding Agreement Content

Each funding agreement must specify:

- The effective time period;
- The infrastructure and additional costs budget for each comprehensive and affiliate center;
- The LWDB entering into the agreement;
- The name and signatures of the required one-stop partner designee entering into the agreement;
- The allocation methodology used and each partner's contribution based on an appropriate cost-allocation methodology and reconciliation;
- A description of the quarterly review and reconciliation process to ensure equitable benefit among partners; and
- A description of the process to be used among partners to resolve issues related to infrastructure funding during the MOU duration period when consensus cannot be reached.

10. Impasse

Extension of Time

If the LWDB and a one-stop partner(s) do not believe they will be able to reach an agreement on appropriate levels of infrastructure cost funding contributions by July 1 of each program year, the LWDB may request an extension of time (Attachment A) if the LWDB can demonstrate they have made sufficient progress towards reaching an agreement. The request must be submitted to OGM no later than **June 15 of each program year**. OGM will review the request and make a determination to grant or deny the extension of time. If the extension is granted, the LWDB will have up to sixty (60) days to continue negotiations and reach an agreement on infrastructure cost contributions. OGM will provide technical assistance as requested by the LWDB.

Impasse

If the LWDB is unable to reach an agreement on the funding of infrastructure costs with all partners by **July 1 of each program year** (or after the applicable extension of time deadline, if granted), the LWDB or affected partner must immediately notify OGM that an agreement cannot be reached using the *Report of Outcomes from Local Infrastructure Funding Agreement Negotiations* (Attachment B). Once notified, the Governor must administer the State funding formula to determine the appropriate share of infrastructure contributions for all partners for the program year impacted. Please note, failure to agree on additional costs amongst partners will not be considered an impasse, nor will it trigger the state funding mechanism.

Review and Reconciliation

Periodic Review

Each local one-stop center operating budget/funding agreements shall be reviewed quarterly and

reconciled against actual costs incurred to ensure that costs charged to any one-stop partner are proportionate to the use of the local one-stop center and one-stop delivery system and relative to the benefit received by the one-stop partner. If any significant changes to the operating budget/funding agreements are required following the quarterly review, the LWDB must reconvene all partners to reach an agreement on the necessary budget and/or allocation changes.² If there is disagreement amongst partners to accommodate for these changes, the LWDB or affected partner shall contact the OGM for assistance. Any changes not deemed significant may be charged to each partner so long as there is an agreement amongst the partners to do so.

Annual Re-Negotiation

Each local one-stop operating budget and funding agreements shall be fully reviewed and re-negotiated on an annual basis.

Modification

Each time a funding agreement is modified, the associated MOU must also be reviewed to determine if modification or re-signing will be necessary.

V. Action

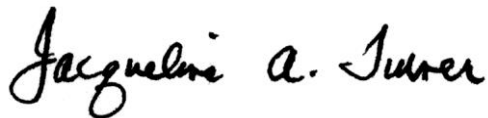
Finalized Infrastructure and Additional Cost Funding Agreements consistent with this policy must be complete and available for OGM review no later than July 1 of each program year. Additional resource information can be found in Attachments C-F.

VI. Inquiries

Contact Robert DeYoung at rdeyoung@mdes.ms.gov or 601-321-6477 with questions concerning this policy.

VII. Effective Date

This policy shall be effective January 1, 2018, and shall remain in effect until modification or rescission.



Jacqueline A. Turner
Deputy Executive Director, CFO

² Significant change is defined as a twenty percent (20%) change to the dollar number of a single cost category or to a partner's cost within the existing funding agreement. These significant changes may occur as a result of losing/gaining office space, adding an additional one-stop partner, etc.

Attachments

Attachment A – Request for Extension of Time

Attachment B – Report of Outcomes from Local Infrastructure Funding Agreement Negotiations

Attachment C – One-Stop Center Operating Budget Breakdown

Attachment D – One-Stop Operating Costs

Attachment E – Examples of Cost Pools and Possible Allocation Bases

Attachment F – Infrastructure Costs: Funding Sources

Attachment A
REQUEST FOR EXTENSION OF TIME

Local Workforce Development Area: _____

Local Workforce Development Board Contact
Person: _____

Contact's Phone Number: _____

Contact's Email: _____

Notice is hereby provided that, the LWDB and each one-stop partner(s) have made progress towards reaching agreement on funding infrastructure costs; however, agreement will not be reached by July 1, _____ and the LWDB is requesting an extension of time to continue negotiations and reach an agreement.

Please describe the LWDB's progress in reaching agreement on infrastructure costs thus far:

Please explain why the LWDB does not believe they will be able to reach an agreement by July 1, _____:

How much additional time is the LWDB requesting to reach an agreement?: _____

Does the LWDB need technical assistance from OGM to reach an agreement? If so, please describe assistance needed:

Signature Printed Name

Chair, Local Workforce Development Board

Printed Name

Attachment B

REPORT OF OUTCOMES FROM LOCAL INFRASTRUCTURE FUNDING AGREEMENT NEGOTIATIONS

Local Workforce Development Area: _____

Local Workforce Development Board Contact Person: _____

Contact's Phone Number: _____

Contact's Email Address: _____

Notice is hereby provided as required by §678.725 that, despite every effort, the required partner(s) in this local area did not reach consensus on a local Infrastructure Funding Agreement for the period beginning July 1, _____. The inability to reach agreement was because one or more required partners do not agree with how local one-stop center infrastructure costs will be funded. Listed below are the program partner(s) that did not agree to the Infrastructure Funding Agreement.

Program Partner Name		Reasons for Failure to Agree
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

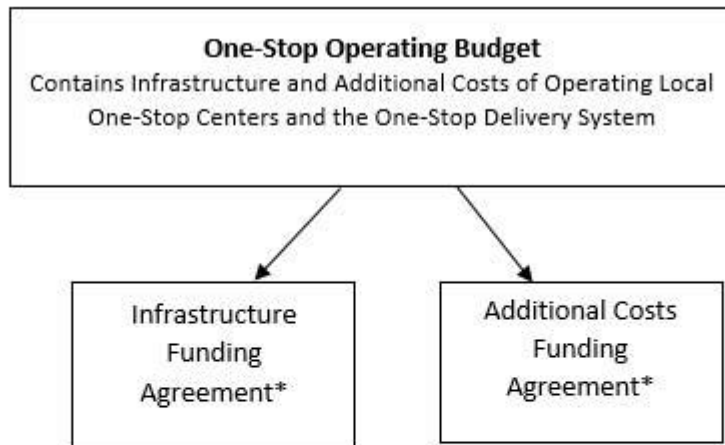
Signature

Printed Name

Chair, Local Workforce Development Board

Printed Name

Attachment C



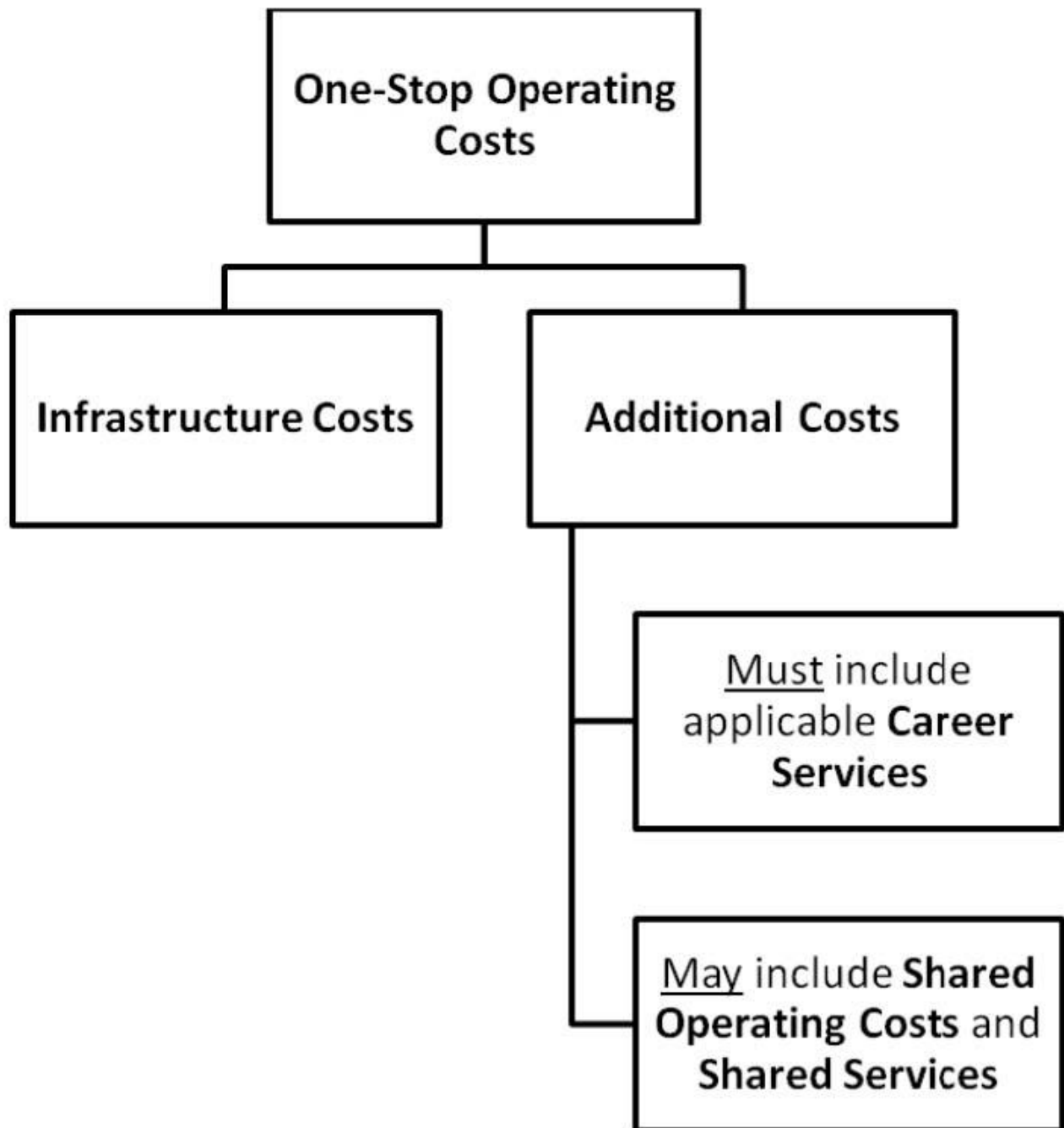
*Both funding agreements must be included as attachments to the Memoranda of Understanding between the local Workforce Development Board (WDB) and its partners. There may be one or more of each type of agreement for each local workforce development area (LDWA). For example, a LWDA may choose to have a separate infrastructure funding agreement for each center or combine all centers into one agreement.

Please note: The state funding mechanism ONLY applies to failure to reach an agreement on Infrastructure Funding Agreements.

Attachment D

Cost Pool	Possible Allocation Bases
Facilities: Building rent, maintenance costs, utilities, tenant improvements, or any other similar costs related to the physical structure housing the one-stop center.	Square footage occupied by each partner agency as compared to the total space. Workstation usage by partners as compared to total workstations.
Telecommunications: Monthly telephone costs, telephone system equipment, data lines, T-1 lines, and other similar costs.	Dedicated telephone units as compared to all units.
Information Technology: Shared equipment, software, IT maintenance costs, Internet access, and other similar costs.	Number of dedicated computers (including all necessary equipment) as compared to total.
Resource Center: Costs of shared equipment, displays, computer learning, specialized software for computer learning, furniture, copier, fax machine; may also include related staff costs.	Number of program participants or reportable individuals utilizing the resource center.
Common Intake System: Costs of developing common intake data formats, preparation and interview of customers, and similar costs.	Use of common data formats and data elements required for each program. Use of number of customer or participant records maintained by each partner program.
One-Stop Center Management Staff: Costs of the center director.	Number of partner program staff FTEs. Square footage of partner program benefit or number of program participants and reportable individuals served.
One-Stop Center General Operations Staff: Costs of the receptionist, staff of the resource center.	Number of partner program participants.
Shared Equipment and Supplies: Staff copier, fax, associated supplies, and furniture.	Usage by staff of each partner program. Occupancy (square footage) basis; numbers of staff workstations.
Career Services: Staff and benefit costs, development of common forms for case management, and similar costs.	Time distribution system (time sheets, work sampling, time and motion studies); numbers of clients eligible for specific program; weighted participation numbers.

Attachment E



Attachment F

Dept.	Partner Program	Required/ Additional Partner	Admin. Funds to Pay for Infrastructure Costs ¹	Program Funds to Pay for Infrastructure Costs	State Funding Mechanism Applicable ²
DOL	WIOA Title I programs: • Adult, Dislocated Worker, & Youth	Required	Yes	Yes	Yes
DOL	• Job Corps	Required	No	Yes	Yes
DOL	• YouthBuild	Required	Yes	Yes	Yes
DOL	• NFJP	Required	Yes	Yes	Yes
DOL	• Native American programs ³	Required	Yes	Yes	No
DOL	Wagner-Peyser Act ES	Required	N/A ⁴	Yes	Yes
DOL	SCSEP	Required	Yes	Yes	Yes
DOL	TAA program	Required	Yes	Yes	Yes
DOL	UC programs	Required	N/A ⁴	Yes	Yes
DOL	JVSG programs	Required	N/A ⁴	Yes	Yes
DOL	REO programs authorized under sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) and WIOA sec. 169	Required	Yes	Yes	Yes
ED	AEFLA program, authorized under WIOA title II	Required	Yes	No	Yes
ED	The State VR program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA title IV	Required	N/A ⁴	Yes	Yes
ED	Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006	Required	Yes	No	Yes
HUD	Employment and training activities carried out by HUD	Required	Consult partners' authorizing documents.	Consult partners' authorizing documents.	Yes
HHS	Employment and training activities carried out under the CSBG programs	Required	Consult partners' authorizing documents.	Consult partners' authorizing documents.	Yes
HHS	TANF	Either ⁵	Yes	No	Yes/No ⁶
Other	Partners as outlined by WIOA sec. 121(b)(2)(B) and 20 CFR 678.410 ⁷	Additional	Consult partners' authorizing documents.	Consult partners' authorizing documents.	No

LIMITATIONS:

¹ Partners' funding contributions for infrastructure costs are subject to the partner programs' administrative cost limitations and restrictions. The definition of administrative costs may also differ from one partner program to the next.

² Statutory caps for infrastructure funds is applicable only if the State Funding Mechanism is being implemented.

³ Native American programs, as required One-stop partners, are strongly encouraged to contribute to infrastructure costs, but they are not required to make such contributions under WIOA.

⁴ These programs do not distinguish between program or administrative funds since there is only one allotment from which all expenditures – administrative costs and program costs – must be paid. Although the VR program imposes no limits on the amount of funds that may be spent on administrative costs, VR agencies must report funds spent for infrastructure costs as administrative costs.

⁵ At the discretion of the Governor, in accordance with WIOA sec. 121(b)(1)(C) and 20 CFR 678.405.

⁶ The Governor may determine that TANF will not be a required partner.

⁷ Additional partners are required to share in infrastructure costs when participating in the one-stop service delivery system; however, the State funding mechanism is not applicable to additional partners.