**Governor’s Guidelines – Revision 4**

**Frequently Asked Questions (FAQ)**

The FAQs and suggestions below have been informed by an October 16, 2019 WIOA Wednesday Webinar introducing the draft Governor’s Guidelines – Revision 4, as well as questions and suggestions received after the webinar during the process of revising the draft revision to the Governor’s Guidelines and its appendices.

**MOU Development**

**FAQs**

1. **Should non-designated service connection (access) sites be listed in Section 6: “Name and Location of All Service Locations” of the MOU?**

No. Non-designated connection (access) sites are only required to be listed in the Pre-Program Year Planning Form (Appendix C to the Governor’s Guidelines – Revision 4).

1. **Do physical and programmatic accessibility apply to all service locations or just designated service sites?**

Physical and programmatic accessibility requirements under WIOA ((Sec. 121 (c)(2)(iv)) do apply to all service locations, regardless of designation status. The MOU only concerns designated comprehensive one-stop centers, affiliate sites and specialized centers; therefore, only the physical and programmatic accessibility of designated service locations must be described in the MOU narrative.

1. **Under what circumstances are abbreviations and acronyms prohibited in the MOU?**

The use of acronyms and abbreviations is prohibited on all signature pages, as required by the Office of the Illinois Comptroller for purposes of using the MOU as a contract for payment. Please ensure that any abbreviations or acronyms used in any other section of the MOU, such as Section 1: “Parties to the MOU,” are accurate and up to date.

1. **What are the proscribed functions the one-stop operator may not perform?**

The list of proscribed functions is included as part of Section 10: “Procurement of One-Stop Operator” of the MOU Template and 20 CFR §678.620. The local area must affirm that none of the proscribed functions will be performed by marking the checkboxes.

1. **Can only minor, technical changes be made to an MOU each program year an MOU Amendment is submitted to the State for approval, or can substantive changes be submitted for approval?**

On each occasion that an MOU or MOU Amendment and one-stop budget are submitted, the documents are reviewed in their entirety to ensure that all aspects and sections of the submittal comply with State guidance and WIOA statute. Any required revisions to the MOU, MOU Amendment or one-stop budget to incorporate required revisions for compliance purposes must be performed by the local area before approval is granted (§678.505).

1. **When revising the MOU for a specific program year after its initial submission to the State, does the submittal of the revised MOU require new signatures from required partners?**

No. The letter from the LWIB Chair to the individual designated by the Governor (included as Appendix L to the Governor’s Guidelines – Revision 4) affirms that all parties to the MOU and the LWIB have agreed to the revisions included in the submitted revised MOU. This affirmation is important as the MOU and, in some cases, the one-stop operating budget, has undergone changes since the parties to the MOU last reviewed it.

It is encouraged that this affirmation is received through an in-person meeting, but the method through which the local area ultimately gathers this affirmation is determined at the local level (i.e., in-person meeting, phone, email, etc.). It is only required that the letter from the LWIB Chair to the individual designated by the Governor (affirming that the LWIB and all parties to the MOU affirm the required revisions made) be submitted within 5 days of the LWIB meeting immediately following the submission of revisions.

If a local area is in need of technical assistance in completing this process, please contact Mike Baker at Michael.baker@illinois.gov or Cameron Sweatman at camerons@kebcpa.com.

1. **When are Pre-Program Year Planning Forms due to be turned into the State?**

Pre-Program Year Planning Forms for the upcoming program year are to be completed and submitted to CWD-wioaplan@ad.siu.edu by December 31 of each year.

**MOU Negotiations**

**FAQs**

1. **Who in the negotiations process is responsible for overseeing the negotiations process in regard to formal partner cross-training arrangements and fulfillment of these commitments?**

The one-stop operator may be a source that ensures that cross-training between partners occurs in a compliant manner, in alignment with the MOU and one-stop operating budget. Ultimately, the successful cross-training of partner staff to provide services is contingent upon the partners involved.

1. **Can the State require a local area to provide a call-in option for MOU and budget negotiations to avoid potential scheduling conflicts?**

According to the Final Rule, the MOU is a product of local discussion and negotiation (§678.500). Local workforce boards and partners must enter into good-faith negotiations as well (§678.510), though there is no stipulation as to how these meetings must occur. In Illinois, the scheduling of meetings during MOU and budget negotiations is up to local discretion, ensuring that all partners have ample opportunities to participate.

1. **If the consortium model is selected as the one-stop operator model, is the local workforce innovation board responsible for convening system stakeholders for local planning?**

According to 20 CFR §679.370(d), the local workforce innovation board must “convene local workforce development system stakeholders to assist in the development of the local plan under §679.550 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. Such stakeholders may assist the Local WDB and standing committees in carrying out convening, brokering, and leveraging functions at the direction of the Local WDB.” This is applicable regardless of the one-stop operator model selected.

1. **Does the one-stop operator model selected by the local area (i.e., consortium, single entity) affect the activities that are prohibited from being performed by the one-stop operator?**

No. The prohibited functions of the one-stop operator are not contingent upon the type of one-stop operator model selected by the local area.

1. **Which partners are responsible for providing follow-up services for youth?**

As described in WIOA Sec. 129(c)(2)(I), program partners providing career services to youth (as described in WIOA Sec. 129(c)(1)) must provide follow-up services for youth placed in employment for no less than 12 months.

1. **Are all partners aware that they are to participate in good faith negotiations?**

The Governor’s Guidelines – Revision 4 (Section 1, Item 6) state that all individuals participating in the development and negotiation of local MOUs will negotiate as equals and in good faith to reach agreement and to bring about a unified vision for the local one-stop delivery system. This includes participating in required partner meetings from the beginning of each negotiation period and addressing issues or requests for changes during each step of the development and approval of the MOU and one-stop operating budget.

Through indicating on the Pre-Program Year Planning Form, local areas can ensure the State is aware of any staff or partner programs new to the WIOA implementation process in Illinois that would benefit from a WIOA orientation.

**Suggested Improvements**

1. **An evolving list of those individuals authorized to sign MOUs on behalf of required partners would be helpful to ensure the correct signature is sought during the negotiations process.**

The feasibility of distributing a list of authorized signatories for each required partner, updated for each program year, is being explored.

1. **To further streamline the description of all partners that each partner will make referrals to, a checkbox could be added to the Referral System matrix that when checked would affirm that all partners agree to refer to all other partners.**

To ensure compliance with WIOA statute ((Sec. 121 (c)(2)(iii))), each partner must affirm to which partners it will make referrals.

1. **A conversion chart showing the actual hours required by a specific FTE commitment would be helpful in illustrating the exact time commitment required by a certain FTE commitment.**

The possibility of including an FTE conversion chart as a part of State guidance is currently being explored.

1. **Can you please share practices for completing sections of the MOU Template and engaging with less communicative service providers to ensure compliance with State guidance and Federal statute?**

Best practices for successfully completing and submitting required elements of WIOA implementation are updated on Illinois workNet. The expansion of the best practices displayed on the WIOA Implementation Portal to include MOU narrative content is being explored.

1. **Has any consideration been given to lowering the number of FTEs required to be committed by a required partner to provide services at the one-stop center through either:**
	1. **onsite program staff or contractor staff,**
	2. **onsite program staff or contractor staff who are cross trained to deliver services on behalf of another required partner, or through**
	3. **offsite staff available via on demand technology meeting the requirements of “direct linkage?”**

Designated WIOA service locations must provide access to services to customers during regular business hours, according to Final Rule §678.305. Setting .25 FTE as the minimum contribution to the one-stop system to provide services ensures that services are provided as required by the WIOA law.

If all required partners agree to allow a partner to commit to less than a .25 FTE, and the local board chair concurs, the local board chair can then submit a waiver using the waiver request form included in the Report of Outcomes template (Appendix G of the Governor’s Guidelines – Revision 4).