

Draft Supplemental Guidance for PY 2021



October 15, 2020

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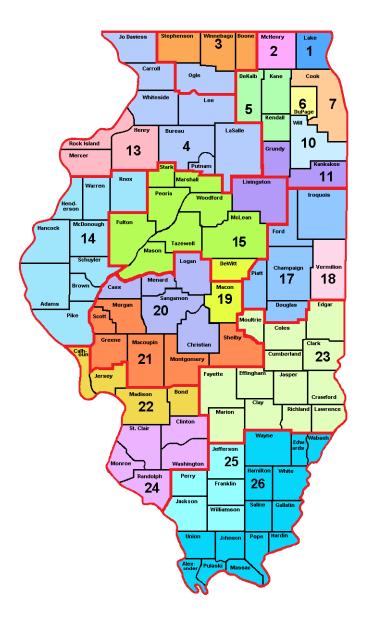
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October 14, 2020



Where is Your Local Area?











Overview

- 1. Background and Reminders About MOU and Budget Negotiations
- 2. Draft Supplemental Guidance for PY 2021
- 3. Timeline
- 4. Q&A



Background About the Governor's Guidelines

What are the Governor's Guidelines?				
	Negotiation of local MOUs			
	Annual Negotiation of Local Shared Costs			
	Negotiation Outcomes (for MOUs and Annual Budgets)			
	Waiver Process			
	Annual Submission Requirements / Amendment Procedures			
	Annual State-level Review of MOUs			
	Periodic Reconciliation of Shared Costs			
	Additional Annual Guidance			
	Appendices, including Glossary, Forms and other resources			



Background About the Governor's Guidelines

Governor's Guidelines and Revisions:

- 2015: Original Version
- Revision 1 (March 2016) DOL delayed the effective date of infrastructure costs
- **Revision 2** (December 2016) DOL issued guidance on infrastructure costs
- Revision 3 (November 2018) Illinois brought all guidance into one document
- **Revision 4** (November 2019) Illinois clarified guidance for new PY 2020 MOUs

Supplemental Guidance:

- PY 2016 provided an alternative timeline for negotiations
- PY 2017 explained Illinois' approach for affiliate and specialized centers
- PY 2018 incorporated federal guidance about periodic reconciliation and affiliate centers
- PY 2021 will provide guidance for negotiations specific to implications of the COVID-19 pandemic



Reminders: MOU and Budget Negotiations

MOUs:

- ☐ Serve as a tool to achieve integration
- ☐ Reflect a shared vision and commitment of local workforce innovation boards (LWIBs)
- Document each required partner's commitments to service delivery
- ☐ Demonstrate negotiations were in good faith by individuals with authority to commit financial and programmatic resources

MOU negotiated every 3 years

Shared costs negotiated annually



Reminders: MOU and Budget Negotiations (continued)

Decisions reflected in the MOU:

- 1. Services that can be accessed in the local one-stop delivery system
- 2. Locations where services are made available
- 3. Each program partner's method of delivering services
- 4. Role of one-stop center operators
- 5. Coordination of referrals
- 6. Partner commitments to operationalize Service Integration Action Plans
- 7. Partner commitments to share in infrastructure costs and local service delivery system costs (annually)



Draft Supplemental Guidance to the Governor's Guidelines – Revision 4

Supplemental Guidance specific to negotiations of PY 2021 MOUs/budgets



Draft Supplemental Guidance for PY 2021

Governor's Guidelines – Revision 4 remains in effect

- 1. Guidance for Shared Costs During the COVID-19 Pandemic
- 2. Guidance for Public Safety Measures within American Job Centers
- 3. Guidance for the Universal Design of Service Delivery
- 4. Guidance for One-Stop Operator Payment Provisions (pending DOL)
- 5. Guidance for MOU Amendment Submittals for PY 2021



Draft Guidance for Shared Costs During the COVID-19 Pandemic



Draft Guidance for Shared Costs During the COVID-19 Pandemic

Early in the annual MOU budget negotiations for PY 2021, required partners should jointly discuss whether and how partners in each American Job Center will share in planned or unplanned costs specific to the pandemic.

Cost examples include:

- increased sanitation supplies
- masks for employees and the public
- additional security presence

Discussion examples include:

- Identify which pandemic-specific costs could benefit the entire American Job Center (AJC) versus which costs are limited to one required partner.
- Decide which pandemic-specific costs will be shared and allocated out to all required partners in the AJC.
- Identify any agreed-upon exceptions for partners that will not absorb the extra shared costs related to the pandemic. Document the rationale.
- Discuss special processes and time estimates for seeking approval of increased spending authority from the applicable State agency or parent organization.



Draft Guidance for Shared Costs During the COVID-19 Pandemic (cont.)

Once partners agree to share pandemic-specific costs:

- Develop a method to track the amount owed for those shared costs.
- Then confirm invoicing processes through State agencies or parent organizations.



Draft Guidance for Shared Costs During the COVID-19 Pandemic (cont.)

If our American Job Center is open by appointment only or does not offer in-person services, do we still have to pay infrastructure costs?

- Yes. The required program's cost sharing commitments for infrastructure costs (i.e., operating overhead of the physical center) must still be met for PY 2021.
- ☐ Examples: A proportion of utilities, rent, assistive technology

Source: Governor's Guidelines – Revision 4, Section 1, Items 8(I) and (p)



Draft Guidance for Shared Costs During the COVID-19 Pandemic (cont.)

If our program staff are working remotely and are not physically present in the American Job Center, will our program still have to share in infrastructure costs?

- ☐ Staff who work remotely or provide services using direct linkage technology still count toward the program's FTE commitment.
- ☐ A required program's FTE commitment is still the basis on which costs are allocated to that program partner.



Draft Guidance on Personal Protective Equipment (PPE) Procurement

Procurement of PPE is still best done at the local level

To procure PPE for staff and customers:

- LWIBs must follow local procurement policies and procedures
- LWIBs may secure PPE from known sources in the local area
- Eligible units of government and eligible nonprofits may procure PPE through Illinois Central Management Services (CMS)

PPE Procurement Info at the WIOA Implementation Portal: https://www.illinoisworknet.com/WIOA/Pages/covid.aspx



Draft Guidance for Shared Costs During the COVID-19 Pandemic (cont.)

Who/how should we assess whether our American Job Center needs increased security?

- ☐ One-Stop Operator
- Local Workforce Board
- ☐ Required Partners

What should we assess?

- ☐ Traffic and occupancy
- □ Preparedness for opening the AJC in any capacity
- Presence of required partners
- Community environment
- Capacity of existing security



Draft Guidance for Public Safety Measures within American Job Centers



Checklist for Reopening American Job Centers

Purpose:

To identify a few requirements and offer additional guidance to support LWIBs in making decisions about when to reopen American Job Centers with the appropriate safety measures in place.

The checklist was originally issued in May 2020. It has been periodically revised based on new guidance or feedback from required partners.



Checklist Background (Continued)

Minimum Reopening Requirements:

- 1. Ensure adequate Personal Protection Equipment (PPE) is available for all staff and customers through Phases 3 and 4.
- 2. Ensure the safety of staff and customers, including through designated onsite security personnel.
- 3. Establish an agreed-upon process for making decisions for a practical reopening that includes conversations between the leaseholder, onestop operator and required partners before deciding or announcing that an American Job Center will reopen to the public.

The content appearing after the above criteria are just guidelines.



Checklist Background (continued)

The "Checklist for Reopening American Job Centers in Illinois" is not mandatory and offers considerations for what fits best in each local workforce area.

Partners should agree to a communications protocol to ensure:

- Staff who are onsite or remote are aware of safety concerns
- Clear protocol in public health or public safety emergencies



Checklist Background (continued)

5 Phases of the 11 Emergency Medical Service Regions:

Phase 1 Rapid Spread	Phase 2 Flattening	Phase 3 Recovery	Phase 4 Revitalization	Phase 5 Illinois Restored
Strict stay at home and social distancing	Non-essential retail stores reopen for curb-side	Manufacturing, offices, retail, barbershops, and	Gatherings of 50 people or fewer are allowed,	The economy fully reopens with safety
guidelines are put in	pickup and delivery.	salons can reopen to the	restaurants and bars	precautions continuing.
place, and only essential		public with capacity and	reopen, travel resumes,	
businesses remain open.	Illinoisans are directed to wear a face covering	other limits and safety precautions.	child care and schools reopen under guidance	Conventions, festivals and large events are
Every region has	when outside the home		from the Illinois	permitted, and all
experienced this phase	and can begin enjoying	Gatherings of 10 people	Department of Public	businesses, schools and
once already and could	additional outdoor	or fewer are allowed.	Health.	places of recreation can
return to it if mitigation	activities like golf, boating			open with new safety
efforts are unsuccessful.	& fishing while practicing social distancing.	Face coverings and social distancing are the norm.	Face coverings and social distancing are the norm.	guidance and procedures.



Checklist Background (continued)

- The Checklist was created using information and input from the following Federal agencies, State agencies and workforce partners:
 - Center for Disease Control and Prevention
 - Illinois Department of Public Health
 - Occupational Safety and Health Administration
 - Central Management Services (CMS)
 - Illinois Department of Commerce and Economic Opportunity
 - Illinois Department of Employment Security (IDES)
 - Illinois Community College Board (ICCB)
 - WIOA Interagency Leadership Team
 - WIOA Interagency Technical Assistance Team and required partner networks
 - Illinois Workforce Partnership



Accessing the Reopening Checklist

https://www.illinoisworknet.com/wioa



Visit the WIOA Implementation Workforce Professionals COVID-19 Web Page

WIOA Works Illinois

WIOA Works Illinois is an online resource to assist business and industry leaders, policy makers, community organizations and workforce professionals in achieving success under the Workforce Innovation and Opportunity Act (WIOA). This site will keep you up-to-date on our state's policies and programs, highlight local innovation by sharing best practices and success stories, and outline specific policies to ensure a skilled workforce for our state's employers.



Accessing the Reopening Checklist (Continued)

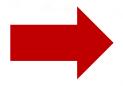
WIOA IMPLEMENTATION DURING COVID-19

Visit the State of Illinois Coronavirus Web Page

Background

The resources on this page are to help address questions and concerns of Workforce Professionals to best assist businesses and individuals and adapt daily operations affected by the COVID-19 pandemic.

This page will be updated regularly as new information is made available.



COVID-19 Individuals Page

COVID-19 Employers Page

FAQs

Q&A for WIOA Implementation under COVID-19 protocols.



American Job Centers Reopening

- (NEW) Reopening Checklist
 - without Tracked Changes (PDF)
 - with Tracked Changes (PDF)

Adapting AJC Operations to COVID-19

Operations Guidance

- IL Dept. of Human Rights Mask FAQs for Businesses 7/20
- Cover Letter 6/2020



Resources in the Checklist

- ➤ WIOA Implementation During COVID-19: https://www.illinoisworknet.com/WIOA/Pages/covid.aspx
- ➤ Guidance on the use of masks Illinois Department of Public Health:

 http://www.dph.illinois.gov/sites/default/files/SIREN%20Memo%20-

 %20IDPH%20Guidance%20for%20the%20Use%20of%20Masks%20by%20the%20General%20Public%200

 4.06.2020.pdf
- FAQ for Businesses Concerning Use of Face-Coverings During COVID-19:

 https://www2.illinois.gov/dhr/Documents/IDHR FAQ for Businesses Concerning Use of Face-Coverings During COVID-19 Ver 2020511b%20copy.pdf
- United Stated Centers for Disease Control and Prevention:
 - o https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html
 - o https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html
 - https://www.cdc.gov/coronavirus/2019-ncov/community/office-buildings.html
- ➤ Illinois Coronavirus Resources: https://coronavirus.illinois.gov/s/



Resources in the Checklist (Continued)

- Restore Illinois: A Public Health Approach to Safely Reopen Our State:
 - o Website: https://coronavirus.illinois.gov/s/restore-illinois-introduction
 - PDF: https://coronavirus.illinois.gov/sfc/servlet.shepherd/document/download/069t000000BadS0AAJ?operation onContext=S1
 - Phase 3 Business Toolkit The State of Illinois has developed this business toolkit complete with signage, training checklists, and other resources to ensure business and activities are conducted in accordance with the latest and greatest public. https://dceocovid19resources.com/assets/Restore-Illinois/businesstoolkits/all.pdf
- ➤ Illinois Community College Board Guidance for the return to Campus for Illinois Community Colleges in response to the COVID-19 Pandemic: https://www.iccb.org/iccb/wp-content/uploads/2020/06/ICCB Return to Campus Guidance.pdf
- Occupational Safety and Health Administration (OSHA) Guidance on preparing workplaces for COVID-19: https://www.osha.gov/Publications/OSHA3990.pdf



Draft Guidance for Universal Design of Service Delivery



Universal Design



Universal Design is the design and composition of an environment so that digital services can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability. Universal Design provides recommendations for meeting a range of physical and programmatic accessibility needs.

Universal Design is not a regulation or legislation like the American with Disabilities Act (ADA), but came about to address issues not directly covered by the ADA.



Universal Design (continued)

- Certain principles should be applied to ensure "universal design" in the development of WIOA documents and activities, including accessible features for all methods of service delivery, including online platforms. Please consult the detailed description of the seven principles of Universal Design, which can be found by following the first link below.
- Definition according to the National Disability Authority:
 http://universal-Design/

Principles of Universal Design

- 1. Equitable Use
- 2. Flexibility in Use
- 3. Simple and Intuitive Use
- 4. Perceptible Information
- 5. Tolerance for Error
- 6. Low Physical Effort
- 7. Size and Space for Approach and Use



Universal Design (continued)

Resources concerning Universal Design, including how to apply its principles for content creation and teaching may be found here:

- <u>Learn to Create Accessible Websites with the Principles of Universal Design</u>
- Universal Design for Learning
- The Difference between Universal Design and the ADA



Draft One-Stop Operator Payment Provisions



Background About One-Stop Operator Payment Provisions

U.S. DOL in 2018 monitored MOUs, One-Stop Operator Agreements and other WIOA governing documents in Illinois.

Corrective Actions for Illinois:

- Ensure local workforce boards award funds to the selected bidder of a competitive procurement process
- 2. Clearly identify invoicing and payment processes in the contractual documents
- 3. Ensure all local workforce boards award funds to the selected onestop operators with evidence of the exchange of funds



Background About One-Stop Operator Payment Provisions

The WIOA Interagency TA Team is in continued conversations with DOL Region V about potential solutions that do not add administrative burden or unnecessary financial transactions to demonstrate the exchange of funds between the LWIB and the OSO.

In the meantime ...



Draft Guidance for One-Stop Operator Payment Provisions (Pending)

Draft Supplemental Guidance and Templates (pending):

- 1. MOU Section 10 new required content
- 2. MOU Budget Spreadsheet new rows in the existing tabs
- 3. MOU Budget Spreadsheet new tab specific to OSO cost sharing
- 4. Invoicing Process for OSO shared costs sample invoice provided

Separate but parallel to the Supplemental Guidance, MOU commitments would align with the OSO Agreement – sample template provided.



Pending Draft New Content Required for MOU Section 10 "Procurement of One-Stop Operator"

New for PY 2021 (pending)

- 1. Payment terms and frequency
- 2. Total cost of the OSO
- 3. Which partners are contributing to the OSO costs
- 4. Method of contribution

10. PROCUREMENT OF ONE-STOP OPERATOR (Governor's Guidelines, Section 1, Item 8(j)) (§ 678.600-635)

[NOTE: Ensure that the following content agrees with and aligns to the budget spreadsheet and notes.]

- Name the procured one-stop operator and identify the agreed upon one-stop operator model used
 for each one-stop center in the local area. The operator may be a single entity (public, private, or
 nonprofit) or a consortium of entities (if the consortium of entities is composed of one-stop partners,
 it must include a minimum of three of the one-stop partners).
- Describe the functions and scope of work of the one-stop operator as defined in the Request for Proposal or as planned for the competitive procurement process.
 New for PY 2021:
- Describe the payment provisions, including the term, frequency and method of payment for onestop operator services.
- For each shared cost center, state the total cost of the one-stop operator and the required partners which are contributing to that costcost per partner.
- For each shared cost center, explain the method of contribution(s) (e.g. cash, non-cash, in-kind) each required partner is contributing to the cost of the one-stop operator will utilize to exchange funds between the local board (e.g. cash, non cash, in kind). Example: A consortium partner contributes the required one stop operator payment via a non-cash contribution(s) in the amount of the market value for specific services under the One-Stop Operator Agreement; which have a fair market value to credit their amount owed.
- Assure that the one stop operator will not perform any of the proscribed functions (§ 678.620(b)) to avoid a conflict of interest.

By clicking on the boxes below, required partners in the local area affirm that the one-stop operator wil not perform the following proscribed functions:
\square convene system stakeholders to assist in the development of the local plan
\square prepare and submit local plans (as required under sec. 107 of WIOA)
\Box be responsible for oversight of itself
\square manage or significantly participate in the competitive selection process for one-stop operators
\square select or terminate one-stop operators, career services, and youth providers
\square negotiate local performance accountability measures
\Box develop and submit budget for activities of the Local WDB in the local area.



Draft Guidance for One-Stop Operator Payment Provisions (pending)

(pending)

Required partners should establish an invoicing process to document the value of the OSO services provided by the one-stop operator, whether a consortium or single entity.

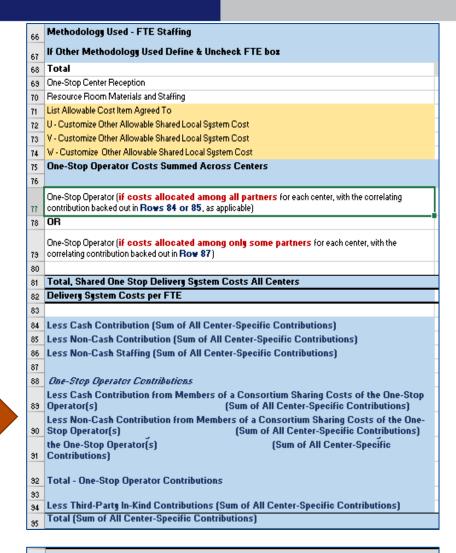
Option 1: Designate an invoice showing the value of the shared cost of the OSO services and the required partners' contribution toward that allocated cost (even if a non-cash contribution results in a \$0 cash balance owed).

Option 2: Issue an invoice that sums a required partner's total allocated costs, delineating a line item to OSO services.

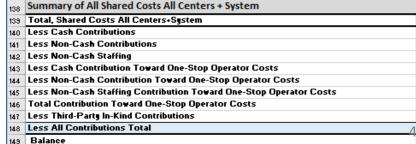


Draft Guidance for One-Stop Operator Payment Provisions Budget Spreadsheet (Pending)

New rows reflect partners' contribution methods toward the shared cost of the onestop operator services.









Draft Guidance for One-Stop Operator Payment Provisions Budget Spreadsheet (Pending)

A new tab is specific annual costs of one-stop operator services, summing the annual amount for each line item identified in a One-Stop Operator Agreement.

	В	С	Е	E		F		G		Н		1		J	
1															
2	One-Stop Operator Costs & Paym	\prod		Contributions											
3		Total Costs Full Contract Period		Costs Budget Year	Pa	rtner A	A Partner B		Partner C		Partner D		TOTAL		
4	Personnel	\$ 40,000	П	\$ 13,333	\$	6,666	\$	3,333	\$	2,667	\$	667	\$	13,333	
5	Fringe Benefits	9,300	П	3,100		1,550		775		620		155		3,100	
6	Travel	-	П	-		-		-		-		-		-	
7	Equipment	-	П	-		-		-		-		-		-	
8	Supplies	300	П	100		50		25		20		5		100	
9	Contractual Services & Subaward	-	П	-		-		-		-		-		-	
10	Consultant	-	П	-		-		-		-		-		-	
11	Occupancy	-	П	-		-		-		-		-		-	
12	Telecommunications	-	П	-		-		-		-		-		-	
13	Training and Education	5,000	П	1,667		834		417		333		83		1,667	
14	Direct Administrative Costs	600	П	200		100		50		40		10		200	
15	Miscellaneous Costs	300	П	100		50		25		20		5		100	
16	Total Direct	\$ 55,500	$\ $	\$ 18,500	\$	9,250	\$	4,625	\$	3,700	\$	925	\$	18,500	
17	Indirect Costs	4,500	П	1,500		750		375		300		75		1,500	
18	TOTAL	\$ 60,000	П	\$ 20,000	\$	10,000	\$	5,000	\$	4,000	\$	1,000	\$	20,000	
19															



Draft Guidance for PY 2021 Submittals

October 14, 2020 42



Pre-Program Year Planning Form

A new checkbox asks if the LWIA would like technical assistance about enforcing safety protocols in the American Job Centers.

- 6. Using the fillable table below, please submit the proposed schedule for Program Year MOU and Budget Negotiations, in alignment with the general timeline provided in Appendix A of the Governor's Guidelines Revision 4 (Use only the rows needed to fully describe your specific negotiations schedule). Please include:
 - a. Title of the meeting;
 - b. What is to be discussed and/or decided in accordance with the timeline below;
 - c. Whether the meeting is slotted to be in-person or over the phone; and
 - d. The week and year of the planned date of completion of task.

PRIMARY ACTIVITY IN NEGOTIATIONS	PLANNED DATE OF COMPLETION (WEEK ENDING ON A SPECIFIC CALENDAR DATE AND YEAR)
Please insert phone or in-person meeting information	enter date
Please insert phone or in-person meeting information	enter date
Please insert phone or in-person meeting information	enter date
Please insert phone or in-person meeting information	enter date
Please insert phone or in-person meeting information	enter date
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Please insert phone or in-person meeting information	enter date
Please insert phone or in-person meeting information	enter date

- Please select this checkbox if there is a partner agency or individual new to the MOU negotiations process in your local that would benefit from a WIOA orientation.
- 8.

 Please select this checkbox if the Local Workforce Innovation Area would benefit from technical assistance on enforcing safety protocols in American Job Centers.



Cover Page for Submittal of MOU Amendments

COVER PAGE FOR SUBMITTAL OF MOU AMENDMENTS AND ANNUAL ONE-STOP OPERATING BUDGETS

MEMORANDUM OF UNDERSTANDING BETWEEN

[Name of local workforce board]

AND

LOCAL REQUIRED PARTNERS UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

This cover page is only intended for use any time the MOU is amended.

Amendment No.

Pursuant to the Workforce Innovation and Opportunity Act of 2014, the signatories are the Parties to the Memorandum of Understanding for integrated delivery of federally funded workforce services in Local Area #]), effective Click or tap to enter a date., (MOU). In accordance with Section 14 of the MOU, the Parties hereby mutually agree to this Amendment No. Click or tap here to enter text., which is set out in its entirety as follows:

- 1. Section(s) #_____ of the MOU are hereby revised and replaced with amended Section(s) #_____ as provided in Attachment _1_ of this Amendment No. __.
- IDES Non-Disclosure Agreement is attached hereto as Attachment _2_ of this Amendment No. __ and is incorporated by reference into the MOU.
- All terms, conditions, provisos, covenants and provisions of the MOU other than those
 expressly modified by this Amendment No. __ shall remain in full force and effect as
 written. In the event of conflict, this Amendment No. __ shall prevail.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. __ on the date of last signature. 44



Draft Signature Guidance

The use of electronic signatures on some PY 2021 required documents and forms is allowed and encouraged, consistent with the U.S. Electronic Signatures in Global and National Commerce (ESIGN) Act. These documents include the:

- Pre-Program Year Planning Form
- Report of Outcomes
- Direct Linkage Checklist

The Illinois Office of Comptroller (IOC) does not currently accept digital or electronic signatures, including signatures originated from DocuSign.

Agencies that are unable to sign the physical copy of a document may submit the document without a signature to the IOC during the COVID-19 emergency. If an agency opts to submit a document without a signature or one that contains an electronic signature, an email approval from the agency will still be required by the IOC.

Email Approval Requirements

- The approval email must be sent from the vendor's/grantee's business email address.
- The email Subject must include the agency name that is contracting with the vendor and the contract/grant agreement number.
- The body of the email must include the statement, "I authorize [Vendor Name] to enter into the agreement referenced above."
- The signature block on the email must include:
 - Approver's Name and Title o Vendor Name
 - Address (including city/state/zip)
 - Phone Number

NOTE: It is the agency's responsibility to determine if the individual approving the agreement is authorized to do so.

- The date of the email from the vendor will serve as the date executed by the vendor.
- The email from the vendor must be printed and incorporated in the agreement packet, placed directly behind the signature page of the agreement.







	Annual Timeline	Activity
	November	Final Supplemental Guidance for PY 2021 issued
Due Date	December	 Fillable templates and forms provided by the State MOU/budget negotiators gather essential information Pre-Program Year Planning Form due 12/30/20
	January	Start negotiations
Due Date	April 15	 Negotiations end → Report of Outcomes due Draft one-stop operating budget spreadsheets due
	May 1	Remediation period begins for any local areas not yet in agreement
	May 31	 State gives feedback on draft budgets Local areas at impasse are identified
	June 15	State Infrastructure Cost Mechanism applied to areas at impasse
Due Date	June 30	 Final MOUs due Areas at impasse reported to applicable Federal agencies
	Fall	• State-level review of MOUs/budgets → Identifies required revisions due in 30 days









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