
MEMORANDUM OF UNDERSTANDING

POLICY #: 4008

Original Policy Date: 4/16/2012

Effective Date: 4/16/2012

Purpose:

The Southwest Washington Workforce Development Council (SWWDC) is issuing this policy to briefly summarize the required elements of the Memorandum of Understanding and define how modifications are made to that agreement. This policy applies to all signatory partners, affiliates and organizations to the Memorandum of Understanding (MOU).

Policy:

The SWWDC, with the agreement of the Chief Elected Official, will develop and enter into a Memorandum of Understanding between SWWDC and WorkSource system partners, affiliates, and organizations concerning the operations of the Southwest WorkSource System. The MOU for the Southwest Washington region is an area-wide agreement that binds all partners together as a system.

It is understood by the partners to the MOU that each will fulfill its responsibilities in accordance with the provisions of law and regulations governing their activities. Nothing in the agreement is intended to negate or otherwise interfere with any such provisions or requirements.

The MOU shall, at a minimum, incorporate the following:

- Services provided through the One-Stop delivery system, including methods of referral of individuals between the One-Stop partners for appropriate services and activities.
 - For specific reference to management responsibilities and oversight of the local One-Stop delivery system refer to the One-Stop Operator Agreement. This agreement shall be attached to the MOU.
- A brief outline of how the cost of services and operating costs will be funded.
- The duration of the MOU and the process for amending the MOU during the term of the agreement.
- Inclusion of required organizations and/or programs, if available in the covered SWWDC area, as well as agreed on local organizations.
- SWWDC Customer Complaint Policy #4004 and the SWWDC Dispute Resolution Policy #4007 as attachments.
- The term of no longer than three years.

Process for modifications or changes to the MOU:

The One-Stop Operator, SWWDC, or partners may bring forward recommendations to amend the SWWDC Memorandum of Understanding. Recommendations must be sent in writing to the SWWDC administrative office. From the suggested recommendations, SWWDC will engage in open, inclusive discussions with the One-Stop Operator. The

SWWDC will provide at least 60 days for discussion, which could include an agenda item at the SWWDC meeting.

In instances of a significant or emerging project requiring immediate partner collaboration and coordination, SWWDC will convene a meeting (at their initiative or a partner's request) of the One-Stop Operators and WorkSource partners to decide on a course of action. A specific project lead may be pre-determined by program, state or federal guidelines; otherwise, decisions on roles of partners will be locally driven. If the project requires a change to the MOU, the lead partner or SWWDC will suggest a change or modification to the MOU, and the local policy will be followed.

Definitions:

Memorandum of Understanding (MOU): The MOU is a formal agreement defining roles, responsibilities and the flow of services to be provided by partners in the Southwest Washington WorkSource System.

WorkSource: Part of a national system of one-stop career centers and affiliated sites, certified by local Workforce Development Councils (locally known as SWWDC), that provide employment and training resources and services to business and job seekers, in person and online.

References/Resources:

- Washington State Employment Security WorkSource Service Delivery System Policy 1013 WorkSource Memorandum of Understanding Policy.
- WIA Law Section 121(c)
- WIA Law Section 134(d)(2)
- WIA Final Rules, 20 CFR Section 661.120(b): States should establish policies, interpretations, guidelines and definitions to implement provisions of Title I of WIA to the extent that such policies, interpretations, guidelines and definitions are not inconsistent with the Act and the regulations issued under the ACT, as well as Federal statutes and regulations governing One-Stop partner-programs.
- WIA Final Rules 20 CFR Sections 662.310(b)(c):
- WashingtonWORKS: ESD should continue to be the lead organization for developing statewide WorkSource operational policies. In exercising its leadership, ESD will use consultative mechanisms, such as the WorkSource Executive Oversight Committee, to form, communicate, and enforce statewide operational policies in unison with WDCs whenever possible. ESD will regularly consult with partner agencies such as DSHS, SBCTC, and the Workforce Board. ESD's role will include clarifying areas where statewide the customers of the WorkSource system benefit from consistent and coordinated services and monitoring to ensure that implementation occurs throughout the state.
- Southwest Washington Workforce Development Council Customer Complaint Policy #4004.

- Southwest Washington Workforce Development Council Dispute Resolution Policy #4007.
- Southwest Washington Workforce Development Council One-Stop Operator Agreement.