

**MEMORANDUM OF UNDERSTANDING  
STATE OF UTAH  
ONE-STOP PARTNERS  
July 1, 2007 to June 30, 2012**

**I. Introduction**

The purpose of this Memorandum of Understanding (MOU) is to establish an atmosphere of cooperation and collaboration among partners. By working together, partners can identify current and future workforce skills, promote post-secondary education, develop lifelong learning strategies, and foster the entrepreneurship spirit for Utah citizens. A highly educated, skilled, and talented population will enable Utah to compete in the global economy. This MOU between Utah's State Workforce Investment Board (SWIB) and the One-Stop Partners is a requirement of the Workforce Investment Act of 1998. This MOU will establish guidelines for the One-Stop Operator and One-Stop Partners in creating and maintaining cooperative working relationships. The Department of Workforce Services is the designated One-Stop Operator.

**II. Strategic Vision and Goals**

It is the vision of Utah's One-Stop Operator and the One-Stop Partners to render diverse comprehensive services that will provide customers the opportunity to obtain training, gain postsecondary educational credentials and promote a desire to engage in lifelong learning so job seekers will continue to remain competitive in the workplace. These services are designed to connect unemployed and dislocated workers to a job in one of the industry sectors and provide the underemployed worker the opportunity to obtain education and training so they can attain new skills required for a job in a high demand, high growth, high wage industry sector. A focus will be placed on the neediest youth, youth aging out of foster care those involved with the juvenile justice system, children of incarcerated parents, migrant youth, Native American youth, and youth with disabilities. One-Stop Operator and One-Stop Partners will work in tandem with employers and civic leaders to identify solutions that will address the challenges of building a workforce system that will provide services to the neediest youth. The goals of the One-Stop Operator and the One-Stop Partners are to assist individuals to obtain employment, eliminate duplication of services, reduce administrative costs, enhance participation and performances of customers served through the system and improve customer satisfaction. Achievement of these goals will allow Utah to continue building a workforce development system that prepares individuals for high demand, high growth employment in industry sectors that are vital for continued economic growth and that are essential for Utah and the Nation to compete in the global market.

**III. Authority**

"The agreement is made pursuant to the authority granted under Utah Code Ann. 35A-4-312(5)(h) and Utah Admin. Code R986-100-109 and R986-100-110 (4)(g). All agencies, contractors, or third parties not specifically authorized to receive client information under the above referenced statutes and rules must obtain a signed release of information from the customer in accordance with R986-100-109 (3)."

#### **IV. Utah's One-Stop Partners Programs and Activities**

**Department of Workforce Services:** (*One-Stop Operator*): Wagner-Peyser Act (29 U.S.C. 49 et seq.) Unemployment Insurance, Trade Act (19 U.S.C. 2271 et seq.), Workforce Investment Act, Veterans Services, Migrant and Seasonal Farm Workers, Child Care Resource and Referral, Child Care Block Grant, Refugee Programs, Temporary Assistance to Needy Families, and Food Stamp Employment and Training, Workforce Innovation in Regional Economic Development (WIRED) Initiative (H-1B fees as authorized under Sec. 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (P.L. 105-277, title IV), as amended by P.L. 108-447 (codified at 29 U.S.C. 2916a), Medicaid Eligibility, Social Security Act, (Title 42 Public Health & Welfare Chapter 7 Social Security)

**Department of Community and Culture:** Low Income Home Energy Assistance Program, Community Services Block Grant, Coordination with Housing Authorities in Utah, Ethnic Offices (specifically Indian Affairs and Polynesian Affairs) for coordination purposes

**Governor's Office of Economic Development:** Community Services Block Grant, Workforce Innovation in Regional Economic Development (WIRED) Initiative

**State Office of Education:** Carl Perkins and Vocational and Technical Education Act (20 U.S.C. 2301 et seq.), Title II Adult Education and Family Literacy Act

**Utah State Office of Rehabilitation:** Programs Under Title I of the Vocational Rehabilitation Act (29 U.S.C. 720 et seq.), Vocational Rehabilitation, and Client Assistance Program

**Utah System of Higher Education:** Higher Education Act

**Utah Department of Human Services:** Older Americans Act (42 U.S.C. 3056 et seq.)

**Senior Community Service Employment Program (SCSEP)** (42 U.S.C. 3056 et seq.)

**Easter Seals of Utah:** Older Americans Act (42 U.S.C. 3056 et seq.)

**Utah Division of Indian Affairs:** Workforce Investment Act

**JOB CORPS:** Workforce Investment Act

**Futures through Training:** Migrant Farm Workers, Workforce Investment Act, Title 1

## V. Memorandum of Understanding Provisions

### **Services to be provided through the One-Stop Delivery System**

The Utah Department of Workforce Services, hereafter referred to as DWS, has been designated by the Governor to be the One-Stop Operator and the primary provider of services in the One-Stop Employment Centers. Currently, there are 36 One-Stop Employment Centers strategically located in the State of Utah. The One-Stop Employment Centers locations in the five regions, Northern, Central, Mountainland, Eastern, and Western, are determined by Regional Councils on Workforce Services as provided in Utah's Workforce Services Act. Services provided in accordance with the Wagner-Peyser Act are available in each center. Each region has at least one comprehensive employment center where customers can access the applicable core, intensive, and training services provided by the required One-Stop partners. In addition to the One-Stop Employment Centers, job seekers and employers can access required core services on-line at [jobs.utah.gov](http://jobs.utah.gov) twenty-four hours a day seven days a week. Also, customers can access information about One-Stop Partners services by using the links to each One Stop Partners' web page that are available on [www.jobs.utah.gov](http://www.jobs.utah.gov). DWS and One-Stop Partners, through contractual agreement, will cross-train staff and co-locate staff as appropriate. Also, a network of affiliated sites will provide one or more of the programs, services, and activities of the One-Stop partners or these sites will at least provide information on the availability of core services in the local area and information regarding specialized centers that address specific needs.

DWS developed the UWORKS case management system that will track core, intensive, and training services provided to customers and gather common measures data. DWS agrees to enter into individual MOU's with One-Stop Partners for limited information access to the UWORKS system. One-Stop Partners can gain access to the UWORKS system by completing a 3<sup>rd</sup> Party Request Form, (Attachment C) and by being approved by the appropriate DWS authority. DWS Staff and its employees agree to provide access information and training on the appropriate UWORKS functions. All One-Stop partners staff, supervisors, and administrators will adhere to all Federal, and State confidentiality rules. One-Stop Partners choosing to connect to the data system will be responsible for costs relating to purchasing and maintaining equipment and collecting data. Any costs incurred due to One-Stop partners requesting additional development of the Client Tracking System, will be borne by the requesting One Stop Partner. A feasibility study will be conducted to determine whether or not the cost incurred by additional development of the system is cost effective.

One-Stop Partners will be primarily responsible for providing those core services, which they are authorized to deliver and for which they are provided funding. The applicable core services for each partner are identified in section 134(d)(2) of the WIA. The DWS as stipulated in the Wagner-Peyser Act will provide Labor Exchange Services. Wagner-Peyser funds will be used to deliver core services. Temporary Assistance for Needy Families (TANF), Food Stamp Employment and Training, State, and WIA funds will be used by DWS to provide core, intensive, and training services. It is expected that the appropriate One-Stop Operator and One-Stop Partner staff will be knowledgeable about all services provided at the One-Stop Employment Center and at affiliated sites. This will be achieved by cross training of staff. One-Stop Partners will be responsible for providing technical assistance and training to local One-Stop Employment Center staff as well to other One-Stop Partner staff not located in the One-

Stop Employment Centers on referral processes and services related specifically to the respective One-Stop Partner. Customer pathways for obtaining core services from the One-Stop Partners will be developed locally.

One-Stop Partners will retain eligibility determination for their respective services whether co-located or connected through another method. Costs for core, intensive, and training services for customers who are determined to be best served by and eligible for a Partner’s services or programs will be borne by the One-Stop Partner that is authorized to deliver the service and for which they are funded. If eligible, customers may receive non-duplicated services from multiple partners.

Additionally, pamphlets and other informational materials about One-Stop Partners’ programs will be available to customers in every comprehensive One-Stop Center and affiliated sites. One-Stop Partners will be responsible for providing up-to-date materials about their programs and services.

DWS will provide Workforce Information (economic, wage, unemployment and employment statistics) in the One-Stop Employment Centers as well as through the DWS website. All One-Stop Partners and the public will have access to the information. One-Stop Partners who request customized Workforce Information and reports will bear the cost.

One-Stop Partners are responsible for informing each other when or if the availability of a service may be affected by a funding shortfall. The following matrix identifies the agencies that will form the comprehensive One-Stop system, along with their various services and funding resources that each will bring to the operation:

SERVICES	AGENCIES	REVENUE SOURCE
<p><b>CORE</b></p> <ul style="list-style-type: none"> <li><b>INTAKE</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>

SERVICES	AGENCIES	REVENUE SOURCE
<ul style="list-style-type: none"> <li>• <b>ELIGIBILITY</b></li> </ul>	<p>Department of Workforce Services, Utah Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP) Easter Seals of Utah. Utah State Office of Education, Utah System of Higher Education, Futures Through Training</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>INITIAL ASSESSMENT OF SKILL LEVELS, APTITUDES, ABILITIES, AND SUPPORTIVE SERVICE NEEDS</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>EMPLOYMENT STATISTICS</b></li> </ul>	<p>Department of Workforce Services</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA</p>
<ul style="list-style-type: none"> <li>• <b>INFORMATION ON PERFORMANCE MEASURES</b></li> </ul>	<p>Department of Workforce Services</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA</p>
<ul style="list-style-type: none"> <li>• <b>SUPPORTIVE SERVICE INFORMATION</b></li> </ul>	<p>Department of Workforce Services</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA</p>

SERVICES	AGENCIES	REVENUE SOURCE
<ul style="list-style-type: none"> <li>• <b>FOLLOW-UP SERVICES</b></li>   <li>• <b>JOB SEARCH AND PLACEMENT ASSISTANCE AND CAREER COUNSELING</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p> <p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p> <p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>UNEMPLOYMENT INSURANCE INFORMATION</b></li> </ul>	<p>Department of Workforce Services</p>	<p>UI</p>
<p><b>INTENSIVE</b></p> <ul style="list-style-type: none"> <li>• <b>COMPREHENSIVE AND SPECIALIZED ASSESSMENT</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>

<b>INTENSIVE (Continued)</b>		
<ul style="list-style-type: none"> <li>• <b>DEVELOPMENT OF INDIVIDUAL EMPLOYMENT PLANS</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>GROUP COUNSELING</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>INDIVIDUAL COUNSELING AND CAREER PLANNING</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, Medicaid Eligibility, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>CASE MANAGEMENT</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>

<ul style="list-style-type: none"> <li>• <b>SHORT-TERM PRE-VOCATIONAL SERVICES</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Medicaid Eligibility, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>
<p><b>TRAINING</b></p> <ul style="list-style-type: none"> <li>• <b>OCCUPATIONAL SKILLS TRAINING</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>WORKPLACE TRAINING WITH RELATED INSTRUCTION</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>

<ul style="list-style-type: none"> <li>• <b>TRAINING</b></li> </ul>		
<ul style="list-style-type: none"> <li>• <b>SKILL UPGRADING AND RETRAINING</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, Pell Grants</p>
<ul style="list-style-type: none"> <li>• <b>ENTREPRENEURIAL TRAINING</b></li> </ul>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education, Utah System of Higher Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, Pell Grants</p>
<p><b>ADULT EDUCATION AND LITERACY</b></p>	<p>Department of Workforce Services, Utah State Office of Rehabilitation, Department of Community and Culture, Governor’s Office of Economic Development, Department of Human Services, Senior Community Service Employment Program (SCSEP), Easter Seals of Utah, Utah State Office of Education</p>	<p>TANF, Wagner-Peyser, WIA, Child Care Development Fund, Food Stamps, UI, Refugee &amp; Veterans, NAFTA/TAA, Rehabilitation Act, CSBG, HUD, Ethnic Offices, Low Income Home Energy Assistance. Title V, Older American’s Act, Carl Perkins Applied Technology Education, WIA Title II Adult Education, Pell Grants</p>

## VI. Equal and Effective Access

The One-Stop Operator and One-Stop Partners agrees to operate under the requirements of the Americans with Disabilities Act (ADA); Section 504 of the Rehabilitation Act of 1973, as

amended, which prohibits discrimination against qualified individuals with disability, Additionally, all parties agree to comply with Section 188 of the Workforce Investment Act, and Title VI of the Civil Rights Act as well as guidance regarding services and access for persons with limited English proficiency, to the extent they apply to for coordinated services from all parties. Specific guidance is provided at Part IV, Department of Labor, Federal Register/Volume 68, No. 103, issued Thursday, May 29,2003, and the Department of Health and Human Services Federal Register/Volume 65, No. 169, August 30, 2000. This agreement shall not be construed as an express or implied waiver of any immunity the State of Utah or One-Stop Operator and One-Stop Partners enjoys from lawsuits brought under the provisions of the ADA.

## **VII. Referral Process**

Initial assessments will be completed with customers by DWS or One-Stop Partners' staff. Appropriate staff will, in consultation with the customer, determine which one of the required Partners will provide the core, intensive, and training services that will best meet the needs of the customer. If it is determined that a customer's needs can be better served by another required One-Stop Partner a referral will be made to the appropriate Partner. Customers will be able to learn about core services provided by One-Stop Partner's by accessing either the DWS or the One-Stop Partners' website. All customers referred for services will:

1. Be provided with a written or electronic referral form with the name, address, telephone number, and name of the contact person of the agency that the customer is being referred for services. The referral form will also include the name of the person making the referral, their phone number, and the referring agency will be provided with information regarding whether or not the customer that was referred was determined eligible for services provided by the One-Stop Partner. Customers will also sign a Release of Information when their information is to be shared between partners and the One-Stop Operator and Partners. All parties will adhere to current Federal, State and Department confidentiality rules and regulations. (DWS 115 and DWS 360, See Attachment A & B.)
2. Be provided with assessments, employment plans and intake and eligibility information that will be completed by the referring agency.

## **VIII. One-Stop System Performance Criteria**

It is agreed that the One-Stop Service Delivery partners will strive to achieve the following standard of quality service for its customers, employees, and partners:

All customers will receive:

1. Prompt and courteous customer service
2. Appropriate services, education, and training that will help them to reach their employment goals

All partners will:

1. Deliver high quality services through the One-Stop system
2. Survey customers to determine whether or not the services rendered meet their needs and to determine the level of customer satisfaction

### **IX. Cost Allocation**

DWS will follow its cost allocation plan as approved by the Department of Health and Human Services. The cost allocation plan has also been approved by the Federal Departments of: Labor, Education, and Agriculture for core, intensive, and training services specifically provided by DWS. Costs of unique services provided by a One-Stop Partner that are not generally available to all customers in the One-Stop Employment Centers will be borne by that respective partner. In general, costs relating to this MOU will be allocated in compliance with the Office of Management and Budget Circular A-87, EDGAR and DHHS, DOL and DOE interpretation letters and in accordance with the approved DWS cost allocation plans. Multiple funding streams will fund programs and services that are delivered by One-Stop Partners that are part of DWS. These consist of TANF, Food Stamp Employment and Training, WIA, and State funds. When appropriate, these funds will provide core, intensive, and training services. Wagner-Peyser funds will be used to fund core services. The costs incurred by DWS in delivering DWS services will be allocated back to individual funding sources using the Random Moment Time Sampling (RMTS) cost allocation method.

One-Stop Partners that are not part of DWS, including the Department of Human Services, Utah State Office of Education, Utah State Office of Rehabilitation, Department of Community and Culture, Governor's Office of Economic Development, Utah System of Higher Education, Job Corps, Futures Through Training, Senior Community Service Employment Program (SCSEP), and Easter Seals of Utah, will retain their own identity and control their own resources and remain autonomous while working with other Partner agencies to provide core services through the One-Stop system in accordance with 20 C.F.R. part 662. Each Partner will perform the functions and provide the services as mandated by state and federal statute. These Partners will continue to maintain their own individual program delivery, personnel, accounting, and other management systems. Each One-Stop Partner will pay for its own fixed and variable costs as direct charges.

### **X. Conflict Resolution and Grievance Procedures**

The One-Stop Center manager and/or the One-Stop partners management team will handle conflicts and grievances. All partners must have a current grievance procedure in accordance with 20 CFR Part 667 § 600 and 29 CFR Part 37.

### **XI. Duration and Modification of Plan**

At any time, any One-Stop Partner may request amendments to the MOU in writing. However, the One-Stop Partners must agree upon the amendments before presenting them to the State

Workforce Investment Board. All requests will be presented to the State Workforce Investment Board for final approval. The Memorandum of Understanding will be in effect July 1, 2007 and it will remain in effect until June 30, 2012 or if any of the One-Stop Partners request a revision. If a One-Stop Partner does not sign the MOU, the Chair of the State Workforce Investment Board will notify the Governor. If the impasse cannot be resolved between the Partners through negotiation or mediation, the Governor will notify the Secretary of Labor and the national office of the Partner who has not signed the MOU. The Governor can remove required One-Stop Partners who do not sign the MOU from the Board. Oversight of this MOU will be the responsibility of the SWIB.

## **XII. Special Provisions**

Should Youth Opportunity grants be awarded in Utah, a separate MOU will be written and the five-year State Plan will be modified.

The Utah State Office of Rehabilitation (USOR) and DWS have developed and funded a joint Partnership (Choose to Work) to contact employers for the purpose of developing jobs for individuals with disabilities. In addition, a State cooperative agreement, as required under WIA Title IV has been developed. This agreement provides specific guidelines for the coordination of services between the two agencies.

The DWS will comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 701 et. seq., which prohibits discrimination on the basis of handicap; and the Americans with Disabilities Act, 42 U.S.C. 12101 et. seq., and 29 CFR 1630, which provides that no qualified individual with a disability, by reason of such disability, be denied employment, be excluded from participation in, or be denied the benefits of services, programs, or activities. This agreement shall not be construed as an expressed or implied waiver of any immunity the State of Utah or One-Stop Operator and One-Stop Partners enjoys from lawsuits brought under the provisions of the ADA.

Utah has no formula Welfare to Work (WtW) grant at this time. However, should the state apply and be awarded a formula Welfare to Work grant, DWS will be the recipient

DWS has established a service delivery pathway that provides customers access to training services based on customer need, eligibility, and funding availability. Before customers can access training, DWS must provide core services, which includes job search, initial assessment, eligibility, and supportive services. However, if the customer is unable to obtain employment through core services and he or she meets the eligibility requirements, then he or she can receive intensive services, such as comprehensive and specialized assessment, individualized employment planning, individual or group counseling and career planning, or case management services. If the customer remains unemployed or underemployed after receiving intensive services, then the customer may be eligible to receive training funds to increase his/her skills so that they can obtain employment in an occupation in demand. Local pathways must be integrated, efficient, and streamlined so that the customers can access the variety of services provided by all required partners and other resources in the community that will support and

enhance the customers' attachment to high growth, high demand, and high technology occupations. It is essential for Utah's economic growth and for remaining competitive in the global economy that the One Stop Operator and One-Stop Partners cooperate and collaborate to develop a talent bank of workers who have post-secondary credentials and high technology skills.

The philosophy of DWS regarding training in a work first environment is to develop a workforce investment system that encourages entrepreneurs, motivates customers to obtain postsecondary education credentials, promotes lifelong learning, attracts high technology businesses and creates economic security for workers and families. Those customers who lack the necessary skills to obtain initial employment or to move from low wages to better wages and who are determined eligible for training funds will be provided a list of eligible training providers. From this list, customers will choose from a list of eligible training providers who provide training in occupations in high demand, high growth industries. DWS's goal in providing training services to customers is to enable them to connect to the high growth; high demand occupations that will afford them the opportunity to increase employment, increase earnings, and increase job retention. In addition to WIA training funds, DWS has allocated TANF funds for customers who are determined eligible for and in need of training services. Training dollars are also available for eligible Dislocated Workers and Displaced Homemakers.

The DWS and the State Workforce Investment Board (SWIB) concluded that an "umbrella" Memorandum of Understanding (MOU), being more general in nature, would work best to set direction with enough flexibility so each Regional Council could develop a Local Partnership Agreement (LPA) with each required partner set by the Workforce Investment Act. It is expected that each DWS Regional Council and partners will address the unique qualities of its diverse populations, geographical, and organization differences. Using the directions set in the State MOU, Regional Councils, and partners will develop the unique aspects of the service pathways and referral processes for all customers, job seekers, and employers alike. Shared costs for specific service delivery are to be negotiated at the local level and approved by DWS Regional Councils and Applied Technology Center and Service Region Governing Boards. The intent of the DWS regions is to continue their presence with educational institutions in One-Stop operations.

**SIGNATURE PAGE**

\_\_\_\_\_  
Kristen Cox  
Executive Director  
Department of Workforce Services

Date: \_\_\_\_\_

\_\_\_\_\_  
Kevin Crandall  
Chair  
State Workforce Investment Board

Date: \_\_\_\_\_

\_\_\_\_\_  
Don Uchida  
Executive Director  
Office of Rehabilitation

Date: \_\_\_\_\_

\_\_\_\_\_  
Palmer DePaulis  
Executive Director  
Department of Community and Culture

Date: \_\_\_\_\_

\_\_\_\_\_  
Jason Perry  
Executive Director  
Governor's Office of Economic Development

Date: \_\_\_\_\_

\_\_\_\_\_  
Patti Harrington  
State Superintendent  
Utah Office of Education

Date: \_\_\_\_\_

\_\_\_\_\_  
Lisa-Michele Church  
Executive Director  
Department of Human Services

Date: \_\_\_\_\_

\_\_\_\_\_  
Richard E. Kendell  
Commissioner of Higher Education

Date: \_\_\_\_\_

**SIGNATURE PAGE (cont.)**

\_\_\_\_\_  
Darren Hotton, Program Director  
Senior Community Service Employment Program (SCSEP)      Date: \_\_\_\_\_

\_\_\_\_\_  
Larry Witherow, Project Director  
Easter Seals of Utah      Date: \_\_\_\_\_

\_\_\_\_\_  
Forrest S. Cuch, Executive Director  
Utah Division of Indian Affairs      Date: \_\_\_\_\_

\_\_\_\_\_  
Robert Archer, Center Director  
Weber Basin Job Corps      Date: \_\_\_\_\_

\_\_\_\_\_  
Dean Hoffman, Center Director  
Clearfield Job Corps      Date: \_\_\_\_\_

\_\_\_\_\_  
Jerry Jefferies, Director  
Futures Through Training      Date: \_\_\_\_\_