

October 10, 2018



Seeking Feedback About the Draft Governor's Guidelines – Revision 3

Overview



1. Restarting WIOA Wednesday
2. Purpose of this webinar
3. Background
4. What's new
5. What's clarified or formalized
6. Forms to support negotiations
7. Other points for your feedback
8. Other resources available
9. Questions about revising PY 2018 MOUs/budgets

Invite your feedback
about each new concept

Improved Communications



- Survey about PY 2018 MOU negotiations process
- 50% requested improved communications
 - Quality, consistent, two-way communications

WIOA Wednesday Topic Examples

- **When interagency teams desire your input about draft guidance**
- **When a common challenge has been identified by multiple local areas**
- **When resolution of issues would benefit from joint State-local decisions and dialogue**

Purpose of This Webinar



Introduce

Introduce the draft Governor's Guidelines – Revision 3

Seek

Seek your feedback

Invite

Invite questions of clarification

Invite

Invite questions about your PY 2018 MOU/budget revisions

Governor's Guidelines Background



WIOA requires Governor to issue guidelines

Originally issued

December 2015



New Federal guidance about infrastructure costs

Two revisions

March, December 2016



New Federal guidance about affiliates and reconciliation

Two years of Supplemental Guidance

March 2017, January 2018

What's New

In the Governor's Guidelines – Revision 3

New Requirements

- Advanced planning for negotiations
- State-level career service matrices
- Required checklist for direct linkage
- Waiver process
- MOU amendment cover page

Advanced Planning for Negotiations



New content

Concept	Activity Between November and January
<p>Require advanced planning for negotiations.</p> <p>Pages 30-31, Appendix A Pages 36-38, Appendix C</p>	<ul style="list-style-type: none">• State agency legal and fiscal staff identify issues affecting the MOU Template before distribution• Local MOU/budget negotiators gather essential information• LWIB chairs submit <u>“Pre-Program Year Planning Form”</u><ul style="list-style-type: none"><input type="checkbox"/> Lead MOU negotiator<input type="checkbox"/> Impartial budget negotiator<input type="checkbox"/> Individual responsible for reconciliation<input type="checkbox"/> Frequency of reconciliation<input type="checkbox"/> Proposed schedule for negotiations<input type="checkbox"/> Any known waiver requests

Advanced Planning

New content

Your feedback

- Good idea?
- Feasible?
- Ways to improve the concept?



Concept

Require advanced planning for negotiations.

**Pages 30-31, Appendix A
Pages 36-38, Appendix C**

Activity Between November and January

- State agency legal and fiscal staff identify issues affecting the MOU Template before distribution
- Local MOU/budget negotiators gather essential information
- LWIB chairs submit “Pre-Program Year Planning Form”
 - Lead MOU negotiator
 - Impartial budget negotiator
 - Individual responsible for reconciliation
 - Frequency of reconciliation
 - Proposed schedule for negotiations

State-level Career Service Matrices



New content

Concept	Details
<p>Provide a State-level Career Service Matrix as a tool for local negotiations.</p> <p>Page 7-8, Section 1(8)(e) Page 45-48, Appendix F</p>	<ul style="list-style-type: none">• Compilation of State-identified career services provided consistently across the state by core and required partners• State-level matrix guides local partner negotiations and creates uniformity in services offered by each local provider• CSBG not included in matrix—CSBG services are determined solely by local community need• Job Corps, YouthBuild and HUD not included—These situational partners do not serve all local areas

State-level Matrix

New content

Your feedback

- Good idea?
- Feasible?
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Concept	Details
<p>Provide a State-level Career Service Matrix as a tool for local negotiations.</p> <p>Page 7-8, Section 1(8)(e) Page 45-48, Appendix F</p>	<ul style="list-style-type: none">• Compilation of State-identified career services provided consistently across the state by core and required partners• State-level matrix guides local partner negotiations and creates uniformity in services offered by each local provider• CSBG not included in matrix—CSBG services are determined solely by local community need• Job Corps, YouthBuild and HUD not included—These situational partners do not serve all local areas

Required Checklist for Direct Linkage



New content

Concept	Details
<p>Require a checklist for partners who plan to deliver services via direct linkage technology.</p> <p>Page 9, Section 1(8)(h) Page 54-67, Appendix I</p>	<ul style="list-style-type: none">• It was optional for PY 2018—it's required for PY 2019• Use when a required partner plans to deliver services via on-demand technology• Required partner staff for each program using direct linkage technology completes its own checklist• Submit completed checklist by April 15 to the State• Helps ensure compliance and thoroughness of plans to use direct linkage technology to meet WIOA requirements

Required Checklist

New content

Your feedback

- Good idea?
- Feasible?
- Ways to improve the concept?



Concept

Require a checklist for partners who plan to deliver services via direct linkage technology.

**Page 9, Section 1(8)(h)
Page 54-67, Appendix I**

Details

- It was optional for PY 2018—it's required for PY 2019
- Use when a required partner plans to deliver services via on-demand technology
- Required partner staff for each program using direct linkage technology completes its own checklist
- Submit completed checklist by April 15 to the State
- Helps ensure compliance and thoroughness of plans to use direct linkage technology to meet WIOA requirements

Waiver Process



New content

Concept	Details
<p>Provide a process to request a waiver from any provision of the Governor's Guidelines as necessary.</p> <p>Page 23-24, Section 4</p>	<ul style="list-style-type: none">• Waiver requests require:<ul style="list-style-type: none">• Written request citing the specific provision• Rationale, describing negative consequences if no waiver• Approval of all required partners• Approval of local workforce board chair• Timing of submittal:<ul style="list-style-type: none">• December Pre-Program Year Planning Form,• April 15 Report of Outcomes, or• Any time as needed• Waivers will only be reviewed for matters over which the State has discretion

Waiver Process

New content

Your feedback

- Good idea?
- Feasible?
- Ways to improve the concept?



Concept

Provide a process to request a waiver from any provision of the Governor's Guidelines as necessary.

Page 23-24, Section 4

Details

- Waiver requests require:
 - Written request citing the specific provision
 - Rationale, describing negative consequences if no waiver
 - Approval of all required partners
 - Approval of local workforce board chair
 - Timing of submittal:
 - December Pre-Program Year Planning Form,
 - April 15 Report of Outcomes, or
 - Any time as needed
 - Waivers will only be reviewed for matters over which the State has discretion

MOU Amendment Cover Page



New content

Concept	Details
<p>Clearly indicate an amendment to the originally approved MOU.</p> <p>Page 19, Section 2(19)(k)(i)</p> <p>Page 52, Appendix H</p>	<ul style="list-style-type: none">• LWIB chair and CEO submit amended sections of the MOU with signatures• Annual amendment of the MOU required to append the one-stop operating budget• Cover page contains all legal requirements to ensure Office of the Illinois Comptroller can process payments through the original MOU (serving as a contract between payees)<ul style="list-style-type: none">• IDES non-disclosure agreements incorporated into MOU• State Finance Act – contingent on availability of funds• Affirmation that all other terms of the MOU remain in effect

Amendment Cover Page

New content

Your feedback

- Good idea?
- Feasible?
- Ways to improve the concept?



Concept

Clearly indicate an amendment to the originally approved MOU.

**Page 19, Section 2(19)(k)(i)
Page 52, Appendix H**

Details

- LWIB chair and CEO submit amended sections of the MOU with signatures
- Annual amendment of the MOU required to append the one-stop operating budget
- Cover page contains all legal requirements to ensure Office of the Illinois Comptroller can process payments through the original MOU (serving as a contract between payees)
 - IDES non-disclosure agreements incorporated into MOU
 - State Finance Act – contingent on availability of funds
 - Affirmation that all other terms of the MOU remain in effect

What's clarified or formalized

In the Draft Governor's Guidelines – Revision 3

.25 FTE Minimum



Formalized content

Concept	Details
<p>Formalize the requirement for partners to commit at least a .25 FTE and to provide services during all regular business hours.</p> <p>Page 14, Section 2(13)(b)</p>	<ul style="list-style-type: none">• .25 FTE through onsite staff, cross-training or direct linkage• Partners committing less than .25 still must ensure their program services are available during all regular business hours• Leaseholder, one-stop operator or required partner cannot deny a partner's access to provide services onsite based on the FTE commitment of less than 1

Cash contributions / variances



Formalized content

Concept	Details
<p>Provide a 10% variance of each required partner's cash contributions toward shared costs.</p> <p>Page 12, Section 2(12)(c)</p>	<ul style="list-style-type: none">• Required table in the MOU budget narrative• Indicate each required partner's total cash contribution toward infrastructure and local service delivery system costs• Show a 10% variance from each partner's total cash contribution in case actual costs exceed budgeted costs

Periodic Reconciliation



Formalized content

Concept	Details
<p>Provide guidance on the process of periodic reconciliation and special circumstances.</p> <p>Page 26-29, Section 7</p>	<ul style="list-style-type: none">• Required at least semi-annually in Illinois<ul style="list-style-type: none">• After 12/31 when all budgeted costs have been incurred• After 6/30 when all budgeted costs have been incurred• Applies to both infrastructure and local delivery system costs• Identify relative benefit received• Give formal notice if partners owe additional amounts than what they budgeted• Partners owing additional amounts should pay within 60 days of the end of the reconciliation period (or risk missing State lapse period)• Local process = does not require reporting results to the State• Not required if partners invoice for costs as they are incurred• 15% threshold if actual costs exceed budgeted amounts → MOU amendment required

Affiliate and Specialized Centers



Formalized content

Concept	Details
<p>Formally acknowledge that infrastructure cost sharing requirements apply to comprehensive one-stop centers, affiliate centers and specialized one-stop centers.</p> <p>Page 13, Section 2(12)(e) Page 14, Section 2(14)(b) Page 21, Section 3(23)(a)</p>	<ul style="list-style-type: none">• TEGL 17-16 required infrastructure cost sharing requirements to apply to affiliate and specialized centers, not just comprehensive one-stop centers• That requirement is now incorporated into the Governor’s Guidelines – Revision 3 sections about negotiation of annual one-stop operating budgets

Legal Requirements in the MOU



Formalized content

Concept	Details
<p>Incorporate legal requirements in the MOU Template when issued in January so amendments do not have to be made later in the year.</p> <p>Page 30, Appendix A Page 52-53, Appendix H (Cover Page) MOU Template (issued by January)</p>	<ul style="list-style-type: none">• MOU Template will include provisions about:<ul style="list-style-type: none">• Non-Disclosure Agreements for data sharing• State Finance Act language specific to State-administered programs to say the agreed-upon MOU is contingent on the availability of funds to these State agencies• Uniform signature requirements<ul style="list-style-type: none">• Must be legible (ink must be dark enough)• Stamped signatures require full names and titles of party affixing the stamp to the MOU

State-level Review Process



Formalized content

Concept	Details
<p>Formalize the annual review process of MOUs and annual budgets by State-level partners.</p> <p>Page 25-26, Section 6</p>	<ul style="list-style-type: none">• After MOUs/annual budgets are submitted to the State• State-level review team reviews for completeness, compliance and program-specific observations• Required revisions issued• Required revisions due within 30 calendar days• Public notice not required – encouraged to make available for public viewing

Annual Updates Through Supplemental Guidance



Formalized content

Concept	Details
<p>Ensure annual updates to the MOU Template and one-stop operating budget spreadsheet or other provisions of the Governor's Guidelines can be issued.</p> <p>Page 29, Section 8</p>	<ul style="list-style-type: none">• Additional guidance may be issued each program year in the form of Supplemental Guidance to these Governor's Guidelines<ul style="list-style-type: none">• Changes to the MOU template• Changes to the one-stop operating budget spreadsheet• Changes based on clarification of Federal guidance• Other new requirements state and local partners must meet

Forms to Support Negotiations



Formalized content

Concept	Details
<p>Electronic, fillable forms are available for download on the WIOA Implementation Portal.</p> <p>Appendices C, G, H, I, J, K</p>	<ol style="list-style-type: none">1. Pre-Program Year Planning Form2. MOU Template3. One-Stop Operating Budget Spreadsheet4. Report of Outcomes5. Required Checklist for Local Partner Service Delivery via Direct Linkage6. Cover Page for Submittal of MOU Amendments and Annual One-Stop Operating Budgets

Other Points for Feedback

Your feedback

- Good idea?
- Feasible?
- Ways to improve the concept?



1. Whether including the IDES Non-Disclosure Agreement in the MOU Template is feasible
2. Whether encouraging quarterly invoicing for shared costs would be helpful
3. Reference to the “interagency work groups comprised of representatives of core and required partners established to act on behalf of the Governor”

IDES Non-Disclosure Agreement



Highlights

IDES agrees to share confidential information with each one-stop partner pursuant to the MOU solely for the limited purpose described in the Non-Disclosure Agreement.

1. By signing the MOU/amendment, both partners agree to be bound by the Non-Disclosure Agreement.
2. The one-stop partner affirms it will remain a party to the MOU and Non-Disclosure Agreement as long as it provides one federally-funded program under WIOA.
3. The Non-Disclosure Agreement will terminate with the MOU.
4. One-stop partner agrees to protect all confidential information, as defined in the NDA; that IDES retains ownership of the confidential information; and confidential information will be destroyed or returned once the MOU and NDA expires.
5. IDES will not share any information obtained from an individual during administration of Unemployment Insurance (UI) program.
6. One-stop partner agrees that it will use the confidential information solely for the limited purpose of administering a program authorized under WIOA.
7. Other routine provisions for indemnification, State of Illinois law governs and severability.

Other Points for Feedback

Your feedback

- Good idea?
- Feasible?
- Ways to improve the concept?



1. Whether including the IDES Non-Disclosure Agreement in the MOU Template is feasible
2. Whether encouraging quarterly invoicing for shared costs would be helpful
3. Reference to the “interagency work groups comprised of representatives of core and required partners established to act on behalf of the Governor”




Other Resources Available



In Revision 3

1. Timelines
2. Glossary
3. Examples of shared costs
4. Requirements for the State Funding Mechanism and Local Funding Mechanism

Timeline for Negotiations

Annual Timeline	Activity
November	<ul style="list-style-type: none"> State legal and fiscal staff identify any provisions to add to the MOU Template
December	<ul style="list-style-type: none"> MOU/budget negotiators gather essential information Fillable templates and forms provided by the State
 January	<ul style="list-style-type: none"> Pre-Program Year Planning Form due Start negotiations
 April 15	<ul style="list-style-type: none"> Negotiations end → Report of Outcomes due Draft one-stop operating budget spreadsheets due
May 1	<ul style="list-style-type: none"> Remediation period begins for any local areas not yet in agreement
May 31	<ul style="list-style-type: none"> State gives feedback on draft budgets Local areas at impasse are identified
June 15	<ul style="list-style-type: none"> State Infrastructure Cost Mechanism applied to areas at impasse
 June 30	<ul style="list-style-type: none"> Final MOUs due Areas at impasse reported to applicable Federal agencies
Fall	<ul style="list-style-type: none"> State-level review of MOUs/budgets → Identifies required revisions due in 30 days

Questions about Required Revisions for PY 2018

From State-level review letters dated September 28, 2018

PY 2018 MOUs/Budget Highlights



- Overall, MOUs were markedly improved across all local areas.
- Nineteen MOUS were *Approved* or *Approved with Technical Changes* upon local areas' initial submissions.
- Common areas of required revisions concerned:
 - Service delivery methods not in alignment between budget spreadsheet, the Career Service Matrix and the MOU narrative (MOU Sections 6 and 12)
 - Incompliant descriptions of direct linkage
 - Contributions or costs not described in the budget spreadsheet notes
 - Payees not listed in budget spreadsheet

Recap and Next Steps



- Submit your revised MOUs/budgets by October 31.
- Fillable forms will be posted to the WIOA Implementation portal and distributed by January.
- Begin identifying MOU, budget negotiators, individuals responsible for reconciliation and timelines for PY19 negotiations.

Thank you