



**Executive Committee Meeting
Thursday, December 5, 2024, at 11:00 a.m.**

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AGENDA

- I. Welcome and Opening Remarks Mr. Thomas Freeland, SWDB Chair
- II. Approval of September 5, 2024, Meeting Minutes*.....Mr. Freeland
- III. MOU/IFA State Instruction Letter Revision*.....Ms. Sheleena Rios
- IV. SWDB Strategic Plan*.....Mrs. Pamela H. Jones
- V. Committee Updates..... Committee Chairs
- VI. Other Business/Adjourn.....Mr. Freeland

*Denotes Voting Item

**Governor’s State Workforce Development Board
September 5, 2024, Executive Committee Meeting Minutes**

MEMBERS PRESENT:

Mr. Thomas Freeland*
Mr. Warren Snead*
Mr. Charles Brave, Jr.
Mr. William Floyd
Dr. Windsor Sherrill

MEMBERS ABSENT:

Mr. Pat Michaels
Mr. John Uprichard

Welcome and Opening Remarks Mr. Thomas Freeland, SWDB Chair

Mr. Thomas Freeland, State Workforce Development Board (SWDB) Chair, called the meeting to order at 11:00 a.m. A quorum was present.

Mr. Freeland acknowledged Ms. Sophia Yager and Ms. Malena Dailey with the National Governors Association for facilitating the SWDB’s Strategic Planning Workshops during the 1st quarter committee meetings.

Mr. Freeland announced the appointment of Mr. Warren Snead as Vice-Chair of the SWDB. Mr. Snead will continue to serve as the SC Works Management Committee Chair.

Approval of Meeting Minutes for June 6, 2024* Mr. Freeland

Mr. Charles Brave, Jr. motioned to approve the June 6, 2024, meeting minutes. Mr. Warren Snead seconded the motion. The Committee unanimously approved the meeting minutes.

SWDB Satisfaction Survey Responses Mrs. Pamela H. Jones

Mrs. Pamela Jones reviewed the results from the 2023 SWDB Survey. To support the SWDB priority to increase engagement between the State and Local Workforce Development Boards (LWDBs), the Board Development Committee expanded the 2023 SWDB Satisfaction Survey, adding questions for LWDB members on strategies to improve engagement, communication, and collaboration, including identifying joint training opportunities and technical assistance needs. A total of 106 responses were received. Primary areas of concern revolved around regional funding, additional training and professional development opportunities, and increased awareness of state board priorities and objectives.

SWDB Strategic Plan Progress Mrs. Jones

On June 25, 2024, SWDB members participated in a full Strategic Planning Session, the first step in creating the 2024-2027 SWDB Strategic Plan. During the first quarter, sub-committees participated in strategic planning workshops, in place of their quarterly meeting, facilitated by the National Governors Association. Mrs. Jones provided an update on the progress of the 2024-2027 SWDB Strategic Plan, reviewing the outcomes of the workshop discussions.

A few themes emerged during these planning discussions: education, partner initiatives and programs, priority populations, performance and reporting related to rural outreach and employment service initiatives, and childcare.

The 2024-2027 SWDB Strategic Plan will be completed during the second quarter.

*Denotes voting item

**Governor’s State Workforce Development Board
September 5, 2024, Executive Committee Meeting Minutes**

Other Business/Adjourn.....Mr. Freeland

Mr. Freeland encouraged board members to participate in Workforce Development Month activities. Staff will communicate dates and locations of activities in members’ local areas.

Mr. Freeland reminded members and guests that in place of a first-quarter full board meeting, everyone is encouraged to attend the 2024 Workforce Development Symposium on September 12, 2024, at the Columbia Metropolitan Center. The next full board meeting is scheduled for December 19, 2024, at 11 a.m. in the C. Lem Harper Building.

The meeting was adjourned at 11:40 p.m.

DRAFT

*Denotes voting item

STATE INSTRUCTION NUMBER XX-XX

To: Local Workforce Area Signatory Officials
Local Workforce Area Board Chairs
Local Workforce Area Administrators

Subject: **Local Memorandum of Understanding Guidelines**

Issuance Date: DATE

Effective Date: DATE

Purpose: To provide guidance to local workforce development boards (LWDBs) regarding the requirement for local memoranda of understanding (MOUs) and infrastructure funding agreements (IFAs) with workforce system partners.

References:

- Workforce Innovation and Opportunity Act, Public Law 113-128, § 121
- 20 CFR §§ 678.500 – 678.510
- Uniform Guidance, 2 CFR Part 200
- Training and Employment Guidance Letters (TEGLs) 16-16 and 16-16, Change 1; 17-16

Background: LWDBs, SC Works center operators, and other workforce partners must coordinate programs and resources to support a comprehensive workforce system that seamlessly provides integrated services that are accessible to all jobseekers, workers, and businesses. The Workforce Innovation and Opportunity Act (WIOA) requires LWDBs, with the agreement of their chief elected officials (CEOs), to develop and enter into an MOU and IFA with all partners concerning the operations and funding of the local SC Works system. Through the sharing of infrastructure costs and additional costs, partners are empowered to build a robust workforce delivery system that can increase customer access and performance outcomes and reduce operational cost burdens.

Policy: Each LWDB is responsible for ensuring that an MOU is developed and executed with all of the required workforce system partners within its LWDA. The MOU is an “umbrella” document, agreed to and signed by all workforce system partners within the LWDA.

The MOU must contain provisions describing the following:

- Services to be coordinated and provided through the SC Works delivery system
- How the costs of services and the operating costs of the system will be funded
- Methods for referral of individuals between the SC Works center operator and between partners for appropriate services and activities
- Methods to ensure appropriate access to services, including access to technology and materials, is made available to all customers including individuals with disabilities and individuals who have limited English proficiency
- Duration of the MOU
- Signatures of the LWDA, partners, and CEOs

MOUs must be reviewed and renewed annually to ensure transparency and continuous improvements to the delivery of services and to reflect any changes in the signatory official of the LWDB, SC Works partners, and CEOs. Entities that carry out the following programs are identified by WIOA as required partners in the workforce system:

1. Adult, Dislocated Worker, and Youth Programs
2. Adult Education and Family Literacy Act Programs
3. Wagner-Peyser Employment Services Programs
4. Rehabilitation Programs for Individuals with Disabilities
5. Post-Secondary Career and Technical Education Programs (Perkins)
6. Community Services Block Grant Employment and Training Activities
7. Native American Programs
8. HUD Employment and Training Activities
9. Job Corps Programs
10. Veterans Employment and Training Programs
11. Migrant and Seasonal Farmworker Programs
12. Senior Community Service Employment Programs
13. Trade Adjustment Assistance Programs
14. Unemployment Compensation Programs
15. YouthBuild Programs
16. Temporary Assistance for Needy Families Programs
17. Second Chance Act Programs

Each required partner must meet the following obligations:

- Provide access to program activities through the SC Works system (in-person or electronically)
- Use a portion of the funds available for the program to maintain the SC Works delivery system, including the funding of infrastructure costs and additional costs

- Enter into an MOU with the LWDB and participate in the operation of the SC Works system consistent with the MOU and in accordance with WIOA requirements and those of the federal laws authorizing the partner program or activities

Other additional partners may be part of the workforce system with approval of the LWDB and CEOs, including local employers and community-based, faith-based, and/or non-profit organizations, as well as employment, education, and training programs provided by public libraries or in the private sector. Additional partners must meet the same conditions as required partners. There are many benefits to partners participating in the SC Works delivery system, including but not limited to, expanded access to additional services for their customers. SC Works centers are designed to provide a full range of assistance to job seekers and businesses under one roof. Partners who are not currently co-located should be recruited and encouraged to provide services on-site at least on a part-time basis.

Costs Relating to the Operation of the SC Works System

Under WIOA, required partners must use a portion of their funds to pay for costs relating to the operation of the workforce system:

- Infrastructure Costs—WIOA defines infrastructure costs as non-personnel costs that are necessary for the general operation of an SC Works center, including:
 - Rental costs of facilities
 - Costs of utilities and maintenance
 - Equipment (including assessment related products and assistive technology for individuals with disabilities)
 - Technology to facilitate access to the SC Works center (including technology used in planning and outreach activities for the center)
 - Supplies used to support the general operation of the center, including use of the common identifier (i.e., American Job Center [AJC] signage)
- Additional Costs—partners must share in additional costs.
 - These costs must include applicable career services.
 - These costs may include other costs that support the operations of the centers, as well as the costs of shared services that are authorized for and may be commonly provided through the SC Works partner programs to any individual. These services include, but are not limited to: initial intake; assessment of needs; identification of appropriate services, auxiliary aids, and accommodations to meet such needs; evaluation of basic skills; referrals to other partners; and business services. Such costs also may include certain personnel expenses for functions benefiting the center as a whole, if agreed to by partners.

Infrastructure Funding Agreement

The IFA contains the overall center operating budget—infrastructure costs and additional shared operating and services costs. The agreed upon infrastructure and additional shared costs and cost-sharing methodology identified in the IFA result from local discussion and negotiation. Similar to the MOU, the IFA is an “umbrella” document with a total operating budget and individual budgets for each of the SC Works centers within a LWDA. The IFA is a mandatory component of the MOU that includes the following:

- Period of time in which the IFA is effective
- Identification of the SC Works partners, CEOs, and the LWDB participating in the IFA
- Identification of a cost allocation methodology that demonstrates how center infrastructure and additional costs are charged to each partner in proportion to use and relative benefits received
- Identification of an infrastructure and shared services budget that is periodically reconciled against actual costs incurred and adjusted accordingly to ensure that it reflects the agreed upon cost allocation methodology
- Description of the periodic review process to ensure equitable benefit among partners
- Identification of the steps taken by the LWDB, CEOs, and partners to reach consensus
- Description of the process and timelines to be followed between partners to resolve issues related to infrastructure funding during the MOU duration period when consensus cannot be reached

All SC Works partners, whether required partners or additional partners, must contribute to infrastructure costs of the centers based on proportionate use and relative benefits received. Determining the proportionate share attributable to a specific partner program is part of the negotiation process. When two or more grant recipients or contractors of a required partner program are carrying out the program in a LWDA, each of those entities must contribute to infrastructure costs. Likewise, if a partner is not carrying out its program or activities in the LWDA, the requirements relating to a required partner are not applicable to that partner program, including participation in the MOU and cost-sharing.

The LWDB and CEO(s) have discretion to take the actions necessary to encourage the additional partners to contribute their proportionate share of infrastructure costs. However, the State Funding Mechanism (SFM), as described later in this guidance, is only applicable to required partners and cannot be triggered by additional partners not reaching a consensus on infrastructure funding. Additionally, the lack of agreement on infrastructure costs with Native American programs does not trigger the SFM for the LWDA, and the Native American programs are not subject to the SFM in the event it is triggered.

The required partners must provide access to their programs in the comprehensive centers, including each program's applicable career services, and contribute to the infrastructure costs of those centers. Only those partners that participate at affiliate centers would be required to contribute to the infrastructure costs for those centers. Additional partners must also cost share proportionately.

Partners may pay for their share of infrastructure costs through the following forms of payment:

- Cash Contributions—cash contributions are cash funds provided to the LWDB (or its designee) by SC Works center partners as allowed by the statutes and regulations governing each program.
- Non-cash Contributions—non-cash contributions include expenditures incurred by SC Works center partners on behalf of the center and include goods or services contributed by a partner program and used by the SC Works center.
- Third-Party In-Kind Contributions—These contributions are locally agreed upon, non-personnel related in-kind contributions that provide tangible benefits for the local service delivery system. Each in-kind contribution must meet the following criteria:
 - Fairly evaluated, recognized, and accepted by all other partners, including sources used to assess the value of the non-cash contribution
 - Included in the agreed upon infrastructure cost budget

Partners must share in additional costs as well, which may include other costs and shared services that are necessary to support the local workforce delivery system. In contrast to infrastructure costs, additional costs may include personnel costs and therefore, in-kind contributions for additional costs may include personnel-related services. Like infrastructure costs, partners may pay for their share of additional costs through cash, non-cash, and third-party in-kind contributions.

Although the local operating budget contains both infrastructure and additional costs components, only failure to reach consensus among the required partners in a local area with respect to the infrastructure cost funding will trigger the implementation of the SFM, as described later in this guidance.

Allocable, Allowable, and Reasonable Costs

- Allocable—costs are allocable to a particular program based on the benefits received by that program. Measuring benefit is the critical requirement to be performed in allocating costs. The allocation mechanism is the agreed upon cost-sharing methodology used to allocate costs to the partner programs. Care should be taken to ensure that the method chosen does not distort the results.

- Allowable—to be allowable, a cost must be necessary and reasonable for the proper and efficient administration of the program. Additionally, all costs must be allowable under, and allocable to, that partner program in accordance with the program’s authorizing statute and implementing regulations. To reduce the risk of accumulating and being held accountable for disallowed costs, LWDBs and partners should carefully review anticipated program expenditures and all applicable regulations before any program costs are incurred and allocated.
- Reasonable—the cost cannot exceed that which would be incurred by a prudent person under the same circumstances. To determine reasonableness, the following factors should be considered:
 - Is the cost generally recognized as ordinary and necessary for the successful operation of the SC Works system?
 - Does the cost comply with sound business practices, federal and state laws, and all applicable regulations?
 - What are the market prices for comparable goods or services for the geographic area?
 - Did involved individuals act with prudence in the circumstances considering the responsibilities to the SC Works system, including customers, employees, partners, the public at large, and the government?
 - Were there significant deviations from the established procedures of the SC Works system that may have unjustifiably increased the cost?

Good Faith Negotiations

LWDBs and partners are expected to negotiate terms of the MOU, including the IFA, in “good faith.” Good faith includes fully and repeatedly engaging partners, transparently sharing information and maintaining a shared focus on the needs of the customer. In a collaborative manner, the negotiators must ensure that available resources are utilized based upon fair cost-sharing concepts and a responsible allocation methodology. The chosen methodology must maximize all resources available to the SC Works system from all partners, avoid duplication, and improve the efficiency and quality of employment and training services available to both individuals and employers. If the LWDB and all required partners are unable to reach consensus, the Governor must be notified; therefore, negotiations for the IFA must be conducted jointly with all partners reaching agreement simultaneously.

Consensus

Consensus is reached when all required partners consent to the funding methodology for sharing costs in the LWDA and when all required partners consent to their share of the costs as outlined in the shared budget. This does not mean that every required partner prefers the chosen methodology, but that every partner, after participating in good faith negotiations, consents to the methodology that is ultimately selected by the required partners. The LWDA indicates consensus, or lack of consensus, by submitting the **Report of Outcome** by April 15th for the

upcoming program year. While LWDA's are strongly encouraged to work with additional partners to secure additional partner consensus to the funding methodology and cost allocations, an additional partner's refusal to consent does not trigger the SFM. While required partners must, by law, cost share in the infrastructure costs of SC Works centers, an additional partner may choose not to partner in the LWDA.

Agreement Managers

Each required partner entering into the MOU development and negotiation process must designate a specific individual with authority to commit financially and programmatically on behalf of the required partner. This individual may be staff from a state agency's central, regional, or local office, or a local representative providing services for a state-level entity through a contract, grant, or similar agreement. When two or more grant recipients or contractors of a required partner program are carrying out the program in a local area, each of those entities must contribute to infrastructure costs and therefore, each of those entities will designate a specific individual with authority to commit financially and programmatically on behalf of the required partner. All individuals participating in the development and negotiation of local MOUs will negotiate in good faith to reach agreement and bring about a unified vision for the local workforce delivery system.

Shared Operating Budget Changes

Anticipated cost changes to the budget due to staffing/spacing changes, center moves, or other unanticipated costs must be timely communicated to appropriate partner staff, including Agreement Managers, and are subject to required approvals outlined in the MOU/IFA. LWDBs are strongly encouraged to review their Staffing Addendums and Shared Operating Budgets in advance of each quarter, and timely communicate changes to partners, in order to ensure accurate cost allocation and to facilitate invoice approvals. In the event of a change to the shared operating budget and/or Staffing Addendum, the updated documents must be shared to all partners, including Agreement Managers.

SC Works Center Funding Mechanisms

Infrastructure costs are funded either through the Local Funding Mechanism (LFM) or the State Funding Mechanism (SFM). In the LFM, the local partners negotiate and agree to the infrastructure costs and methodology for determining the amounts that each partner will contribute for infrastructure funding. WIOA does not include any caps on the amount or percentage of overall funding a partner may contribute to fund infrastructure costs under the LFM, so long as no partner contributes more than its proportionate share based on use by the program and relative benefit received. The LFM is the preferred mechanism for determining partner costs as it puts the most financial control in the hands of the LWDB and the SC Works center partners, allowing the most flexibility for partners to customize and develop innovative customer service strategies.

LFM Cost Allocation Methodologies

Each partner's proportionate share is determined based on the methodology that all partners consent to during the annual LWDA MOU/IFA negotiation meeting, i.e., either the Full-Time Equivalency (FTE) Methodology or the Square Footage Methodology.

- Full-Time Equivalency Methodology—infrastructure and additional costs are allocated and shared proportionately based on each partner's number of staff assigned to work in a facility (enjoying the benefits of being in the building) on a weekly basis.
- Square Footage Methodology—infrastructure and additional costs are allocated based on the number of square feet occupied by a partner's staff assigned to work in a facility (enjoying the benefits of being in the building) on a weekly basis and counted proportionately according to sole space occupied and proportionate share of common space based on the percentage of that sole space occupied by the partner's staff. Rotating part-time partners cost share based on the percentage of time that the shared space is used by each rotating partner.

Failure to Reach Consensus

The SFM is only triggered after local area partners fail to reach consensus during the negotiation process. Under the SFM, the Governor is required to determine the partners' contributions for infrastructure costs for each SC Works center in the LWDA, applying statutory caps specified by WIOA for certain programs. The SFM is only applicable to required partners and cannot be triggered by additional partners not reaching consensus. Even if all required partners except one agree on the terms of the IFA, consensus is not reached, and the SFM is triggered for all partners in the local area. The SFM's programmatic caps create uncertainty for local partners regarding how much they will be required to contribute toward infrastructure costs and the level of service they will be able to provide to their participants. It is the expectation that LWDBs and required partners reach consensus on infrastructure funding during local negotiations, thus avoiding the necessity of utilizing the SFM.

SFM Process:

1. Notice of failure to reach consensus given to the Governor. If the LWDB cannot reach consensus with partners on sufficiently funding infrastructure costs and the amounts to be contributed by each partner program locally, the LWDB is required to notify the State by April 15th each year via submission of the Report of Outcome from Local MOU Negotiations. The LWDB must submit all materials and documents used in negotiations under the LFM in order to assist the Governor in determining appropriate calculations by partner program.
2. The Governor determines the infrastructure budget for each center in the local area.
3. The Governor establishes cost allocation method(s).
4. The Governor determines the partners' proportionate shares.

5. The Governor calculates the statewide partner program caps using the limiting percentages required under WIOA.
6. The Governor must ensure that the funds required to be contributed by each partner program in the LWDA(s) that did not reach consensus do not exceed the applicable program caps. The partners' proportionate shares must be adjusted if necessary.

Appealing the SFM:

1. Informal Resolution—All parties will actively participate in local IFA negotiations in a good faith effort to reach agreement. Any disputes shall first be attempted to be resolved informally. Any party may call a meeting to discuss and resolve disputes.
2. Governor Determination on Infrastructure Costs—Should the LWDB become unable to reach consensus with local partners regarding infrastructure funding, the Governor will make the final determination of each required partner's proportionate share of infrastructure costs under the SFM as described above.
3. Appeal Timeframe—Appeals must be made by the SWDB within 14 days of the Governor's determination and submitted in writing as follows:

SC Department of Employment and Workforce
 Attn: SWDB—Appeal of SFM, Suite 511-H
 P.O. Box 995
 Columbia, SC 29202

Annual MOU Development Timeline

Annual Timeframe	Activity
January 15	LWDBs collectively finalize and submit the PY Schedule for MOU/IFA Negotiations to WorkforcePolicy@dew.sc.gov .*
February 15	Initiation of local MOU/IFA negotiation meetings*
March 31	Local MOU/IFA negotiations end.
April 15	Report of Outcomes of Local MOU/IFA Negotiations due to the State.
May 15	Final MOU/IFA, including all attachments, submitted by the LWDB to all partners for review and signature.
June 30	All local MOU/IFAs are fully executed.
July 15	All fully executed MOU/IFAs are compiled and submitted to the Agreement Managers.

*LWDBs should send meeting invites, including meeting time and location, to all partner programs within their LWDA as soon as reasonable following finalization of the meeting schedule.

To ensure compliance and fiduciary responsibility, all MOUs must be fully executed by June 30th of each year, effective July 1st of the new program year. LWDBs must ensure all required partners are engaged in a timely manner to allow for the necessary negotiations. To facilitate state partner engagement and participation in the local negotiation process, specific meeting dates will be revised and issued to the LWDBs annually by the State using the attached PY Schedule for MOU/IFA Negotiations. Electronic signatures are authorized and strongly encouraged to ensure timely execution of the MOU.

Local MOU/IFA Negotiation Meeting Requirements

Each LWDB is responsible for coordinating at least one annual meeting with all required and additional partners within its LWDA to negotiate the MOU/IFA in accordance with the above timeline. The meeting must include, at a minimum, presentation and discussion of the following:

- Completed budget templates for the upcoming PY using annualized actual costs from the previous program year to project a new baseline budget.
 - The agreed upon cost-sharing methodology is a product of local discussion and negotiations; therefore, the preferred methodology used to complete the template, i.e., FTE or square footage, must be presented with an explanation of why that methodology is preferred by the LWDB.
 - The LWDB should be prepared to present both the FTE and square footage costs by partner program upon request. If choosing to make this request, partners should notify the LWDB at least 30 days in advance of the LWDA's annual MOU/IFA negotiation meeting.
- Corresponding FTE staffing addendum and square footage breakout by partner program

All draft MOU/IFA documents should be submitted to all partners **at least two business days** in advance of the MOU negotiation meeting. By providing draft documents in a timely manner, all partners have more opportunity to prepare and engage fully in the negotiation process. Draft budgets should be sent out in **an unlocked Excel format**, so that partners may review their cost share and evaluate staffing decisions in advance of the negotiation meeting.

MOU/IFA Templates

All local MOUs and attachments must be developed in a standard format. The attached MOU templates, which include the IFA and related documents, have been developed in collaboration with core and other partners at the State level. LWDBs must select the appropriate template for either the FTE or square footage cost allocation methodology, based on the cost allocation

methodology agreed to by the LWDA partners. The templates are designed to give guidance in the development of LWDA service delivery agreements and to ensure the LWDBs and partners are in compliance with DOL directives, as well as those of the partners' federal cognizant agencies. LWDBs and partners must utilize the appropriate template based on the methodology agreed to during local MOU negotiations to increase consistency among all partners and maximize partner participation in the development and execution of the agreements.

MOU/IFA Attachments

Attachment A—WIOA Required Services—This attachment identifies WIOA required services for the SC Works centers and allows each required partner to designate all services that the partner contributes to the menu of services offered to jobseekers, workers, and businesses in the centers.

Attachment B—LWDA SC Works Partner List—This attachment identifies each SC Works partner entity in the LWDA, the location(s) where the partner offers services, the partner's status as a required or optional partner, and which programs the partner entity represents.

Attachment C—Cross Referral Agreement—This attachment defines partners' key responsibility to make referrals of their participants to other SC Works partners and provides procedures for making these referrals.

Attachment D—SC Works Civility Policy—This attachment highlights the partners' responsibility to maintain a civil and respectful workplace environment.

Attachment E (will vary based on cost methodology)—Shared Operating Budget—This attachment presents the annual budget for operating the SC Works centers located in the LWDA. This budget identifies each cost and cost amount for each SC Works center and the proportionate share of each partner program contributing to the center costs. The budget will vary based on whether the LWDA partners have consented to the FTE or square footage methodology.

Attachment F (FTE methodology)—Staffing Addendum—This attachment identifies all staff located in each SC Works center, the amount of time the staff is assigned to the center, and the partner program that the staff represents. This addendum is signed by the appropriate authority over staffing decisions for each partner entity administering each program.

Attachment F (square footage methodology)—Staffing Addendum—This attachment identifies all staff located in each SC Works center, the amount of square footage space assigned to the staff, and the partner program that the staff represents. This addendum is signed by the appropriate authority over staffing decisions for each partner entity administering each program.



Action: LWDBs must develop and enter into an MOU with WIOA required partners in accordance with this policy. Ensure that all LWDB members, staff, and required and additional partner programs operating within the LWDA receive and understand this policy.

Inquiries: Questions may be directed to WorkforcePolicy@dew.sc.gov.

Nina Stagers, Assistant Executive Director
Workforce Development Division

Attachments:

Memorandum of Understanding Template – FTE Methodology
Memorandum of Understanding Template – Square Footage Methodology
Report of Outcome from LWDA MOU Negotiations
Annual Timeline for MOU/IFA Negotiations
Schedule for MOU/IFA Negotiation Meetings



Executive Committee

PY'24 Q2

Thursday, December 5, 2024

Executive Committee Meeting Agenda

- I. WELCOME AND OPENING REMARKS
- II. APPROVAL OF SEPTEMBER 5, 2024, MEETING MINUTES*
- III. MOU/IFA STATE INSTRUCTION LETTER REVISIONS*
- IV. SWDB STRATEGIC PLAN*
- V. COMMITTEE UPDATES
- VI. OTHER BUSINESS/ADJOURN

APPROVAL OF SEPTEMBER 5, 2024 MEETING MINUTES*

Members Present:

Mr. Warren Snead*
Mr. William Floyd*
Ms. Darline Graham
Mr. Gregory L. Tinnell

Members Absent:

Mr. John Uprichard*
Mr. Gregory Cannon Clark
Mr. Mike King
Ms. Swati Patel

Welcome and Opening Remarks.....Mr. Warren Snead, Committee Chair
Mr. Warren Snead, Committee Chair, called the meeting to order at 11:00 a.m. A quorum was present.

Approval of Minutes from October 24, 2023, and February 15, 2024,Mr. Snead
The Committee unanimously approved the October 24, 2023, meeting minutes. On February 15, 2024, Mr. Gregory Clark made a motion to approve the October 24, 2023, meeting minutes. Mr. Mike King seconded the motion, but a final vote was not conducted.

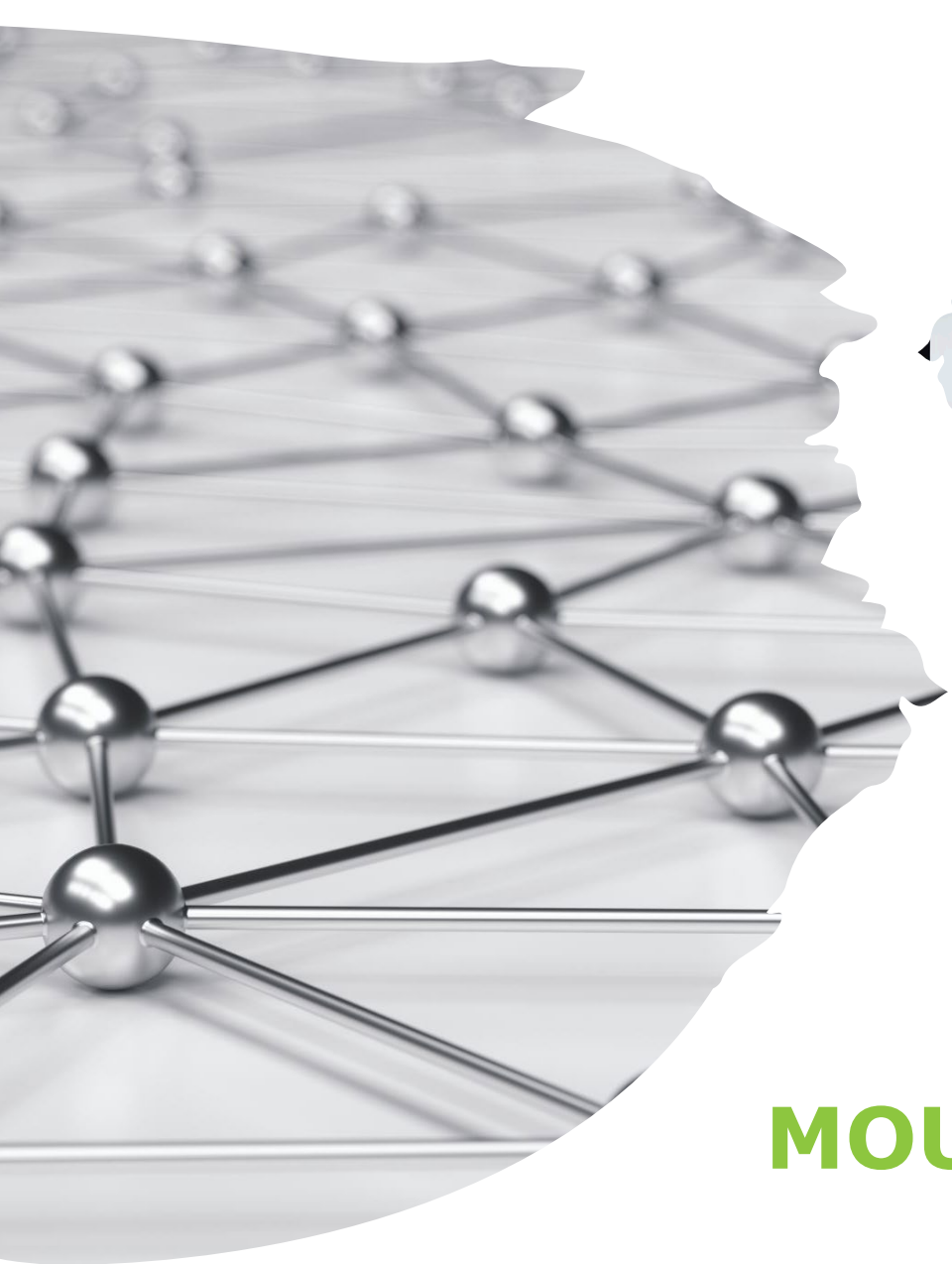
Mr. Gregory L. Tinnell motioned to approve the February 15, 2024, meeting minutes. Ms. Darline Graham seconded the motion. The Committee unanimously approved the minutes.

SC Works Certification StandardsMr. Adam Paige
Every three years, the Workforce Innovation and Opportunity Act (WIOA) requires the State Workforce Development Board (SWDB) to establish objective criteria and procedures for Local Workforce Development Boards (LWDBs) to assess one-stop centers in three categorical standards: management, business services, and job seeker services standards. Mr. Adam Paige, Director of Workforce Initiatives, presented the updated 2024 SC Works Certification Standards, providing an overview of the revisions made and the comments received from Local Workforce Development Areas (LWDAs) during the public comment period.

Mr. Paige explained that the recommendations received from the SC Works Secret Shopper Pilot were incorporated in the updated Certification Standards.

Mr. Greg Tinnell motioned to approve the 2024 SC Works Certification Standards, accepting all changes. Ms. Darline Graham seconded the motion. The Committee voted unanimously to approve the 2024 SC Works Certification Standards, advancing it to the Executive Committee. Upon approval by the Executive Committee, the standards will advance to the full board for final approval. If approved, a State Instruction Letter will be distributed to the LWDBs by June 30, 2025.

PY'23 Priority Update Ms. Pamela Jones
Ms. Pamela Jones provided an update on the Committees PY'23 priorities.



MOU/IFA STATE INSTRUCTION LETTER REVISIONS*

Topic Overview

LWDA Memoranda of Understanding & Infrastructure Funding Agreements

State Instruction & MOU/IFA Template Updates



LWDA MOU/IFAs

Why:

Each Local Workforce Development Board (LWDB) must develop and execute a Memorandum of Understanding (MOU), which includes an Infrastructure Funding Agreement (IFA), in collaboration with all required workforce system partners within its Local Workforce Development Area (LWDA).

Significance:

The MOU/IFA establishes the agreement between LWDA partners to provide a seamless delivery of workforce development services and identifies how partners will share costs associated with SC Works centers.

Current State Policy

- State Instruction 16-19, Change 2 (January 22, 2018)
- Guidance to Local Workforce Development Boards (LWDBs) for development of the annual MOU/IFAs
- MOU/IFA Templates
 - Developed in collaboration with core and other partners at the State level
 - Standardizes expectations across the 12 Local Workforce Development Areas (LWDAs)
 - Required Partners
 - Required Services
 - Expectations for partner interactions—partner referrals, civility, good faith negotiations
 - Cost Allocations

What do the LWDB & Partners have to do?

Timeframe	Activity
February 15	Initiation of local MOU/IFA negotiation meetings*
March 31	Local MOU/IFA negotiations end
April 15	Report of Outcomes from Local MOU negotiations due to the State
May 15	Final MOU/IFA draft, including all attachments, submitted by the LWDB to all partners for review and signature
June 30	All local MOU/IFAs must be fully executed

- Annual MOU/IFAs
- Attachments
 - WIOA Required Services
 - LWDA SC Works Partner List
 - Cross Referral Agreement
 - SC Works Civility Policy
 - Shared Operating Budget
 - Staffing Addendum
- Quarterly Partner Meetings and Budget Updates

For more information about MOU/IFAs:

- State Instruction 16-19, Change 2: Local Memorandum of Understanding Guidelines
- 20 CFR §§ 678.500–678.510: Memorandum of Understanding for the One-Stop Delivery System
- 20 CFR §§ 678.700–678.760: One-Stop Operating Costs
- WIOA MOUs and Infrastructure Costs (DOL presentation available on Workforce GPS)

State Guidance & MOU/IFA Template Updates

Improved Partner Communication

Equal Opportunity Additions

Other Updates

Improved Partner Communication

- Annual LWDA MOU/IFA Negotiation Meetings
 - Draft Documents
 - Budget Format
- Partner Consensus: Full Time Equivalency vs. Square Footage
 - Upon 30 days advance notice
 - Significant changes, such as:
 - Center Move
 - Partner Withdrawal
- Fully Executed MOU/IFAs
- Quarterly Partner Meetings
- Improved coordination for intake processes
- Center Closures
- Unexpected Expenses/Center Moves/Staffing Changes Updates
 - Revised Shared Operating Budget
 - Revised Staffing Addendum
 - Quarterly
- Agreement Managers

Equal Opportunity Updates

- Appropriate access to services for Limited English Proficiency (LEP) individuals
 - Additional costs may include the identification of appropriate services, auxiliary aids, and accommodations
 - Partners must comply with applicable nondiscrimination requirements → Language accessibility services are an essential component for the operation of SC Works centers
 - Statutes, Regulations, and State Guidance:
 - Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d *et seq.*
 - Workforce and Innovation Opportunity Act, Public Law 113-128, § 188
 - 29 CFR § 38.2(a)(2)
 - SC Non-discrimination Plan (to be updated June 2025)
- All SC Works center partners, regardless of funding source, are subject to the nondiscrimination requirements of WIOA.*

Other Updates

- General improvements to forms and templates
- SC Works center maintenance costs
 - Shift focus from partner approval of the contractor to contractor *costs*
 - Why?
 - Fair procurement process
 - Additional approval step for already thorough approval process
 - Current business practices
- Removal of Attachment G (FTE) and Attachment F (Square Footage) – Confidentiality Agreement for the Workforce Information Portal (WIP)
- New Staffing Addendum (Attachment F) for the square footage methodology template

Update Status

LWDA comments compiled for review	12/2/2024
Policy revised (V5), as appropriate, based on LWDA comments	12/2-5/2024
Submit final draft (V5) to internal staff and state agency partners for final review	12/5-6/2024
<u>Milestone: SWDB Executive Committee</u>	12/5/2024
Final review by internal staff and state agency partners	12/6-12/2024
Finalize draft (V6) and submit for SWDB review	12/13/2024
<u>Milestone: Full SWDB</u>	12/19/2024
Final changes from all feedback to State Instruction + MOU Attachments	12/19-20/2024
AED approves and signs the State Instruction for issue	12/20/2024
<u>Milestone: Issuance of State Instruction + MOU Attachments</u>	12/20/2024

Contacts

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Thank You!

Questions?



SWDB Strategic Plan*

VISION and MISSION

Vision: Achieve and sustain South Carolina's workforce potential.



Mission: Through collaboration and coordination, align and enhance South Carolina's education and workforce system so that it is readily accessible, highly effective, and easily understandable.



Areas of Focus:
Awareness
Skills
Obstacles
Federal investments

WIOA State Plan and SWDB Alignment

WIOA State Plan Topics & Goals

(Alignment, Skills, Obstacles, Leveraging Funding)

State WIOA Objectives

State WIOA Strategies

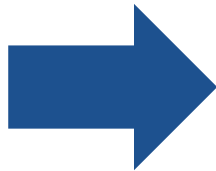
State WIOA Actions

Specific actions entities at the state level will take by certain dates to reach for and achieve the strategies and metrics

State Workforce Development Board Strategic Plan

SWDB Actions

Specific actions SWDB will take by certain dates to reach for and achieve the strategies and metrics (e.g., Performance, policy, funding, evaluation/study, or partnership/committee)



Objective #1

Develop and create an effective customer-driven workforce system through alignment of programs and policies, the use of leading-edge technology, and high-quality staff.

State Plan Strategies

1.1 Implement a case management system that integrates data across the WIOA core partner programs.

1.2 Develop and implement cross-partner staff training to enhance service delivery to job seekers and businesses.

1.3 Increase engagement between State and Local Workforce Development Boards. **

SWDB Actions

1.2.1 Host SC Works partner trainings and information sessions

1.2.2 Explore SC Works Partner Conference bi-annually [PY'25]

1.3.1 Host SWDB and LWDB joint training, meetings, and information sessions

1.3.2 Encourage SWDB members to engage with their Local Workforce Development Board

Objective #2

**Prepare jobseekers for high wage, high growth, high demand, high mobility/retention (4H) occupations through relevant training and skills acquisition, and match jobseekers to open employer positions.
(Priority Occupations)**

State Plan Strategies

2.1 Increase the percentage of participants that obtain high-value credentials.

2.2 Increase access to education and training necessary for individuals to use Broadband to advance their personal goals and increase South Carolina's technology workforce competitiveness businesses.

SWDB Actions

2.1.1 Host a SC Works partner forum around the Supply Gap Analysis/Priority Occupation

2.1.2 Develop Memo providing guidance for utilizing the Priority Occupations tool; - distribute memo after forum

2.1.3 Develop Eligible Training Provider List performance measures [PY'25]

2.1.4 Evaluate how employers and job seekers access apprenticeships

2.2.1 Promote SC Professional Skills Credential

2.2.2 Develop SC Professional Skills Credential attainment goal

Objective #2

**Prepare jobseekers for high wage, high growth, high demand, high mobility/retention (4H) occupations through relevant training and skills acquisition, and match jobseekers to open employer positions.
(Priority Occupations)**

State Plan Strategies

2.3 Improve strategic outreach and service delivery to employers to effectively match job seekers with employers.

2.4 Increase the awareness of career pathways in K-12 **

SWDB Actions

2.3.1 Fund the expansion of the Palmetto Business Barometer Survey

2.3.2 Develop guidance on the delivery of local business services

2.4.1 Explore how to maximize youth employment resources

Objective #3

Improve education and workforce infrastructure network to decrease barriers to work in order to increase attraction “recruitment” and retention necessary to maintain economic development competitiveness critical to the growth of high wage, growth, demand, mobility/retention jobs.

State Plan Strategies

3.1 Increase the awareness of resources to mitigate obstacles to employment.

3.2 Implement a multifaceted rural outreach strategy to ensure that rural areas of South Carolina have access to employment and training resources.

SWDB Actions

3.1.1 Host SC Works partners trainings and information sessions

3.1.2 Collect and distribute a catalog of promising practice and models for removing obstacles, primarily related to transportation, childcare, and housing

3.1.3 Funding to implement models for removing barriers

Objective #4

Create alignment between the workforce development system and the state agencies and organizations directing implementation of the IIJA, IRA, and CHIPS and Science Act funding.

State Plan Strategies

4.1 Identify resources and funding opportunities to provide services to job seekers.

4.2 Communicate opportunities to the workforce system.

4.3 Identify and strategically target training providers in the state that are offering programs in the infrastructure, energy, and advance manufacturing sectors.

SWDB Actions

4.1.1 Inventory federal investments flowing to the state through the IIJA, IRA, and CHIPS and Science Act

4.2.1 Host SC Works partners trainings and information sessions

4.3.1 Evaluate the need and feasibility of a statewide electric vehicle workforce collaborative

SC Works Management Committee Priorities (DRAFT)

SC Works Management Committee		
Goal/Objectives	Strategies	Implementation
<p>1. Develop and create an effective customer-driven workforce system through alignment of programs and policies, the use of leading-edge technology, and high-quality staff.</p>	<p>1.2 Develop and implement cross-partner staff training to enhance service delivery to job seekers and businesses.</p>	<p>1.2.1 Host SC Works partners trainings and information sessions</p>
<p>2. Prepare jobseekers for high wage, high growth, high demand, high mobility/retention (4H) occupations* through relevant training and skills acquisition, and match jobseekers to open employer positions. [* <i>Priority Occupation</i>]</p>	<p>2.1 Increase the percentage of participants that obtain high-value credentials.</p>	<p>2.1.1 Host a SC Works partner forum around the Supply Gap Analysis/Priority Occupation</p> <p>2.1.2 Develop a Memo providing guidance for utilizing the Priority Occupations tool; (distribute after forum)</p> <p>2.1.3 Develop Eligible Training Provider List (ETPL) performance measures [PY'25]</p> <p>2.1.4 Evaluate how employers and job seekers access Apprenticeship</p>
<p>3. Improve education and workforce infrastructure network to decrease barriers to work in order to increase attraction "recruitment" and retention necessary to maintain economic development competitiveness critical to the growth of high wage, growth, demand, mobility/retention jobs.</p>	<p>2.3 Improve strategic outreach and service delivery to employers to effectively match job seekers with employers.</p> <p>3.1 Increase the awareness of resources to mitigate obstacles to employment.</p>	<p>2.3.1 Fund the expansion of Palmetto Business Barometer Survey</p> <p>2.3.2 Develop guidance on the delivery of local business services</p> <p>3.1.1 Host SC Works Partners trainings and information sessions</p>

Workforce Innovation Committee Priorities (DRAFT)

Workforce Innovation Committee

Goal/Objectives	Strategies	Implementation
2. Prepare jobseekers for high wage, high growth, high demand, high mobility/retention (4H) occupations through relevant training and skills acquisition, and match jobseekers to open employer positions. (Priority Occupations)	2.2 Increase access to education and training necessary for individuals to use Broadband to advance their personal goals and increase South Carolina’s technology workforce competitiveness.	2.2.1 Promote SC Professional Skills Credential
	2.4 Increase the awareness of career pathways in K-12.**	2.4.1 Explore how to maximize youth employment resources **
3. Improve education and workforce infrastructure network to decrease barriers to work in order to increase attraction “recruitment” and retention necessary to maintain economic development competitiveness critical to the growth of high wage, growth, demand, mobility/retention jobs.	3.1 Increase the Awareness of resources to mitigate obstacles to employment.	3.1.2 Collect and distribute a catalog of promising practices and models for removing obstacles, primarily related to transportation, childcare, and housing
		3.1.3 Funding to implement models for removing barriers
4. Create alignment between the workforce development system and the state agencies and organizations directing implementation of the IJJA, IRA, and CHIPS and Science Act funding.	4.3 Identify and strategically target training providers in the state that are offering programs in the infrastructure, energy, and advanced manufacturing sectors.	4.3.1 Evaluate the need and feasibility of a statewide electric vehicle workforce collaborative

Board Development Committee Priorities (DRAFT)

Board Development Committee

Goal/Objectives	Strategies	Implementation
1. Develop and create an effective customer-driven workforce system through alignment of programs and policies, the use of leading-edge technology, and high-quality staff.	1.2 Develop and implement cross-partner staff training to enhance service delivery to job seekers and businesses.	1.2.2 Explore SC Works Partner Conference bi-annually (PY'25)
	1.3 Increase engagement between State and Local Workforce Development Boards.**	1.3.1 Host SWDB and LWDB joint training, meetings, and information sessions
		1.3.2 Encourage SWDB members to attend their Local Workforce Development Board
4. Create alignment between the workforce development system and the state agencies and organizations directing implementation of the IIJA, IRA, and CHIPS and Science Act funding.	4.1 Identify resources and funding opportunities to provide services to job seekers.	4.1.1 Inventory federal investments flowing to the state through the IIJA, IRA, and CHIPS and Science Act (Step 1)
	4.2 Communicate opportunities to the workforce system.	4.2.1 Host SC Works Partners trainings and information sessions



SWDB Strategic Plan Outline

Content



Letter from Chair



Executive Summary



2024-2027 SWDB Priorities





Committee Update(s)



Thank You!

Next Meeting:
PY'24 Q3 – Executive Committee Meeting
Thursday, February 27, 2025