

NEW YORK STATE OFFICE FOR THE AGING

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Andrew M. Cuomo, Governor

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Greg Olsen, Acting Director

TECHNICAL ASSISTANCE MEMORANDUM

Number 18-TAM-01

Supersedes N/A

Expiration Date N/A

DATE: April 17, 2018

TO: Area Agency on Aging (AAA) Directors

SUBJECT: Local Workforce Development Area (LWDA) Memorandum of Understanding (MOU)

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PURPOSE: To provide AAA's that administer the Senior Community Service Employment Program (SCSEP) with additional information and guidance on the Memorandum of Understanding (MOU) that is required between SCSEP and the Local Workforce Development Board (LWDB) under the Workforce Innovation and Opportunity Act (WIOA).

BACKGROUND: WIOA is legislation that was signed into law in July of 2014, replacing the Workforce Investment Act (WIA). WIOA requires a MOU between the LWDB and all One-stop required partners, of which SCSEP is one (see 20 CFR §678.400(b)(5)). The local AAA as NYSOFA's sub-grantee of the State SCSEP funding is responsible for the negotiation of the MOU for the State SCSEP program regardless of whether the AAA directly provides the program or contracts it out.

In most Local Workforce Development Areas (LWDA) there will be more than one SCSEP operator and, therefore, more than one negotiator and/or signatory of the MOU. This pertains to if there is both a State SCSEP operator and a National SCSEP operator in the same LWDA as well as if there are multiple State SCSEP operators and/or multiple National SCSEP operators. In these cases, all SCSEP operators would need to sign the MOU and be identified as either the State or National SCSEP operator.

For example, the LWDA that covers Albany-Rensselaer-Schenectady includes three separate Area Agencies on Aging that are the local operators of the State sponsored SCSEP program, so all three AAAs would need to sign the MOU. This area also includes one National SCSEP operator that is the same for all three counties, so that

National Grantee would need to sign the MOU as well, resulting in four separate SCSEP operators for one LWDA MOU.

The WIOA Interagency Team, which includes the NYS Department of Labor (NYSDOL), the NYS Education Department's (NYSED) Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) and Adult Education offices, the NYS Office of Children and Family Services/NYS Commission for the Blind (OCFS/NYSBC), the NYS Office of Temporary and Disability Assistance (OTDA), and NYSOFA, worked together to write the [Workforce Development System Technical Advisory #18-3](#), which was released by NYSDOL on March 16, 2018. This Technical Advisory provides guidance on the requirements of the MOU between the LWDB and the required Career Center partners under WIOA.

The MOU has two components, the Service Delivery MOU component and the Infrastructure Funding MOU component. The WIOA Interagency Team developed a template and guidance for each component of the MOU; part I titled "New York State Local Workforce Development Area Service Delivery Memorandum of Understanding Guidance and Template" and part II titled "New York State Local Workforce Development Area Infrastructure Funding Memorandum of Understanding Guidance and Template," which can be found on NYSDOL's website here: <https://labor.ny.gov/workforce/swib/swibresources.shtm>.

The Service Delivery MOU focuses on service delivery and Applicable Career Services System Costs. Please note: service delivery refers to the activities already performed by your SCSEP Coordinator and Applicable Career Services System Costs are those expenses related to delivering these services. This will not involve any transfer of funds; it is simply an aggregation of funds spent collectively by all the required partners of the One-stop delivery system. The Service Delivery MOU had to be in place by July 1, 2017. As of the release of this TAM, all LWDA Service Delivery MOUs have been received by NYSDOL.

The Infrastructure Funding MOU focuses on the budget for the sharing of infrastructure costs of each Comprehensive Affiliate and Specialized Career Center in the LWDA, specifying each co-located partner's cost share and the methodology used to determine the cost share. The Infrastructure Funding MOU was to be submitted to NYSDOL by March 30, 2018. As of the release of this TAM, many LWDA Infrastructure Funding MOUs have been received by NYSDOL.

Questions regarding the MOU must be sent to LWDB@labor.ny.gov with the subject line "MOU Questions." A Question and Answer document will be updated weekly and posted on the State Workforce Investment Board (SWIB) website here: <https://labor.ny.gov/workforce/swib/swibresources.shtm>.

PROGRAMS AFFECTED:

<input type="checkbox"/> Title III-D	<input type="checkbox"/> Title III-E	<input type="checkbox"/> Title III-B	<input type="checkbox"/> Title III-C-1	<input type="checkbox"/> Title III-C-2
<input type="checkbox"/> EISEP	<input type="checkbox"/> NSIP	<input type="checkbox"/> CSE	<input type="checkbox"/> SNAP	<input type="checkbox"/> Energy
<input type="checkbox"/> NY Connects	<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Title V	<input type="checkbox"/> HIICAP	<input type="checkbox"/> LTCOP

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