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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

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E-mailed: 12/17/07 (cg)

Bureau of Workforce Programs (BWP)

Policy Issuance: 07-29

Date: December 17, 2007

To: Michigan Works! Agency (MWA) Directors

From: Janet Howard, Interim Director, Bureau of Workforce Programs **SIGNED**

Subject: Memorandums of Understanding (MOUs)

Programs

Affected: All Programs Funded through the Department of Labor & Economic Growth/BWP

Rescissions: None

References: The Workforce Investment Act (WIA) of 1998

WIA Final Rule 20 CFR Part 652, et al.

Wagner-Peyser Act (29 U.S.C.49f)

Trade Act of 1974, Public Law (PL) 93-618, as amended

Trade Act of 2002, PL 107-210

20 CFR Part 617

Reauthorization of the Temporary Assistance for Needy Families (TANF) Program; Interim Final Rule, 45 CFR Parts 261, et al.

TANF Regulations 45 CFR 263.13

Background: The MOU is an agreement developed and executed between the local board, with the agreement of the chief elected official and the One-Stop partners, relating to the operation of the One-Stop delivery system in the local area. The MOU must contain the provisions required by WIA Section 121(c)(2). These provisions cover services to be provided through the One-Stop delivery system; the funding of the services and operating costs of the system; and

methods for referring individuals between the One-Stop operators and partners. The MOU's provisions also must determine the duration and procedures for amending the MOU, and may contain any other provisions that are consistent with WIA Title I and the WIA regulations agreed to by the parties.

Policy:

The WIA requires that an MOU be signed between Michigan local boards and each of their one-stop partners. The following partners must have MOUs in place with their One-Stop:

- Programs authorized under Title I of WIA, serving:
 - Adults,
 - Dislocated Workers,
 - Youth,
 - Job Corps,
 - Native American Programs,
 - Migrant and Seasonal Farmworker Programs, and
 - Veterans' Workforce Programs.
- Programs authorized under the Wagner-Peyser Act
- Adult education and literacy activities authorized under Title II of WIA
- Programs authorized under Parts A and B of Title I of the Rehabilitation Act
- Welfare-to-work programs authorized under Section 403(a)(5) of the Social Security Act
- Senior community service employment activities authorized under Title V of the Older Americans Act of 1965
- Postsecondary vocational education activities under the Carl D. Perkins Vocational and Applied Technology Education Act
- Trade Adjustment Assistance and North American Free Trade Agreement Transitional Adjustment Assistance activities authorized under Chapter 2 of Title II of the Trade Act of 1974
- Activities authorized under Chapter 41 of Title 38, U.S.C. (local veterans' employment representatives and disabled veterans outreach programs)
- Employment and training activities carried out under the Community Services Block Grant

- Employment and training activities carried out by the Department of Housing and Urban Development
- Programs authorized under state unemployment compensation laws (in accordance with applicable federal law)

A single “umbrella” MOU may be developed that addresses the issues relating to the local One-Stop delivery system for the Local Board, chief elected official and all partners, or the Local Board, chief elected official and the partners may decide to enter into separate agreements between the Local Board (with the agreement of the chief elected official) and one or more partners.

Action: MWAs are required to review their current MOUs, update any MOUs that require one or more revisions, and submit all MOUs to the BWP. The deadline for submission is March 31, 2008.

A sample MOU is attached that incorporates all required sections. This sample may be used by the MWAs in developing and/or revising MOUs. MWAs may also develop their own MOU form as long as it contains all sections required by WIA Section 121(c)(2). The MOUs should be comprehensive and include as much detail regarding the partner as possible.

Please submit MOUs to:

Ms. Dell Alston, Director
 Program Development Division
 Bureau of Workforce Programs
 Michigan Department of Labor & Economic Growth
 201 North Washington Square, 5th Floor
 Lansing, Michigan 48913

Inquiries: Questions regarding this policy issuance should be directed to Ms. Alston at (517) 335-5858.

The information contained in this policy issuance will be made available in alternative format (large type, audio tape, etc.) upon request to this office.

Expiration Date: Continuing

JH:TF:cg
 Attachment

**MICHIGAN WORKS! SYSTEM
MEMORANDUM OF UNDERSTANDING
BETWEEN**

AND THE

WORKFORCE DEVELOPMENT BOARD

**Part I
General Information**

This Memorandum of Understanding (hereinafter referred to as MOU) establishes the terms and conditions between _____(partner)_____ and the _____
Workforce Development Board (hereinafter referred to as WDB) for the _____
Michigan Works! region. This MOU is entered into for the purpose of delineating the respective roles and responsibilities of the _____(partner)_____ as a required One-Stop partner in the implementation of the provisions of Section 121(c)(2) of the Workforce Investment Act of 1998. By signatures to this MOU, the parties agree to abide by the terms, conditions, goals, policies, principles and regulations of the Workforce Investment Act of 1998, the Michigan Works! System Guiding Principles, System Governance, and the Minimum Standards and of the MOU.

This agreement is to ensure the effective and efficient delivery of workforce services to prevent duplication and coordinate resources in the _____ Michigan Works! region. In addition, this MOU establishes joint processes and procedures that will enable partners to integrate the current service delivery system, resulting in a seamless and comprehensive array of education, human service, job training and other workforce development services being accessible.

**Part II
Services to be Provided**

The _____(partner)_____ agrees to the following:

- (List services to be provided by partner)

The WDB agrees to the following:

- (List services/responsibilities)

**Part III
Funding of the Services and Operating Costs of the System**

Example: _____(partner)_____ agrees to absorb the pro rated share of costs, subject to regulations, in One-Stop centers in which we are presently located.

**Part IV
Customer Referral**

(Explain process for referring customers)

**Part V
Duration of Agreement**

In accordance with the Workforce Investment Act of 1998, this MOU is entered into this _____ day of _____, 200_ by and between the _____ WDB and _____ (partner) _____, as a system partner(s). This MOU shall remain in effect until _____, or unless otherwise terminated by mutual agreement of all parties, under the following conditions.

Any party may withdraw from this MOU by giving written notice of intent to withdraw at least 120 calendar days in advance of the effective withdrawal date. Notice of withdrawal shall be given to all parties covered by this agreement. Should any partner withdraw, this MOU shall remain in effect with respect to the remaining parties until a new MOU is executed or the end of the duration of this agreement.

**Part VI
Procedure for Amendment or Assignment**

This MOU may be modified at any time by written agreement of the parties. Such amendments will require the signature of all parties affected by such amendment. Assignment of responsibilities under this MOU by any of the parties shall be effective upon written notice to the other parties. Any assignee shall also commit in writing to the terms of this MOU.

**Part VII
Certification**

An amendment to this MOU can be offered at any time by either the partner or the WDB. Such amendments will require the signatures of both parties signifying their agreement.

Approval on behalf of _____:

Approval of behalf of WDB:

Name, Title

Name, Title