

 Administrative Policy		POLICY NUMBER 083
Title:	Direct Provider of Workforce Services	
Program:	Workforce Innovation and Opportunity Act	
Adopted:	November 13, 2013	
Effective:	December 21, 2017	

I. PURPOSE AND SCOPE

The purpose of this policy is to outline the processes for Local Workforce Development Boards (LWDBs) to:

1. Request designation as a direct provider of workforce services (other than training services);
2. Request an extension of a previous designation as a direct provider of workforce services; and
3. Submit annual performance reports.

II. BACKGROUND

WIOA allows LWDBs to be direct providers of basic and individualized career services (also referred to as “workforce services”), with the agreement of the Chief Elected Official in the local area, LWDB, and the Governor. LWDBs have the flexibility to award contracts for career services and are not required by statute to competitively procure providers of career services. WIOA regulations strongly encourage the use of a competitive procurement process in the selection of providers for program activities and services. Providers of youth and training services must be competitively procured.

Revision History

DEO FG 083 – Direct Service Provider Designation, November 18, 2013

III. AUTHORITY

Workforce Innovation and Opportunity Act of 2014, [Public Law 113-128](#), Sections 107(d)(10)(D); 107(g)(2); and 121(d)(4)(A)

[Workforce Innovation and Opportunity Act Final Rule](#), 20 CFR 679.410 and 20 CFR 679.430, August 19, 2016

Training and Employment Guidance Letter (TEGL) No. 15-16, [Workforce Innovation and Opportunity Act \(WIOA\) Competitive Selection of One-Stop Operators](#), January 17, 2017

Florida Statutes, [Section 445.007\(6\)](#)

IV. POLICY

LWDBs that wish to be designated as direct providers of workforce services (other than training services) must formally request to do so. The LWDB initiates the process by submitting a Statement of Intent to Serve as a Direct Provider of Workforce Services (see Section VI – Attachments), addressed to the President of CareerSource Florida, requesting permission to become a direct provider of workforce services (other than training services). The following items must be included with the statement and be incorporated into the LWDB's local WIOA plan upon approval of the request:

1. A description of the revised business model the LWDB has elected to follow, a description of the workforce services the LWDB plans to provide, and how the services will be delivered. This will include a reference to those items in the local WIOA plan that would change if the request is approved (at a minimum, the process for selecting service providers and the description of the local one-stop system), as well as a revised organization chart reflecting the proposed new structure and service delivery model.
2. The effective date for when the LWDB will begin to provide workforce services.
3. The period of time, not to exceed three years, the LWDB will directly provide workforce services. The request should include a description of any transitional period needed to ensure continuity in service delivery to the LWDB's customers.
4. A statement of the reason(s) why the LWDB has decided to directly provide the workforce services.
5. A description of how the LWDB will establish a firewall that clearly separates and defines its existing role as the oversight body for the LWDB's workforce delivery system from its new role as the direct provider of workforce services.
6. Identification of the grant program(s) that currently fund the workforce service delivery model and that will fund the LWDB's direct service activities.
7. The estimated cost of the services and results of a cost analysis that documents expected reduction in costs if the LWDB provides the workforce services rather than contracting those services to another provider.
8. A description of any other anticipated improvement to service delivery and performance outcomes.

9. Documentation that the public was provided at least 30 days' notice to review and comment on the proposed change in service delivery. Any submitted comments must be included.
10. Documentation that the Chief Elected Official has agreed to the planned change in service delivery.
11. The completed Statement of Intent to Serve as a Direct Provider of Workforce Services (see Section VI – Attachments).

LWDBs as Direct Providers and One-Stop Operators (OSOs)

LWDBs may serve as both a direct provider of workforce services (other than training services) and as the one-stop operator. LWDBs are not required to compete to serve as direct service providers, but are required to participate in the competitive procurement process to serve as the OSO as outlined in the [One-Stop Operator Procurement Administrative Policy 097](#). In cases where the LWDB is both the one-stop operator and a direct service provider, there must be firewalls and internal controls within the operator/service provider entity, as well as specific policies and procedures for oversight, monitoring, and evaluation of performance of the LWDB as the direct service provider, consistent with 20 CFR 679.430.

Requesting an Extension to Serve as a Direct Provider of Workforce Services

LWDBs are required to submit a Request for Extension to Serve as a Direct Provider of Workforce Services (see Section VI – Attachments) to operate as a direct provider of workforce services (other than training services) at least every three years. The LWDB must state they wish to extend their permission to be a direct provider of workforce services three months before the current approval expires. A request for extension must include the following:

1. A review of how the direct provision of workforce services during the prior period fit the business model that the LWDB proposed in its original request and any proposed changes in the business model or the particular workforce services the LWDB intends to provide during the extension period.
2. The effective date for when the extension will begin.
3. The period of time, not to exceed three years for when the extension will be in effect.
4. A review of the LWDB's stated reasons in its previous request why the LWDB has decided to directly provide workforce services, and an explanation of how it is still in the best interest of the LWDB's customers that the LWDB continue to provide these services.
5. A review of the effectiveness of the firewall established by the LWDB to clearly separate existing roles as oversight body for the LWDB's workforce delivery system and its role as the direct provider of workforce services, and an explanation of changes to be made to the firewall.
6. Identification of the grant program(s) that fund the workforce service delivery model.
7. A cost analysis that documents the actual reduction in costs with the LWDB providing workforce services rather than contracting those services to another provider and an estimate of such costs and savings for the upcoming three-year period.

8. A review of any other realized improvement to service delivery and performance outcomes and description of anticipated improvements.
9. Documentation that the public was provided at least a 10 days' notice to review and comment on the proposed extension. Any submitted comments must be included.
10. Documentation that the Chief Elected Official has agreed to the planned extension.
11. Completed Request for Extension to Serve as a Direct Provider of Workforce Services (see Section VI – Attachments).

Review and Approval Process

CareerSource Florida (CSF) and the Department of Economic Opportunity (DEO) will review the LWDB's request for permission to be a direct provider of workforce services or the request for an extension for compliance with statutory requirements and this policy. DEO will make a recommendation to CSF of whether or not to approve the LWDB's request to be designated as a direct provider of workforce services. The LWDB will be advised of the final decision after the CSF board action is taken. Approval for any single request shall be granted for a period of up to three years.

Required Annual Performance Report

LWDBs designated as direct provider of workforce services must submit a performance report at the end of each program year for which direct workforce services were provided. The report shall contain, at a minimum, the following:

1. An analysis of cost savings as a result of the LWDB providing direct workforce services.
2. A description of improvement in performance outcomes.
3. A description of any "best practices" that could be shared with other LWDBs.

The annual performance report will be due no later than October 15th each year (or when requested) and shall be submitted via email to DEO at: WIOA@deo.myflorida.com.

V. DEFINITIONS

Basic Career Services – Self-service and/or informational services that do not require participation in a workforce program, are universally accessible, and are available to all job seekers. These services require limited to no staff time and involvement.

Direct Provider of Workforce Services – An entity that provides basic and individualized career services (also referred to as "workforce services") to job seekers and/or employers. A service provider may be competitively procured or designated to provide organizations or job seekers with workforce services.

Firewall – Protective measures to ensure the transparency, integrity, proper oversight and management of internal processes.

Individualized Career Services – Staff assisted services offered to job seekers that involve significant staff time and customization to each individual’s need. Job seekers must be determined eligible for WIOA in order to receive these services. Individualized career services include services such as: specialized assessments, developing an individual employment plan, counseling, work experiences (including transitional jobs), and other similar services.

VI. ATTACHMENTS

[Statement of Intent to Serve as a Direct Provider of Workforce Services](#)

[Request for Extension to Serve as a Direct Provider of Workforce Services](#)