

CHAPTER 4 COORDINATING SERVICE PROVIDER

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

877—4.1(84A,84B) Purpose. A coordinating service provider will be established in each region to manage the workforce development centers, design products and services, integrate them into a seamless delivery system, and accept responsibility for the performance of the workforce development system.

877—4.2(84A,84B) Definitions.

“Coordinating service provider” means the entity that will be responsible for ensuring that all workforce development services are delivered throughout the region.

“Department” means the department of workforce development.

“JTPA grantee” means any organization, agency, or unit of government that is designated by the private industry council to receive and administer Job Training Partnership Act funds within a region.

“Local elected official” means an official as defined in 877—Chapter 12, Iowa Administrative Code.

“Participating provider” means a member organization of the coordinating service provider that is not the department of workforce development or Job Training Partnership Act grantee.

“Regional advisory board” means an advisory board as defined in 877—Chapter 6, Iowa Administrative Code.

“Service provider” means an agency or organization in a region that provides direct services to customers and receives funding directly from the department of workforce development. The coordinating service provider is also a service provider.

“Vendor” means an agency or organization in a region that provides direct services to customers and receives funding from the coordinating service provider.

877—4.3(84A,84B) Regional advisory boards. The regional advisory board in each region initiates the formation of the coordinating service provider by convening a meeting of all workforce development service providers and other interested parties. Each regional advisory board conducts a regional needs assessment and analysis plan, which the coordinating service provider shall utilize in designing its annual service delivery plan. The regional advisory board approves the 28E agreement that creates the coordinating service provider and the regional customer service plan before they are submitted to the state workforce development board for final approval. The regional advisory board also provides oversight and guidance to the coordinating service provider on service delivery and the performance of the regional system.

877—4.4(84A,84B) Membership. All interested public and private workforce development organizations in the region are encouraged to be members of the coordinating service provider.

4.4(1) Member requirements. Each participating provider shall:

a. Be a corporation duly organized, validly existing and in good standing under the laws of the state of Iowa or another state and have the full power and authority to carry on its business in Iowa as now conducted;

b. Demonstrate, to the satisfaction of the department, that it has sufficient funds to participate in the coordinating service provider and to satisfy potential liabilities arising from its participation in the agreement;

c. Integrate products and services agreed to be offered through the region’s workforce development system;

d. Use and share customer information through the department’s integrated customer service system;

e. Accept financial responsibility and liability for its actions related to financial and audit matters, personal injury, property damage, performance outcomes, employment matters, and all other matters arising out of its respective performance in the agreement; and

f. Actively participate in the management of the delivery of workforce development services.

4.4(2) Additional members. After the original formation of the coordinating service provider, organizations wishing to join the coordinating service provider and meeting the eligibility criteria may do so with the approval of the coordinating service provider and regional advisory board on July 1 of each year.

4.4(3) Member contributions. Each member organization is expected to contribute resources to the regional workforce development system (for example, funds, staff, equipment or office space).

877—4.5(84A,84B) 28E agreement. The coordinating service provider will be formed through the execution of a 28E agreement. The format of the 28E agreement shall be provided by the department, must meet the requirements of Iowa Code chapter 28E, and be approved by the attorney general's office. The 28E agreement shall also be approved by the regional advisory board and the state workforce development board before final execution. The fully executed 28E agreement will be filed by the department with the county recorder in Polk County and with the secretary of state.

877—4.6(84A,84B) Responsibilities. The coordinating service provider is responsible for:

1. Developing a budget and approving the expenditure of funds received by the fiscal agent on behalf of the coordinating service provider.
2. Coordinating the delivery of workforce development services, the design and implementation of integrated products and services, and the management of the workforce development center system.
3. Utilizing the department's integrated customer service system.
4. Marketing and maintaining the identity of the regional workforce development center system.
5. Developing and implementing a regional workforce development customer service plan based upon the results of the regional assessment and analysis, product and service priorities established by the department and the regional advisory board, and developing and implementing a service redesign process.
6. Deciding how best to deliver its products and services and allocating available funds for the delivery of products and services subject to all applicable laws and restrictions.
7. Having the authority to enter into contracts necessary to deliver approved products and services subject to all applicable laws and restrictions. Any such contracts must be in a form satisfactory to counsel for the department. The coordinating service provider shall also have authority to purchase personal property subject to applicable law and regulations.
8. Providing reports to the department, the workforce development board, the regional advisory board, local elected officials, and the private industry council as required.

877—4.7(84A,84B) Fiscal agent. Each coordinating service provider shall select an entity to serve as the fiscal agent to receive and disburse funds on behalf of the coordinating service provider. If the fiscal agent selected is not a member of the coordinating service provider, a competitive process must be used to select the fiscal agent. In order to be a fiscal agent, an organization must be a legal entity that meets the following criteria annually:

1. Its most recent audit report including a statement of financial position and an operating statement must substantiate the financial capability and viability of the organization; and
2. At the time of entering into a contract with the department, the organization has a successful preaward survey completed by the state auditor's office or has a successful preaward survey on file with the state auditor's office. Community colleges and political subdivisions of the state of Iowa are exempt from this requirement. In accordance with the state workforce development board's authority to review grants and contracts, an organization shall not be denied a contract if the state auditor is not timely in completing the preaward survey.

877—4.8(84A,84B) Workforce development centers. The purpose of workforce development centers is to provide a one-stop career center within each region of the state to deliver an integrated network of information resources and workforce development services to job seekers, businesses, employees, students, schools and colleges, and the public at large.

4.8(1) Core services. The following services shall be provided in each workforce development center in the state:

1. Individual career and employment consulting.
2. Employment readiness training.
3. Occupational skill development.
4. Basic skills development.
5. Individual income and support services.
6. Business employment consulting.
7. Employment networking and placement.
8. Labor market information services.
9. Special assistance with plant closings and layoffs.
10. Community workforce development consulting.

4.8(2) *Optional services.* Other services may be offered in a workforce development center by the coordinating service provider based upon needs identified by each regional advisory board.

4.8(3) *Satellite centers.* In addition to a full-service workforce development center in each region, full-time or part-time satellite offices may be established to provide ease of customer access.

4.8(4) *Electronic access.* Workforce development services may be accessed electronically via the Internet and other means.

4.8(5) *Service coverage.* Every county in each region must have access to services either through electronic means or through a satellite office or workforce development center.

4.8(6) *Accessibility.* All locations must meet the requirements of the Americans with Disabilities Act. All locations are also encouraged to provide office hours which meet customers' needs for accessibility.

4.8(7) *Other service providers.* Other public and private workforce development vendors are encouraged, but not required, to locate within the workforce development centers to expand services available to the public. Organizations locating within the centers will be required to share the cost of the lease and maintenance of the building and their share of actual secretarial and other required support costs.

4.8(8) *Training assistance.* Training assistance shall not be provided in occupations for which there is a current oversupply of trained persons or in subjects which are considered as general life improvement, as compared to educational, job-keeping, job-retention, or skill improvement.

877—4.9(84A,84B) Performance measures. The coordinating service provider will be required to meet performance measures issued periodically, but not more than annually, by the department.

877—4.10(84A,84B) Supervision of department staff. If a member organization of the coordinating service provider is responsible for the supervision of department staff within the region, the supervision must be in accordance with department personnel policies, state collective bargaining contract provisions, and the administrative rules of the department of personnel. In addition, the member organization and the department shall enter into a separate 28E agreement specifically detailing the responsibilities of the supervision of department staff.

877—4.11(84A,84B) Rules and regulations. The coordinating service provider shall comply with federal and state laws, regulations, rules, and policies for the Job Training Partnership Act programs, Wagner-Peyser programs, veterans services programs, unemployment insurance programs, food stamps employment and training program, PROMISE JOBS, Iowa welfare-to-work program, the strategic workforce development fund, and other programs deemed appropriate and contained in the coordinating service provider guide.

877—4.12(84A,84B) Contract. The department shall issue a contract to the fiscal agent authorized by each coordinating service provider in the provider's 28E agreement. The contract is a financial contract and is contingent upon the annual receipt of federal and state appropriations. The contract shall be modified each year to reflect changes in budget, performance and customer satisfaction measures and other federal and state requirements.

877—4.13(84A,84B) Vendors. Organizations which are not a part of the coordinating service provider but receive funding for services from the coordinating service provider shall be selected through a procurement

process. In most cases, a competitive bidding process shall be required, but, when appropriate, sole source selection is allowable. Examples of allowable sole source selection include, but are not limited to, procuring on-the-job training providers and classroom training courses for a single participant.

877—4.14(84A,84B) Incentives and sanctions. If the coordinating service provider meets all of its performance outcome requirements and a required level of customer satisfaction, incentives consistent with federal and state laws and regulations could be given. In the event the coordinating service provider does not meet performance outcome requirements, the department will assist the coordinating service provider to improve its performance. If a coordinating service provider does not meet performance outcome requirements for two consecutive years, a new coordinating service provider shall be selected using a competitive process.

877—4.15(84A,84B) Planning process. The planning process should be conducted to allow opportunity for employers, labor organizations, communities, community-based organizations and the public to provide input into the plan. At a minimum, one public hearing shall be conducted and a public notice of the planning process issued no later than ten days prior to the public hearing.

4.15(1) Public notice. The public notice describes the region's planning process, location of where and how the draft and final regional plan may be obtained, and how to provide input into the planning process. The notice also includes a federal funds contribution statement, including the percentage of total cost of programs which will be financed with federal funds, dollar amounts of federal funds for each program, and the percentage and dollar amounts of the total cost of each program that will be financed from nongovernmental sources.

4.15(2) Legislative notice. Ten days prior to the submittal of the plan to the regional advisory board and local elected officials for review and approval, the proposed plan shall be made available to each house of the state legislature. Copies should be sent to the Secretary of the Senate, State Capitol, Des Moines, Iowa 50319, and the Chief Clerk of the House, State Capitol, Des Moines, Iowa 50319.

4.15(3) Education notice. Ten days prior to the submittal of the plan to the regional advisory board and local elected officials for review and approval, the proposed plan shall be made available to the primary area education agency of the region, the primary community college, and the local vocational area planning council.

4.15(4) Labor notice. Ten days prior to the submittal of the plan to the regional advisory board and local elected officials for review and approval, the proposed plan shall be made available to local labor unions and local labor-management committees.

4.15(5) Final plan. The final plan shall be submitted to the regional advisory board and local elected officials for review and approval. After their joint approval, the plan shall be submitted to the department by June 1 of each year for review and approval by the state workforce development board. If the regional advisory board and local elected officials are unable to agree on the approval of the plan, the department will facilitate a process for agreement to be reached locally.

877—4.16 to 4.25 Reserved.

These rules are intended to implement Iowa Code section 84A.5(8) and chapter 84B.

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