

## CERTIFICATION PROCESS FOR AFFILIATE AND SPECIALIZED AJCCs

### EXECUTIVE SUMMARY

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This policy provides the guidance and establishes the procedures regarding certification of affiliate/specialized America’s Job Center of California<sup>SM</sup> (AJCC) locations. This policy applies to all Local Workforce Development Boards (Local Board), and is effective immediately.

This policy contains all state-imposed requirements.

This Directive finalizes Workforce Services Draft Directive *Certification Process for Affiliate and Specialized AJCCs* (WSD18-192), issued for comment on January 4, 2019. The Workforce Development Community submitted 20 comments during the draft comment period. A summary of comments, including all changes, is provided as Attachment 5.

Retain this Directive until further notice.

### REFERENCES

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- *Workforce Innovation and Opportunity Act (WIOA)* (Public Law 113-128) Sections 121(g) and 188
  - *Americans with Disability Act Amendments Act of 2008 (ADA)* (Public Law 110-325)
  - Title 20 *Code of Federal Regulations (CFR)* Sections 678.800 and 679.370(q)
  - Title 29 CFR Part 38 “*Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA*”
  - Department of Labor (DOL) Training and Employment Guidance Letter (TEGL) 16-16, Subject: *One-Stop Operations Guidance for the American Job Center Network* (January 18, 2017)
  - DOL TEGL 4-15, Subject: *Vision for the One-Stop Delivery System Under the WIOA* (August 13, 2015)
  - *California's Unified Strategic Workforce Development Plan 2016-2020* (State Plan)

*The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.*

- Workforce Services Directive WSD16-22, Subject: *WIOA Phase II Memorandums of Understanding (MOU) – Affiliate and Specialized AJCCs* (June 14, 2017)
- WSD16-20, Subject: *Certification Process for Comprehensive AJCCs* (June 9, 2017)
- WSD16-14, Subject: *Selection of AJCC Operators and Career Services Providers* (December 19, 2016)
- WSD15-12, Subject: *WIOA Phase I Memorandums of Understanding* (January 20, 2016)
- Workforce Services Information Notice WSIN12-43, Subject: *New One-Stop Branding – America’s Job Center of California Network* (March 15, 2013)

## BACKGROUND

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The WIOA establishes the different types of AJCC sites allowable in each Local Workforce Development Area (Local Area). In addition to comprehensive AJCCs, Local Boards may choose to operate affiliate or specialized AJCCs. These sites supplement and enhance customer access to services, and serve as additional access points to the Local Area’s comprehensive AJCC(s).

To ensure that the AJCC deliver and continuously improve services for jobseekers, workers, and employers, the WIOA requires certification of all AJCCs, including affiliate and specialized centers. The California Workforce Development Board (CWDB) convened a workgroup comprised of state-level partners and Local Board representatives in order to develop objective criteria and procedures for AJCC certification. The initial process was designed for comprehensive AJCCs and is outlined in [WSD16-20](#). The same process has been modified for affiliate/specialized AJCCs and is outlined below. Comprehensive AJCC certifications were due June 30, 2018, and affiliate/specialized AJCC certifications are due June 30, 2019.

## POLICY AND PROCEDURES

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In accordance with WIOA Section 121(g), Local Boards must conduct an independent and objective evaluation of the AJCCs in their Local Area once every three years using criteria and procedures established by the CWDB. The Local Board can choose to add additional certification criteria tailored to the needs of their Local Area, but they may not remove or replace any of the federal or state criteria. The initial AJCC certification process for affiliate/specialized AJCCs will be conducted during Program Year (PY) 2018-19 and take effect at the beginning of PY 19-20. This initial certification will only be effective two years, July 1, 2019 through June 30, 2021, in order to align with the comprehensive AJCC certification effective end date of June 30, 2021.

### *Affiliate AJCCs*

An affiliate AJCC is a center that offers job seekers and employers one or more of the AJCC programs, services, and activities. An affiliate site does not need to provide access to every required one stop partner program. The frequency of the program staff's physical presence in the affiliate site will be determined at the local level. These types of centers serve as access points into the local AJCC system. Local Areas choosing to incorporate affiliated centers as part of their service delivery strategy must implement these centers in a manner that supplements and enhances customer access (Title 20 CFR Section 678.310).

### *Specialized AJCCs*

Specialized AJCCs are defined as sites that address specific needs, including those of dislocated workers, youth, or key industry sectors or clusters. Specialized centers must be connected to the comprehensive AJCC and any appropriate affiliate AJCC (Title 20 CFR Section 678.300[d] and Section 678.320).

### **Affiliate/Specialized AJCC Certification**

In order to receive AJCC certification, the Local Board must ensure the following five requirements are met:

1. Each partner within the affiliate/specialized AJCC has a signed and implemented MOU with the Local Board meeting the Phase I and Phase II requirements in [WSD15-12](#) and [WSD16-22](#).
2. The affiliate/specialized AJCC meets equal opportunity compliance for individuals with disabilities in accordance with the ADA, WIOA Section 188, Title 29 CFR Part 38, and all other applicable federal and state guidance.
3. The Local Board submits an outline of the Local Board Certification Process (Attachment 2).
4. The affiliate/specialized AJCC receives a Hallmarks of Excellence Assessment (Attachment 3).
5. The Local Board submits an Affiliate/Specialized AJCC Certification Form (Attachment 4).

Instructions for completing Attachment 2 through 4 are included in Attachment 1, AJCC certification Instructions.

### *Local Board Certification Process*

Local Boards must provide and outline of the process they used to certify each affiliate/specialized AJCC within their Local Area. The narrative must show that the entity conducting the independent review of the AJCC9s) does not have a conflict of interest.

The narrative must include the following information:

- Name of person(s) who conducted the independent review and evaluation(s).
- Name of the organization for which the reviewer(s) work.
- Relationship of the reviewer(s) to the Local Board.
- Firewalls in place to avoid a conflict of interest (if applicable).
- Any additional criteria the Local Board has chosen to include (if applicable).

Local Boards may choose to use staff, the AJCC Operator (unless it's the Local Board), a subcommittee, or a neutral third-party to conduct the on-site, open, and independent evaluation of each affiliate/specialized AJCC. Based on those evaluations, the individual(s) or entity that conducted the independent review can provide recommendations to the Local Board regarding certification status and continuous improvement strategies. It is the Local Board, however, that must officially decide and submit the certification status for each of the affiliate/specialized AJCCs in the Local Area.

To avoid potential conflicts of interest, the entity that conducts the on-site evaluations cannot be the procured AJCC Operator or a Career Services Provider at the affiliate/specialized AJCC. In cases where the Local Board is a Career Services Provider at the AJCC, Local Board staff may conduct the evaluation so long as there are clear and strong firewalls in place that separate the Local Board staff who work in the AJCCs from the Local Board staff who would be conducting the on-site evaluations of those AJCCs. In this case, the CWDB may request additional information and documentation from the Local Board to verify that the firewalls are substantive enough to remove any potential conflicts or biases.

The Local Board must also retain adequate supporting documentation of their certification determination for each AJCC. This includes, but is not limited to, reports, MOUs, procedure manuals, questionnaires, surveys, interview notes from customers, partners, or staff, and performance information that was used during the certification process. Certification documentation may be requested by the DOL, CWDB, or Employment Development Department in order to substantiate a certification decision.

Although not required, AJCC staff may want to conduct an initial self-assessment prior to the Local Board's evaluation. A self-assessment is a helpful tool that can assist the AJCC in addressing potential compliance issues or areas of improvement prior to the Local Board's certification decision. As a self-assessment is not an independent and objective evaluation, it cannot be used in lieu of the Local Board's (or official designee's) on-site evaluation.

#### *CWDB Certification Process*

As required by the WIOA Joint Final Rule Section 678.800, when a Local Board is approved by the Governor to also serve as the AJCC Operator, the CWDB must certify the AJCC(s) where the Local Board is the AJCC's Operator. Prior to the CWDB's certification process, the Local Board

must conduct an initial on-site self-assessment for certification for all of its affiliate/specialized AJCCs using the Hallmarks of Excellence Assessment (Attachment 3), and complete the Affiliate/Specialized Certification Form (Attachment 4). The Local Board must submit Attachments 3 and 4 by May 1, 2019. After submission, the CWDB will conduct formal on-site evaluations in order to make an official decision on the certification status of each affiliate/specialized AJCC by June 30, 2019.

As part of their evaluation, the CWDB will make recommendations for continuous improvement. However, the Local Board and each affiliate/specialized AJCC must still work together to create a continuous improvement plan with target dates and submit the plans to the CWDB.

### *Hallmarks of Excellence*

In order to highlight areas where AJCCs can continuously improve their service delivery, the CWDB has identified eight Hallmarks of Excellence as the mechanism to measure continuous improvement for all AJCCs. They include eight categories, with each ranked on a scale of 1-5. Local Boards must complete a Hallmarks of Excellence Assessment for each affiliate/specialized AJCC by May 1, 2019. However, affiliate/specialized AJCCs are not required to receive a minimum score for certification. The Hallmarks of Excellence categories are as follows:

1. The AJCC physical location enhances the customer experience.
2. The AJCC ensures universal access, with an emphasis on individuals with barriers to employment.
3. The AJCC actively supports the One-Stop system through effective partnerships.
4. The AJCC provides integrated, customer-centered services.
5. The AJCC is an on-ramp for skill development.
6. The AJCC actively engages industry and labor.
7. The AJCC has high-quality, well-informed, and cross-trained staff.
8. The AJCC achieves business results through data-driven continuous improvement.

To conduct the Hallmarks of Excellence Assessment, the Affiliate/Specialized AJCC Certification Instructions (Attachment 1) provide a matrix with a description of each Hallmark of Excellence category along with examples of quality indicators. The Hallmarks of Excellence Assessment requires a full rationale for each ranking provided.

Since the goal is for Local Boards to work with each of their affiliate/specialized AJCCs to continually improve and progress within each Hallmark of Excellence, all Local Boards must also develop a continuous improvement plan, with target dates, for each AJCC that outlines how they plan to increase their ranking for each Hallmark of Excellence or maintain their ranking for any Hallmark of Excellence in which they have already achieved a "5".

### *Not Yet Able to Certify*

If an AJCC does not have a signed MOU with the Local Board, does not meet the equal opportunity requirements, has not provided an outline of the Local Board Certification Process, or does not have a completed Hallmarks of Excellence Assessment by May 1, 2019, the affiliate/specialized AJCC will be deemed “not yet able to certify.” In this instance, the Local Board must submit a corrective action plan to their Regional Advisor by May 1, 2019. The corrective action plan must outline how the Local Board will work with the affiliate/specialized AJCC to bring the AJCC into compliance by June 30, 2019.

### **Timelines**

#### *When Local Board Certifies*

- **May 1, 2019**  
Local Boards submit the Local Board Certification Process (Attachment 2), Hallmarks of Excellence Assessment (Attachment 3), Affiliate/Specialized AJCC Certification Form (Attachment 4), and if necessary, a corrective action plan for each affiliate/specialized AJCC deemed “not yet able to certify.”
- **May 31, 2019**  
Local Boards with AJCCs that were deemed “not yet able to certify” must have corrected any affiliate/specialized AJCC certification compliance issues, in line with their corrective action plans, and submit an updated Affiliate/Specialized AJCC Certification Form (Attachment 4).
- **June 30, 2019**  
Local Boards receive confirmation that the CWDB has verified submitted affiliate/specialized certification documents meet the requirements set forth in this Directive.

#### *When CWDB Certifies*

- **May 1, 2019**  
Local Boards submit the Hallmarks of Excellence (Attachment 3) and the Affiliate specialized AJCC Certification Form (Attachment 4) for each affiliate/specialized AJCC.
- **June 30, 2019**  
Local Boards receive the CWDB’s certification status for each affiliate/specialized AJCC.

## Submissions

Local Boards must electronically submit the Local Board Certification Process, Hallmarks of Excellence Assessment, and the Affiliate/Specialized AJCC Certification Form, and any corrective action plan(s), via email to their assigned Regional Advisor by May 1, 2019.

Hard copy documentation (customer surveys, performance information, center procedure manuals, etc.) does not need to be included with the submissions, but must be retained by the Local Board. The Local Board Chair must sign the Affiliate/Specialized AJCC Certification Form (Attachment 4) to attest to the Local Board's approval of each affiliate/specialized AJCC's certification.

## ACTION

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Bring this Directive to the attention of all relevant parties.

## INQUIRIES

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If you have any questions, contact your assigned [Regional Advisor](#).

/S/ JAIME L. GUTIERREZ, Chief  
Central Office Workforce Services Division

Attachments are available on the internet:

1. [Affiliate/Specialized AJCC Certification Instructions](#)
2. [Local Board Certification Process](#)
3. [Hallmarks of Excellence Assessment](#)
4. [Affiliate/Specialized AJCC Certification Form](#)
5. [Summary of Comments](#)