



# Montana Department of LABOR & INDUSTRY

1  
2 Division: Workforce Services Division  
3 Category: SWIB  
4 Effective Date: TBD  
5 Last Revised: N/A  
6 Policy No.: TBD

## 7 One-Stop Certification Policy

8 **Background:** Title I of Workforce Innovation and Opportunity Act (WIOA) requires the State Workforce  
9 Innovation Board (SWIB) to establish criteria and procedures to be used to evaluate and certify one-stop sites  
10 for effectiveness, including customer satisfaction, physical and programmatic accessibility, and continuous  
11 improvement. The SWIB must certify one-stop sites in order for the sites to receive one-stop infrastructure  
12 funds. The SWIB will certify two types of sites, comprehensive and affiliate as defined in 20 CFR 678.305-310.

13 **Scope:** This policy applies to all Workforce Service Division (WSD) staff and partner staff at both the  
14 comprehensive and affiliate centers.

### 15 Policy:

#### 16 One-Stop Evaluation and Certification Criteria:

- 17 • The SWIB must review and update the one-stop certification criteria contained on the SWIB State of  
18 Montana One-Stop Certification every two years as part of the review and modification of the WIOA State  
19 Plan.
- 20 • The SWIB may establish additional criteria and set higher standards for service coordination than those  
21 set by WIOA. If the SWIB does this, the SWIB must also review and update those additional criteria and  
22 standards every two years as part of the WIOA State Plan review and modification process.

#### 23 One-Stop Evaluation and Certification Frequency:

- 24 • One-stop sites will be evaluated and certified no less than once every three years. SWIB may direct “for-  
25 cause” site evaluation and certification as determined appropriate and warranted.
- 26 • In support of the goal of continuous improvement, each certified site will provide an annual report to the  
27 SWIB detailing the progress toward reaching higher standards set forth in the certification criteria.

#### 28 Certification Teams:

- 29 • The SWIB or the designated team is responsible for conducting independent and objective evaluations  
30 of one-stop sites and making certification recommendations to the one-stop operator.
- 31 • One-stop certification must be conducted by individuals who do not have a financial tie to the one-stop  
32 site and are free of conflicts of interest.
  - 33 ○ WIOA defines conflict of interest, in addition to the requirements at 2 CFR 200.318, as:
    - 34 ■ A SWIB member or standing committee member must neither cast a vote on, nor  
35 participate in any decision-making capacity, on the provision of services by such  
36 member (or any organization which that member directly represents), nor on any matter  
37 which would provide any direct financial benefit to that member or that member’s  
38 immediate family.

- 1                   ▪ Neither membership on the SWIB or a standing committee, nor the receipt of WIOA
- 2                   funds to provide training and related service, by itself, violates these conflict of interest
- 3                   provision.
- 4                   ▪ In accordance with the requirements at 2 CFR 200.112, recipients of Federal awards
- 5                   must disclose in writing any potential conflict of interest to the Department of Labor and
- 6                   Industry.
- 7                   • The certification team may utilize experts from the state level or outside of the local area to ensure
- 8                   evaluations are objective.

### 9 Certification Process:

- 10                   • The certification team will contact each site in advance of the site visit to schedule the one-stop
- 11                   certification.
- 12                   • Each one-stop to be certified, both comprehensive and affiliate, will be provided with the One-Stop
- 13                   Certification Template prior to the site visit from the certification team.
- 14                   • The certification team will evaluate the one-stop using the required WIOA elements contained on the
- 15                   One-Stop Certification Template.
- 16                   • The certification team will notate the existence of compliance with one-stop system requirements, WIOA
- 17                   partner co-locations, career services offered on site and business services offered on site. The notations
- 18                   will be made by a combination of observations of the physical site and interviews with staff at the site.
- 19                   • Upon completion of notating the one-stop system requirements the certification team will utilize the
- 20                   following scale in determining where the site is on its path toward meeting or exceeding the stated
- 21                   standard:
  - 22                   ○ 5= exceeding standard, excellence
  - 23                   ○ 4= achieved the standard
  - 24                   ○ 3=significantly meeting standard with some work yet to do
  - 25                   ○ 2= have some of the elements in place, some of the time
  - 26                   ○ 1= making progress, but have a long way to go
- 27                   • The site will receive a score in the following categories:
  - 28                   ○ Functional and Programmatic Integration;
  - 29                   ○ Performance and Accountability;
  - 30                   ○ Service Provision, Including Service, Universal Access, and Outreach To Populations with
  - 31                   Barriers;
  - 32                   ○ Customer Satisfaction;
  - 33                   ○ Staff Competence and Staff Training Participation;
  - 34                   ○ Partnership; and
  - 35                   ○ Employer Engagement.

### 36 Certification Determinations:

- 37                   • A determination that the site has achieved a score of 4 or 5 in a category will not require the site to
- 38                   submit an action plan. A score of 3 or below will require the site to submit an action plan in response to
- 39                   the deficiencies.
  - 40                   ○ The site will be provided with an Action Plan Template along with a written justification for the
  - 41                   score from the certification team within 5 business days of the site visit.
  - 42                   ○ The site must return the completed Action Plan Template to the certification team within 10
  - 43                   business days of receipt of notice of deficiency.
  - 44                   ○ An accepted action plan will result in a provisional certification until the site demonstrates the
  - 45                   completion of their action plan.
  - 46                   ○ An insufficient action plan will result in the site not receiving a certification or being decertified.
- 47                   • The SWIB or the designated team will provide a written one-stop certification determination within 30
- 48                   days of conducting one-stop evaluations. There are three possible determinations:
  - 49                   ○ Certification;

- 1           ○ Provisional certification with a requirement that the one-stop operator provides an action plan
- 2           that addresses deficiencies and timelines for meeting certification standards; and
- 3           ○ Not certified or decertified.
- 4       • Provisional certifications must be accompanied by a detailed description of the issues/concerns
- 5       identified so the one-stop operator has sufficient information around which to develop required action
- 6       plans and timelines for completing the action plan.
- 7       • A determination to not certify a one-stop must be accompanied by a detailed description of the
- 8       deficiencies, including an explanation as to why the SWIB or designated team believed the deficiencies
- 9       could not be addressed or resolved provisionally.

10    Appeals:

- 11       • The operator of one-stop sites that are not certified may appeal the determination, in writing by mail or
- 12       email, to the SWIB within 14 days after the written notification of the decision. The appeal must include
- 13       the justification for the appeal in the request. The operator also has the right to request a hearing to
- 14       discuss the appeal.
- 15           ○ Appeal Process: The one-stop operator can choose to appeal the non-certification or
- 16           decertification of the site. The one-stop operator must submit the appeal in writing either by mail
- 17           or email to the following address(s) within 14 days after the written notification of the decision.

18                           Montana State Workforce Innovation Board  
19                           PO Box 1728  
20                           Helena, MT 59624-1728  
21                           Or  
22                           [swib@mt.gov](mailto:swib@mt.gov)

23       The appeal must include the justification for the appeal in their request. The one-stop operator also has

24       the right to request a hearing to discuss their appeal.

- 25       • The appeals procedure will allow for a review before the SWIB WIOA committee if requested and a
- 26       decision will be made within 60 days of appeal. This will be a final decision and the site will be unable to
- 27       request certification for one year from the date of final notification by the state.

28    References:

- 29       • [20 CFR 678.800 One-Stop Certification](#)
- 30       • [WIOA sections 121\(a\) and 121\(e\)\(2\)](#)
- 31       • [20 CFR 678.305 Comprehensive One-Stop Center](#)
- 32       • [20 CFR 678.310 Affiliate One-Stop Center](#)
- 33       • [2 CFR 200.318 Uniform Guidance General Procurement Standards Conflict of Interest](#)
- 34       • [2 CFR 200.112 Conflict of Interest](#)