

**Merrimack Valley Workforce Investment Board**  
**One-Stop Career Center System Charter**

Granted To:

**The City of Lawrence Department of Training and Development (DTD),**

**as designated lead operator for**

**The ValleyWorks Career Centers of Lawrence and Haverhill**

**in collaboration with**

**The Department of Career Services (DCS),**

**as principal partner**

By the:

**The Mayor of Lawrence/Chief Elected Official**

**and**

**The Merrimack Valley Workforce Investment Board (MVWIB)**

Charter Period:

**July 1, 2013-June 30, 2016**

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## **I. MISSION AND VALUES**

Through this document, the Chief Elected Official and the Merrimack Valley Workforce Investment Board (MVWIB) delineates the Charter Agreement between the CEO/MVWIB and the ValleyWorks Career Center (VWCC). The Charter is designed to provide high quality, customer oriented workforce development services for job seekers and employers throughout the fifteen cities and towns that comprise the Lower Merrimack Valley Workforce Investment area.

### **The ValleyWorks Career Center Mission:**

The mission of the Valley Works Career Center is to build and promote workforce potential to support regional business growth and economic prosperity.

### **Intent and Focus:**

The ValleyWorks Career Centers will articulate and accomplish this Mission through:

- **Leadership** – Development and implementation of decisive, informative, adaptive and effective ways to affect the desired results and continually improve the agency effectiveness and performance.
- **Integrity** – Conducting business in a professional and ethically responsible manner demonstrated in appropriate everyday interaction with all.
- **Communication** – Communicating openly and honestly with all to deliver messages in a way that promotes positive results.
- **Accountability** – Ownership of actions and the delivery of desired results through the effective use of resources.
- **Teamwork** – Establishing and building collaborative efforts that establish and demonstrate productive relationships to meet organizational goals and objectives.
- **Respect** – Recognizing the unique value of each individual and acting with professionalism and dignity at all times.
- **Service Excellence** – Commitment to the provision of quality services without compromise every day.

## **II. THE CEO-MVWIB/ VWCC CHARTER**

### **A. The Charter-Principal Parties and Career Center location:**

The Merrimack Valley Workforce Investment Board, pursuant to the authority granted to it by the Massachusetts Executive Office of Labor and Workforce Development (EOLWD) grants a One-Stop Career Center Charter to the ValleyWorks Career Center(s) (VWCC). The principal parties to this charter are the Chief Elected Official (CEO), the Merrimack Valley Workforce Investment Board (MVWIB), the Department of Training and Development (DTD) a/k/a ValleyWorks Career Center lead operator, and principal partner, the Department of Career Services (DCS). The ValleyWorks Career Center, lead operator and its principal partners will provide comprehensive services through (2) collaborative career centers presently located at: Heritage Place 439 South Union Street, Bldg.2 Lawrence, MA, and at

offices located at Northern Essex Community College in Haverhill, MA. Additional services may be offered at community-based sites such as DTA local offices and other stakeholder sites approved by the MVWIB as appropriate and supportable.

**A. Term of the Charter:**

This Charter covers the period from July 1, 2013 through June 30, 2016 provided that the renewal terms and conditions in this Charter are met. The Charter may be renewed on an annual basis for three (3) twelve (12) month periods ending on June 30, 2016 if the Operator demonstrates performance in accordance with the provisions of this Charter and unless terminated as set-out below.

**B. Renewal Terms and Conditions:**

In addition to the day to day management of the local one-stop system, the lead operator is accountable for the implementation and operation of a highly effective workforce development delivery system which will insure that the general public, individual customers and employers have access to a wide range of services designed to prepare and promote employment opportunities for current and future job seekers and to ensure and support the continued growth and vitality of current and future employers and economic development efforts in the Lower Merrimack Valley.

To achieve these objectives the Lead Operator and Principal Partner will:

1. Achieve the performance measures, and standards and customer satisfaction expectations established by the MVWIB (see Section VI and Attachment B); for all grants and programs provided through the VWCC barring significant unforeseen changes in funding availability, or regulatory, legal or legislative changes beyond the operator's control.
2. In collaboration with the MVWIB, develop and implement an integrated staffing model designed to improve efficiencies and demonstrate measurable improvements in the provision and quality of customer service delivery for job seekers, employers and other targeted populations and programs.
3. Participate in monitoring and evaluation activities as requested by federal and State funding entities and the MVWIB.
4. Correct any performance problems identified by the MVWIB, the Commonwealth's Quality Assurance Units or other state, federal, or other organizations providing funding to ValleyWorks Career Center.
5. Ensure all identified statutory and programmatic requirements are met.

If the CEO or MVWIB determines that the Operator has not performed its obligations pursuant to the Charter, the CEO and MVWIB expressly reserve the right not to renew the term of the Charter on successive years. In the event that the CEO/MVWIB determines initially not to renew the term of the Charter, the CEO/MVWIB shall send written notice of such determination to the Operator not later than March 1, including in such written notice the reason or reasons for the CEO/MVWIB's determination.

The Operator shall have the opportunity to provide written responses to the CEO/MVWIB's written notice and to meet with the CEO/MVWIB before a final decision is made by the CEO/MVWIB, in their sole discretion. Following such written responses and any such meeting if the CEO/MVWIB still determines not to renew the term of the Charter it shall send written notice of such determination to the Operator not later than April 1 including with such written notice the reason or reasons for its decision, and upon the delivery of such written notice the term of the Charter shall end on June 30, subject to all of the terms and conditions set forth in this Charter, including without limitation the provisions set forth in Paragraph 11 below. The CEO/MVWIB and the Operator agree that if the term of the Charter is renewed by the CEO/MVWIB through the end of the third fiscal year, the CEO/MVWIB shall not have any obligation to renew the Charter for any period of time following the end of the third fiscal year. The CEO/MVWIB expressly reserves the right, however, to extend the term of the Charter beyond the end of the third fiscal year or to enter into a new Charter with the Operator without the necessity of the CEO/MVWIB issuing a request for proposals, provided that no such extension of the term of the Charter or new Charter shall become effective unless accepted in writing by the Operator.

Notwithstanding anything contained herein to the contrary, the CEO/MVWIB expressly reserves the right, after negotiation with the Operator, to change the terms and conditions of this Charter, particularly those terms and conditions relating to the One-Stop Career Center operating plans and budget, the disposition of fee income, performance standards (including customer satisfaction measures), new conditions imposed upon the CEO/MVWIB by and/or the DCS and/or any other conditions relating to the successful realization of the CEO/MVWIB's vision for One-Stop Career Centers in the MVWIB WIA. The CEO/MVWIB expressly reserves the right to make any such changes at the time of any renewal of this Charter. With the exception of changes in the performance standards set forth in Attachment B which shall be subject to annual modification and change, the CEO/MVWIB agrees to provide the Operator with at least ninety (90) days prior notice of any proposed change in the terms and conditions of this Charter that the CEO/MVWIB desires to make. The Operator shall have a period of fifteen (15) days following its receipt of notification by the CEO/MVWIB of any such proposed changes to determine whether or not it agrees to any such proposed changes. In the event that the Operator does not agree to the changes proposed by the CEO/MVWIB, the Operator shall be entitled to terminate this Charter effective as of the end of the then current fiscal year by delivering written notice of termination to the CEO/MVWIB on or before the date which is thirty (30) days from the date of receipt by the Operator of the CEO/MVWIB's written notice of proposed changes.

### **C. Funding Availability:**

In the event that sufficient resources to support the operation of the ValleyWorks Career Centers are no longer available or otherwise properly terminated, this Charter Agreement shall also terminate. Likewise, if the Charter Agreement is properly terminated, the Commonwealth of Massachusetts Funding Contract shall also terminate forthwith with the identified fiscal agent for the ValleyWorks Career Center.

## **III. THE MERRIMACK VALLEY COLLABORATIVE MODEL**

The Merrimack Valley Workforce Investment Board has been authorized by the Massachusetts Executive Office of Labor and Workforce Development to grant a Charter to provide Career Center services through comprehensive One-Stop Career Centers located in Lawrence and Haverhill.

The ValleyWorks Career Center is an integrated partnership between existing organizations—chartered, supported, and overseen by the Workforce Investment Board in collaboration with the Chief Elected Official (CEO). The key collaborative model elements are:

- An organizational partnership between the lead collaborative organizations, DTD and DCS that will be responsible for direct service to customers (job and training seekers, businesses, vendors and other community partners);
- The development of additional career center partners, working with the lead operator and principal partner collaboratively to coordinate the necessary resources, systems, and procedures; to provide services to specific targeted customers.
- A fully integrated management and operational structure is planned and will be made operational during FY2014. It is expected that this management structure will build and enhance the collaboration of the partners in building a comprehensive and seamless local system in which staff duties and priorities are developed through shared objectives, and shared responsibility in providing quality services to meet customer demands and to meeting the accountability and performance standards required by the CEO/MVWIB and the Commonwealth.
- A cooperative, supportive and complementary relationship with the CEO/MVWIB. The lead operator and principal partners will work cooperatively to meet programmatic and performance requirements for all publically and privately funded activities operated as part of the Career Center through the CEO/MVWIB.

#### **IV. ROLES AND RESPONSIBILITIES**

This charter document has been reviewed and approved by the Chief Elected Official of the City of Lawrence and by the MVWIB. Both parties are responsible under federal legislation and state policies for jointly approving the charter and the allocation of resources to the ValleyWorks Career Center lead operator.

The MVWIB, the Chief Elected Official, Department of Training and Development (DTD), the Department of Career Services(DCS), and ValleyWorks each have distinct roles in the development, operation and financing of the career centers.

- A. **Merrimack Valley Workforce Investment Board** The MVWIB is responsible for establishing policies and overseeing the implementation and ongoing operation of the region's career centers. The MVWIB is responsible for the development of governing workforce policy in the region to be implemented under the direction of the MVWIB Executive Director and MVWIB staff. These responsibilities include:

##### **1. Policy and Program Development**

- Establishment of program, policy and performance standards and reports consistent with but not limited state and federal requirements. Provide oversight and monitoring of attainment of programmatic objectives, performance measures, goals and statutory requirements of funders and the MVWIB as outlined in this Agreement.
- Establish and provide oversight and monitoring of state-mandated policies and standards to

be utilized by career centers. Participation and development of policy and processes with State and local partners or funders to resolve issues impacting the delivery of services by the ValleyWorks Career Center lead operator.

- Seeking opportunities for additional funding. Administration and allocation of resources for employer and job seeker customers within the rules and regulations set forth by funding source and statutory guidelines as appropriate. Collaborate with Career Center leadership in the development of program plans and budgets.
- The MVWIB shall work with the Commonwealth and other workforce partners to ensure adequate levels of funding for the One Stop Career Center system.
- Collaboratively work together to review key components of the local labor exchange system, including the required core and intensive service menus, number of centers, sites, budget and costs and criteria for fee-based services.
- Review any changes in the Merrimack Valley One-Stop Career Center System with the CEO, reviews include additional partners, service menus, number of centers, sites, budget and fee schedules.

## **2. Chartering and Monitoring**

- The MVWIB shall select and Charter an operator(s) for the local career center system with the CEO; and approve any additional funding or programmatic activity provided or required by the Career Center, write and sign the career center charter, evaluate operations, and renew the charter or conduct a competitive procurement for new operators with the CEO.
- The MVWIB shall monitor the One Stop Career Center quality, outcomes, and cost performance utilizing the following measures: on-site visits and observations, record review, third party evaluations and review, data analysis of customer flow and outcome reports and records, monthly performance reports and other performance measures and indicators determined by the MVWIB. The WIB will also be included in any monitoring activity performed by the State, Federal or other funding source at the Career Center. The MVWIB will inform the CEO of results.
- Conduct performance monitoring and evaluation of the ValleyWorks Career Center as part of annual charter review and periodic re-chartering process.
- Ensure that data is collected and that reports required by the MVWIB, career center funding sources and state and federal agencies are produced and submitted in a timely manner.
- In conjunction with the Chief Elected Official and the Executive Office of Labor and Workforce Development, consider any appeals of decisions to terminate or not to renew the charter.

## **3. Capacity Building**

- The MVWIB shall require that customer satisfaction and continuous quality improvement systems are in place at the ValleyWorks Career Centers.

- Convene and broker the involvement of stakeholders in career center relationships, including employers; job seekers; local elected officials and other policy makers; education, training, employment and support service agencies; and other interested parties.
- Direct all funding appropriated to the MVWIB for career centers and any other MVWIB resources developed for the support of services at and through the ValleyWorks Career Centers lead operator as appropriate.
- Oversee all system-wide marketing efforts in collaboration with the ValleyWorks Career Center Operator for the workforce investment region. With respect to employer customers the MVWIB and Career Center will work together to identify critical and emerging industries in the region and ensure that the Career Center Operator will focus marketing efforts and job training efforts on those sectors.
- Identify and allocate available resources to enhance the capability of the ValleyWorks Career Centers, including the development of financial and non-financial Memoranda of Understanding with state agencies and other key system stakeholders.
- Assist the ValleyWorks Career Center Operator in the identification of training resources for staff which may include initial staff training, best practices and national models.

**B. Chief Elected Official (CEO)**

The Chief Elected Official of the City of Lawrence, Massachusetts holds, as required and designated in federal legislation, the responsibility and liability for the appropriate use of funds for workforce services provided through the Workforce Investment Act of 1998 (WIA) for the fifteen (15) cities and towns in the Merrimack Valley Workforce Investment Area. In that capacity the CEO will:

- Review, adjust as necessary and approve allocation of resources by the MVWIB for Career Center funding in the Annual Budget.
- With the MVWIB, consider any appeals of decisions to terminate or not to renew the charter.

**C. The Department of Training and Development, as ValleyWorks Career Center lead operator, and the Department of Career Services, as principal partner for the ValleyWorks Career Centers**

As lead operator and principal partner for the ValleyWorks Career Center, the Department of Training and Development (DTD) and the Department of Career Services (DCS) will manage and provide direct client services in conformance with all regulations and policies, to ensure high quality services for the employer and job seeker customers of the Merrimack Valley Workforce Development System.

**1. Operations:**

- Work with the MVWIB in the development of the WIA Annual Plan.



- Deliver required core and intensive services and develop value-added, fee-based service menus for employers and job seekers.
- Meet MVWIB, state, and federal legislative, regulatory, and program requirements. Performance measures and other quality measures will be updated annually and incorporated by reference to this charter agreement.
- Participate in the selection of career center locations with the MVWIB/CEO and review leasing, refurbishing and other costs with them. Maintain career center facilities and equipment at high performance levels.
- In consultation with the MVWIB, continuously review and improve the ValleyWorks Career Center service delivery systems.
- Recruit, train, and supervise staff designed to achieve ever-improving customer services.
- Ensure customer data and all other required reporting information is appropriately entered into information systems (MOSES), as required by the MVWIB, state and federal career center reporting policies. Analyze and report data as needed and/or required on a weekly, monthly, quarterly basis to ensure timely service provision and follow-up with job/training seeking customers and employers.

## **2. Continuous Quality Improvement**

- Help develop a customer-driven, continually improving and learning organization.
- Establish, operate, and improve effective information systems and provide staff training in information data collection procedures.
- Work with the MVWIB and State DCS/DUA, EOLWD, as well as other State oversight authorities, to identify the best available state-level resources and information system capacities to improve data collection and analysis capabilities.

### **D. The Division of Grants Administration**

The DGA acting as the fiscal agent for both the City and the MVWIB shall utilize all policies and procedures, including personnel policies and processes certified by the state Department of Career Services (hereinafter referred to as "MVWIB/COL policies and procedures"). DGA will ensure that all policies and procedures are submitted to the state for certification

The DGA is responsible for the execution of fiscal administrative functions, including accounting in budgeting; financial, grant and cash management; procurement and purchasing; property management; payroll and personnel management; general oversight, audit and coordinating the resolution of findings from audits, reviews, investigations, and incident reports.

## **V. IMPLEMENTATION**

### **A. Recognition of State, MVWIB, and CEO Authorization**

The Merrimack Valley One-Stop Career Center System will include the state One-Stop Career Center logo and cite the MVWIB's and CEO's chartering role in all formal documents

and marketing materials, to the maximum extent feasible.

## **B. Annual Plan**

The Lower Merrimack Valley Workforce Investment Area's Annual Plan, goals and performance objectives, as approved by the MVWIB, shall be incorporated each year as an integral part of the charter agreement. The Annual Plan will include the planned WIA goals and objectives for the subsequent fiscal year and reflect the coordinated efforts of the MVWIB, and the ValleyWorks Career Center partners in meeting both local and State goals and performance requirements.

The plan may be modified and updated at intervals determined by the MVWIB and with the approval of the MVWIB Planning/ Executive Committee to reflect changes in organizational structure; new implementation and/or performance measures required by the MVWIB or additional funding partners; revisions to customer service menus; changes in the Career Center location or partners, changes required by state and federal legislation, regulations and policy..

All Charter modifications and/ or required updates, must be approved by the MVWIB and the Chief Elected Official. The lead operator shall submit to the MVWIB Planning Committee and MVWIB staff their inputs to the Annual Plan and accurate Annual Plan outcomes as a condition of charter extension/renewal. The approved Annual Plan, updated as required by the CEO/MVWIB, shall be incorporated by reference into this charter and shall be forwarded to appropriate State agencies.

## **VI. PERFORMANCE REQUIREMENTS**

### **A. Qualitative Measures**

#### **Quality Standards:**

The lead operator and principal partner shall participate with the MVWIB in a continuous process of defining and refining quality and process standards that includes input from teams of the Career Center frontline staff, feedback from customers regarding their expectations, and industry benchmarks that ensure high quality customer service, and that sets models of excellence. A priority will be placed on the effective implementation of the staff integration model described in Attachment C. which will promote:

- timely service which will more quickly identify the customers workforce needs.;
- treating customers with respect;
- meeting, and wherever possible, surpassing customers' expectations;
- recovering dissatisfied customers;
- identifying and creating strategies that will meet individual customer's needs; and
- identifies operational strategies that address bottlenecks that are systemic within the Career Center, resolves or circumvents them, and provides frontline staff with

the tools they need to meet customer needs.

## **B. Quantitative Measures**

The Merrimack Valley MVWIB requires outcomes in two general areas for individual customers: referral to, placement in, and retention in a job; and referral to, enrollment in, and retention in an education or training program.

The outcomes to be collected on individuals are WIA Performance Measures/Common Measures as indicated. (see Attachment B )

Additionally, *User Characteristics*: total number served monthly, quarterly and annually, gender, race/ethnicity, age, welfare status, disabilities, education, employment status at time of registration and occupation must be reported.

The MVWIB also requires outcomes for training related placements. The following are the performance expectations expected for individuals enrolled in training through Individual Training Account (ITA's).

- Training Completion rate of 80%
- Training Entered Employment Rate of 75%
- Training Related Entered Employment rate of 70%
- An average wage of at least \$11.00

The MVWIB requires that the following outcomes be collected and analyzed on businesses:

1. *User characteristics*: number of companies served by industry; total new employer accounts developed by NAICS code during the reporting period; new job postings taken/filled and resultant fill rate.
2. Number of job posting received and filled on a quarterly basis by NAICS code.
3. *Service utilization*: total number of businesses served; types of services provided (core and fee based).
4. *Repeat business from employers*, as defined by companies who have two or more service dates.

## **VII. REPORTING, MONITORING AND EVALUATION REQUIREMENTS**

### **A. Reporting Requirements:**

Reporting requirements will be established and revised as needed by the MVWIB in consultation with the ValleyWorks Career Center lead operator. These include but are not limited to:

- A monthly ValleyWorks Narrative Report highlighting jobseeker and employer customer activities and progress/concerns with various categorical grants and other noteworthy service initiatives or new activities.

- A quarterly review and analysis of Points of Service Surveys and other Customer evaluations.
- Quarterly planned vs. actual performance reports for all current career center funding sources outlined on Attachment D of this document. .
- Annual Progress/Performance report to the MVWIB Board.

For the re-chartering period, the following reporting requirements will also be required in a format acceptable to the MVWIB:

- A quarterly report indicating progress made in the implementation of the integrated service model described in the FY 13/14 Annual Plan. Report should include customer service data, improvements noted, challenges identified and any changes/modifications or other notable impacts of the process thus far. Also, to be included, any improvements in customer (both business and job seeker) service that you attribute, at least in part, to the implementation of the Integrated model.

Information as feasible should be provided in the aggregate and by career center service site (Lawrence, Haverhill and satellites as appropriate). The ValleyWorks Career Center lead operator and principal partner will maintain records as required by the MVWIB and state and federal agencies overseeing implementation of career centers. The ValleyWorks Career Center lead operator and principal partner will provide access to the MVWIB, to DWD, DCS, DUA, and to other authorized government agencies, to the information needed for monitoring, and evaluation of ValleyWorks Career Center performance.

The MVWIB and the ValleyWorks Career Center lead operator recognize that full reporting of the data elements listed above is dependent, in part, on the capacity, quality and timeliness of the state's career center information systems.

Any anticipated reporting issues and or problematic data elements will be promptly reported to the MVWIB so that alternative report requirements can be developed. In the event that ValleyWorks anticipates not being able to comply with any requisite monthly, quarterly, or year-end reporting requirements and/or deadlines, the MVWIB shall be notified in advance of notifying such reporting entity as to the reason(s) for the delay, and so as to assist ValleyWorks with negotiating alternative compliance deadlines with the funding source(s) in question.

#### **B. Evaluation:**

The MVWIB shall be responsible for evaluating the lead operator and principal partner's performance in implementing and operating the ValleyWorks Career Centers in accordance with the measures set forth in this Charter Agreement, and of relaying that information to the CEO.

The MVWIB will monitor all programs on an ongoing basis and at least annually in greater detail. The lead operator and principal partner will be provided with the results of these monitorings and will respond, as needed, to corrective action.

In addition, it is recognized that the ValleyWorks Career Center lead operator and principal partner shall be evaluated by the Commonwealth's Quality Assurance Unit and other state and

federal agencies providing funding to ValleyWorks Career Center.

### **VIII. MVWIB ALLOCATION OF FUNDING PRINCIPLES SUPPORTING CAREER CENTERS:**

The guiding principles for determining MVWIB funding allocations within the Merrimack Valley Workforce Investment Area integrated budget are:

1. Minimizing the budget impact on service to customers,
2. Providing the MVWIB with accurate information to establish policy, support continuous improvement, and carry out its legislative oversight mandates. Representatives from the MVWIB, DCS, DGA and DTD/ValleyWorks will work together to develop the region's annual integrated budget.

### **IX. REMEDIES, SANCTIONS AND APPEALS**

#### **A. The Goal of Mutual Cooperation**

It is the intent of the parties that problems be avoided, openly discussed once identified, expeditiously corrected and resolved by mutual cooperation whenever feasible. The MVWIB and the ValleyWorks Career Center lead operator and principal partner are committed to the continuous quality improvement of services provided to employer and job seeker customers. Identifying and resolving performance problems, systemic coordination barriers and customer dissatisfaction is central to continuous quality improvement and all parties shall adopt, maintain and show evidence of a commitment to this approach.

#### **B. Performance Review**

The following types of review procedures will be conducted by the MVWIB staff and Planning Committee to evaluate progress toward organizational development and effectiveness and the delivery of ever-improving value to customers and marketplace success. Performance review procedures will include:

1. Review of written monthly reports submitted to the MVWIB staff and Planning Committee by the ValleyWorks lead operator in collaboration with the principal partner. The reports will cite performance at all center sites and review all program initiatives.
2. Quarterly statistical plan vs. actual performance reports on all funding sources/initiatives.
3. On-going "Voice of the Customer" review activities.
4. Review of quarterly reports on staff integration efforts.
5. Charter Renewal Activities. The MVWIB will provide the ValleyWorks Career Center lead operator, principal partner and the CEO with oral and written reports of findings from this annual and charter-end review process.

#### **C. Performance Problems and Corrective Action Plans**

The ValleyWorks Career Center lead operator and principal partner shall inform the MVWIB in

writing as soon as possible whenever it appears that a problem or event may occur or be occurring, that could undermine the successful implementation or operation of the ValleyWorks Career Centers or could lead to the lead operator's default under the terms in this charter or its funding sources.

If the Fiscal Agent or MVWIB has a problem or event occurring, or that may occur, which could potentially undermine the successful implementation or operation of a business component or practice of the ValleyWorks Career Center System, the MVWIB and/or Fiscal Agent shall inform in writing all affected system stakeholders including the lead operator and/or principal partner as soon as is practicable. In the event of an emergency, or other time sensitive developments/notifications, telephone, fax and/or email notifications are required. Such notifications are to be immediately followed up in writing with copies to all affected system stakeholders.

In those instances when performance and customer problems are identified and remain unresolved, the MVWIB will consult with the ValleyWorks Career Center lead operator. The ValleyWorks Career Center lead operator will develop a plan in collaboration with the principal partner and the MVWIB to resolve the problems. If the MVWIB believes that the plan to resolve the problems has not been implemented within thirty days, the MVWIB shall provide a written notice to the career center operator identifying the problem(s) and requesting resolution within thirty days. A copy of such notice will be also be provided to the CEO, the Department of Workforce Development and the Department of Career Services. If the ValleyWorks Career Center lead operator is not responsive to this request and the problem persists without resolution, the MVWIB may recommend that the charter be terminated.

#### **D.Default**

The term "default" as used in this charter shall mean not carrying out roles and responsibilities outlined above in Section IV. Roles and Responsibilities, for the lead operator and principal partner, DTD/ValleyWorks and DCS, within the time frame outlined above and within the constraints and resources provided by other parties in this charter and by state and federal sources.

Each of the following events, unless resolved within an applicable thirty-day grace period or resolved through the appeal process, shall constitute a default.

\*Generally, a default by the ValleyWorks Career Center lead operator will occur when there is a breach or failure in the performance of any material terms, provisions, obligations, or conditions of this charter, and when such default, breach, or failure continues in effect, or remains uncorrected beyond any applicable notice or grace period provided for in this charter.

\*Breach of Representation or Warranty. A default shall occur if any material representation or warranty made by the ValleyWorks Career Center lead operator herein or in the lead operator's Annual Plan or in any other instrument or document relating to the ValleyWorks Career Centers shall at any time be materially false.

In the event of a default which occurs as the result of fraud, there is no thirty-day grace period.

\*Fraud. A default shall occur if the ValleyWorks Career Center lead operator is misusing career center funds, deliberately or knowingly charging customers for core

services, or otherwise defrauding the MVWIB or the grant recipient, the CEO or misusing State or Federal funds which are supporting the One-Stop Career Center as identified by the Commonwealth of Massachusetts or USDOL.

#### **E. Grace Period**

A grace period is the period of time following a default during which the charter remains in full force and effect, notwithstanding the default. During the grace period, the ValleyWorks Career Center lead operator has the opportunity to correct the default. There shall be a thirty-day (30) grace period following written notice to the ValleyWorks Career Center lead operator from the MVWIB. A copy of the notice will also be provided to the CEO and the Department of Career Services (DCS), and the Department of Workforce Development (DWD). If any such default remains uncorrected upon the expiration of the thirty (30) day grace period, the MVWIB shall be entitled to exercise any or all of its remedies as provided in this charter agreement.

#### **F. Remedies and Termination**

##### **1. Termination of the Charter by the MVWIB**

Upon the occurrence of default or any violation as identified under Section IX-D, and the expiration of any applicable grace period, the CEO/MVWIB shall be entitled, following a vote of concurrence from the MVWIB, to terminate this charter immediately by delivering written notice of termination to the ValleyWorks Career Center lead operator, Executive Director. Upon the delivery of such written notice, the charter shall terminate and the ValleyWorks Career Center lead operator shall have no further rights with respect to the implementation or operation of the ValleyWorks Career Centers. A copy of the notice of termination shall be provided to the CEO and the Commonwealth. At the discretion of the CEO/MVWIB, reasonable notice and close out provisions and costs may be negotiated depending on the termination circumstances.

In the case of fraud, the CEO/MVWIB may take immediate action to revoke the charter or seek other changes in performance and administration of career centers.

##### **2. Action by the Commonwealth of Massachusetts**

A copy of the termination notice shall be delivered to the DWD, DCS, the MVWIB staff and Planning/Executive Committee, and the Chief Elected Official, so that they may take such action, as they deem appropriate. Upon termination of the charter, the Commonwealth of Massachusetts contracts with the ValleyWorks Career Center lead operator will simultaneously terminate unless otherwise extended for a specified period to allow for negotiated close out activities.

##### **3. Termination of the Charter upon Termination of the Commonwealth of Massachusetts Funding Contract**

Regardless of whether a default has occurred, if the Commonwealth of Massachusetts funding contract is terminated by the DWD or DCS, this charter shall simultaneously terminate without any requirement of the delivery of written notice of termination by the CEO/MVWIB to the ValleyWorks Career Center lead operator. In the event of any such termination of the charter agreement, the ValleyWorks Career Center lead operator shall not have any further rights with respect to the implementation or operation of career centers.

## **G. Appeal Process**

If the ValleyWorks Career Center lead operator is notified of the CEO/MVWIB's decision to terminate the charter, it shall have two weeks from the receipt of such notice to provide a written appeal to the MVWIB Executive Director, the MVWIB Planning/Executive Committee, and the Chief Elected Official.

Within two weeks of receipt of an appeal, CEO or CEO representatives, the Chair of the MVWIB Planning or Executive Committee will convene the Committee, the MVWIB Executive Director, representatives of the ValleyWorks Career Center lead operator, the principal partner and others as appropriate to consider renewal of the charter. The Mayor or Mayor's representatives and the MVWIB Planning or Executive Committee will gather information and debate the merits of arguments presented, which will then be presented to the CEO and the MVWIB. The CEO/MVWIB will make its decision concerning charter renewal within two weeks of its first meeting.

If the ValleyWorks Career Center lead operator is not satisfied with the decision of the CEO/MVWIB, another appeal may be made within two weeks in writing to the MVWIB and the Chief Elected Official. The MVWIB Chair and the Chief Elected Official shall convene an appeal hearing within two weeks, provide all parties with a description of the process to be followed, gather and consider such information as they consider to be relevant, and consider the merits of the appeal until consensus between the MVWIB and the Chief Elected Official is reached. In the event a consensus between the MVWIB and the CEO cannot be reached, the decision of the Chief Elected Official to renew or not to renew the charter shall be final.



**X. SIGNATORIES**

By signing below, each of the parties agree to the items outlined in the ValleyWorks Career Center Charter. This is a binding contract.

**CHIEF ELECTED OFFICIAL**

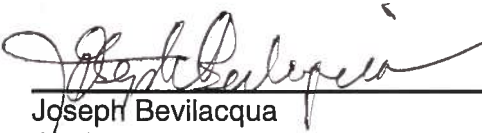
\_\_\_\_\_  
William Lantigua  
Mayor, City of Lawrence

\_\_\_\_\_  
Date

**MERRIMACK VALLEY WORKFORCE INVESTMENT BOARD**

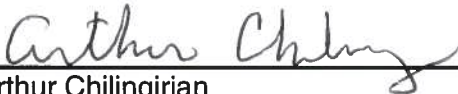
  
\_\_\_\_\_  
Rafael Abislaiman  
Executive Director

7-1-13  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Joseph Bevilacqua  
Chairman

7-1-13  
\_\_\_\_\_  
Date

**VALLEYWORKS, LEAD OPERATOR**

  
\_\_\_\_\_  
Arthur Chilingirian  
Executive Director, ValleyWorks Career Center

7/1/13  
\_\_\_\_\_  
Date

**MASSACHUSETTS DEPARTMENT OF CAREER SERVICES  
VALLEYWORKS, PRINCIPAL PARTNER**

  
\_\_\_\_\_  
Dawn Beatti  
DCS Operations Manager

7/1/13  
\_\_\_\_\_  
Date

**ATTACHMENT A**  
**COLLABORATIVE PARTNERS**

**Massachusetts Department of Elementary and Secondary Education**

**Operation ABLE**

**JOB CORPS**

**Massachusetts Department of Career Service**

**Massachusetts Department of Unemployment Assistance**

**City of Lawrence Department of Training and Development**

**Commonwealth Corporation**

**Massachusetts Commission for the Blind**

**Massachusetts Rehabilitation Commission**

**Northern Essex Community College, (Carl D. Perkins Vocational & Technical Education Act)**

## ATTACHMENT B

### MERRIMACK VALLEY WORKFORCE INVESTMENT BOARD

#### FY 2014 WIA PERFORMANCE GOALS

<b>CONTACT PERSON / EMAIL:</b>	<a href="mailto:Rabislaiman@mwwib.org">Rabislaiman@mwwib.org</a> - <a href="mailto:Bzeimetz@mwwib.org">Bzeimetz@mwwib.org</a>		
<b>WORKFORCE AREA:</b>	Merrimack Valley		
<b>PERFORMANCE MEASURE</b>	<b>STATE</b>	<b>LOCAL AREA</b>	
	<b>FY 2014 STATE GOAL</b>	<b>ENTER FY 2013 LOCAL GOAL</b>	<b>FY 2014 PROPOSED LOCAL GOAL*</b>
<b>WIA ADULT MEASURES</b>			
Entered Employment Rate	83%	70%	71%
Employment Retention Rate	90%	80%	80%
Six Month Average Earnings	\$12,700	\$10,000	\$11,000
<b>WIA DISLOCATED WORKER MEASURES</b>			
Entered Employment Rate	85%	83%	83%
Employment Retention Rate	95%	85%	85%
Six Month Average Earnings	\$21,000	\$18,000	\$19,000
<b>WIA YOUTH MEASURES</b>			
Placement in Employment/Education	81%	75%	78%
Attainment of Degree/Certificate	72%	65%	66%
Literacy/Numeracy Gain**	45%	26%	30%

Any proposed goal level below the State goal level must be accompanied by a justification

\*\*The minimum acceptable goal level for Literacy/Numeracy Gain for FY 2014 is 30%.

**ATTACHMENT C**

**NOTIFICATION of LOCAL SYSTEM CHANGES**

**FISCAL YEAR 2014 CHANGES**

**Please describe any programmatic, infrastructure or organizational changes planned for FY2014, including those that will result from any budget reduction/augmentation.**

Please complete this form and submit as part of your FY2014 Local Annual Plan package.

**Local Area:** Lower Merrimack Valley

**Are changes planned for FY2014:**                       **YES**                       **NO**

If significant service design or other changes from FY2013 are planned for FY2014, describe below each change to the local workforce development model. For each planned change, the description should include both:

- a. a discussion of the basis for the planned changes and
- b. a discussion of the projected outcome(s) and benefit(s) to be realized as result of the planned change.

**1. Staff integration**

In the FY 13 Plan WIBs and Career Centers were asked to work together to develop a Customer Service model which would better integrate the roles and responsibilities of DCS State funded and locally funded ValleyWorks Career Center staff. The focus of the integration plan was to better triage customers coming in the door to ensure that customers were receiving those services that they most needed to gain employment in the most efficient manner, that customers eligible for targeted services were identified quickly and to respond to the challenges of declining resources both in finances and in staff.

Local DCS, WIB and VWCC senior staff met on an ongoing basis over several months to discuss these challenges. Further meetings included discussion with DCS/Executive Office Staff, the Labor Unions representing both State and Local union employees and VWCC State and local staff. A number of staff training days are in progress to cross train staff in the various requirements and processes associated with the different funding and programs available to customers.

The attached ValleyWorks Career Center Integrated Customer Flow Chart graphically delineates the various pathways available for customers depending on their needs and specific circumstances. Our model begins at the Career Center Seminar (CCS) which provides ALL customers with a mandatory orientation to Career Center services available for job seekers. The CCS includes the completion of an Individual Needs Assessment (INA). Every customer will complete this worksheet at the CCS. All customers will also receive information on available community resources and services. The CCS will also help identify specialized target groups i.e, Veterans, Trade eligible customers, REA and profiled customers and direct them to the next set of services specific to them. All pathways will assist in identifying customers who may be eligible for other available programs and/or reemployment benefits.

We expect that barring other significant changes in funding or workforce policy that the new model will be in place by the end of the first quarter of FY14.

## **2. UI online changes and impact.**

On July 1, 2013 UI Online will be launched for all jobseekers and employers. UI Online will change the role of walk in staff. Walk-in-staff will no longer work one on one with claimants assisting them to file their claims or provide services for customers with existing claims. In their new role walk in staff will act as Navigators to assist claimants in navigating the online system to process their own claims and/or check on the status of their current claim. Walk-in-staff will also be included in the integration plan for VWC and will be generalists for all points of services offered through VWCC.

The WIB has serious concerns about the impact on our customers many of whom are linguistic minorities who have come to rely on assistance from staff when they have questions or concerns about completing initial applications or issues with their ongoing claims. We appreciate the fact that staff resources have been provided to our region to support the transition and mitigate the impact that this change will cause hopefully in the short term.

## **3. Impact of funding cuts:**

The decline in WIA funding particularly in the Youth and Dislocated Worker programs, the first quarter funding cuts caused by the sequestration and the delay and elimination of funding for previously State and other funding sources has caused and will likely continue to cause significant changes in a number of areas in our region. The three outlined below are those that have been identified and are being acted upon based on our current financial analysis.

### **a. Change in Haverhill location/Possible Lawrence relocation**

Our ValleyWorks Career Center satellite in downtown Haverhill was closed as of June 30, 2013. The costs of continued operation of that Center in that location were prohibitive. The VWCC and WIB met several times with City Officials in an effort to identify a more affordable location in the downtown area to no avail. Subsequently Northern Essex Community College offered to make space available for a minimal operation to launch UI Online in the City during the summer,

with the potential of a larger space becoming available later in the fall which would allow for a return to a fully operational VWCC satellite. Those issues are still under discussion at this time, pending further financial analysis and negotiation, and the exploration of any other options that may be available to reduce costs and maintain a presence in the eastern half of our workforce region.

One potential mitigating factor related to the above is the fact that the current lease on our major VWCC operation in Lawrence will also end in December of 2013. We have already notified the landlord of our need to at a minimum RFP for space and possibly to relocate that operation as well. It is possible that an RFP would be issued for both locations. All of these questions will need to be resolved before the end of the calendar year.

**b. Staff furloughs 1 day each month for all but Director positions**

In an attempt to avoid some staff reductions we have worked with the local labor Union and staff and will institute 12 unpaid furlough days for Management and union and non-union WIB and VWCC staff over the next 12 months beginning in July 2013.

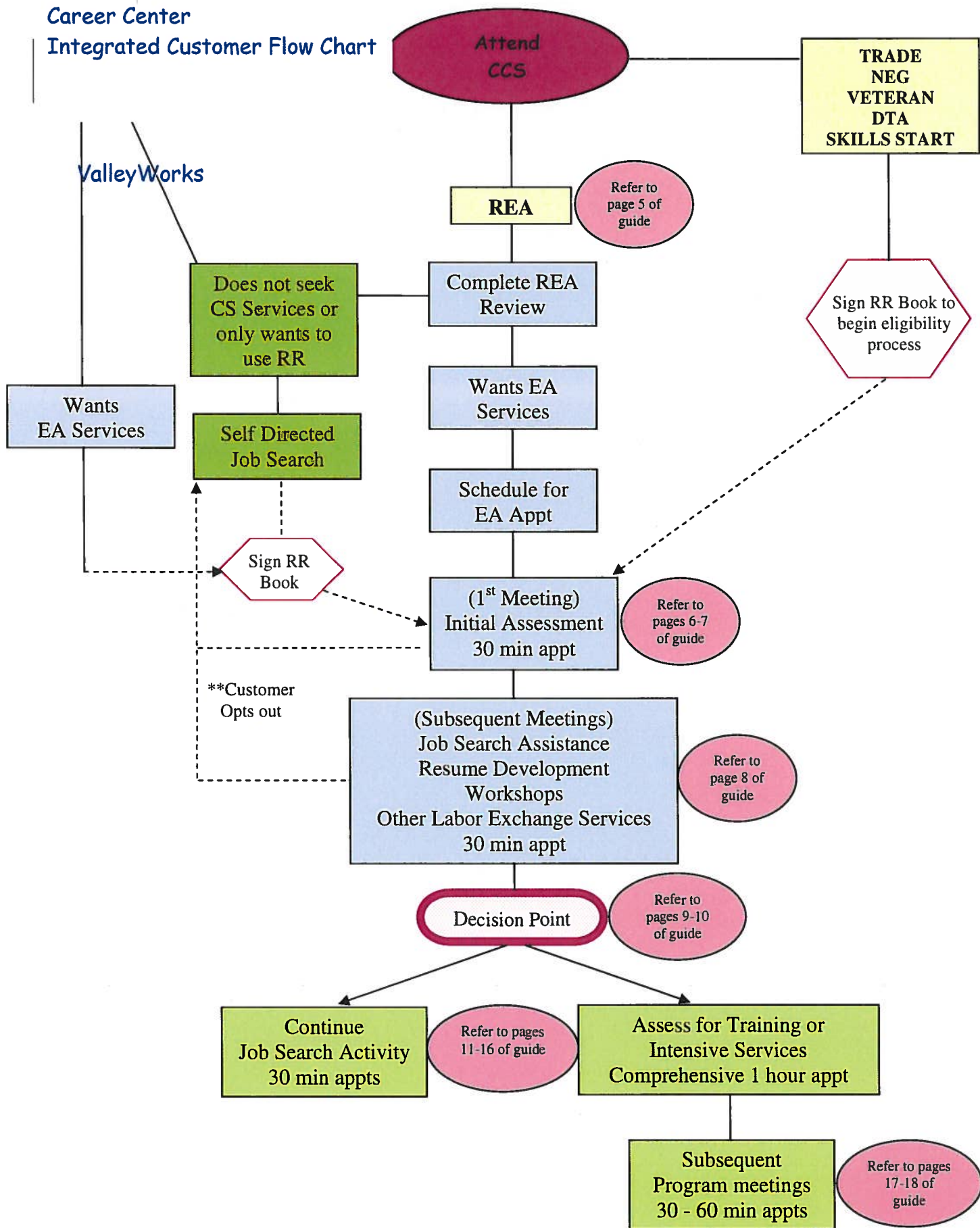
**c. Possible staff reductions**

Thus far during the past seven months we have eliminated or not re-filled 10 positions, four Management and six line staff. We are anticipating at least two retirements in the next four months. Currently we have 11 positions that will be eliminated by December 31, 2013 without additional funding or other unanticipated staff reductions. In the past several months we have applied for a number of projects and supported several collaborative efforts both regionally and with the state that we hope will provide some staff support resources.

**d. Possible change in financial relationship with City of Lawrence**

The MVWIB has been in discussion with the City of Lawrence about a change in the fiscal relationship that would utilize the MVWIB 501 © 3 corporation for all funding other than WIA that supports workforce development activities in the region modeled on the agreements in use by several other WIBs throughout Massachusetts. The WIB Certification process due in late December will focus on articulating these changes and agreements.

Career Center  
Integrated Customer Flow Chart



**ATTACHMENT D  
GRANTS INCLUDED IN ANALYSIS OF VWCC PERFORMANCE\***

- 1. WIA TITLE ONE ADULT PROGRAM**
- 2. WIA TITLE ONE DISLOCATED WORKER PROGRAM**
- 3. WIA TITLE ONE YOUTH PROGRAM**
- 4. WAGNER PEYSER LABOR EXCHANGE PROGRAM**
- 5. VETERANS PROGRAM**
- 6. NATIONAL EMERGENCY GRANT PROGRAMS**
- 7. TRADE ENROLLMENTS AND OUTCOMES**
- 8. REA PROGRAM**
- 9. EUC PROGRAM**
- 10. BOG PROGRAM**
- 11. EPA PROGRAM**
- 12. YOUTHWORKS PROGRAMS**
- 13. PATHWAYS PROGRAM**
- 14. CONNECTING ACTIVITIES**
- 15. DTA CIES**
- 16. WORKFORCE COMPETITIVE TRUST FUND MANUFACTURING PROGRAM**

**\*Other grants may be added to this list during the fiscal year as appropriate**



## ATTACHMENT E

### VALLEY WORKS CAREER CENTER INTEGRATION IMPLEMENTATION PLAN

#### Staff Implementation Schedule\*

- 1) **May 17, 2013** Met with all VWCC staff, staff from DCS Hurley Building and staff from the MVWIB to discuss the new process and the what, why, when and flow of integration.
- 2) Held 3 full days of staff training to educate staff regarding the different functions/tasks as well as the different points of service that need to be staffed throughout the integration process. These days were **May 31<sup>st</sup>, June 7<sup>th</sup> and June 21<sup>st</sup>, 2013**. In addition, we held specific training for staff that includes WIA, TRADE and TABE testing. There are a few staff that is still in need of TABE training which will be completed in December. The majority of staff has completed all the training that was provided. Those who did not and are need of additional training will receive it in smaller groups also by the end of November.
- 3) **September-October 2013** Selected 4 Employment Advisors and 2 Veterans Representatives to begin piloting the integration process. The Employment Advisors have job shadowed each other to learn the functions/duties necessary to provide comprehensive services to all customers as well as shadow points of service where they will be assigned. The Veterans Representatives did not shadow staff because their supervisor feels they have been working with WIA customers and are ready to begin the process and have worked the necessary points of service.
- 4) **October 21- October 25, 2013** The Employment Advisors and the Veteran Representatives will each be assigned WIA current case files for case management. The former CSA's will handle the TRADE customers until all Employment Advisors have completed TRADE training. The Veteran Representatives will be given all WIA current case files for case management with the exception of TRADE customers and NEG customers. The Veteran Representatives will be backups for Veteran NEG customers.
- 5) **October 28, 2013** The Employment Advisors and the Veteran Representatives will begin to meet with new customers that they are assigned.
- 6) **October, 2013** the Workshop team has added additional resume workshops to assist those without resumes as well as work with customers whose resumes need to be updated and refined. Workshops are currently available. If we need additional workshops they will be added. The management team will monitor the flow of customers who need resumes to ensure we have the capacity to provide customer resumes in a timely manner.

- 7) **November, 2013** Training will begin for 3 more Employment Advisors. The 3 Employment Advisors will job shadow integrated staff as well as shadow the points of service where they will be assigned. Dawn and Lisa will work together to provide me a schedule by the end of October of their training needs. The 3 Employment Advisors will be integrated by the end of November and will be assigned new cases from the customers using the Resource Room.
- 8) **January, 2014** Training will begin for the 4 UI staff. The 4 Employment Advisors will job shadow integrated staff as well as shadow the points of service where they will be assigned. Dawn and Lisa will work together to provide me a schedule by the end of December of their training needs. The 4 Employment Advisors will be integrated by the end of January and will be assigned new cases from the customers using the Resource Room.
- 9) **January/February, 2014** I have contacted Tom Cartier (DCS) do provide MOSES TRADE training for staff. He is looking at available dates/times. Once the training is complete all staff will be able to provide TRADE services to customers. Tom contacted me this morning and informed me that a new MOSES TRADE specific build will occur in December or January. There will be training in January or February to discuss the new TRADE regulations and entry into MOSES. All Employment Advisors will attend this training.
- 10) By the end of **January, 2014** there will be 11 Employment Advisors and 2 Veteran Representatives fully integrated. Changes will be made to the integration process if new staff are hired and in need of training.

\*Full Staff integration as outlined in the FY 14 Annual Plan Narrative was originally planned for the end of the first quarter of FY 14. The impact of a number of unanticipated events including sequestration in terms of available funding and staffing changes, and the issues related to the service demands of UI customers because of the transition difficulties to UI on line has moved that time line as indicated by the Implementation Plan above to the beginning of the third quarter of FY14 in January.