

**Multi-Function Agreement between  
Southeast Arkansas Economic Development District (SEAEDD),  
Southeast Arkansas Workforce Development Board (SEAWDB),  
and the Chief Elected Officials (CEOs)**

**PURPOSE:**

To clarify necessary firewalls between the separate roles of SEAEDD as the multi-function agency.

The regulations implementing WIOA allow LWDBs to contract with a single entity to fulfill more than one service provider role in its One-Stop Delivery System. Any service provider performing more than one function, such as local fiscal agent, LWDB staff, OSO, or direct provider of services must develop a written agreement with the LWDB and Chief Elected Official (CEO).

A written agreement must be developed between SEAEDD, SEAWDB and the CEOs with real separation between the departments of Fiscal Agent, Staff of the Board, One-Stop Operator, and Direct Program Provider.

This written agreement between SEAEDD, SEAWDB, and the CEOs clarifies how the organization will fulfill its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant Office of Management and Budget Uniform Guidance, and the State's conflict of interest policy.

**GENERAL TERMS OF THE AGREEMENT:**

Southeast Arkansas Economic Development District, serving as the Multi-Function Agency (agency functioning simultaneously in a variety of roles, including local fiscal agent, Local WDB staff, one-stop operator, and direct provider of services), will ensure that the Southeast Arkansas one-stop and affiliate sites operate in a manner which supports the operational policies and procedures of the SEAWDB and of its designated administrative entity.

**REQUIREMENT:**

20 CFR 679.430 Local organizations often function simultaneously in a variety of roles, including local fiscal agent, Local WDB staff, one-stop operator, and direct provider of services. Any organization that has been selected or otherwise designated to perform more than one of these functions must develop a written agreement with the Local WDB and CEO to clarify how the organization will fulfill its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant Office of Management and Budget Uniform Guidance, and the State's conflict of interest policy.

TEGL 15-16 states: A conflict of interest can arise when actions are taken or may appear to be taken by any entity involved in more than one role.

**BACKGROUND:**

SEAEDD currently serves as the fiscal agent, the one-stop-operator, the staff of the Southeast Arkansas Workforce Development Board, and the provider for Adult, Dislocated Worker, and Youth services for the Southeast Arkansas Workforce Development area. Attachment I shows the separation of duties for each role.

**CONFLICT OF INTEREST**

Appropriate separation of responsibilities must occur between various entities serving in a functional role within the One Stop system. These entities are defined in this agreement as LWDB staff, Fiscal Agent, One Stop Operator, and Service Provider. For the purposes of this agreement, it should be noted that the entity (or individual serving in the role of One Stop Operator per contract) shall not provide direct oversight (e.g., supervisory, management) for staff of any other entity with a functional responsibility within the One Stop system, including LWDB staff, Fiscal Agent, or Service Provider. This is to prevent any conflicts of interest and maintain appropriate firewalls.

Adherence to this agreement will be maintained by the CEOs for Southeast Arkansas Workforce Development Area, the SEAWDB, and Southeast Arkansas Economic Development District.

**DISPUTE RESOLUTION**

A disagreement about some matter within the Multi-Function Agency which falls outside of the scope of the Agreement, and which cannot be resolved by the Multi-Function Agency will be referred to the CEOs for resolution. If a resolution cannot be reached, the matter will be referred to the WDB Chairperson and the CEO Chairperson who will meet with the parties involved in the dispute to attempt to resolve the issue. The WDB Chairperson and the CEO Chairperson will issue a written recommendation for resolving the issue.

**EFFECTIVE DATE AND AMENDMENTS**

This Agreement and any amendments hereto shall be effective between and among each unit of local government adopting this Agreement as of the date of the signing by the CEO Chairperson, SEAWDB Chairperson, and the SEAEDD Executive Director. This Agreement becomes effective upon acceptance by all parties for execution of activities authorized by WIOA and shall remain in force until such time as the CEO Chairperson, SEAWDB Chairperson, or SEAEDD Executive Director calls for a modification, amendment, alteration of the terms or conditions contained herein.

A newly appointed SEAEDD Executive Director, a newly elected CEO Chairperson, or a newly elected SEAWDB Chairperson shall submit an addendum acknowledging that he or she has read, understands, and will comply with this Agreement, and reserves the option to request negotiations to amend the Agreement at any time during their tenure of office.

Attachment I: Roles and Responsibilities

Reference the following SEAEDD/SEAWDB Agreements:

Board Administrative Services Agreement; Board Staff Agreement

Fiscal Agent Agreement; One Stop Operator Contract

I have read and agree to the Multi-Function Agreement between Southeast Arkansas Economic Development District (SEAEDD), Southeast Arkansas Workforce Development Board (SEAWDB), and the Chief Elected Officials (CEOs).

  
\_\_\_\_\_  
Southeast Arkansas Economic Development Board, Chairperson  
Signature

13 Mar 23  
Date

*vice*  
Allison J.H. Thompson  
\_\_\_\_\_  
Southeast Arkansas Economic Development Board, Chairperson  
Printed Name  
*vice*

  
\_\_\_\_\_  
Southeast Arkansas Chief Elected Official, Chairperson  
Signature

2/16/23  
Date

*Mayor Charles Roberts*  
\_\_\_\_\_  
Southeast Arkansas Chief Elected Official, Chairperson  
Printed Name

  
\_\_\_\_\_  
Southeast Arkansas Economic Development District, Executive Director

2/16/2023  
Date

\_\_\_\_\_  
Southeast Arkansas Economic Development District, Executive Director

**One stop operator**

**References: 20 CFR §678.600 – 678.635 and 20 CFR §680.120 – 680.530**

The Workforce Innovation & Opportunity Act (WIOA) requires local workforce development boards to define the role of the One-Stop Operator and competitively procure entity or entities to provide this service.

1. The basic role of a one-stop operator is to coordinate the service delivery of participating one-stop partners and service providers

Additional Duties include but are not limited to:

2. Being knowledgeable of the mission, services, and performance standards of all partners and facilitating cross-training among all staff as necessary to meet the strategic goals established by the SEAWDB and the Workforce Innovation and Opportunity Act.
3. Participating in the Workforce Centers' Certification process for Southeast Arkansas.
4. Evaluating customer needs and satisfaction data to continually refine and improve service strategies including exploring implementing a real-time customer feedback model;
5. Facilitating sharing of data and information.
6. Providing periodic updates and reports to the SEAWDB, elected officials, and regional partner groups of pasts, ongoing, and upcoming activities;
7. Ensuring non-program EEO requirements are met including coordinating staff training, and assuring EEO posters and processes are in place; and
8. Coordinating and leading Service Delivery efforts for businesses and job seekers on behalf of staff, partners, and across the local area system including establishing site hours, schedules, operations, space configuration, customer flow, and integration necessary to deliver high-quality and timely support and services.
9. Collaborating with Workforce Center leadership to ensure that basic services such as orientations, career and labor market information, and resource rooms are properly staffed with appropriate resources to meet customer needs;
10. Addressing and resolving issues relating to growth and space usage, covered in the Infrastructure Funding Agreement and Memorandum of Understanding, including coordinating with the WIOA Fiscal Agent for building lease, utilities, and other Workforce Center needs;
11. Managing partner responsibilities defined in the Memorandum of Understanding (MOU) among partners, including the referral process and availability of services
12. Convene WIOA partners, for meetings to strategically plan and coordinate services for the workforce development area
13. Assisting in various roles, as needed, within the overall One-Stop Delivery System.

**Fiscal Agent**

**References: 20 CFR §679.420 - 679.430 and 20 CFR §681.400**

The Workforce Innovation & Opportunity Act (WIOA) requires the CEOs to enter into an agreement with Southeast Arkansas Economic Development District, Inc. to clarify its responsibilities as the Fiscal Agent for the Southeast Arkansas Workforce Development Area.

The responsibilities and duties of the Fiscal Agent are to:

1. Receive WIOA funds,
2. Ensure sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget circulars, WIOA and the corresponding Regulation and State policies;
3. Respond to audit financial findings.
4. Maintain proper accounting records and adequate documentation.
5. Prepare financial reports.
6. Provide technical assistance to subrecipients regarding fiscal issues; and
7. Other duties as required by direction of the CEOs or Workforce Board.

### Staff to the Board

**References: 20 CFR §679.400 - 679.430 and WIOA Section 107 (d)**

LWDB Staff may only assist the LWDB in fulfilling the required functions in WIOA section 107 (d), among the functions are:

1. Developing a local plan; if the local area is part of a planning region that includes other local areas, develop, and submit a regional plan in collaboration with other local areas. If the local area is part of a planning region, the local plan must be submitted as a part of the regional plan
2. Conduct workforce research and regional labor market analysis.
3. Lead efforts to engage with a diverse range of employers and other entities in the region;
4. With representatives of secondary and postsecondary education programs, lead efforts to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment;
5. Lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers and job seekers, and identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs;
6. Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and job seekers
7. In partnership with the chief elected official for the local area:
  - a. Conduct oversight of youth workforce investment activities authorized under sec. 129(c), adult and dislocated worker employment and training activities under WIOA secs. 134(c) and (d), and the entire one-stop delivery system in the local area;
  - b. Ensure the appropriate use and management of the funds provided under WIOA subtitle B for the youth, adult, and dislocated worker activities and one-stop delivery system in the local area; and
  - c. Ensure the appropriate use management, and investment of funds to maximize performance outcomes under WIOA sec. 116;
8. Negotiate and reach agreement on local performance indicators

with the chief elected official and the Governor.

9. Negotiate with CEO and required partners on the methods for funding the infrastructure costs of one-stop centers in the local area.
10. Selecting one-stop operators and service providers when appropriate
11. Developing a local budget
12. Assess, on an annual basis, the physical and programmatic accessibility of all one-stop centers in the local area, in accordance with applicable provisions of the Americans with Disabilities Act of 1990; and
13. Certification of one-stop centers

#### **Direct Provider of Services**

The responsibilities of the Service Provider are to:

1. Determine eligibility and Priority of Service for all program, training, and supportive services for Adults, Dislocated Workers, and Youth
2. Provide career and training services for Adults, Dislocated Workers, and Youth
3. Perform follow-up services for Adults, Dislocated Workers, and Youth
4. Connect all customers to the full range of services available in the communities thru partner referrals