

**GREATER NEW BEDFORD
ONE-STOP CAREER CENTER SYSTEM CHARTER**

GRANTED TO:

NEW DIRECTIONS SOUTHCOAST, INC.

(in collaboration with The Massachusetts Division of Career Services)

FOR THE OPERATION OF

The Greater New Bedford and Wareham Career Centers (and affiliated locations)

BY THE

GREATER NEW BEDFORD WORKFORCE INVESTMENT BOARD, INC.

IN PARTNERSHIP WITH THE

MAYOR OF NEW BEDFORD/CHIEF ELECTED OFFICIAL (CEO)

CHARTER PERIOD:

July 1, 2010 – June 30, 2014

(Includes board approved extension of charter from July 1, 2010 – December 31, 2010)

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I. PREAMBLE: MISSION AND VISION

The Greater New Bedford Workforce Investment Board, Inc. (WIB) and the Mayor of the City of New Bedford charter the Greater New Bedford and Wareham Career Centers and affiliated facilities, a collaboration of a LEAD OPERATOR and the Massachusetts Division of Career Services as the PRINCIPAL PARTNER. The signatories to this Charter agree to embrace and support the vision and mission of the WIB and its members. The vision and mission are consistent with the overall mission for Career Centers in The Commonwealth contained in the Memorandum of Agreement between the Department of Workforce Development (DWD) and the Workforce Investment Boards.

Mission Statement

The Greater New Bedford Workforce Investment Board provides leadership and oversight for the local workforce development system by securing and allocating public and private funds to programs and initiatives that develop a skilled and educated workforce, meet the workforce needs of employers, and support economic development in Greater New Bedford.*

* Greater New Bedford is defined as the City of New Bedford and the 9 surrounding towns of Acushnet, Dartmouth, Fairhaven, Freetown, Lakeville, Marion, Mattapoisett, Rochester, and Wareham.

Vision of the Workforce Development System

WIB supports and oversees a collaborative and coordinated system of workforce programs, resources, and initiatives in Greater New Bedford that meet the diverse needs of the region's residents and employers. This system has:

- Clear goals understood and shared by stakeholders;
- Meaningful opportunities for stakeholder involvement in shaping program direction;
- Aligned and blended funding streams from multiple sources;
- Seamless multi-agency collaboration on program development, outreach, and service delivery;
- Services that are appropriate and effective for individuals of diverse backgrounds and abilities;
- A focus on jobs and careers that provide a family sustaining wage, provide opportunities for career development and wage growth, and enhance the quality of life for individuals and families;
- Shared standards of quality programming, with a commitment to using data regarding program activities, customer satisfaction, and outcomes to drive continuous improvement;
- Shared responsibility and mutual accountability among stakeholders.

COMMITMENT TO QUALITY:

The Greater New Bedford Workforce Investment Board, Inc., values **quality** at all levels of the system; customer satisfaction, continuous improvements, and a focus on employer needs among critical existing and emerging industries are its hallmarks.

Quality shall be evidenced in the Greater New Bedford Workforce Investment System by:

- A management-led focus on quality throughout the system, which is clearly delineated in all Memoranda of Understanding signed by partnering organizations.

- A quality-driven strategic plan, both annual and long-range, on which all system-wide decisions are based.
- Customer satisfaction drives change; customer satisfaction is measured often and results are freely shared throughout the system.
- Vendors and suppliers shall be held to quality and customer satisfaction standards.
- Service offerings are determined based on the needs of the customer (especially employers) with the focus on critical existing and emerging industries.
- Staff are valued as key partners in the workforce development system, evidenced by measurement of employee satisfaction, employee career development plans, continued investment in employee training, employee participation in planning for continuous improvement, and staff empowerment.
- Services are integrated.
- Results are focused on sustainability and customer satisfaction.

CUSTOMER DRIVEN SERVICE:

A mission of the Greater New Bedford Workforce Investment System will be to provide customers with information and when eligible, access to a broad range of employment, training and education services. The Career Centers will enable employers to obtain services responsive to their employment and employee-education and training needs. The Career Centers will enable individuals to receive information and services, and will provide a seamless system of access to employment, education and training programs which will prevent those individuals in need of services and not eligible for area programs from falling through the cracks.

II. GRANT OF THE CHARTER

A. Granting the Charter

The Greater New Bedford Workforce Investment Board, Inc. pursuant to the authority granted to it by the Massachusetts Department of Workforce Development (DWD), through a memorandum of agreement signed by DWD on April 6, 1999, and the WIB, grants a One-Stop Career Center Charter to the Greater New Bedford One-Stop Career Center.

The Greater New Bedford One-Stop Career Center **lead operator** in collaboration with the principal partner will provide comprehensive services through two (2) collaborative Career Centers:

- 1) 618 Acushnet Ave., New Bedford, MA including affiliated facility at the Youth Annex, 5 Dover Street, New Bedford, MA
- 2) 48 Marion Rd., Wareham, MA

Additional services will be offered in other key satellite community-based organizations, as appropriate and reasonable.

B. Principal Parties to The Charter

The principal parties to this charter are:

While this charter is granted to the lead operator, the business model is structured as a collaboration between:

New Directions Southcoast, Inc. – **Lead Operator** and
 The Massachusetts Division of Career Services (DCS) – **Principal Partner**

Other principal parties are:

Greater New Bedford Workforce Investment Board, Inc. (WIB)

The Mayor of New Bedford/Chief Elected Official (CEO)

Additional formal partners in the One-Stop Career Center include but are not limited to those partners named in Attachment A. It is anticipated that during the life of this charter, additional partner organizations may be added to the collaborative as (1) dictated by customer demands, (2) required by state and federal policies, (3) allowed through state and federal funding resources, and (4) facilitated by WIB strategic planning and operational partnerships formed by the lead operator.

The **lead operator** must receive permission from the WIB before pursuing additional formal partners. These are typically partnerships with the WIB and/or Career Centers that require a Memorandum of Understanding that binds the partnership.

The **lead operator's** desire to be chartered to operate the Greater New Bedford Workforce Investment Board's One-Stop Career Centers and affiliated facilities, is based upon the terms and conditions hereinafter set forth, and agrees that at all times, and in all respects, shall be bound by the terms and conditions of this Charter Agreement. Implementation and operation of the One-Stop Career Centers shall be subject to the terms and conditions of this Charter Agreement dependent on available resources.

C. Term of the Charter

This charter is effective on July 1, 2010, and shall remain in effect through June 30, 2014 provided that the renewal terms and conditions in this charter are met. The term of the charter is divided into four fiscal years:

First fiscal year:	July 1, 2010 through June 30, 2011 (<i>Includes board approved extension of charter from July 1, 2010 – December 31, 2010</i>)
Second fiscal year:	July 1, 2011 through June 30, 2012
Third fiscal year:	July 1, 2012 through June 30, 2013
Fourth fiscal year:	July 1, 2013 through June 30, 2014

There shall be a presumption of renewal of the charter after each of the first three fiscal years unless terminated in accordance with provisions in Section F.

At the end of the fourth fiscal year, the WIB shall have no obligation to renew the charter.

D. Renewal Terms and Conditions

Implementation of a high quality, effective workforce development system is the overall measure that will be used for charter renewal including:

- Workforce Investment Act (WIA) performance goals are met or exceeded.
- Annual monitoring by state and federal officials results in satisfactory or better results.
- Additional WIB performance goals, mutually agreed to by the lead operator and the WIB, are met or exceeded.

The Charter will serve as a guide for all concerned parties with regard to expectations and performance. The charter binds the parties to the same mission and vision through a process of dialogue, negotiation, assessment and evaluation. Specifically, **the lead operator in collaboration with its partners** must:

- Achieve the performance measures and standards established by the WIB's Finance and Performance Measurement Committee (see Section VI); barring unforeseen changes in funding, conditions or regulatory, legal or legislative changes beyond the lead operator's control.
- Complete and implement an annual business plan for the fulfillment of this charter that is approved by the WIB and the Mayor of New Bedford/CEO.
- Participate fully in the development of the Greater New Bedford integrated business plan and respond to questions within the plan targeted to the lead operator and principal partner as needed.
- Participate in monitoring and evaluation activities as requested by federal and state funding entities, third party funders, and the WIB.

E. Funding Availability

In the event that sufficient resources to support the operation of the One-Stop 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 agents for the One-Stop Career Center.

The lead operator will collaborate with its partners to develop and sustain additional resources (public or private) for the purpose of expanding workforce development services through the One-Stop Career Centers. The lead operator in collaboration with its partners shall anticipate funding needs and provide the earliest possible notice to the WIB of any potential funding need or shortfall.

The lead operator will notify the WIB of any workforce development related grants it plans to pursue before pursuing them. This is only a notification and not a request for permission. Likewise, the WIB and the CEO/City of New Bedford will notify the lead operator of workforce development related grants they plan to pursue.

III. THE GREATER NEW BEDFORD COLLABORATIVE MODEL

The Greater New Bedford region will provide comprehensive core and intensive services through its One-Stop Careers. The WIB believes the existing workforce development partners, operating as a One-Stop collaborative within the region, are capable of operating successful Career Centers. Collaborative service delivery partners are identified in Attachment A.

The Greater New Bedford Career Centers are an integrated partnership between existing organizations—chartered, supported, and overseen by the WIB in collaboration with the Mayor of New Bedford as the Chief Elected Official. The key elements are:

- An organizational partnership between the lead organizations, lead operator and principal partner which will be responsible for direct core and intensive services to customers (job and training seekers, businesses, vendors and other community partners);
- 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 customers.
- An integrated management structure composed of lead personnel from the lead operator and principal partner, a Career Center director, and an integrated Career Center management team. It is expected that this management structure will build and enhance the collaboration of the operators in building a comprehensive and seamless local system.

- A commitment to a collaborative model in which staff duties and priorities are developed through a shared recognition, and shared responsibility, in providing quality services to meet customer demand and to meeting the accountability and performance standards required by the WIB, the Mayor of New Bedford/CEO and the Commonwealth.
- Development and implementation of continuous quality improvement activities and methods of measuring customer satisfaction. Activities may include adopting and implementing best practices found in other regions, systems, and businesses.
- A cooperative and complementary relationship with the WIB. The lead operator and principal partners will work cooperatively to meet WIB, state, and special funder's monitoring and performance requirements.

IV. ROLES AND RESPONSIBILITIES

This charter document has been reviewed and approved by the WIB, and by the Mayor of New Bedford/CEO. Both parties are responsible under federal legislation and state policies for jointly approving the charter and allocating resources to the lead operator.

The WIB, the Mayor of New Bedford/CEO, lead operator, and principal partner each have distinct roles in the development, operation and financing of the Career Centers. The lead operator, in collaboration with the principal partner must present a detailed annual business plan and maintain full compliance with the memorandum of agreement signed by the WIB and the Massachusetts Department of Workforce Development.

A. Workforce Investment Board

The WIB is responsible for establishing policies and overseeing the implementation and ongoing operation of Career Centers. The WIB is responsible for developing all applicable and appropriate policies and the WIB executive director is responsible for implementing them.

1. Policy and Program Development

- Establish Career Center policy, performance standards, and reporting requirements, consistent with, but not limited to state and federal requirements.
- Establish and provide oversight for WIB and state-mandated policy and standards for Career Centers and resolve policy issues with state-level agencies on behalf of the lead operator.
- Oversee resource development and the allocation of these resources to employer customers and job seeker customers, within the rules and regulations set forth by mandated legislation. The WIB seeks additional private and foundation grants to supplement state and federal funding for workforce investment priorities.
- Consult with the Mayor of New Bedford/CEO on Career Center policy development and fiscal accountability.
- Consult with the Department of Workforce Development (DWD) and the Division of Career Services Planning and Policy Department, as appropriate, related to Career Center policy development and fiscal accountability.

- Design and 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
- Has the authority to approve or disapprove changes in the Greater New Bedford One Stop Career Center System including additional partners, service menus, number of centers, sites, budget, fee schedule, and grant applications.
- Compile and make available current labor market information.
- Develop and implement processes to determine the needs of local employers and utilize this information to develop training programs that meet these needs.

2. Chartering and Monitoring

- Establish a local Career Center system; designate Career Center lead operator and formal partnerships, review and approve Career Center business plans submitted by the lead operator, write and sign the Career Center charter, and renew the charter or conduct a competitive procurement for new operators.
- Conduct performance monitoring and evaluation of the lead operator as part of an annual charter review and/or re-chartering process.
- Coordinate performance monitoring and evaluation with the Commonwealth of Massachusetts Quality Assurance Teams and the Department of Labor.
- Ensure that data is collected and that reports required by the WIB, Career Center funding sources, and state and federal agencies are produced and submitted in a timely manner.
- Review special data requests for intended use, appropriateness, and reasonableness of effort to obtain the data.
- In conjunction with the Mayor of New Bedford/CEO, and the Department of Workforce Development, consider any appeals of decisions to terminate or to not renew the charter.

3. Capacity Building

- Develop and implement a customer satisfaction and continuous quality improvement system.
- Convene and broker the involvement of stakeholders, including employers; job seekers; local elected officials and other policy makers; education, training, employment and support service agencies; and other interested parties.
- Direct applicable funding appropriated to the WIB for Career Center services and any other applicable WIB resources to the support of services at and through the lead operator.

- Allocate resources to enhance the capability of the One-Stop Career Centers, including staff training and professional development, system-wide customer feedback and best practices.
- Provide ongoing oversight and evaluation of the lead operator and principal partner's performance. Develop an ongoing, independent, objective evaluation, which extends beyond the review of outcomes to include organizational development, customer satisfaction, and continuous quality improvement. Methods may include focus groups, site visits, third party surveys, peer team review, contracting with an outside evaluator, and mystery shopping.
- Oversee all system-wide marketing efforts of the Career Centers and affiliated facilities in collaboration with the lead operator, and including the regular convening of a collaborative marketing team.

4. Fiscal and Program Administration

- Fiscal administration of designated grant funds; responsibilities include: serving as the liaison to state funding agencies; cost allocation planning; development of integrated budgets; accounts record keeping, including maintenance of general ledgers, cash requests, and bank reconciliations; maintenance of financial software; procurement of goods and services; vendor contract management, including invoice review and payment; preparation of federal, state and local reports; payroll/benefits administration; audit support and responses; fiscal monitoring of all vendors to assure regulatory compliance; and development of any necessary fiscal procedures to comply with funding requirements.
- Program administration of designated grant funds; responsibilities include: the development of program monitoring tools; coordination of program monitoring of all vendors; the provision of technical assistance to all contractors and operators; creation of program reports distributed to state, federal and local entities; the development of program policy based on federal, state and local guidelines and policies; requesting corrective action where necessary; and analyzing and evaluating program performance.
- Support the development of grant applications to bring new revenues into the region.
- With the state, monitor Career Center contracts for the Greater New Bedford One-Stop Career Center System's legal and financial compliance, and implement corrective action as necessary.
- Align local monitoring with state and federal monitoring, as much as possible, to reduce unnecessary duplicative demands on the lead operator and principal partner.
- Coordinate information and provide fiscal analysis and perception for the purpose of providing advice to the region as to the continued vitality of funding streams on an on-going basis. These reports will be provided to the WIB's Finance and Performance Measurement Committee and the Executive Director of the WIB as often as is necessary.

B. Mayor of New Bedford - Chief Elected Official

The Mayor of New Bedford holds, as required and designated in federal legislation, the responsibilities of the Chief Elected Official for the Greater New Bedford Career Center system. In that capacity the Mayor will:

- Consult with the WIB on Career Center policy development and fiscal accountability.
- Review and authorize key components of the local labor exchange system, including the service menus, number of centers, sites, budget, and fee schedule for fee-based services.
- Approve changes in the Greater New Bedford One-Stop Career Center System operations of Career Centers, including additional partners, service menus, number of centers, sites, budget, fee schedule and grant applications that involve WIB and/or Career Center activities, staff, and resources.
- Convene and broker the involvement of stakeholders, including employers; job seekers; local elected officials and other policy makers; education, training, employment and support service agencies, and other interested parties.
- Direct all appropriate and necessary locally controlled financial and other resources to the support of services at and through the Greater New Bedford One-Stop Career Center System.
- With the WIB, consider any appeals of decisions to terminate or not to renew the charter.
- Keep the WIB and the Career Center operator informed of efforts to secure funding and other workforce development related resources that affect the operation of the Career Center

C. New Directions Southcoast, Inc. as lead operator, and the Division of Career Services as principal partner, for the Career Centers

As the lead operator and principal partner for the GNB One-Stop Career Center System, New Directions Southcoast Inc. and the Division of Career Services will manage and provide direct client services in conformance with all regulations and policies, and any additional services determined by the WIB and negotiated with the lead operator and DCS, to ensure high quality services for the employer and jobseeker customers of the Greater New Bedford workforce development system. The lead operator and principal partner will work closely and in coordination with all workforce development service providers, the WIB, and all other partners in the system.

- The **lead operator** has primary responsibility for delivering services provided through WIA Title I.
- The **lead operator** shall have management responsibility for the day-to-day operation of the One Stop Career Center and shall be the primary contact for WIB accountability and policy implementation of the goals and expectations outlined in the charter.

- The **lead operator** shall collaborate with the principal partner on activities and decision-making duties related to the operation of local One-Stop Career Centers.
- The Career Center Director shall be an employee of the **lead operator**.
- The **lead operator** may secure any needed fiscal and accounting services through the development of in-house fiscal capability, by hiring a person or firm, that provides such capacity, or by acquiring such services through an appropriate arrangement with the WIB or principal partner.
- The **principal partner** has primary responsibility for services provided through Wagner-Peyser, Unemployment Insurance (UI) Walk-In services, Skills Start, the Reemployment Services (RES) Grant and Veterans.
- The **principal partner** shall work collaboratively with the lead operator and the WIB to meet all goals and expectations outlined in the charter.

The operation of the GNB One-Stop Career Center System is conducted by the **lead operator in collaboration with the principal partner**.

The **lead operator and principal partner** agree to the following:

- Through an integrated upper management structure, to organize the One-Stop Career Center staff to maximize efficiency, avoid duplication of effort and provide quality services to customers. This staffing structure will include senior management that supports direct program management with such things as operational evaluations, the implementation of corrective action plans and procedures, and assurance of regulatory compliance; preparation of fiscal and program reports as required; information technology support; participation in vendor contract negotiations with WIB; input to WIB for the procurement of goods and services needed to operate programs; development of standard operating procedures for program supervision; helping to seek new grants; and budget development for Career Center operations and personnel management.
- To commit to coordinating with all workforce development providers in the area. Through communication and coordination links between each of the service providers, the Career Centers and affiliated locations will provide seamless services (where “seamless” is defined as the customer seeing the Career Center functioning as a single entity, and not separately between the lead operator and principal partner) to the business community, job and training seekers and others searching for career guidance.
- To be responsible for the development of the Career Center budget in coordination with WIB; serving where appropriate as Career Center budget liaisons to the WIB, City or Commonwealth, ensuring appropriate staffing, including staff training and professional development at the Career Center; providing support to the Career Center Director in personnel and other matters, and supporting and implementing Continuous Quality Improvement.
- To operate in a manner consistent with federal and state statutes, regulations and policies, programs that support the policies of the WIB and meet the workforce development needs of the region.
- To conduct outreach to targeted populations and industries (including those identified as priorities of the WIB); collaborate with community groups to provide services; support the

WIB in the development of the marketing of services; develop its ability to use the Commonwealth's workforce information system (MOSES) for evaluation of programs and services provided through the GNB One-Stop Career Centers, and assist the WIB in the continued improvement of a system to measure customer satisfaction at the Career Centers.

- Through an integrated and collaborative management structure to have responsibility and decision-making authority for the Greater New Bedford One-Stop Career Center System operations, to ensure appropriate staffing, quality control, continuous improvements, and the effective provision of services from all Career Center partners.
- To inform the WIB of developments and emerging issues vital to the successful execution of WIB policy and advocacy for the local workforce development system.

1. Operations:

- Submit an annual business plan for fulfillment of this charter that will be approved by the WIB to gain a Career Center charter and annual charter renewal(s).
- Participate in the development of the local annual integrated business plan and respond to specific lead operator questions as requested and generated by the WIB.
- Deliver required core and intensive services and develop fee-based service menus for employers and job seekers such as rental of Career Center spaces to employers and administration of pre-hire tests (TABE, CORI, E-Verify etc.).
- Meet WIB, state, and federal legislative, regulatory, and other third party program requirements.
- Select Career Center locations, subject to WIB/CEO review and approval, and lease, refurbish, and maintain Career Center facilities and equipment.
- Develop, organize, and improve Greater New Bedford One-Stop Career Center service delivery systems.
- Recruit, train, and supervise staff.
- Enter customer data into information systems (MOSES), as required by the WIB, state and federal Career Center policies.
- Develop data input and retrieval system(s) to provide specific information requested by the WIB regarding training, employment outcomes etc. that may not be readily available or easily retrieved from the state system (MOSES).
- Analyze and report data for federal, state, third party and the WIB as needed and/or required on a monthly, quarterly and annual basis.
- Coordinate media interaction between the Development Director at the WIB and designated staff at the Career Centers to assure that both are represented and involved in marketing efforts of the Career Centers.

2. Continuous Quality Improvement

- Build a customer-driven, continually improving organization.
- Implement an on-going continuous quality improvement program that strives to act in the best interest of the customer and the system.
- Establish, operate, and improve effective information systems and provide staff training.
- Work with the WIB and principal partner (with DCS as the state oversight authority), to determine the best available state-level resources and other information system capacities developed by other Career Centers.
- Market services to both employers and job seekers.
- Strive to reduce duplicating resources and strengthening communications with the WIB and principal partner for such things as: meeting attendance (state, mayoral, national), partnership development, media notification (for example, providing a 24-hour pre-release notification of press releases and articles), and data collection.

V. IMPLEMENTATION

A. Recognition of State, WIB, and CEO Authorization

The Greater New Bedford One-Stop Career Center System will include the state One-Stop Career Center logo in all formal materials to the maximum extent feasible; and cite the WIB's chartering role and include the WIB logo in conjunction with the Mayoral seal in all formal materials, to the maximum extent feasible.

Additionally, to the extent possible, acknowledgment must be made that the operation of the Career Centers is funded by the WIB. Programs that are operated or funded by the WIB must carry the WIB logo.

The lead operator, through contract, works for the WIB; where "works for" is defined as those activities of the lead operator directly associated with funds (WIA and other) that are distributed by the WIB to the lead operator. It is not the WIB's intention to direct the lead operator about "how" to do its work, but the WIB will direct the lead operator on expected outcomes and measurement of activity.

Under this charter, the business relationship between the WIB and lead operator is deemed a "sub-recipient" relationship, whereby the lead operator is a sub-recipient of the WIB.

The WIB owns and maintains the Career Center uniform resource locator (URL)/website and affiliated web pages under this URL. All changes made to the Career Center web page(s) must be done with approval from the WIB. Lead operator website(s) may include links to the Career Center web page(s), but must not be misrepresented as a Career Center web site.

This charter may be modified with the approval of the WIB's Finance and Performance Measurement and Executive Committees to reflect gains in organizational development; new implementation and/or performance measures; revisions to customer service menus; the opening of additional Career Centers; implementation of state Career Center information systems and program financing

mechanisms; changes required by state and federal legislation, regulations and policy; and other changes stemming from the WIB's and the lead operator's experience in operating Career Centers. For these circumstances, the Mayor of New Bedford/CEO, WIB, and principal partner will be notified of the modifications.

Any modifications to his charter that are not listed in the above paragraph, must be approved by the WIB's full board, the Mayor of New Bedford/CEO, and the principal partner.

B. Business Plans

Integrated Business Plan: To promote the integration of all partners in the Greater New Bedford workforce development system, an integrated business plan will be developed that incorporates the goals and objectives of the lead operator, the principal partner, and the WIB. This plan will be developed annually in collaboration with the WIB and in accordance with (and contingent upon) guidance provided by the state and the state's timelines for submission.

The lead operator shall submit to the WIB's Finance and Performance Measurement Committee and the CEO its integrated plan responses in April - May prior to each year of charter renewal. The approved integrated plan shall become part of the charter. The integrated business plan will be forwarded to appropriate state agencies.

Lead operator annual plan: The lead operator annual business plan will be the lead operator's plan of operation for the upcoming fiscal year. The WIB shall evaluate this plan to coordinate its efforts to support it and leverage the progress of the operator. The WIB shall also use it to anticipate needs, which it might be in a position to satisfy with further coordination, direction and commitment. Every effort will be made by the WIB to develop questions for the lead operator that do not duplicate what is found in the integrated business plan. In the event the state guidance for the integrated plan is not available in a timely manner, the WIB will develop business plan questions independent of the questions asked by the state.

The lead operator shall submit to the WIB's Finance and Performance Measurement Committee its annual business plan for fulfillment of this Charter in May prior to each year of charter renewal. The approved Business Plan shall become part of the charter.

VI. PERFORMANCE REQUIREMENTS

Quality and performance standards are a guide to organizational development, continuous quality improvement and the development of customer service systems. The collection of baseline data will provide information as to whether or not the One-Stop Career Centers are meeting and/or exceeding customer expectations in terms of both process and products/services. The standards, indicators and outcomes outlined are meant to provide a basis and system for learning and for continuous improvement, for satisfying existing customers, attracting new customers and recovering dissatisfied customers.

The lead operator and principal partner are expected to routinely sample and collect comprehensive data, and analyze findings to develop a reliable customer/market focus. It is the lead operator and principal partner's responsibility in collaboration with the WIB's Finance and Performance Measurement Committee to select the type and form of data which best identifies progress in areas of noted importance by the WIB. The WIB will, at times, ask the lead operator to concentrate data gathering efforts to identified areas of importance.

Performance will be measured against standards in three areas: (1) qualitative areas, e.g., customer satisfaction; (2) quantitative measures, e.g., service levels and outcomes; and (3) organizational development, e.g., implementation measures/products.

A. Qualitative Measures

Quality Standards:

The lead operator and principal partner shall participate with the WIB in a continuous process of defining and refining quality and process standards that includes input from teams of One-Stop Career Center frontline staff, feedback from customers regarding their expectations, and industry benchmarks. Quality measurements will gauge the effectiveness of the One-Stop Career Centers in providing a high quality, customer service operation, and a model of excellence. A priority will be placed on such matters as:

- ∨ timely service which values the customer's time;
- ∨ treating customers with respect;
- ∨ understanding key drivers that influence customer expectations
- ∨ meeting and wherever possible surpassing customers expectations;
- ∨ recovering dissatisfied customers;

- ∨ shaping responses to meet individual customer's needs; and
- ∨ an operational strategy that analyzes bottlenecks which are system-wide within the region, resolves or circumvents them, and provides frontline staff with the tools they need to meet customer needs.

Quality Indicators:

The lead operator and principal partner are required to provide high quality services and to be able to demonstrate to the WIB that it is doing so. It shall be presumed that high quality services are being provided if the lead operator and principal partner can demonstrate, with increasing improvement in results achieved over time that it is providing services that are:

1. Timeliness

- i. Clearly defined time expectations by customer segment in both job seeker and business categories. These may be in the context of wait time, referral time, follow-up, or other customer defined expectations.
- ii. Targeting those segments most in need of improvement and/or those that will have the greatest positive impact upon overall performance.

2. Increase in Effectiveness

- i. *Assessments* for customers that result in appropriate training enrollment;
- ii. *Quality referrals* for customers that result in appropriate referral for partner services;
- iii. *High customer satisfaction level*- Goal is for one hundred percent (100%) of customers that interact with CC staff and receive services find their experience valuable, with a recovery strategy by the lead operator and principal partner for those customers who do not have such perceptions;
- iv. *Market growth* through increasing percentage of market share; expanding market penetration in serving targeted industry employers

The WIB will conduct, as part of its Charter Review process, focus groups and independent interviews with any or all Career Center customers. These customers include: job and training seekers, businesses, partners, vendors and system employees. These processes will be carried out confidentially.

Customer satisfaction data will be collected by the Career Centers on a monthly basis. This data will be analyzed and the results shared with the WIB's Finance and Performance Measurement Committee on a quarterly basis. Information from these surveys will also be shared on a quarterly basis in the lead operator's report to the board.

Customer satisfaction and other customer data will also be collected independently (eg. surveys) by the WIB (or a third party contracted by the WIB) as needed. This data will be analyzed and the results shared with the lead operator and the WIB's Finance and Performance Measurement Committee. Information from these efforts will also be shared with the WIB's full board. Variables and measures for these surveys will be determined through a collaborative effort between the WIB, lead operator, and principal partner to determine the most appropriate and useful data needed by both organizations.

B. Quantitative Measures

The WIB requires outcomes in two (2) general areas for individual customers:

- 1) Jobs - Referral to, placement in, and retention in a job
- 2) Education/Training - Referral to, enrollment in, and retention in an education or training program

The **outcomes** to be collected on individuals that would show progress in these areas are:

1. *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;
2. *Entered employment rates* of all staff assisted WIA Title I adult, dislocated worker, older youth and unemployed customers;
3. *Employment Retention rates* of WIA Title I unemployed customers, adults, dislocated workers and older youth;
4. *Average wage at entered employment* of total number of staff-assisted customers who enter employment, of all unemployed customers, of all adult customers, of all older youth customers and of all dislocated worker customers;
5. *Earnings Change in six months* for WIA Title I adult and older youth workers
6. *Earnings Replacement rate* for WIA Title I dislocated workers
7. *Total number entering full-time employment* for adult, dislocated and older youth workers;
8. *Total number or obtaining a credential* for WIA Title I adult, dislocated and older youth workers;
9. *Skill attainment rate* for WIA Title I youth;
10. *Diploma or Equivalent Attainment rate* for WIA Title I youth;
11. *Retention rate* for WIA Title I youth.
12. *Required reporting information regarding* Wagner-Peyser, Unemployment Insurance (UI) Walk-In services, Skills Start, Reemployment Grant and Veterans.

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

1. *User characteristics*: number of companies served by industry and the regional market share of each;
2. *Service utilization*: total # of businesses served; types of services provided
3. *# Of employers provided with follow up services*
4. *Repeat business from employers*, as defined by companies who submit two or more orders over a two year period and/or who received staff assisted workforce development services.

It's anticipated that the principal partner publish much of the above data on a quarterly basis using the state's system(s) and data bases. The lead operator will be required to provide additional reports. (See Section VII Reporting, Monitoring, and Evaluation Requirements)

C. Evidence Indicators

The WIB has developed evidence indicators that will be used to drive performance measurement. The measures noted in this section describe areas to be measured that would indicate the lead operator and principal partner's dedication to the mission, vision, and principles summarized in Section I of this charter.

The lead operator and principal partner must demonstrate satisfactory progress in these areas unless there is just assignable cause. The lead operator's annual business plan must include exhibits, narrative, reports and other attachments that demonstrate there is evidence that each of these items exist within the lead operator's organization, the Career Centers and affiliated facilities.

The evidence presented will become part of the annual business plan and the charter. Evidence may also be included in the integrated plan as appropriate. It is expected that both the annual business plan and the integrated plan will include additional measures and information not included here. Measures will be tested for relevance and compared against the stated mission, vision and emphasized objectives of the WIB and against the approved structure set out in the lead operator's own annual business plan.

The Evidence Indicators are as follow:

1. Leadership

This category addresses how senior leadership guides the organization in setting values, directions and performance expectations of staff.

Measure would include:

- Evidence of the creation of annual business plan.

2. Strategic Planning

This category addresses how the organization develops strategic objectives and action plans and how these objectives and action plans are implemented.

Measures would include:

- Evidence of strategic planning process;
- Evidence of business plan development and implementation;
- Quarterly org chart updates submitted to WIB Staff and quarterly updates submitted to the WIB.

3. Customer and Market Focus:

This category addresses how the organization determines customer requirements, expectations and preferences. The Career Center Operator must outline how it builds relationships with individual job and training seeker customers as well, as business (employer customers) and seeks to satisfy, retain and grow these customer markets. Consideration should be given to economic climate of the local workforce development system.

Measures would include:

- Evidence of Business Services Plan development and implementation;
- Establish or maintain baselines for identified target industries or those newly identified as critical and emerging in the region;

- # and % of staff persons devoted to serving business customers;
- Increase the # of ITA approved training providers that update and maintain their list of course offerings and/or improve or adjust their course offerings based on local labor market information;
- Evidence of WIA Title I training eligible customers visit 2 or more training vendor sites before enrollment unless 2+ vendors are not within commuting distance;
- Evidence that systems are in place to follow up with each individual through to job placement for one year following the participant's exit from training.
- Evidence that systems are in place to document "declined" referrals to training and jobs.

4. **Information and Analysis**

This category addresses the organization's information management and performance measurement systems and how the organization analyzes performance data.

Measure would include:

- Establishment of monthly and quarterly reporting processes to WIB and WIB committees.

The Operator is asked to use standard quality management techniques to collect and analyze data, identify conclusions and publish findings. This information, as appropriate, shall be made easily accessible to customers, partners, monitors, etc.

5. **Process Management**

This category addresses the organization's use of efficient and effective process management including customer-focused design, service delivery, key business and support processes.

Measure would include:

- Evidence of processes and/or systems for collection, analysis and reporting of performance data.

6. **Business Results**

This category addresses the organization's performance and improvement in key business areas—customer satisfaction, service performance, marketplace performance, human resource results and operational performance.

Measures would include:

- # and % of satisfied job seeker customers;
- # and % of satisfied business customers;
- Rate of return by business customers for job order submission;

VII. REPORTING, MONITORING AND EVALUATION REQUIREMENTS

A. **Reporting Requirements:**

Reporting requirements will be established by the WIB in consultation with the lead operator and will be revised periodically. A current list of these will be maintained between the lead operator and the WIB.

Information, when available, will be provided by service site.

The lead operator and principal partner will maintain records as required by the WIB and state and federal agencies overseeing implementation of the Career Centers. The lead operator and principal partner will provide access to the WIB, to DWD, and to other authorized government agencies, the information needed for monitoring, and for evaluation of performance.

The WIB, lead operator, and principal partner 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.

Every effort should be made by the lead operator to fulfill ad hoc reporting requests made by the WIB. Last minute requests by the WIB for reporting and data retrieval will be held as the exception, not the rule. Every effort should be made by the WIB to provide sufficient notification to the lead operator for data retrieval and reporting.

B. Evaluation:

The WIB shall be responsible for evaluating the lead operator and principal partner's performance in implementing and operating the One-Stop Career Centers in accordance with the measures set forth in this Charter Agreement. The lead operator's right to operate a One-Stop Career Center shall be subject at all times to the WIB's satisfaction that quality and performance standards are being met.

In addition, the Commonwealth's Quality Assurance Unit and other state and federal agencies appropriate to funding sources shall evaluate the lead operator and principal partner.

C. Corrective Action:

If the WIB believes at any time that the lead operator and principal partner are unable to satisfy any of the performance standards set forth in this Charter Agreement, measured with such frequency as the WIB determines, the WIB and the lead operator and principal partner shall meet to discuss the failure or potential failure and shall develop a written corrective action plan for the satisfaction of the performance standards or standards in question.

The WIB will remain current with the economic conditions in which the lead operator and principal partner must carry out the business of running the Greater New Bedford One-Stop Career Center System. If, however, the lead operator continues to not meet the performance standards set by state funding sources, the WIB and the CEO, a new operator may be selected through a competitive bid process. A selection committee will be established composed of WIB members as selected by the WIB Chair in partnership with the CEO.

Or in an effort to retain the existing lead operator for the duration of the charter period, the WIB may, with the agreement of the lead operator, negotiate with the lead operator in an effort to find an acceptable replacement of executive leadership within the lead operator's organization.

D. No Presumption of Renewal:

Notwithstanding the above, there shall be no presumption of renewal of the Charter Agreement after the Fourth Fiscal Year, except as set forth in Section II (C) of this Charter Agreement, and the WIB shall be under no obligation to renew for a fifth or subsequent fiscal year.

VIII. PAYMENTS TO REIMBURSE THE WIB FOR THE COSTS INCURRED SUPPORTING CAREER CENTERS:

The guiding principles for determining WIB charges to the Greater New Bedford Workforce Investment Area integrated budget will be to:

1. Minimize the budget impact on service to customers,

2. Provide the WIB with the resources it needs to establish policy, support continuous improvement, and carry out the mandates listed in the memorandum of agreement with the Massachusetts Department of Workforce Development. Representatives from the WIB, lead operator and principal partner will work together to develop the region's annual budget.
3. Comply with regulatory and funding limitations.

IX. REMEDIES, SANCTIONS AND APPEALS

A. The Goal of Mutual Cooperation

It is the intent of the parties that problems be avoided, corrected, and resolved by mutual cooperation if that is feasible. The WIB and the 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 and customer dissatisfaction is central to continuous quality improvement and all parties shall adopt and maintain a commitment to this approach.

B. Performance Review

The WIB's Finance and Performance Measurement Committee will conduct three types of reviews.

1. Review of written monthly reports submitted to the WIB's Finance and Performance Measurement Committee by the lead operator in collaboration with the principal partner on performance of all centers and on each center and affiliated facilities.
2. Quarterly reports to the full Board.
3. Charter Review. The WIB will provide the lead operator, principal partner and the CEO with oral and written report of findings from this annual process.

C. Performance Problems and Corrective Action Plans

The lead operator and principal partner shall inform the WIB 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 Career Centers or affiliated facilities, or could lead to the lead operator's default under the terms in this charter or its funding sources.

If the WIB has a problem or event occurring or that may occur which could undermine the successful implementation or operation of the Greater New Bedford One-Stop Career Center System, the WIB shall inform in writing the lead operator and principal partner as soon as possible. In the event of an emergency, telephone, fax and/or email notification is requested.

In those instances when performance and customer problems are identified and remain unresolved, the WIB will consult with the lead operator. The lead operator will develop a plan in collaboration with the principal partner to resolve the problems, inform the WIB of its plans, and take the steps necessary to resolve the problems identified. If the WIB believes that problems have not been resolved within a reasonable period of time, the WIB shall provide a written notice identifying the problems and requesting resolution within a specified period of time. A copy of the notice will also be provided to the Mayor/CEO, the Department of Workforce Development and the Division of Career Services. If the lead operator is not responsive to this request, the WIB's Finance and Performance Measurement Committee 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 within a reasonable period of time 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 solved within a grace period set forth below or resolved through the appeal process, shall constitute a default.

- Generally, a default by the lead operator will occur when there is a breach or failure in the performance of any material term, provision, obligation, or condition 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 lead operator herein or in the lead operator's annual business plan or in any other instrument or document relating to the Greater New Bedford Career Centers shall at any time be materially false or misleading.
- Fraud. A default shall occur if the lead operator is misusing Career Center funds, deliberately or knowingly charging customers for core services, or otherwise defrauding the WIB or the grant recipient, the Mayor of New Bedford/CEO or misusing State or Federal funds which are supporting the One-Stop Career Center as identified by the Commonwealth or US Department of Labor.

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 lead operator has the opportunity to correct the default. There shall be a thirty (30) day grace period (or more days as determined by the WIB to be reasonable to correct the default) following written notice to the lead operator from the WIB. A copy of the notice will also be provided to the Mayor/CEO and the Division of Career Services and the Department of Workforce Development. If any such default remains uncorrected upon the expiration of the grace period, the WIB shall be entitled to exercise any or all of its remedies as provided in this charter agreement

There is no grace period for default involving breach of representation or warranty or fraud.

F. **Remedies and Termination**

1. **Termination of the Charter by the WIB**

Upon the occurrence of default or any violation as identified under Section IX-C, and the expiration of any applicable grace period, the WIB shall be entitled, following a vote of concurrence from the WIB's Finance and Performance Measurement and Executive Committees, to terminate this charter immediately by delivering written notice of termination to the lead operator, Executive Director/President. Upon the delivery of such written notice, the charter shall terminate and the lead operator shall have no further rights with respect to the implementation or operation of Greater New Bedford and Wareham Career Centers. A copy of the notice of termination shall be provided to the Mayor/CEO and the Massachusetts Division of Career Services.

In cases of breach of representation or warranty and fraud, the WIB may take immediate action to revoke the charter or seek other changes in performance and administration of Career Centers.

At the discretion of the WIB or the lead operator, ninety (90) days prior to the renewal date of the Charter, either party can give written notice of termination.

2. Action by the Commonwealth of Massachusetts

A copy of the termination notice shall be delivered to the Department of Workforce Development, Massachusetts Division of Career Services, the WIB's Finance and Performance Measurement Committee, the WIB's Executive Committee, and the Mayor of New Bedford/CEO, so that they may take such action, as they deem appropriate. Upon termination of the charter, the Commonwealth of Massachusetts contracts with the lead operator will simultaneously terminate.

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 Department of Workforce Development or Massachusetts Division of Career Services, this charter shall simultaneously terminate without any requirement of the delivery of written notice of termination by the WIB to the lead operator. In the event of any such termination of the charter agreement, the lead operator shall not have any further rights with respect to the implementation or operation of Career Centers.

G. Appeal Process

If the lead operator is notified of the WIB's decision to terminate the charter, it shall have two weeks from the receipt of such notice to provide a written appeal to the WIB Executive Director, the WIB's Finance and Performance Measurement Committee, the WIB's Executive Committee, and the Mayor of New Bedford/CEO. In the case of the WIB terminating the charter upon annual renewal with sixty days notice, no appeal will be considered.


Within two weeks of receipt of an appeal, the Chair of the WIB Executive Committee will convene the Finance and Performance Measurement Committee, the WIB Executive Director, representatives of the lead operator, and others as appropriate to consider renewal of the charter. The WIB's Executive Committee will establish processes for gathering information and debating the merits of arguments presented, which will be approved by the WIB's Executive Committee before proceeding. The WIB's Executive Committee will make its decision concerning charter renewal within two weeks of its first meeting.

If the lead operator is not satisfied with the decision of the WIB's Executive Committee, an appeal may be made within two weeks in writing to the WIB and the Mayor of New Bedford/CEO. The WIB and the Mayor shall convene an appeal hearing within two weeks, provide all parties with a description of the process to be used, gather and consider such information as they consider to be relevant, and consider the merits of the appeal until consensus between the WIB and the Mayor is reached. In the event a consensus between the WIB and the Mayor cannot be reached, the WIB will align with the Mayor's final decision to either renew or not renew the charter.

X. SIGNATORIES

By signing below, each of the parties agrees to the items outlined in the Greater New Bedford Career Center Charter. This is a binding contract.

CITY OF NEW BEDFORD




Scott W. Lang
Mayor, City of New Bedford

12/10/10

Date


GREATER NEW BEDFORD WORKFORCE INVESTMENT BOARD, INC.



David DeJesus, Jr.
Chair

12/8/10

Date



Leonard Coriaty
Executive Director

12/8/10

Date

NEW DIRECTIONS SOUTHCOAST, INC., LEAD OPERATOR



Brenda Francis
President and CEO

12/7/2010

Date

**MASSACHUSETTS DIVISION OF CAREER SERVICES,
PRINCIPAL PARTNER**



Joseph Notini
Mass Division of Career Services, Regional Manager

12/7/10

Date

Attachment A

Career Center Required Partners:	Services:
Lead operator	<ul style="list-style-type: none"> • Adults • Dislocated Workers • Youth
Division of Career Services	<ul style="list-style-type: none"> • Veterans • Employment Service (Wagner-Peyser Act, 29 USC 49) • Unemployment Insurance • RES
Job Corps, Youth	<ul style="list-style-type: none"> • Job Corps
Massachusetts Department of Education: NBPS Adult Basic Education Program and UMASS Dartmouth Workers' Education Program	<ul style="list-style-type: none"> • Adult Basic Education and Literacy
Massachusetts Rehabilitation Commission	<ul style="list-style-type: none"> • Vocational Rehabilitation
Title V Provider –	<ul style="list-style-type: none"> • Title V, Older Americans
Bristol Community College	<ul style="list-style-type: none"> • Post Secondary Vocational Education
People Acting in Community Endeavors (PACE)	<ul style="list-style-type: none"> • Community Services Block Grant (Food Stamps, Child Care, Fuel Assistance, etc.)
New Bedford Housing Authority	<ul style="list-style-type: none"> • Housing and Urban Development Employment and Training
Additional Partners:	Additional Services:
Department of Transitional Assistance (DTA)	<ul style="list-style-type: none"> • Services for customers receiving public assistance.
Educational Opportunity Center	<ul style="list-style-type: none"> • Academic, Career, and Financial Aid Application Assistance
TBD	<ul style="list-style-type: none"> • Transitional Services to In-school and Out-of-school Youth