

MEMORANDUM OF UNDERSTANDING (MOU) SUBMISSION AND SIGNATURE PROCEDURES

Submission

1. The Local Workforce Development Board (LWDB) must verify with all local negotiators that the MOU draft is acceptable for submission.
2. The LWDB must submit the draft MOU via email to LWDB@labor.ny.gov with the subject line “[LWDA Name] MOU Review/Signature.”
3. The transmittal must include:
 - The MOU Template in Word format, with a signature page for all partners, including the signature page for each State agency prepared in the following way:
 - New York State Department of Labor (NYSDOL) – One signature page for Orville Abrahams, Deputy Commissioner for Workforce Development, signing for the Wagner-Peyser, Trade Act Assistance, Jobs for Veterans, and Unemployment Insurance programs.
 - NYS Education Department (NYSED) – One signature page for Phyllis Morris, Chief Financial Officer, signing for the Adult Education and Family Literacy, Career and Technical Education (CTE), and Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) programs; and
 - NYS Commission for the Blind (NYSCB) – One signature page for Derek Holtzclaw, Deputy Commissioner of Administration, shown as “Office of Children and Family Services/NYS Commission for the Blind (OCFS/NYSCB).”
 - Attachments A and B in Excel format; and
 - An assurance that the designated partner program negotiators approve of the MOU document being ready for State agency signature (i.e., meeting minutes or partner emails), submitted as Attachment C.

Word and Excel format is required to allow the State agencies to comment and/or modify, should this be necessary for signature. Please indicate how many traditional/electronic signatures the LWDB needs from each State agency.

4. Staff at NYSDOL will review the draft first to ensure language from the MOU Template was followed and that all required attachments are included. The draft will then be forwarded to the State agency partners for review or returned to the LWDB for correction.
5. If State agency changes are required, the LWDB must re-submit the draft to LWDB@labor.ny.gov with the subject line “[LWDA Name] MOU Draft Resubmission” and the MOU will be reviewed again by the State agency partners.
6. Upon State agency approval, the LWDB will be informed that it will have one (1) week to provide any further updates of its own to the draft. From this point, there are two possible scenarios:
 - a. The LWDB has no additional updates – The LWDB must confirm this via email to LWDB@labor.ny.gov, at which point the approved MOU can be moved to the signature process;
or

- b. The LWDB has additional updates – The LWDB must make necessary updates and re-submit the MOU. It will then go through the review process again, repeating steps 4-6.

Signatures

Signatures from local partners and state agencies may be secured using an electronic signature process or a traditional pen and paper signature process. LWDB should evaluate both options before deciding which process will be used. Prior to using an electronic signature process Directors are responsible for assuring that **all** local partners agree to the electronic signature option. Depending on the process being utilized the LWDB should refer to the corresponding section below for guidance on the order in which signatures should be secured and compiled as well as the submission process.

Electronic Signatures

1. Once the LWDB is notified that the MOU can move to the signature process the LWDB will prepare the MOU Template for electronic signatures by converting it to PDF format and adding appropriate electronic signature section before sending the Template to partners. All electronic signatures must be Electronic Signatures and Records Act (ESRA) compliant and there are a number of ESRA compliant software programs.
2. Once the MOU has been signed by all local partners the LWDB Director will compile the appropriate signature pages into one document to submit to the State for agency signatures. Compiled MOUs should be submitted to LWDB@labor.ny.gov
3. Once MOUs are signed electronically by State agencies, they will be returned to LWDB Directors to retain on record as an executed MOU.

Traditional Signatures

1. Once the LWDB is notified that the MOU can move to the signature process, the LWDB should begin to obtain local partner signatures at the same time.
2. Once fully signed by State agencies, the MOU will be returned to the LWDB Director to proceed with compiling local partner signatures to submit a fully executed MOU to:

Krista Burnetter
New York State Department of Labor
Division of Employment and Workforce Solutions
Harriman State Office Campus
Building 12, Room 450
Albany, NY 12240

3. Once the MOU is fully executed, a copy that includes all partner signatures should be provided to each partner. State agency partners should receive the following number of signed copies:
 - NYS DOL – three (3);
 - NYSED – three (3); and
 - OCFS/NYSCB – two (2).

*Note that all partners must review, agree to, and sign the MOU even if they are not co-located and are not currently sharing in infrastructure costs.