

# The Workforce Innovation and Opportunity Act

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BRIEFING FOR THE ADMINISTRATION OF CHILDREN  
AND FAMILIES STAFF

# Agenda

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- Overview of the Workforce Innovation and Opportunity Act (WIOA)
- Transition to WIOA and Key Implementation Dates
- Stakeholder Engagement and Technical Assistance
- Next Steps
- Tools and Resources

# WIOA Overview

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- President Barack Obama signed WIOA into law on July 22, 2014.
- Passed by Congress with wide bipartisan majority (the Senate voted 93-5 and the House of Representatives voted 415-6).
- Broad vision of workforce programs: reaffirms ongoing role of American Job Centers and also requires coordination and alignment of key employment, education, and training programs.
- Promotes program alignment at the Federal, State, local, and regional levels.
- Builds on proven practices such as sector strategies, career pathways, regional economic approaches, work-based training.

# WIOA Overview / Job-Driven Training

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- Aligns with and complements the President's Vision for Job-Driven Workforce Development – prepare workers for 21<sup>st</sup> century jobs and ensure American businesses have skilled workers to be competitive in global economy.
- The Vice President issued a report, “Ready to Work: Job-Driven Training and American Opportunity,” based on his review of Federal job training programs on July 22, 2014  
([http://www.whitehouse.gov/sites/default/files/docs/skills\\_report.pdf](http://www.whitehouse.gov/sites/default/files/docs/skills_report.pdf))

# WIOA Programs

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- Supersedes the Workforce Investment Act of 1998 and retains and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973.
- Identifies “core programs”:
  - Adults, Dislocated Workers, and Youth formula programs and Wagner-Peyser employment services administered by the Employment and Training Administration; and
  - Adult education and literacy programs and Vocational Rehabilitation state grant programs that assist individuals with disabilities in obtaining employment administered by ED.
- Also authorizes the Job Corps, YouthBuild, Indian and Native Americans, and Migrant and Seasonal Farmworker programs, and evaluation and research activities conducted by DOL.

# Requires states to strategically align workforce development programs

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*WIOA ensures that employment and training services provided by the core programs are coordinated and complementary so that job seekers acquire skills and credentials that meet employers' needs.*

- Single Unified Strategic Plan - Every state will develop and submit a four-year strategy for core programs.
  - Plans will discuss State's strategy to prepare an educated and skilled workforce and meet the workforce needs of employers.
  - Must be jointly approved by the Secretaries of Labor and Education within 90 days of receipt.
- Comprehensive State Plan – States can include other key partners such as Unemployment Insurance, Trade Adjustment Assistance, Temporary Assistance for Needy Families (TANF), Perkins career and technical education programs.

# Promotes accountability and transparency

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*WIOA ensures that Federal investments in employment and training programs are evidence-based and data-driven, and accountable to participants and tax-payers.*

- Core programs and other authorized programs are required to report on common performance indicators:
  - How many workers entered employment
  - How many workers retained employment
  - Median wages of these workers
  - Credential attainment of these workers
  - Measurable skill gains of these workers.
  - Effectiveness of services to employers.
- Eligible training providers are required to provide data on performance outcomes for *all* participants.

# Promotes accountability and transparency

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- DOL and DoED, with input from stakeholders, will establish common performance accountability system for core programs, including common reporting templates.
- Negotiated levels of performance for common indicators will be adjusted based on statistical model that takes into account economic conditions and participant characteristics.
- Performance reports for states, local areas, and eligible training providers will be made publicly available.
- States will be sanctioned 5 percent of Governor's Reserve for performance failure and failure to submit performance reports.



# Research and Evaluation Activities

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- DOL is authorized to carry out research and multi-state projects, as well as demonstration projects for dislocated workers.
  - Programs under title I will be evaluated by independent third parties at least every four years.
  - At least one multistate control group evaluation of such programs and activities be conducted by the end of Fiscal Year 2019.
- DOL will use appropriate rigorous methodology when designing evaluations.
- DOL will submit a plan to Congress every 2 years that describes the research agenda for the next 5 years.
- Requires studies on (1) career pathways for healthcare providers and providers of early education and childcare, and (2) equivalent pay for men and women.

# Fosters innovation and encourages dissemination of proven practices

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- The Governor's Reserve is maintained at 15% to support innovations at State and local levels.
- DOL and States will work together to:
  - share promising and proven practices;
  - evaluate and disseminate information regarding such practices; and
  - identify and commission research to address knowledge gaps.

# Streamlines and strengthens strategic roles of workforce development boards

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*WIOA makes state /local boards more agile and well-positioned to meet local and regional employers' workforce needs.*

- State/local boards must coordinate and align workforce programs to provide coordinated, complementary, and consistent services to job seekers and employers.
- Business maintains leadership role and forms majority of workforce board members.
- State/local boards membership is streamlined
  - Mandatory AJC partners are no longer required board members.
  - Registered Apprenticeship is a required member.
  - Requires member from an institution of higher education, including community college.

# Fosters regional collaboration

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*WIOA promotes alignment of workforce development programs with regional economic development strategies to meet the needs of local and regional employers.*

- States are required to identify regions within their state.
- Local areas in regions will have coordinated planning and service delivery strategies.

# Improves American Job Center system

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*WIOA increases the quality and accessibility of services that job seekers and employers receive at their local AJCs.*

- States will establish criteria to certify AJCs at least every 3 years to ensure continuous improvement, access to services (including virtual services), and integrated service delivery.
- Key programs and services will be available at AJCs
  - Wagner-Peyser Employment Service is required to co-locate at AJCs.
  - TANF is a new AJC required partner.
- States/local areas are encouraged to integrate intake, case management, and reporting systems.

# Improves American Job Center system

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- AJC partner programs are required to dedicate funding for infrastructure and other shared costs.
- DOL is required to implement a common identifier (brand) for the workforce system.
- DOL will dedicate funding to build the capacity of State/local boards and AJC staff including:
  - providing technical assistance
  - establishing a system to share evidence-based and promising practices.

# Improves American Job Center System

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- Renames the Employment Statistics System as the Workforce Information and Labor Market Information System.
- Establishes a Workforce Information Advisory Council (FACA committee) to address the development of and other issues related to the system.
  - Involves Bureau of Labor Statistics and ETA.
- Requires the Secretary to develop a two-year plan for the system in consultation with the Council, other Federal agencies, and States.

# Improves services to employers and promotes work-based training

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*WIOA contributes to economic growth and business expansion by ensuring the workforce system is job-driven – matching employers with skilled individuals.*

- State/local boards are responsible for activities to meet workforce needs of local and regional employers.
- State/local boards will promote use of industry and sector partnerships to address workforce needs of multiple employers within an industry.
- Local areas can use funds for proven strategies, including incumbent worker training, Registered Apprenticeship, transitional jobs, on-the-job training, and customized training.
  - There are increased reimbursement rates for employers for on-the-job and customized training.



# Provides access to high quality training

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*WIOA helps job seekers acquire industry-recognized credentials for in-demand jobs.*

- Training that leads to industry recognized post-secondary credentials is emphasized.
- States/local areas will use career pathways to provide education and employment and training assistance to accelerate job seekers' educational and career advancement.
- Local areas have additional procurement vehicles for training to increase customer choice and quality: individual training accounts, pay for performance contracts, and direct contracts with higher education.

# Reinforces connections with registered apprenticeship

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- RA programs are included on eligible training provider list for Adult and Dislocated Worker programs as long as they remain registered.
- State and local boards will have RA programs representatives as members.
- RA completion certificates will be recognized as a post-secondary credential.
- Youth program may offer pre-apprenticeship training to prepare youth for RA or other career opportunities.
- RA is recognized as a career pathway for Job Corps students.
- YouthBuild may offer work experience and skills training in coordination with pre-apprenticeship and Registered Apprenticeship programs.

# Enhances workforce services for adults and dislocated workers

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*WIOA ensures that unemployed and other job seekers have access to high-quality workforce services.*

- WIA service categories of core and intensive services are collapsed into “career services” and there is no required sequence of services, enabling job seekers to access training immediately.
- Local areas can transfer up to 100% of funds between Adult and Dislocated Worker programs.
- Local areas can use up to 20 percent of their Adult and Dislocated Worker program funds for incumbent worker training programs.
- Job seekers who are basic skills deficient, in addition to those who are low-income individuals, have priority for services for the Adult program.

# Makes key investments for disconnected youth

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*WIOA prepares vulnerable youth for successful employment through increasing use of proven service models services.*

- Local areas must increase percentage of youth formula funds used to serve out-of-school youth to 75% from 30% under WIA.
- Local areas must spend at least 20% of youth formula funds on work experience activities such as summer jobs, pre-apprenticeship, on-the-job training, and internships so that youth are prepared for employment.
- Eligibility criteria are changed: In school youth are ages 14-21 and out of school year are ages 16-24.
- 5 new program elements.
- Additional allowable activities include financial literacy education and entrepreneurial skills training.

# YouthBuild

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- Activities in in-demand industries and occupations in addition to construction are authorized
- Requires reporting on common performance indicators
- Changes to percentages of funds used for supervision and training and administration.

# Improves services to individuals with disabilities

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*WIOA increases individuals with disabilities' access to high quality workforce services and prepares them for competitive integrated employment.*

- AJCs will provide physical and programmatic accessibility to employment and training services for individuals with disabilities.
- Youth with disabilities will receive extensive pre-employment transition services so they can successfully obtain competitive integrated employment.
- State vocational rehabilitation agencies will set aside at least 15% of funding to provide transition services to youth with disabilities.
- VR state grant programs will engage employers to improve participant employment outcomes.

# Improves services to individuals with disabilities

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- Local boards may designate a standing committee to
  - provide information and assist with operational and other issues related to compliance with non-discrimination and applicable accessibility requirements
  - provide input regarding appropriate training for staff on these issues.
- Establishes a committee to advise the Secretary of Labor on strategies to increase competitive integrated employment for individuals with disabilities.
  - Includes Departments of Labor, Education, Health and Human Services, Social Security Administration, and other partners.

# Indian and Native American Programs

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- Grant periods are extended to 4 years from 2 years
- Requires reporting on common performance measures, and additional performance standards are to be developed in consultation with the Native American Employment and Training Council.
- Purpose of the program is expanded to include equipping individuals with entrepreneurial skills necessary for successful self-employment.
- Adds training on entrepreneurial skills as an allowable activity.
- Authorizes assistance to unique populations in Alaska and Hawaii.



# National Farmworker Jobs program

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- Grant periods are extended to 4 years from 2 years
- Requires reporting on common performance measures
- Defines “Eligible seasonal farmworker” to be a low-income person and includes fish farming as an allowable industry of previous employment.
- Adds new authorized activities: outreach activities, pesticide training, permanent housing, English literacy instruction, school dropout and recovery activities, customized career and technical education.
- TA activities will be aimed at improving coordination of services and implementation of best practices.

# Enhances the Job Corps program

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- Job Corps will provide opportunities that lead to successful careers resulting in economic self-sufficiency and prospects for advancement or enrollment in postsecondary education, as well as supporting responsible citizenship.
- Job Corps will establish community networks with employers, labor organizations, and State/local boards to improve services to and outcomes for participants.
- Job Corps will report on Youth program's common performance measures to increase alignment between programs.
- Changes the Job Corps center selection process so that competition is used to increase performance and quality of services to Job Corps students.
- Job Corps annual report to Congress will include performance data for recruiters and career transition service providers.
- DOL will submit regular reports to Congress on Job Corps financial status for the first 5 years after enactment.

# National Dislocated Worker Grants

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*WIOA provides greater flexibility in use of National Dislocated Worker Grants.*

- Eligibility is expanded beyond FEMA declarations to “an emergency or disaster situation of national significance that could result in potentially large loss of employment.”
- Eligibility for disaster assistance is extended to include self-employed individuals.
- Eligibility expanded to areas with higher than average demand for services from dislocated members of the Armed Forces.
- Disaster employment may be provided to participants for up to 12 months from 6 months under WIA.
- DOL has 45 days to issue approval of grant applications.

# Services to Unemployment Insurance (UI) claimants

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- UI claimants will benefit from enhanced career services under title I, including assistance with identifying and obtaining jobs in in-demand industries.
- UI claimants will receive eligibility assessments and referrals to an array of training and education resources through the Wagner-Peyser Employment Service program.
- Co-location of Wagner-Peyser Employment Service at AJCs will result in UI claimants having enhanced access to services.

# Services to veterans

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- Priority of service requirements for eligible veterans and spouses continue under WIOA.
- DOL continues to implement recent refocus of the Jobs for Veterans State Grants (JVSG) program.
- WIOA has several provisions which help support veteran- related services:
  - Expands National Dislocated Worker Grants eligibility to areas that have higher than average demand for services from dislocated members of Armed Forces and other eligible individuals.
  - Includes spouses of certain active duty members of Armed Forces in the definition of dislocated workers and displaced homemakers eligible for assistance under the Dislocated Worker formula program.

# Competitive grants

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- Competitive grants will continue to operate until they expire.
- DOL is assessing how changes in the performance accountability system will affect competitive grants.
- Future competitive solicitations will reflect WIOA and the job-driven principles.

# Transition to WIOA and key implementation dates

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- In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.
  - Title IV, amendments to the Rehabilitation Act takes effect immediately.
  - The State Unified Plans and Common Performance Accountability provisions take effect July 1, 2016.
- Notices of Proposed Rulemaking must be published by January 18, 2015 (no more than 180 days after enactment).
- Final Rules must be published by January 22, 2016 (no more than 18 months after enactment).

# Transition to WIOA and key implementation dates

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- The Act authorizes States, grant recipients, administrative entities and other recipients of financial assistance under WIA to plan and implement programs and activities under the WIOA.
- States can spend no more than 2% of PY 2014 allotment for transition activities.
  - Of that amount, not less than 50% is to be made available to local entities for those activities.
  - The Department anticipates issuing further guidance on the use of PY 2014 funds for this purpose shortly.
- ETA will develop process and guidance for States that choose to voluntarily submit and implement the WIOA Unified Strategic Plans before the statutory required date of July 1, 2016.



# Stakeholder engagement and technical assistance

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- DOL, in coordination with Education and Health and Human Services, has to ensure states and local areas, other grantees, and stakeholders are prepared for implementation of WIOA.
- Stakeholder input is critical to the success of WIOA implementation.
  - DOL is developing a plan for stakeholder input on key topics such as Unified Strategic Plans and Performance Accountability System.
  - Secretary Perez and Secretary Duncan hosted calls with the more than 4,000 workforce system leaders and stakeholders on July 23, 2014.
- DOL will be providing in-person and virtual technical assistance throughout the implementation period.

# Next steps

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- Continue collaborative approach between DOL, ED, and HHS.
- Engage stakeholders:
  - Planning a series of Webinars in August 2014.
  - Planning regional Town Hall events in early Fall 2014.
- Continue policy and implementation analysis.
- Develop additional communication tools such as targeted fact sheets.

# Tools and resources

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- Department of Labor
  - WIOA Resource Page ([www.doleta.gov/WIOA](http://www.doleta.gov/WIOA))
  - WIOA Dedicated Email ([DOL.WIOA@dol.gov](mailto:DOL.WIOA@dol.gov))
- Department of Education
  - Office of Career, Technical, and Adult Education's WIOA Resource Page ([www.ed.gov/AEFLA](http://www.ed.gov/AEFLA))
  - Rehabilitation Services Administration's WIOA Resource Page (<http://www2.ed.gov/about/offices/list/osers/rsa/wioa-reauthorization.html>)