

The Workforce Innovation and Opportunity Act

BRIEFING FOR THE ADMINISTRATION OF CHILDREN
AND FAMILIES STAFF

Agenda

- 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

- 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

- Aligns with and complements the President's Vision for Job-Driven Workforce Development – prepare workers for 21st 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)

WIOA Programs

- 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

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

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

- 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

- 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

- 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

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

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

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

- 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

- 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

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

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

- 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

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

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

- 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

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

- 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

- 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

- 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

- 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

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

- 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

- 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

- 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

- 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

- 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

- 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

- 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

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