



EMPLOYMENT AND TRAINING ADMINISTRATION
UNITED STATES DEPARTMENT OF LABOR

Workforce Innovation and Opportunity Act (WIOA) Sec. 166 – Indian and Native American Programs

**2023 National Tribal TANF Technical
Assistance Meeting**

August 22, 2023 | Tulsa, OK

Introductions



- ▶ **Carl Duncan (Ute/Tohono O’Odham)**
Federal Project Officer
Division of Indian and Native American Programs

Session Objectives

To provide a shared basic understanding of WIOA

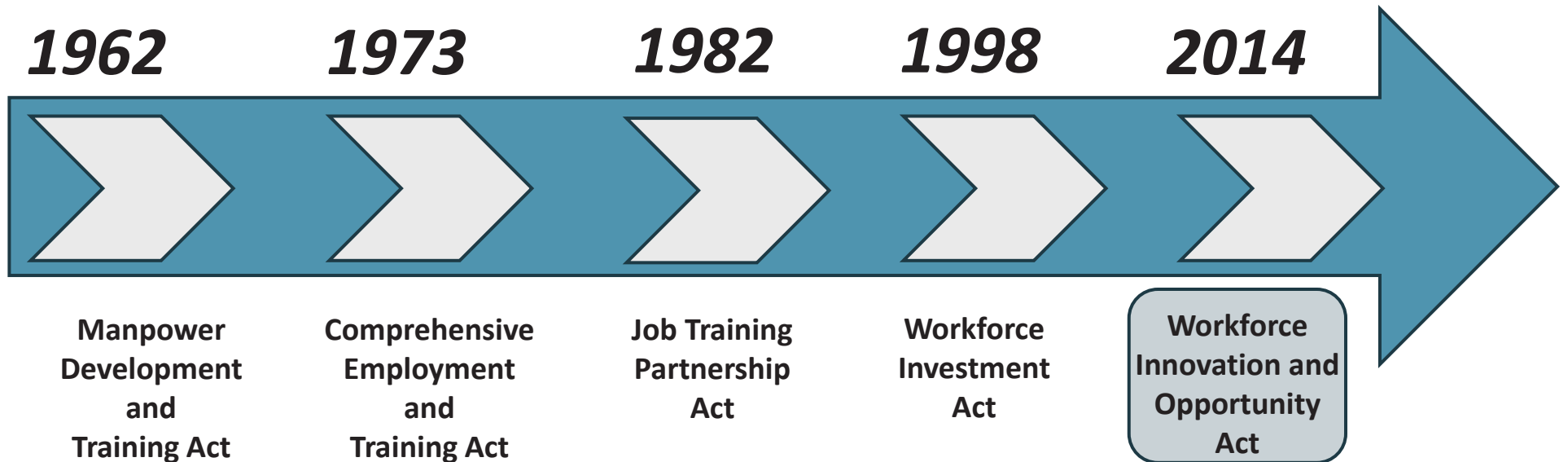
To highlight the importance of partnership and collaboration

To provide a shared understanding of the overall structure and priorities of the Tribal Workforce System/Program

To address some of the common challenges tribes and Native organizations face and how DINAP ETA staff address through guidance, technical assistance and monitoring

What are you hoping to learn today?

Native American Employment and Training Programs have a long and illustrious history of service to their communities



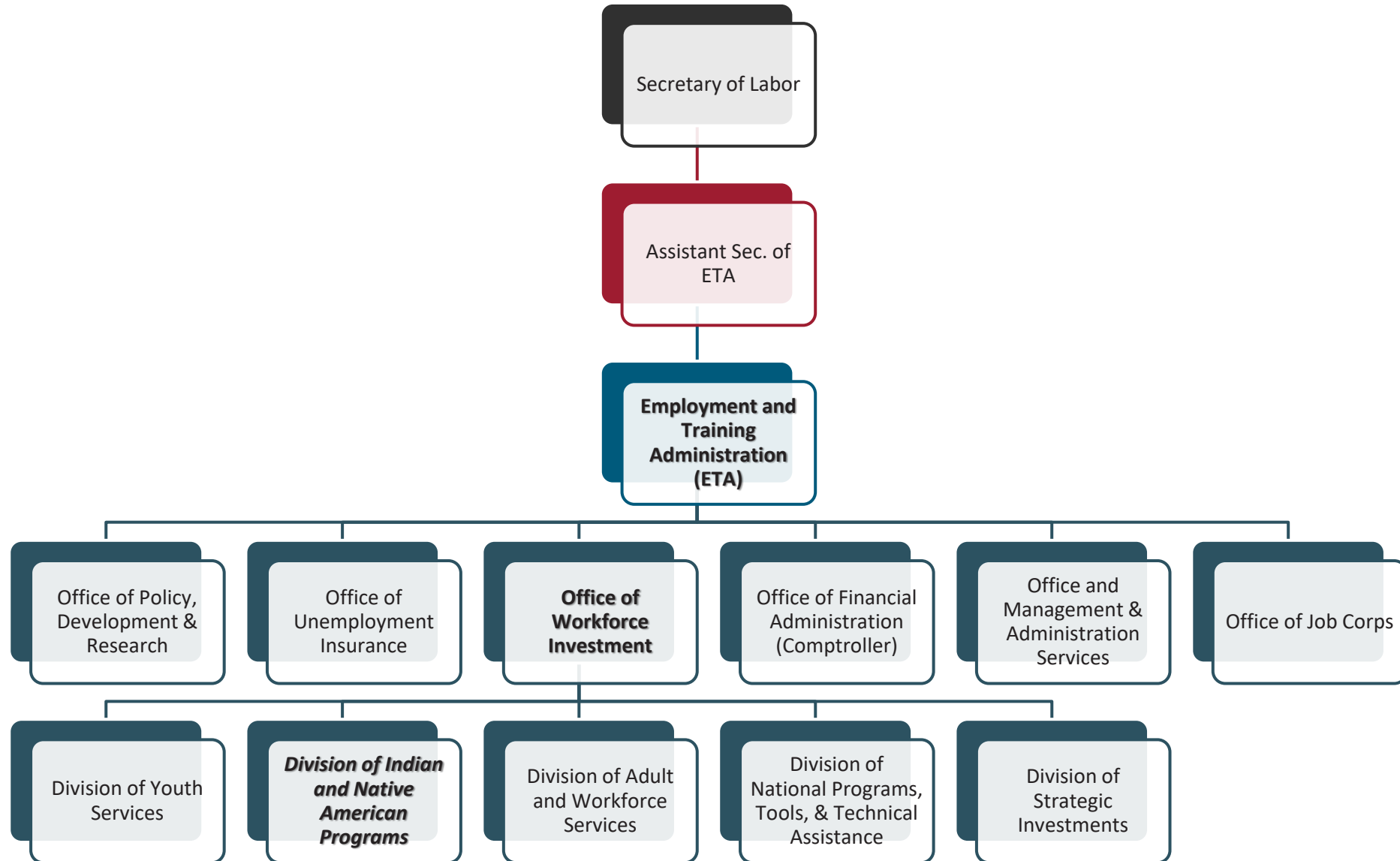
WIOA: The Workforce Innovation and Opportunity Act of 2014


*“The bill I’m about to sign,
will give communities more
certainty to invest in job-
training programs for the
long run.”*

President Barack Obama



Key Operational and Governing Principles of WIOA





**Purposes of Workforce
Innovation and Opportunity
Act and Purpose of Section
166, Native American
Programs**

Purposes of The Workforce Innovation and Opportunity Act

(WIOA SEC.2. PURPOSES)

- 1) To increase, for individuals in the United States, particularly those with barriers to employment, access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market.
- 2) To support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.
- 3) To improve the quality and labor-market relevance of workforce investment, education, and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment, with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy.

Purposes of The Workforce Innovation and Opportunity Act

(WIOA SEC.2. PURPOSES)

- 4) To promote improvement in the structure and delivery of services ... to better address the employment and skills needs of workers, jobseekers, and employers.
- 5) To increase the prosperity of workers and employers ... communities, regions, and States, ... and global competitiveness of the United States.
- 6) For purposes of subtitle A and B of title I, to provide workforce investment activities through statewide and local workforce development systems that [meet all the purposes addressed above].

The Workforce Innovation and Opportunity Act

(WIOA SEC.166. NATIVE AMERICAN PROGRAM PURPOSE and INDIAN POLICY)

SUBTITLE D—National Programs

Section. 166. NATIVE AMERICAN PROGRAMS.

(a) PURPOSE.—

(1) IN GENERAL.—The purpose of this section is to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order—

(A) to develop more fully the academic, occupational, and literacy skills of such individuals;

(B) to make such individuals more competitive in the workforce and to equip them with the entrepreneurial skills necessary for successful self-employment; and

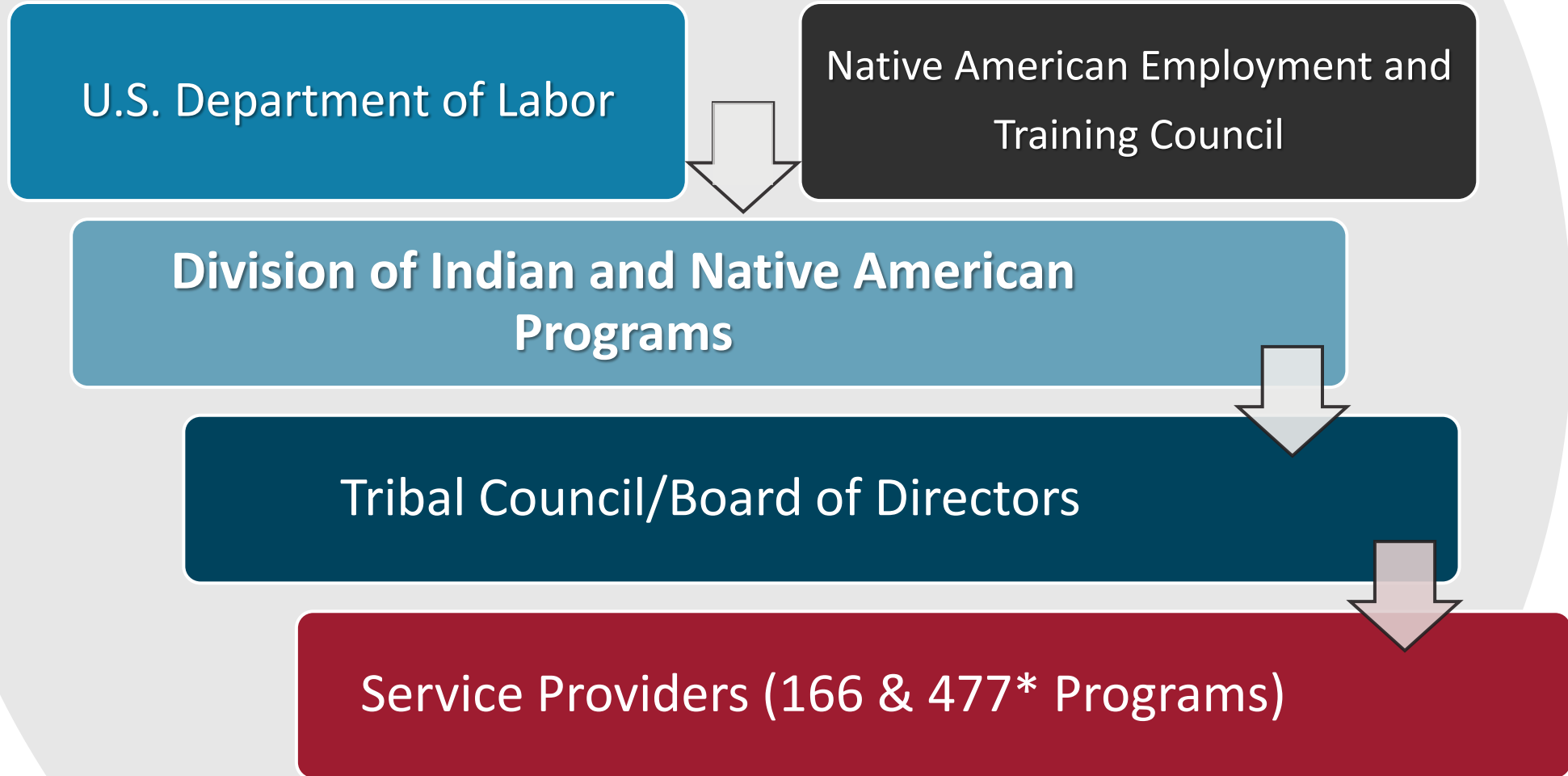
(C) to promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.

(2) INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

Key Operational and Governing Principles of WIOA



Tribal Workforce System under WIOA



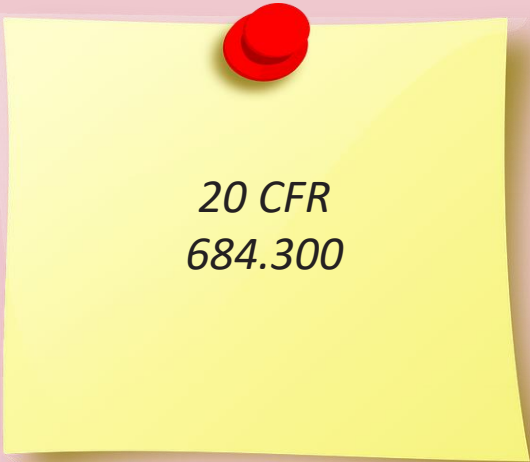


Who WIOA Grantees Serve – Eligibility and Services

WIOA INA Sec. 166 - Eligibility

▶ Program Eligibility Guidelines

- ▶ An Indian, as determined by a policy of the INAP grantee. The grantee's definition must at least include anyone who is a member of a Federally recognized tribe; or Alaska Native, or Native Hawaiian, and
- ▶ Only one (1) of the following:
 - ▶ Unemployed, or
 - ▶ *Underemployed* (684.130), or
 - ▶ Low Income, or
 - ▶ Lay-Off Notice, or
 - ▶ Upgrading/Retraining in order to be Self-Sufficient
- ▶ For Males, ages 18 or older, must be registered for selective service – unless born before 1960



20 CFR
684.300

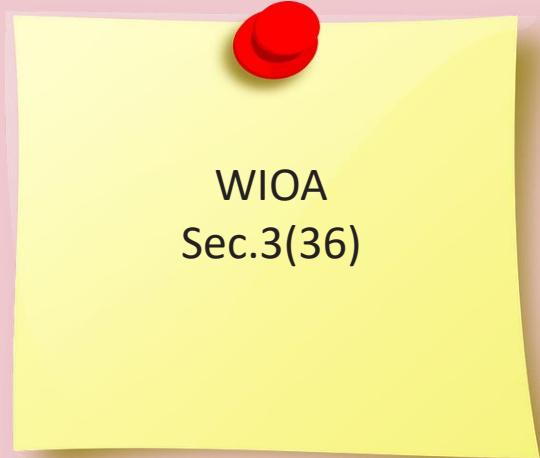
WIOA INA Sec. 166 - Eligibility

Low-Income Definition:

(includes but not limited to)

- ▶ *Receives, or in the past 6 months has received assistance through the supplemental nutrition assistance program, Temporary Assistance for Needy Families (TANF), or State or local income-based public assistance;*
- ▶ *Is in a family with total family income that does not exceed the higher of:*
 - ▶ *the HHS poverty line; or*
 - ▶ 70 percent of the DOL Lower Living Standard Income Level;

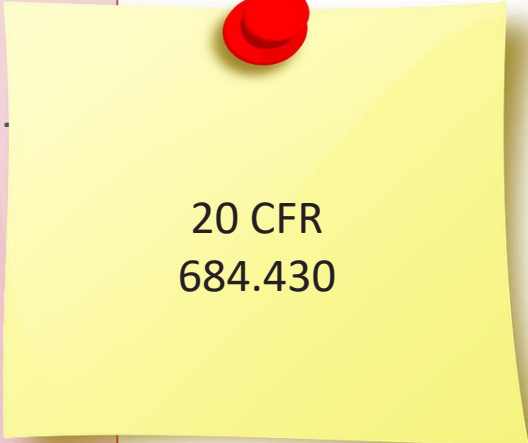
- ▶ *Homeless individual; or*
- ▶ *An individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.*



WIOA
Sec.3(36)

WIOA INA Sec. 166 – Youth Eligibility

- ▶ Participants in supplemental youth services activities must be:
 - ▶ American Indian, Alaska Native or Native Hawaiian as determined by the INA program grantee;
 - ▶ Between the age of **14 and 24 at enrollment**; and
 - ▶ A **low-income** individual as defined at WIOA sec. 3(36) except up to five percent of the participants during a program year in an INA youth program may not be low-income individuals provided they meet the eligibility requirements of paragraphs (1) and (2) of this section.
 - ▶ Male, 18 or older, registered for Selective Service
- ▶ For the Youth Program, the term “low-income,” includes a youth living in a high-poverty area.



20 CFR
684.430

Basic Career Services: WIOA Services (20 CFR 678.430)

Intake

Initial assessment of needs

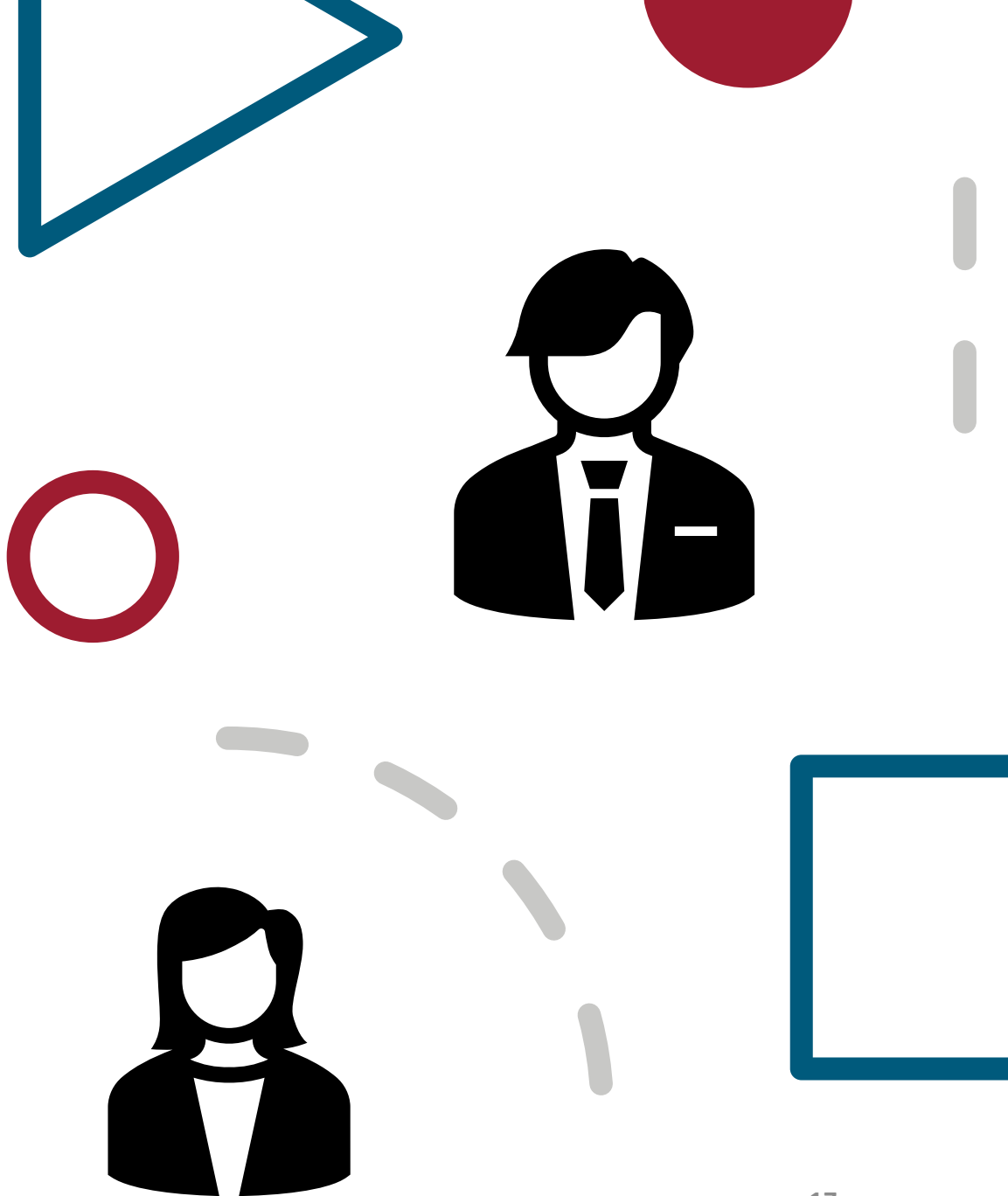
Job search/placement

Career counseling

Labor market information

Eligibility certification

Outreach



WIOA Services Individualized Career Services



WIOA Training Services



Occupational skill training;



On-the-job training



Work Experience



Training programs operated by the private sector



Skill upgrading and retraining



Entrepreneurial and small business development



Job readiness training

Supportive Services

▶ WIOA Law No. 59 (59) SUPPORTIVE SERVICES —

- ▶ The term “supportive services” means services such as ***transportation, childcare, temporary housing,*** and ***needs-related payments.***
- ▶ Grantees are *required to describe* planned Support Services in the service plan and *must have approved, written policies in place to ensure equitable applicability* § 684.510(a)(2)

- ▶ In accordance with the policy described in the 4-year plan submitted as part of the competitive process, *INA program grantees may pay incentive bonuses to participants who meet or exceed individual employability or training goals established in writing in the individual employment plan.* § 684.340(d)



Workforce System Alignment: Partners and Collaborations

System and Services Alignment: *One-Stop Delivery System*


- What programs are required partners in the one-stop service delivery system?
- Core Programs:
 - Title 1 Adult, Dislocated Worker, and Youth programs
 - Title 2 Adult Education and Family Literacy Act
 - Title 3 Wagner-Peyser Employment Service programs
 - Title 4 Vocational Rehabilitation program
- Other Required Partners:
 - The other programs authorized by WIOA title 1 (Job Corps, YouthBuild, **Native American Programs**, MSFW programs)
 - SCSEP, Carl Perkins CTE programs, TAA, JVSG, CSBG E&T, HUD E&T, UI, REO, & TANF

System and Services Alignment: *One-Stop Delivery System*

- In order to ensure alignment and integration of services, all required partners must:
- Provide access to services through American Job Center programs;
- Sign memoranda of understanding outlining how they will align services; and
- ***Share in the cost of one-stop infrastructure*DOES NOT APPLY TO DINAP, but it is encouraged.***
- The intent is to recognize tribal sovereignty but also leverage resources through fostered collaboration
- It is to provide access to a comprehensive and aligned set of services that holistically meet the needs of jobseekers and workers.

Workforce System Relationships

- To ensure alignment and integration of services, all required partners must:
 - Sign memoranda of understanding (MOU) outlining how they will align services; and
 - **Share in the cost of one-stop infrastructure*IS NOT REQUIRED FOR INAP, *but encouraged*.**
- If you do not have a MOU with a LWDB or SWDB in your area, provide the extent to which you have made a good faith effort to enter into a MOU with the LWDB/SWDB.
- Career One-Stop – Online tool to find an American Job Center (AJC) or Workforce Development Board, click [here](#) to go to site.



20 CFR
684.330

Labor Market Information



- Number of employers in the service area, largest employers in the service areas, education levels and types of education needed for jobs in the service area. LMI projections includes what jobs will be in demand in the future.
- Career One-Stop - Fastest Growing, Largest Employers, Most Job Openings, etc.
<https://www.careeronestop.org/Toolkit/toolkit.aspx>
- BLS - State Labor Market Information Contact List
 - <https://www.bls.gov/bls/ofolist.htm>
- Labor Market Projections
 - <https://projectionscentral.org/>

Workforce Development Program 102-477

- (f) CONSOLIDATION OF FUNDS.—Each entity receiving assistance under subsection (c) may consolidate such assistance with assistance received from related programs in accordance with the provisions of the Indian Employment, Training and Related Services Act of 1992 (25 U.S.C. 3401 et seq.).
 - Public Law 102-477 is the Indian Employment, Training, and Related Services Demonstration Act of 1992, as amended by Public Law 106-568, the Omnibus Indian Advancement Act of 2000.



Additional Resources

- **Career OneStop:**
www.careeronestop.org
- **O*Net:**
www.onenetonline.org
- **WorkforceGPS:**
www.workforcegps.org
- **DOL-ETA Policy Guidance -**
<https://wdr.doleta.gov/directives/>

DINAP Points of Contact

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