



# WIOA Getting Down to Business

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# WIOA In A Nutshell

- Changes to Board
  - Membership
  - Committees
  - Functions
- Regionalism – are you in or out?
- Youth programs
- Who will be your one-stop operator?
- New partners
- Career Services
- Business Services
- Eligible training providers
- Performance





# What are the services?



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# Career Services Per USDOL

## §678.430 WIOA 134(c) (2)

- Former WIA core and intensive services
  - Eligibility determination for the adult, dislocated worker, and youth programs
  - Outreach, intake, worker profiling
  - Orientation to information and services available through the one-stop
  - Initial assessment of literacy, numeracy, and English proficiency, aptitudes, abilities skills gaps and support services needs

# Career Services

- Labor Exchange Services
  - Job search
  - Placement
  - career counseling
  - Information on in-demand industry sectors and occupations
  - Information on nontraditional employment
- Labor market statistics - local, regional, and national
- Job vacancy listings
- Referral & coordination of activities to other programs

# Career Services

- Information on skills necessary to get a job in a demand occupations
- Information on skill requirements, and opportunities for advancement
- Performance and cost information for training by program and providers
- Information about local area performance
- Performance information for the local one-stop system
- Information on support services and referral to child care, child support, Medicaid, CHIP, SNAP, EITC, TANF, transportation

# Career Services

- Help filing UC claims
- Assistance in establishing eligibility for financial aid for training and education programs not provided under WIOA.





# Career Services

- One on one career services
  - To assist in obtaining or retaining a job including:
    - Comprehensive assessments of adults and DW
    - Diagnostic testing and other assessments
    - Interviews and evaluation to identify employment barriers and goals
    - Development of an individual employment plan
    - Group counseling
    - Individual counseling
    - Career planning

# One on One Career Services

- Short-term pre-vocational services
  - Learning skills
  - Communication skills
  - Interviewing skills
  - Punctuality
  - Personal maintenance skills
  - Professional conduct services to prepare for a job or training
- Internships and work experience linked to careers

# Career Services

- Workforce preparation activities;
- Financial literacy services
- Out-of-area job search and relocation assistance
- English language acquisition and integrated education and training program
- Follow-up
  - Workplace counseling for adults / DW
    - Placed in unsubsidized employment
    - For 12 months after the first day on the job

# Business services

- On the job training
- Incumbent worker training
- Job Recruitment Fairs
- Lay off aversion
- Rapid response in the case of layoffs or closings
- Disaster job assistance
- Developing relationships and networks with large and small employers and intermediaries
- Developing, convening or implement industry or sector partnerships
- Recruitment
- information and referrals to specialized business services traditionally not offered in the one-stop

# Business Services

- Human resource consulting services
  - Writing/reviewing job descriptions & employee handbooks
  - Developing performance evaluation and personnel policies
  - Creating orientation sessions for new workers
  - Honing job interview techniques
  - Analyzing employee turnover
  - Explaining labor laws to help employers comply with wage/hour and safety/health regulations
  - Customized Labor Market Information for specific employers, sectors, industries or clusters

# Business Services

- Developing Industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships
- Customized assistance, and in development of a registered apprenticeship program
- Working with employers on innovative initiatives as needed such as
  - Career pathways
  - Skills upgrading
  - Skill standard development
  - Certification for post-secondary credentials
- Marketing business services to employers
- Assisting employers with local, State, and Federal tax credits.



# Work Based Activities

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# On-the-Job Training §680.700 WIOA 3(44)

- OJT is provided
  - Under a contract with an employer
  - Can be public, private non-profit, or private sector
  - For occupational training
  - In exchange for 50% wage reimbursement,
    - for the extraordinary costs
    - of providing the training and supervision
    - . In limited circumstances, wage reimbursement may be up to 75 %



# Bad Employers WIOA §194(4)

- Do not re-contract with employers who have not
  - Retained OJT participants
  - Provided them with long-term employment
  - Treated OJT participants as regular employees at the same level and to the same extent as other employees working a similar time and doing the same work with the same
    - wages
    - employment benefits (including health benefits) and
    - working conditions.

# Duration of OJT Contracts

- Limited to
  - The participant's individual employment plan. (WIOA § 3(44)(C))
  - the time needed for a participant to become proficient in the occupation being trained for
  - Consider
    - The skill requirements of the occupation
    - The academic and occupational skill level of the participant
    - The participant's prior work experience,

# OJT for employed workers §680.710

- When the employee
  - is not earning a self-sufficient wage pursuant to Local Board policy
  - The requirements in § 680.700 are met; and
  - The OJT relates to
    - The introduction of new technologies
    - The introduction to new production or service procedures
    - Upgrading to new jobs that require additional skills, workplace literacy, or
    - Other appropriate purposes identified by the Local Board.

# OJT Payments to Employers § 680.720

- OJT payments are considered compensation for
  - the extraordinary costs associated with training participants and
  - potentially lower productivity of participants while in the OJT.
- Employer reimbursements are limited to 50% of the participant wage rate except where a board has approved up to 75 %
- Employers are not required to document such extraordinary costs.

# 75% OJT reimbursements § 680.730

- OJT reimbursements may be increased to 75%
  - By Governors for statewide employment and training activities described in § 682.210 to 75%
  - By Local Boards per § 680.320(a)(1) WIOA sec 134(c)(H)(ii) taking into consideration

# 75% Wage Reimbursement Considerations

- The participant characteristics
- individuals with barriers to employment per WIOA §3(24)
- Employer size, emphasis on small businesses
- The quality of the training
- Advancement opportunities
  - Is the OJT in a demand occupation with advancement opportunities
- The # of employees participating
- Wage and benefits of employees presently and after completion
- Relation of the training to the competitiveness of the participant.
- Governors and Local Boards must document the factors used when deciding to increase the wage reimbursement above 50%

# OJT and Registered Apprenticeship §680.740

- Allowable for the on-the-job training portion of the registered apprenticeship program consistent with § 680.700.
- Depending on the length of the registered apprenticeship and State and local OJT policies, funds may cover some or all of the registered apprenticeship training.
- If the apprentice is unemployed at the time of participation, the OJT must be conducted as described in § 680.700.
- If the apprentice is employed at the time of participation, the OJT must be conducted as described in § 680.700

# Combining ITA's and OJTS for participants in registered apprenticeship § 680.750

- Allowable
- Ref § 680.330 on using ITAs to support participants in registered apprenticeship.





# Customized Training §680.760

- Training that meets an employer's or group of employers' requirements where the employer commits
  - To hire the participant upon completion of training, &
  - To pay a good amount of the cost of training, per Local Board policy ref: WIOA § 3(14) or per Governor
    - Employer size
    - Number of employees participating in training
    - Participant wage and benefit levels at start and finish
    - Whether training will add to competitiveness participant
    - other employer-provided training and advancement opportunities

## Customized training for employed workers §680.770

- Only for employees not earning a self-sufficient wage as determined by Local Board policy
- The requirements in § 680.760 apply
- The customized training meets § 680.710(c)
  - The introduction of new technologies
  - The introduction to new production or service procedures
  - Upgrading to new jobs requiring additional skills, workplace literacy, or
  - Other appropriate purposes identified by the Local Board.
- or other appropriate purposes identified by the Local Board.

# State and local definition of incumbent worker

## § 680.780

### ■ States and local areas

- Must establish policies and definitions to determine incumbent worker eligibility WIOA § 134(d)(4).
- They do not have to meet the adult or DW eligibility

### ■ Incumbent workers must be

- Employed by the employer for at least 6 months
- meet Fair Labor Standards Act requirements for employer-employee relationship
- training must
  - meet WIOA §134(d)(4) and § 680.790
  - increase the competitiveness of the employee or employer.

# Incumbent worker training §680.790

- Designed to meet the needs of an employer / group of employers
  - to retain a skilled workforce or
  - avert the need to lay off employees
  - by assisting the workers to get the skills necessary to retain employment.
  - Conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained.

# Limitation on funds for incumbent worker training § 680.800

- 20% of the adult and dislocated worker allotment ref: § 680.790 WIOA §134(d)(4)(A)(i);
- States may use their
  - Statewide activities funds ref: WIOA § 134(a)(3)(A)(i)
  - Rapid Response funds ref: §§ 682.210(b) & 682.320(b)(3)

# Employer / Incumbent worker eligibility

## § 680.810

### ■ Local Boards must consider WIOA

#### §134(d)(4)(A)(ii):

- Participant characteristics
- Whether the training adds to the competitiveness of the participant & employer
- Number of employees participating in training
- Participant wage and benefit levels - post training increases
- Other employer-provided training opportunities
- Other local board considerations

# Local Incumbent Worker cost sharing requirements

§ 680.820 WIOA secs. 134(d)(4)(C) & (D)(i)-(iii)

- Employers must pay the non-Federal share of the training
  - They must pay at least 10% for up to 50 employees
  - 25% for 51 – 100 employees
  - 50% for 101+ employees
  - The non federal share may be employee wages while in training, cash or in kind – fairly evaluated
- The amount depends on the local board considering
  - the number of employees in the training
  - employee wage and benefits at start & end of training
  - how training affects the competitiveness of the employer/employee
  - the availability of other employer-provided training and advancement opportunities

# Transitional Jobs

§680.830 WIOA §134(d)(5)

- Provides a limited work experience,
  - Subsidized
  - In the public, private, or non-profit sector
  - For individuals with barriers to employment
    - chronic unemployment
    - inconsistent work history
    - to enable an individual
      - to establish a work history,
      - demonstrate work success, and
      - develop skills that lead to unsubsidized employment.



# Paying for transitional jobs § 680.840

- Capped at 10% of the local adult and DW allotments §680.810 WIOA134(d)(5)
- Transitional jobs must be combined with
  - comprehensive career services §680.150 and
  - support services § 680.900

# Work Based Training and Unions §680.850

- Funds provided to employers for work-based training, must not be used to directly or indirectly assist, promote or deter union organizing.  
WIOA §181(b)(7)

# Internships/work experience for adults & DW

§680.170 WIOA §134(c)(2)(A)(xii)(VII),

- Internships & work experience are
  - Planned
  - structured learning experiences
  - takes place in a workplace
  - limited period of time
  - paid or unpaid, as appropriate
  - in the private for profit, public or the non-profit sector, or the
  - Labor standards apply if there is an employee/employer relationship, per Fair Labor Standards Act

# Observations - Performance

- Performance measures are changing
- The three common measures are replaced with six measures
- They apply to all the core programs
  - Adults, Dislocated Worker, Youth
  - Wagner Peyser
  - Adult Literacy
  - Vocational Rehabilitation
- There is an employer measure still to be developed

# Who Is Included in Performance

- WIOA youth
  - individuals who are determined eligible,
  - receive an assessment, and
  - receive a program element (a staff-assisted service) are participants and, included in performance calculations.
- For the AEFLA program,
  - individuals determined eligible and who have completed at 12 contact hours in an adult education and literacy activity would be included in performance calculations.
- For the Vocational Rehabilitation program
  - individuals determined eligible for services and who have an approved and signed Individualized Plan for Employment outlining the services that the individual will receive are participants and included in performance calculations.

# The Measures - State and Local All Core Programs

- **PLACEMENT:** The % of participants in unsubsidized employment in the 2<sup>nd</sup> quarter after exit
- **RETENTION:** The % of participants in unsubsidized employment during the 4<sup>th</sup> quarter after exit
- **WAGE:** The median earnings of participants in unsubsidized employment the second quarter after exit
- The % of participants obtaining a postsecondary credential, or a HS school diploma /GED during the program or within 1 year after exit and are placed or go into post secondary training
- The % of participants in an education or training program for a postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and
- The indicators of effectiveness in serving employers to be developed by the Secretaries of Labor and Education

# The Measures State and Local -Youth

- **PLACEMENT:** the % of participants in education, training or jobs, during the 2<sup>nd</sup> quarter after exit
- **RETENTION:** the % of participants in education, training or jobs, the 4<sup>th</sup> quarter after exit; and
- **WAGE:** The median earnings of participants in unsubsidized employment the 2<sup>nd</sup> quarter after exit
- The % of participants obtaining a postsecondary credential, or a HS diploma /GED in the program or within 1 year after exit who ALSO are placed or go into post secondary training
- The % of participants in education or training for a postsecondary credential or employment and who are achieving measurable skill gain
- Effectiveness in serving employers developed by the Secretaries of Labor and Education

# 3 Differences in the Youth WIOA Placement measure

- The time period for measurement in WIOA is the second quarter after exit instead of the first quarter after exit.
- The placement rate under WIA only allowed post-secondary education to be reported, under WIOA, any education, including secondary and post-secondary, is reported.
- The placement measure under WIA excluded youth who were enrolled in post-secondary education, employed, or in the military at the time of participation; WIOA's indicators do not make these exclusions.



# The Employer Measure

- Under WIA – employer satisfaction
- Common Measures
  - Placement
  - Retention
  - Wage
- Subset of Wagner Peyser measures
  - The number of Job Postings / Job Orders
  - Reemployment services for unemployed workers
  - Staff assisted services - job search
  - Matching assistance

# State and Local Reports

- The total # of participants served by each Core program
- The # of participants receiving
  - Career (old intensive) services
  - Training services
- The amount of funds spent on each type of service
- The number of participants who exit from career and training services

# State and Local Reports

- The average cost per participant who received training
- The % of participants
  - Who received training services and
  - Obtained training related jobs
  - With barriers to employment served
    - by each Core programs
    - by each subpopulation
- The # of participants enrolled in more than 1 Core program
- The % of the State and local allotment spent on administrative costs
- Where possible, employers and participant satisfaction
- Other information that compares
  - States to other states and
  - Local areas to local areas

# Eligible Training Providers

- Similar to current law
- Must provide recognized credentials in in-demand occupations
- Gives local boards more authority in working with the providers

# PROGRAM ELEMENTS

- Program services must support
  - Attainment of a HS diploma or its equivalent
  - Entry into postsecondary school
  - Career readiness
  - 14 required elements



## 5% Window and Compulsory Attendance

- The 5 % window is maintained for youth who are not low income but have a barrier
- In serving in-school youth programs must mandate school attendance

# YOUTH PROGRAM DESIGN

## Mandated Objective Assessment Elements

- academic levels
- skill levels
- service needs
- basic skills
- occupational skills
- prior work experience
- Employability interests & aptitudes
- Interest & aptitudes for nontraditional jobs
- Support service needs
- Developmental needs
- Identification of appropriate services
- Identifying career pathways

# ASSESSMENTS

- Youth providers are not required to conduct new assessments if a recent assessment of the participant conducted pursuant to another education or training program is available



# REQUIRED INDIVIDUAL SERVICE STRATEGY - ISS

- Must be directly linked to 1 or more performance indicators in section 116 (b) (2) (A) (ii)
- Must identify career pathways that include
  - Education and employment goals
  - Including nontraditional employment as appropriate
  - Achievement objectives
  - Appropriate services taking into account the assessment
- A new service strategy isn't required if there is recent service strategy developed under another education or training program;

# ACTIVITIES AND RESULTS

- Activities leading to the attainment of a secondary school diploma or its credential
- Preparation for postsecondary education and training
- Linkages between academic instruction and occupational education that lead to the attainment of recognized postsecondary credentials
- Preparation for unsubsidized employment
- Connections to employers in in-demand industry sectors and occupations
- Local boards can implement the pay-for-performance contract strategy with 10 percent of their funds

# PROGRAM ELEMENTS

- Program services provided must support
  - Attainment of a HS diploma or its equivalent
  - Entry into postsecondary education
  - Career readiness

# ONE OR MORE REQUIRED PROGRAM ELEMENTS

- Tutoring
- Study skills training
- Instruction
- Evidence-based dropout prevention and recovery strategies leading to
  - Completion of a HS diploma or GED
  - A recognized certificate of attendance or similar document for individuals with disabilities
  - A recognized postsecondary credential
- Alternative secondary school services, or dropout recovery services

# REQUIRED PROGRAM ELEMENTS

- Paid and unpaid work experience that have as component academic and occupational education, which may include
  - Summer employment and other employment opportunities available throughout the school year
  - pre-apprenticeship programs
  - internships and job shadowing
  - on-the-job training opportunities
- Special requirement
  - A minimum of 20 % of the funds allocated to the local area must be used to provide in and out-of-school youth with work experience activities

# PROGRAM ELEMENTS

- Occupational skill training
  - Priority for training leading to postsecondary credentials aligned with in-demand jobs
- Education concurrent with & in context with workforce prep and training for a specific occupation
- Leadership development
  - Community service
  - Peer centered activities, responsibility, positive social and civic behaviors,
- supportive services
- Adult mentoring including during 12 months follow up
- 12 months of follow-up services
- Guidance and counseling, including drug and alcohol counseling and referral
- Financial literacy education
- Entrepreneurial skills training
- Labor market and employment information about in-demand jobs
  - career awareness
  - career counseling
  - career exploration services
- Activities that prepare youth for postsecondary education and training

# In summary ...

- From the USDOL WIOA...
  - Aligns federal investments to support job seekers and employers
  - Strengthens the governing bodies that establish state, regional and local workforce investment priorities
  - Helps employers find workers with the necessary skills
  - Aligns goals and increases accountability and information for job seekers and the public
  - Fosters regional collaboration to meet the needs of regional economies
  - Targets workforce services to better serve job seekers
  - Improves services to individuals with disabilities