

## Technical Assistance Guidance

**TAG-04-2016**

Issued Date: Wednesday, May 6, 2016

Subject: General Policies - Revisions

Operating guidance set forth by the enactment of the Workforce Innovation and Opportunity Act (WIOA) and its associated regulations.

### **Purpose**

The purpose of this Technical Assistance Guidance (TAG) is to inform the local workforce development system of the Local Workforce Development Board (LWDB)/Workforce Connections' plan to issue operating guidance on the continued implementation of the WIOA and to continue to provide technical assistance.

### **Background**

WIOA was signed into law on July 22, 2014. WIOA is landmark legislation designed to strengthen and improve our nation's public workforce system and help put Americans back to work. WIOA makes it easier for the public workforce system to help jobseekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. The new legislative provisions enhance program coordination, streamline service delivery, and increase flexibility for governance, at the same time align programs across common goals and increase accountability and transparency. WIOA provisions also emphasize quality training that leads to credentials, regional planning and service coordination, and implementation of targeted sector-based strategies and career pathways.

### **References**

- ❑ [PL 113-128 - WIOA]
- ❑ [20 CFR Past 676, 677, 678]
- ❑ [20 CFR Part 680]; [20 CFR Part 681]; [20 CFR Part 683]
- ❑ [2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements]
- ❑ TEGL No. 3-15
- ❑ TEGL No. 23-14
- ❑ TEGL No. 31-14
- ❑ TEGL No. 38-14
- ❑ State TAG 15-3

Workforce Connections (WC) is currently reviewing and updating established policies and guidelines. In order to facilitate implementation of revised/updated policies WC will publish a series of operational guidance in the form of TAGs. These TAGs are the vehicle that WC normally uses for communicating policy changes to the workforce development system.

Technical Assistance:

Technical Assistance (TA) and training may be requested by sub-recipients.

Please note that these policies may be subject to change as additional Federal statutes and regulations, State or local policy and guidelines are released.

**Recently revised/updated policies:**

**These policies can now be found at:** <http://nvworkforceconnections.org/>

- GEN-050-01 Equal Opportunity & Grievance Process
- GEN-050-02 Incident Reporting
- GEN-050-03 Credential-Certificate
- GEN-050-04 Change of Service Provider
- GEN-050-05 Relocation Assistance
- GEN-050-06 Eligible Training Provider List (ETPL)
- GEN-050-07 Data Recording and Management (new under this category)
- GEN-050-08 ITAs (new under this category)

**GEN-050-01 Equal Opportunity & Grievance Process**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Authority:

PL 113-128 WIOA Sec. 181 (c) (1); Sec.188]; [29 CFR Part 38]; [20 CFR Part 683.285]  
[20 CFR Part 683.600]; [TEN 01-15]; [TEGL 37-14]; [TEN 23-15]  
Title VI and VII of the Civil Rights Act of 1964, as amended; [SCP 4.1]; [SCP 4.4]

**GEN-050-02 Incident Reporting**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately through the Incident Reporting System of the Department of Labor (DOL) Office of Inspector General (OIG), Office of Investigation, Room S5514, 200 Constitution Avenue NW, Washington, D.C. 20210, or to the corresponding Regional Inspector General for investigations, with a copy simultaneously provided to the Employment and Training Administration (ETA). The hotline number is 1 (800) 347-3756. The web site is <http://www.oig.dol.gov/contact.htm>. Complaints of a non-criminal nature are handled under the procedures set forth in §683-600 or through the DOL Incident Reporting System.

**GEN-050-03 Credential-Certificate**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Authority:

PL 113-128 Workforce Innovation and Opportunity Act (WIOA) [Sec. 3 (52), Sec. 116]  
[20 CFR Part 680]; [20 CFR Part 681]; [TEGL 15-10]; [TEGL 17-05]

### **GEN-050-04 Change of Service Provider**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Authority:

PL 113-128 Workforce Innovation and Opportunity Act (WIOA); TEGL 39-11

### **GEN-050-05 Relocation Assistance**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The revisions/updates consist of:

- Revised policy in its entirety (formatting);
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Authority:

PL 113.128 WIOA [Sec. 134(c) (2) (A) (xii) (x)]; [20 CFR 678.430 (b) (10)]; [State TAG 15-3]

### **GEN-050-06 Eligible Training Provider List (ETPL)**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Section 122 of the Workforce Innovation and Opportunity Act (WIOA) [PL 113-128] and its associated regulations require the establishment and dissemination of a single list of Eligible Training Providers (ETPL) identified by the Local Workforce Development Board (LWDB). WIOA further requires the establishment of criteria, information requirements and procedures for the purpose of determining the eligibility of providers of training services to receive funds provided under section 133 (b) of WIOA for the provision of training services in local areas in the State.

Authority:

PL 113-128 WIOA [Sec. 116, Sec. 122, Sec. 134, Sec. 503]; [20 CFR 677.230]; [20 CFR 680.400 – 680.490]; [20 CFR 680.500 – 680.530]; [TEGL 3-14]; [TEGL 15-10]; [TEGL 17-05]; [TEGL 41-14, Attachment I & II]; [State TAG 15-2] [SCP 1.3, 1.9, 1.12, 1.13, 3.12]

### **GEN-050-07 Data Recording and Management (new under this category)**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Note: This policy has been relocated from the “Program Services and Activities” category and address general requirement to both, ADW and Youth programs.

**GEN-050-08 ITAs (new under this category)**

This policy includes and implements the provisions that affect programs, services or activities carried out under Title I of WIOA and its associated regulations.

The changes consist of:

- Revised policy in its entirety;  
Revisions include:  
Implementation of a “Cap Rate” applicable to employed individual seeking training services;  
Implementation of a new dollar amount cap (item IV “Duration, Cost Limit and Availability” (A) and (B));
- Recovery of tuition funds;
- Revision of compliance requirements; and
- Inclusion of new provisions and citations consistent with the new law.

Note: This policy has been relocated from the “Program Services and Activities” category and address general requirement to both ADW and Youth programs.

WC will soon issue additional guidance that covers services delivery related policies for the one-stop delivery system.

Action: Please provide TA as necessary, needed or requested.