

Technical Assistance Guidance

TAG-07-2016

Issued Date: Wednesday, June 1, 2016

Subject: Workforce Connections 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 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 Workforce Innovation and Opportunity Act (WIOA) and its associated regulations, and to continue to provide technical assistance as necessary and required.

Background

Between 1998 and 2014, the public workforce system, authorized under the Workforce Investment Act of 1998 (WIA), made important achievements in helping job seekers acquire skills and credentials needed for good jobs and matching employers to qualified workers. On July 22, 2014, President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law. The passage of WIOA provides new authorizing legislation for programs that had been authorized under WIA.

WIOA is a landmark legislation designed to strengthen and improve our nation's public workforce system and help put Americans back to work. The new legislative provisions are designed to help workers, including those with barriers to employment, access employment, education, job-driven training, and support services, enhance program coordination, streamline service delivery, and increase flexibility for governance, improve service to employers, and align programs across common goals and increase accountability and transparency. WIOA also emphasizes a quality training that leads to credentials, regional planning and service coordination, and the implementation of targeted sector-based strategies and career pathways.

References

- ❑ [PL 113-128 - WIOA]
- ❑ [20 CFR Part 680]
- ❑ [20 CFR Part 683]
- ❑ [2 CFR Part 200]
- ❑ TEGL 5-14, TEGL 23-14, TEGL 15-3
- ❑ State TAG 3-15

Workforce Connections (WC) is currently reviewing/updating established policies/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.

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

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:

Please note that some of the policy numbers have been changed.

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

YTH-040-01 Eligibility for WIOA Title I Services

YTH-040-02 Youth Program Design

YTH-040-03 Assessment & Individual Service Strategy (ISS)

ADW-030-01 Eligibility for WIOA Title I Services

ADW-030-02 WIOA Title Services

ADW-030-04 On-the-Job Training Program - OJT

ADW-030-05 Work-Based Training

ADW-030-06 Supportive Services

These policies provide guidance and establish standards set forth by the enactment of WIOA and its associated regulations. These policies include and implement the provisions that affect programs, services or activities carried out under Title I of WIOA for adult, dislocated workers and youth.

[Secs. 3, 107, 121, 123, 129, 189, Parts 681 and 683 of 20 CFR (NPRM)]

[Secs. 3, 122, 134, 189, Parts 680 and 683 of 20 CFR (NPRM)]

Consistent with provisions under Title I of WIOA and its associated regulations WC policies:

- Increase the focus on serving low-income adults and youth who have limited skills, lack work experience, and face other barriers to self-sufficiency;
- Expand education and training options to help program participants to access meaningful employment and advance in their careers;
- Support and assist disadvantage and unemployed adults and youth earn while they learn through support services and effective work-based training activities;
- Promote the implementation of career pathways approaches that support post-secondary education and training for youth and adults; and
- Align planning and accountability to support a more unified approach to serving low-income, low-skilled individual within the Southern Nevada Workforce Development System (SNWDS).

Youth

YTH-040-01 Eligibility for WIOA Title I Services

Compliance with provisions under this policy will be effective as of July 1, 2016.

Key Changes:

- Out of School Youth (OSY) – Eligibility age from 16-21 to 16-24;
- Addition of youth “living in a high poverty area” to the low-income criterion for youth activities funding and services;
- Addition to the low-income criterion of “receipt of or eligibility for free or reduced price lunch”;
- Amendment of the “Required Additional Assistance” definition;
- Addition of “High Poverty Area” definition and inclusion of a relevant census tracts information.

YTH-040-02 Youth Program Design (New Policy)

Compliance with provisions under this policy will be effective as of July 1, 2016.

WIOA makes two (2) significant changes to prior requirements for service strategies by adding new components to the objective assessment (OA) and the individual service strategy (ISS).

1) The ISS must be linked to one or more of the indicators of performance found at Sec. 116 (b) (2) (A) (ii) of Title I of WIOA.

2) The OA and ISS must identify career pathways that include appropriate education goals.

- This policy sets forth specific criteria requiring a program design framework that is consistent with Title I of WIOA youth program parameters.
- Requires that paid or unpaid work experience must have as a component, academic and occupational education.
- Includes, within the occupational skills training activity, a priority for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area. Such training must: 1) be outcome-oriented and focused on an occupational goal specified in the individual service strategy; 2) be of sufficient duration to impart the skills needed to meet the occupational goal; and 3) result in attainment of a recognized post-secondary credential.
- Includes additional requirement for OSY program delivery. OSY programs should address both educational and employment development strategies that prepare the youth for postsecondary education, career pathways, long term careers, and full time employment. The overall OSY program design should provide continuous pathways to postsecondary education and training activities that will enable the youth participants to attain a diploma and/or an industry recognized credential and enter into the workforce.
- Expands the required youth program elements. The youth program elements now include additional activities and services.

YTH-040-03 Assessment & ISS

Consistent with Sec. 129 (c)(1)(A) Use of funds for youth workforce investment activities.

Compliance with provisions under this policy will be effective as of July 1, 2016.

- Youth programs shall be designed to provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for non-traditional jobs), supportive service needs, and developmental needs of such participant, for the purpose of identifying appropriate services and career pathways for program participants.
- The ISS must be based on the objective assessment and should reflect the expressed interests and needs of the youth participant. The ISS provides the youth participant with a plan for using the program successfully. The ISS gives the program staff a guide for effectively helping the youth transition through the program.

ADW-030-01 Eligibility for WIOA Title I Services

Compliance with provisions under this policy will be effective as of July 1, 2016.

Key Changes are as follows:

This policy implements “Priority of Service” requirements for WIOA Title I **Adult** programs.

In determining the priority of individuals, the order of priority will be as follows:

1. Veterans and eligible spouses who are also included in the groups given statutory priority for WIOA adult formula funds. This means that veterans and eligible spouses who are also recipients of public assistance, are low-income individuals, or are basic skills deficient, would receive first priority of services provided with WIOA adult formula funds;
2. Non-covered persons (individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds;
3. Veterans and eligible spouses who are not included in WIOA’s priority groups; and
4. Non-covered persons outside the groups given priority under WIOA.

Other key changes include:

- WIOA and its associated regulations make explicit that low-income individuals and those with barriers to employment are priority populations for funding and services;
- The addition of new limitation for “Qualifying Dislocation Date” (QDD);
- Includes a new definition for individuals with barrier to employment; and
- Includes definition for “English Language Learner”.

ADW-030-02 WIOA Title Services

Compliance with provisions under this policy will be effective as of July 1, 2016.

This policy combines core and intensive services into a new category called “Career Services”

This policy set forth authorized program parameters for the provision of:

- Basic career services;
- Individualized career services; and
- Training services.

ADW-030-04 On-the-Job Training Program

Compliance with provisions under this policy will be effective as of July 1, 2016.

This policy provides guidance on established standards for the provision of On-the-Job training (OJT) services to Workforce Innovation and Opportunity Act (WIOA) Title I eligible participants and employers.

Key changes include the following:

- Establishes a wage cap rate. A reimbursement rate, or reimbursement level, refers to the percentage of the OJT participant’s hourly wage or wage cap that can be reimbursed to an employer;
- Establishes and implement new parameters for the proper execution of OJT contracts, pre-award, skills gap analysis, and the training plan development implementation;
- Provides specifics with respect to OJT program closure, reimbursement and final evaluation; and
- Provides opportunity for waiver request.

ADW-030-05 Work-Based Training

Compliance with provisions under this policy will be effective as of July 1, 2016.

WIOA encourages an array of work-based training strategies and employment approaches to benefit low-income individuals. Work-based training gives underprepared adults and youth the chance to earn income while also receiving training and developing essential skills that are best learned on the job. These strategies also ensure training is tied to in-demand occupations by engaging employers and industry sectors to define needed skills. Additionally, individuals with barriers to employment often need a comprehensive set of supports that involves multiple public and private systems and partners to help them earn secondary and postsecondary credentials and transition into the labor market. WIOA Title I career services can help low-income individuals establish work history and credibility and move out of poverty.

This policy set forth authorized program parameters for the provision of work-based training (WBT). Applicability under Title I of the Workforce Innovation and Opportunity Act (WIOA): Registered Apprenticeships (RA); Customized Training (CT); Incumbent Worker Training (IWT); and Transitional Jobs (TJs).

ADW-030-06 Supportive Services

Compliance with provisions under this policy will be effective as of July 1, 2016.

This policy provides guidance on established standards for the provision of supportive services in adult and dislocated worker programs funded under Title I of the Workforce Innovation and Opportunity Act (WIOA).

Supportive services that are **allowable, necessary** and **reasonable**, and which the participants are unable to provide for themselves or obtain from another agency, shall be available to every eligible WIOA Title I program participant.

Key changes include the following:

- This policy implements new cost limits. WC has established a dollar cap amount for the provision of supportive services;
- Implementation of new procedures for the provision of “Work Related Clothing”;
- This policy authorize the provision of “Needs Related Payments” (NRP). Prior written approval: In order to avoid disallowance or dispute based on unreasonableness the provider of WIOA Title I services must seek prior written approval from WC for the provision of NRPs service. The written request must be directed to WC program manager for review and consideration, final approval may be authorized by WC Executive Director; and
- This policy also sets the level of payment determination criteria for NRP.