

<b>Technical Assistance Guidance</b>	<b>TAG 61-2023</b>
Issued Date: November 13, 2023	
Subject: WIOA Title I Adult, Dislocated Worker, and Youth Performance Requirements	

**Purpose**

This TAG provides guidance on performance requirements for all WIOA Title I Adult, Dislocated Worker, and Youth sub-recipients.

The purpose is to ensure accountability of sub-recipients that receive WIOA Title I Adult, Dislocated Worker, and Youth funds from Workforce Connections (WC) to meet the needs of the local workforce development system and ensure compliance with applicable federal and state laws, regulations, policies, guidance, and terms and conditions of applicable awards and contracts. To accomplish these responsibilities, as well as to satisfy its oversight role, WC will impose penalties or conditions in the form of sanctions for any issues of noncompliance that have not been promptly resolved based on corrective actions identified in desk reviews, monitoring, or other oversight reports.

**References**

29 U.S.C. §3122 (d) (8); P.L. 113-128 WIOA Secs. 107, 116, 129, 134, 184, 194, and 503; 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; 20 CFR Part 683 – Administrative Provisions Under Title I of WIOA, Subpart D; TEGL 10-16 Change 2 Performance Accountability Guidance for WIOA Title I-IV; State Compliance Policy (SCP) 5.7; and WC Policy Admin-010-03 Compliance Assurance Reviews

**Background**

Section 116(b)(3)(A)(iv) of the Workforce Innovation and Opportunity Act (WIOA) mandates the establishment of performance targets for every WIOA performance indicator at the local level. States and Local Workforce Development Boards have the option to utilize sanctions on local grant recipients who are sanctioned due to performance shortcomings or for failing to report, as outlined in section 116(f) of WIOA.

## **Guidance**

### **WIOA Performance Indicators**

There are currently five WIOA performance indicators listed below:

- A. Employment Rate – 2<sup>nd</sup> Quarter After Exit
- A1. Title I Youth Education and Employment Rate – 2<sup>nd</sup> Quarter After Exit
- B. Employment Rate – 4<sup>th</sup> Quarter After Exit
- B1. Title I Youth Education and Employment Rate – 4<sup>th</sup> Quarter After Exit
- C. Median Earnings – 2<sup>nd</sup> Quarter After Exit
- D. Credential Attainment
- E. Measurable Skill Gains

Targets for these performance indicators are negotiated between the Nevada Department of Employment, Training, and Rehabilitation and WC.

### **Sanctioning Process**

- Quarter 1 (July – September) – WIOA Title I Service Providers not within 80% of any of the WIOA Performance Indicators will be issued a formal warning notice. A reduction in negotiated profit or reduction in overall contract award may be imposed.
- Quarter 2 (October – December) – WIOA Title I Service Providers not within 80% of any of the WIOA Performance Indicators will be issued a Notice of Deficiency. A reduction in negotiated profit or reduction in overall contract award may be imposed.
- Quarter 3 (January – March) – WIOA Title I Service Providers not within 90% of any of the WIOA Performance Indicators may be placed on either Low-Risk or High-Risk status. A reduction in negotiated profit or reduction in overall contract award may be imposed.
- Quarter 4 (April – June) – WIOA Title I Service Providers not meeting any of the WIOA Performance Indicators may have disallowed costs or reduction in final reimbursement, and/or reduction in profit. Any WIOA Title I Service Providers not meeting contractual obligations at year-end (June 30) will start the next program year on Low-Risk or High-Risk status and may sustain a reduction in contract amounts and may have a reduction in overall profit for the entire upcoming program year.

### **Technical Assistance**

Available upon request.