



**LEAD CENTER**

# Successful Employment: How the Workforce Innovation and Opportunity Act (WIOA) & Local American Job Centers (AJCs) Can Support Employment Outcomes

# TODAY'S SPEAKERS

## **Rebecca Salon**

LEAD Center Project Director

National Disability Institute

[rsalon@ndi-inc.org](mailto:rsalon@ndi-inc.org)

## **Elizabeth Jennings**

LEAD Center Assistant Project Director

National Disability Institute

[ejennings@ndi-inc.org](mailto:ejennings@ndi-inc.org)



**The National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD)** is a collaborative of disability, workforce and economic empowerment organizations led by **National Disability Institute** with funding from the **U.S. Department of Labor's Office of Disability Employment Policy**, Grant No. #OD-23863-12-75-4-11.

This document does not necessarily reflect the views or policies of the U.S. Department of Labor's Office of Disability Employment Policy, nor does the mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.



# LEAD CENTER MISSION

- ▶ To advance sustainable individual and systems level change that results in improved, competitive integrated employment and economic self-sufficiency outcomes for individuals across the spectrum of disability.

[www.leadcenter.org](http://www.leadcenter.org)



# OBJECTIVES

Participants in this session will be able to:

- ▶ Discuss WIOA from a disability perspective and the opportunities it makes available for people with disabilities through American Job Centers (AJCs).
- ▶ Identify resources and partners who work with the workforce system to support job seekers with disabilities, and how to influence change.
- ▶ Identify role participants can play to increase access to AJCs for youth and adults with disabilities, and what they can do to be part of the solution.



# INTRODUCTION

- ▶ WIOA signed into law on July 22, 2014 (PL)113-128
- ▶ Proposed rules to implement WIOA were released for comment
- ▶ The new law is designed to improve access and outcomes for job seekers with and without disabilities, providing job search and placement assistance, career counseling, skills training, and other supportive services.
- ▶ The new law is proposed to take effect July 1, 2015 except for amendments to the Rehabilitation Act which took effect on the date of enactment



# WIOA PROPOSED RULES

- ▶ Published on April 16<sup>th</sup> for 60 days public comment
- ▶ Five Notices of Proposed Rulemaking (NPRMs) – 1 joint NPRM, 1 Department of Labor-Only NPRM and 3 Department of Education-Only NPRMs.
- ▶ Unified and Combined Plans are found in the Joint NPRM, developed in partnership between the Department of Education and Department of Labor.
- ▶ Comments deadline just passed, with comments submitted through <http://www.regulations.gov>.
- ▶ Final Rule will be published in 2016.



# EXPERIENCE WITH THE WORKFORCE SYSTEM

- ▶ Who has worked with their local workforce system (i.e., one-stop career center, American Job Center, Workforce Investment Council/Board)?
- ▶ Who knows job seekers who have accessed the workforce system?
- ▶ What was your/their experience?



# FROM A DISABILITY PERSPECTIVE WHAT ARE THE BIG CHANGES?

- ▶ Emphasis on career pathways and sector partnerships to promote employment in in-demand industries and occupations
- ▶ Eliminates sequence of services before enrollment in training
- ▶ Establishes a single Unified State Strategic Plan



# THE COLLECTIVE IMPACT FRAMEWORK

- ▶ Complex social problems can be solved only by cross-sector coalitions that engage all relevant stakeholders. Cross-System collaboration should engage:
  - ▶ Employers
  - ▶ Workforce Development System
  - ▶ Education
  - ▶ Vocational Rehabilitation
  - ▶ Mental Health Service System
  - ▶ Intellectual/Developmental Disabilities Service System
  - ▶ Adult Education and Literacy Programs
  - ▶ Social Security Ticket To Work Program
  - ▶ Non-Profit Disability Organizations
  - ▶ People with Disabilities

Kania, J and Kramer, M. (2011) Collective Impact. *Stanford Social Innovation Review*. Winter 2011



# FIVE CONDITIONS OF COLLECTIVE IMPACT

- ▶ **Common agenda**
- ▶ **Shared measurement systems**
- ▶ **Mutually reinforcing activities**
- ▶ **Continuous communication**
- ▶ **Backbone support**



# WIOA STATE PLAN REQUIREMENTS

- ▶ Citation: Section 102 and 103 of the Workforce Innovation and Opportunity Act (WIOA). Governor must submit a State Plan to the U.S. Secretary of Labor that outlines a four-year strategy for the State's workforce development system.
- ▶ Required for Funding: States must have approved State Plans in place to receive funding for WIOA's six core programs.



## UNIFIED PLAN - REQUIRED:

- ▶ WIOA requires a single Unified State Plan, covering six core programs under WIOA:
  - ▶ Department of Labor Programs:
    - ▶ the Adult Program (title I),
    - ▶ the Dislocated Worker Program (title I),
    - ▶ the Youth Program (title I),
    - ▶ the Wagner-Peyser Act Program (title III),
  - ▶ Department of Education Programs:
    - ▶ the Adult Education and Literacy Program (title II), and
    - ▶ the Vocational Rehabilitation Program (title IV of WIOA and title I of the Rehabilitation Act of 1973).



# COMBINED STATE PLAN

- ▶ The state has the option to submit a Combined State Plan that includes the core programs and one or more additional programs including:
  - ▶ Career & Technical Education (Carl Perkins)
  - ▶ Title IV of the SSA (TANF)
  - ▶ Food and Nutrition Act of 2008 (SNAP)
  - ▶ Employment Programs under the Food and Nutrition Act of 2008 (AG)
  - ▶ Trade Adjustment Act Programs (TAA)
  - ▶ Job Services for Veterans (JSV)
  - ▶ Unemployment Insurance (UI)
  - ▶ Older Americans Act (Title V)
  - ▶ Housing and Urban Development Employment and Training Programs (HUD E&T)
  - ▶ Community Services Block Grant Employment and Training Programs (CSBG E&T)
  - ▶ Second Chance Act



# COMBINED STATE PLAN OPTION

States may submit a Combined Plan that includes the core programs listed above *plus* plans for one or more of the following workforce programs:

- ▶ **Perkins** Career and technical education programs
- ▶ **TANF** Temporary Assistance for Needy Families Program
- ▶ **SNAP** Employment and Training Programs under the Supplemental Nutrition Assistance Program
- ▶ **AG** Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008
- ▶ **TAA** Trade Adjustment Assistance for Workers Programs



## COMBINED STATE PLAN OPTION (CONT'D)

- ▶ **JVSG** Jobs for Veterans State Grants Program
- ▶ **UI** Unemployment Insurance Programs
- ▶ **SCSEP** Senior Community Service Employment Program
- ▶ **HUD** Employment and training activities carried out by the Department of Housing and Urban Development
- ▶ **CSBG** Community Services Block Grant Program
- ▶ **ReXo** Reintegration of Ex-Offenders Program



# STRATEGIC APPROACH

- ▶ State Strategy: The plan must describe the State's overall strategy for workforce development and how the strategy will meet identified skill needs for workers, job seekers and employers.
- ▶ Local Plans: In turn, local plans must be aligned to the strategy described in the State plan, and must describe how services provided at the local level will be aligned to regional labor market needs.



# STATE PLAN CONTENT

**Strategic Planning Elements** section includes:

- ▶ Analyses of the State's economic conditions, workforce characteristics, and workforce development activities.
- ▶ These drive the required vision and goals for the State's workforce development system and alignment strategies for workforce development programs.

**Operational Planning Elements** section supports the State's strategic vision and goals and includes:

- ▶ State Strategy Implementation,
- ▶ State Operating Systems and Policies,
- ▶ Program-Specific Requirements, and
- ▶ Assurances.



# LOCAL STAKEHOLDERS ROLE

- ▶ Work with the State as a partner in development of the State Plan
- ▶ Local Boards are consulted by the State in Development of the State Plan
- ▶ Local Planning may occur following State Plan Development; local planning is based on the guidance that the State provides.



# FROM A DISABILITY PERSPECTIVE WHAT ARE OTHER THE BIG CHANGES?

- ▶ Individuals with disabilities must be a part of State and Local Strategic Plans
- ▶ Performance outcomes must be identified and reported (including by disability)
- ▶ Criteria for certifying American Job Centers must include assessing physical and programmatic accessibility of facilities, programs, services, technology and materials, and appropriate staff training and support



# WHAT ARE BIG CHANGES REGARDING YOUTH?

- ▶ 75% of the youth formula program funds must be spent on out of school youth as compared to 30% under WIA (Title I)
- ▶ At least 20% of local youth formula funds must be used for work experiences such as summer jobs, on the job training and internships (Title I)
- ▶ At least 15% of state VR funds must provide pre-employment transition services to prepare youth for post-secondary education and employment (Title IV)



# ENHANCED FOCUS ON EMPLOYER AS A CUSTOMER

- ▶ State and Local WIBs are comprised of a majority of business representatives with a business chair (Title I)
- ▶ State and local plans must identify employment needs of employers and develop strategies to meet those needs (Title I)
- ▶ Local Boards are to enhance collaboration among employers, economic development entities, and service providers (Title I)
- ▶ VR must identify and respond to needs of employers and help with recruitment, job matching, hiring, on the job training, accommodations and retention. (Title IV)



# ADDITIONAL SYSTEM COORDINATION REQUIREMENTS (TITLE I)

- ▶ Align employment, training, and education including career and technical education with human services programs not covered by the unified state plan
- ▶ Describe how community colleges will be engaged as partners in the workforce development system
- ▶ Promote work-based training and sector strategies to address the needs of multiple employers in the industry



# ADDITIONAL SYSTEM COORDINATION REQUIREMENTS (TITLE IV)

- ▶ VR must enter into formal agreements with state Medicaid, I/DD, and Mental Health agencies to improve coordination of resources
- ▶ VR must improve and expand VR services for students with disabilities on a statewide basis.
- ▶ VR in the state plan must indicate how services will be coordinated with the Ticket to Work program
- ▶ VR must improve engagement with in-demand industry sectors to increase competitive integrated employment opportunities



# FOR THE FIRST TIME

- ▶ Adds definition of customized employment in Title IV
  - ▶ Competitive integrated employment
  - ▶ Based on individual determination of strengths, needs, and interests of the individual with a significant disability
  - ▶ Designed to meet specific needs of the individual and employer
  - ▶ Carried out through flexible strategies



# WHAT IS CUSTOMIZED EMPLOYMENT?

- ▶ Customized employment is a flexible process designed to personalize the employment relationship between a job candidate and an employer in a way that meets the needs of both.
- ▶ It is based on an individualized match between the strengths, conditions, and interests of a job candidate and the identified business needs of an employer.
- ▶ Customized Employment utilizes an individualized approach to employment planning and job development — one person at a time . . . one employer at a time.



# WHAT MIGHT CUSTOMIZED EMPLOYMENT LOOK LIKE IN THE WORKPLACE?

Customized employment might involve:

- ▶ **Task reassignment**, with some of the job tasks of a worker reassigned to a new employee. This reassignment allows the incumbent worker to focus on the critical functions of his/her job (i.e., primary job responsibilities) and complete more of the central work of the job. Task reassignment typically takes the form of job creation, whereby a new job description is negotiated based on current, unmet workplace needs.
- ▶ **Job carving**: An existing job description is modified, containing one or more, but not all, of the tasks from the original job description.
- ▶ **Job sharing**: Two or more people share the tasks and responsibilities of a job based on each other's strengths.



# ALSO FOR THE FIRST TIME

- ▶ Promotes financial literacy activities for youth and adults with disabilities (Title I)
- ▶ Extends length of time for supported employment services from 18 to 24 months (Title IV)
- ▶ Places new limitations on use of subminimum wage (Title IV)
- ▶ Creates a Federal Cross-Agency Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities (Title IV)



# SECTION 511: LIMITATIONS ON USE OF SUBMINIMUM WAGE

- ▶ Limits conditions of subminimum wage work for individuals 24 or younger only upon completion of each of the following actions:
  - ▶ Has received pre-employment transition services;
  - ▶ Has applied for and been rejected by VR as ineligible for services;
  - ▶ Has been provided career counseling and information and referrals to other public programs that allow the experience of competitive, integrated employment; and
  - ▶ Has been working toward an employment outcome for a reasonable period of time without success.



# SECTION 511: ALREADY RECEIVING SUBMINIMUM WAGE

- ▶ Reassessment every six months
- ▶ Requirement to provide work readiness and job training services
- ▶ Prohibition of schools from subcontracting with subminimum wage providers



# WIOA IMPLEMENTATION DATES

- ▶ July 1, 2015
  - ▶ Provisions take effect, unless otherwise noted in the Act
- ▶ July 22, 2015
  - ▶ Template for performance reports by state, local, and Eligible Training Providers must be developed by Secretary of Labor and Secretary of Education within 12 months after the date of enactment
- ▶ January 22, 2016
  - ▶ DOL, ED and HHS must publish Final Rules to implement WIOA (18 months after enactment)
- ▶ March 3, 2016
  - ▶ Deadline for state Unified Plan submission

Full list of WIOA Implementation dates:

[www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf](http://www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf)



# OTHER CRITICAL ISSUES IN WIOA FROM A DISABILITY PERSPECTIVE

- ▶ Section 188
- ▶ Accessibility surveys
- ▶ Section 503
- ▶ Advancing financial literacy



# ACTIONS YOU CAN CONSIDER

1. Become informed and involved in WIOA implementation
2. Become an active stakeholder in the advisory committee on increasing competitive integrated employment for individuals with disabilities (<http://www.dol.gov/odep/topics/WIOA.htm>)
3. Improve effective and meaningful participation of job seekers with disabilities in American Job Centers (AJCs)
4. Help inform criteria for certifying AJCs or “One-Stop Career Centers”



# MORE ACTIONS YOU CAN CONSIDER

5. Promote financial literacy activities for youth and adults
6. Become involved in the Unified State Plan development
7. Improve coordination of Pre-employment Transition Services for Youth
8. Become part of the solution



# VISION FOR THE WORKFORCE SYSTEM AND INITIAL IMPLEMENTATION OF WIOA (ETA TEGL 19-14)

- ▶ Issued February 19, 2015
- ▶ Lays out the vision for a revitalized transformed workforce system as a result of implementation of WIOA
- ▶ Encourages workforce system leaders and partners to take action now to fully realize the vision of WIOA
- ▶ Provides an overview of upcoming guidance and technical assistance to support effective implementation

Download TEGL 19-14:

[http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7353](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7353)



# IMPLEMENTING WIOA: TEGL 19-14 ACTIONS FOR THE WORKFORCE SYSTEM

- ▶ Identify and allocate funding for transitional activities
- ▶ Build new, and strengthen existing, partnerships
- ▶ Engage with core programs and other partners to begin strategic planning
- ▶ Reassess One-Stop delivery system
- ▶ Develop plans to ensure workforce investment boards become WIOA compliant



# IMPLEMENTING WIOA: TEGL 19-14 (CONT.)

- ▶ Develop transition plans
- ▶ Prepare for fiscal and program changes for transition across legislations
- ▶ Assess state laws
- ▶ Review Eligible Training Provider processes
- ▶ Ensure new or existing youth service contract operators support the 75% out-of-school youth and the 20% work experience expenditure rate requirements



# LEAD CENTER WIOA WEBINAR SERIES

- ▶ WIOA from a Disability Perspective (Archived)
- ▶ WIOA and the Unified State Planning Process (Archived)
- ▶ WIOA Youth Services
  - ▶ June 24, 2015, 3:00-4:30 p.m. ET
  - ▶ Register here: [http://bit.ly/WIOA\\_Webinar\\_3\\_of\\_4](http://bit.ly/WIOA_Webinar_3_of_4)
- ▶ Section 188, the Nondiscrimination Provisions of WIOA
  - ▶ September 24, 2015, 3:00-4:30 p.m. ET
  - ▶ Register here: [http://bit.ly/WIOA\\_Webinar\\_4\\_of\\_4](http://bit.ly/WIOA_Webinar_4_of_4)



# ADDITIONAL RESOURCES

- ▶ LEAD Center Policy Brief: Summary of Major Policies Included in Titles I and IV of the Workforce Innovation and Opportunity Act  
[http://www.leadcenter.org/system/files/resource/downloadable\\_version/WIOA\\_POLICY\\_BRIEF\\_10.22.14.pdf](http://www.leadcenter.org/system/files/resource/downloadable_version/WIOA_POLICY_BRIEF_10.22.14.pdf)
- ▶ LEAD Center Policy Brief: Summary Description from a Disability Perspective - Title I of the Workforce Innovation and Opportunity Act (Workforce Development Activities) Notices of Proposed Rulemaking  
<http://www.leadcenter.org/resource-center/publication/summary-description-disability-perspective-title-i-workforce-innovation-and-opportunity-act-workforce-development>
- ▶ LEAD Center Policy Brief: Summary Description of Title IV of the Workforce Innovation and Opportunity Act (State Vocational Rehabilitation Program) Notice of Proposed Rulemaking  
<http://www.leadcenter.org/resource-center/publication/summary-description-title-iv-workforce-innovation-and-opportunity-act-state-vocational-rehabilitation-program-notice>



# ADDITIONAL RESOURCES (CONT'D)

- ▶ **Eight Actions You Can Consider to Support Youth and Adults with Disabilities in WIOA Implementation**  
<http://www.leadcenter.org/blog/eight-actions-you-can-consider-support-youth-and-adults-disabilities-wioa-implementation>
- ▶ **WIOA: New Opportunities for People with Disabilities** blog by Bridget Brown, NAWDP at  
<http://www.leadcenter.org/blog/wioa-new-opportunities-people-disabilities>
- ▶ **USDOL WIOA Website**  
<http://www.doleta.gov/wioa/>
- ▶ **USDOL Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities**  
<http://www.dol.gov/odep/topics/WIOA.htm>



# MORE RESOURCES

- ▶ **Workforce3One**-An e-learning, knowledge sharing webospace that offers workforce professionals, employers, economic development, and education professionals a dynamic network featuring innovative workforce solutions at <https://www.workforce3one.org/>
- ▶ **WIOA Quick Start Action Planners**
  1. Partnerships
  2. State Leadership and Governance
  3. One-Stop Center Service Design
  4. Youth Services Strategies
  5. Local Leadership and Governance<http://qsap.workforce3one.org/page/planner>



# CONNECT WITH THE LEAD CENTER

- ▶ Sign up for LEAD Center News: <http://eepurl.com/sQiHr>
- ▶ Follow the LEAD Center on...
  - ▶ Facebook: [www.facebook.com/LEADCtr](http://www.facebook.com/LEADCtr)
  - ▶ Twitter: [@LEADCtr](https://twitter.com/LEADCtr)
  - ▶ LinkedIn: [linkedin.com/groups/LEAD-Center-4828089](http://linkedin.com/groups/LEAD-Center-4828089)
  - ▶ YouTube: <https://www.youtube.com/user/LEADCtr>
- ▶ Contact us:
  - ▶ Rebecca Salon, Project Director, [rsalon@ndi-inc.org](mailto:rsalon@ndi-inc.org)
  - ▶ Elizabeth Jennings, Asst. Project Director, [ejennings@ndi-inc.org](mailto:ejennings@ndi-inc.org)
  - ▶ Brittany Taylor, Project Coordinator, [btaylor@ndi-inc.org](mailto:btaylor@ndi-inc.org)



# QUESTIONS?

