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Community Services Block Grant

Overview of Workforce Innovation and Opportunity Act (WIOA)

April 27, 2017



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Today's Agenda

Agenda	Topics
Part 1	<ul style="list-style-type: none"> • Summary of Federal legislation • Highlights from WIOA Final Rules
Part 2	<ul style="list-style-type: none"> • Summary of Governor's Guidelines / MOU template • General requirements of the MOU • Infrastructure and shared system costs
Part 3	<ul style="list-style-type: none"> • Comprehensive one-stop center certification
Part 4	<ul style="list-style-type: none"> • Resources

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Federal legislation and Final Rules

PART 1

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WIOA Basics

- Signed into law July 22, 2014
- Amends and replaces WIA
 - Leaves in place many basics
 - Includes significant new requirements
- Oriented toward sector and employer based training.
- Most provisions took effect July 1, 2015

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WIOA Goals

1. Increase access to workforce-related services;
2. Better align workforce investment, education and economic development systems;
3. Improve reliance of worker skills and credentials

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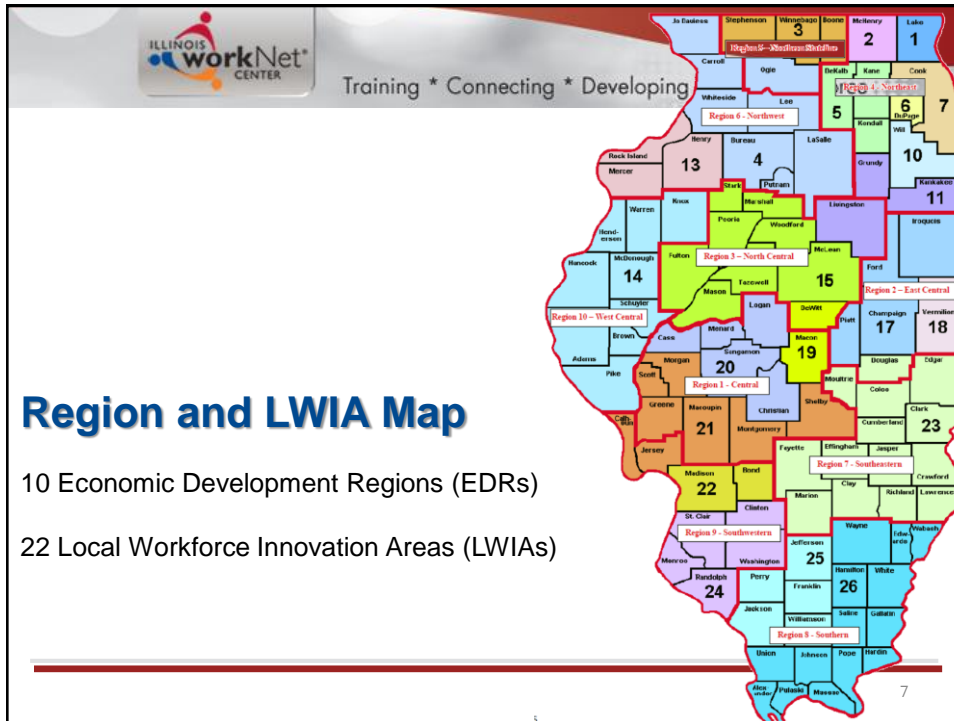


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WIOA Goals

4. Serve needs of employers, workers and job seekers;
5. Increase job retention, earnings and credential attainment to reduce welfare dependency; and
6. Increase prosperity, productivity, economic growth and global competitiveness.

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New Workforce Development System

Basic Structure

- Sixteen 'required program partners'
- Four are 'core program partners' with additional obligations
- Services of all partners provided through one-stop delivery system and in one-stop centers

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New Workforce Development System

Basic Structure





- All required program partners required to use funds to maintain one-stop delivery system
- All required program partners required to pay share (capped) of one-stop center 'infrastructure' costs
- Timely negotiation of local memoranda of understanding (MOUs) required

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WIOA Core Partners


Title IB - Workforce Development Activities - Employment & Training
Services include Adult, Dislocated Worker and Youth programs

Title II - Adult Education and Family Literacy
Services include assessments, basic skills instruction, English language acquisition instruction, high school equivalency instruction, career awareness, workforce preparation, bridge programs and accelerated education and training programs

Title III - Employment Services under the Wagner-Peyser Act
Services include job placement assessment, individual re-employment plans, job search and placement using the State's labor exchange system, and employer outreach

Title IV - Vocational Rehabilitation Services
Assists individuals with significant in obtaining and retaining competitive, integrated employment and prepares individuals for employment through individualized planning processes

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WIOA Core Partners Additional Obligations

- Develop and submit a “Unified Plan” to the Secretaries of Labor and Education
 - Timely and in compliance with requirements, or funding for four core programs ceases
- Collectively held accountable for six “primary indicators of performance”
 - Sanctions for failure to meet the common primary indicators of performance

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Other Required Partners Under WIOA

- Post-secondary Career and Technical Education under Perkins
- Unemployment Insurance
- Job Counseling, Training and Placement Services for Veterans
- Trade Readjustment Assistance (TRA)
- Trade Adjustment Assistance (TAA)
- Migrant and Seasonal Farmworkers
- National Farmworker Jobs Program (NFJP)
- Community Services Block Grant (CSBG)
- Senior Community Services Employment Program (SCSEP)
- TANF
- Second Chance*
- HUD Employment and Training Activities
- Job Corps
- YouthBuild

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WIOA Required Partners Other Obligations

- Provide "access" to program services through local one-stop delivery systems and comprehensive one-stop centers
- Make "career services" authorized under each program accessible to WIOA participants at comprehensive one-stop centers

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Other Obligations of ALL WIOA Partners

- Negotiate a memorandum of understanding (MOU) in each local area
- Use a portion of program funds to maintain the one-stop delivery system
- Contribute a defined share of "infrastructure" costs to operate the comprehensive one-stop center

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Highlights of WIOA Final Rules

• Infrastructure costs – Final Rule highlights

- Expanded role of the Governor in establishing infrastructure cost budgets if the local required partners do not agree
- Three possible types of partner contributions under the local funding mechanism: cash, non-cash and third-party in-kind
- Two possible types of partner contributions under the State funding mechanism: cash and third-party in-kind

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Highlights of WIOA Final Rules

Other highlights:

- Local agreement is the expectation
- Cost allocation based on FTEs is preferred and will be the basis the Governor uses to decide each partner's contribution under the State funding mechanism
 - Both onsite and offsite FTEs are counted toward a partner's contribution
 - FTEs are the only allowable basis for cost allocation under the State funding mechanism
- Other allocation methods are possible under the local funding mechanism (consistent with "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards")

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Highlights of WIOA Final Rules

• Career services – What are they?

- There are 23 career services that must be made available to individuals in the “adult” and “dislocated worker” programs served by required partners
 - (11) **Basic** – available to anyone who accesses the one-stop
 - Examples: eligibility determination, TANF applications, assessment
 - (11) **Individualized** – tailored to each participant
 - Examples: individual employment plan, career planning, ESL
 - (1) **Follow-up** – as appropriate for 12 mo.
 - Example: counseling for participants placed into a job
- Each required partner determines which of the 23 career services are applicable to their programs and must be made available at one-stops

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Highlights of WIOA Final Rules

• Career services – Final Rule highlights

- Career services must be made available in every comprehensive one-stop center
- Core and required partners can provide career services:
 1. In person,
 2. Through cross-trained staff, or
 3. Via “direct linkage” technology

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Governor's Guidelines, MOUs and infrastructure costs

PART 2

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PY17 WIOA Implementation Activity Dates

July 1, 2017: One-stop operators must be competitively selected and operating the center

July 1, 2017: Certification of comprehensive one-stop centers takes effect, along with the requirement to use a "proud partner of the American Job Center network" tagline on all activities, products and signage

July 1, 2017: Regional and Local Plan modifications and renegotiated MOUs take effect

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Governor's Guidelines

Purpose:

- Fulfill a WIOA requirement for the Governor to issue guidelines for negotiating cost sharing and service delivery
- Optimize service quality and value for customers and core partner return on investment
- Establish ground rules for MOU negotiations and cost sharing

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Governor's Guidelines

Content of the Guidelines:

- Negotiation of local MOUs
- Negotiation of infrastructure costs of comprehensive one-stop centers
- Negotiation of other shared costs of the local service delivery system
- Timelines for negotiation
- Reporting of negotiation outcomes
- Appeals process for costs determined under State funding mechanism (used as a last resort, only)
- Timeline
- MOU template with local service matrices and budget
- Glossary
- Other resources

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Governor's Guidelines

Context:

- First issued December 2015 under WIOA draft rules
- Supplemental Guidance to the Governor's Guidelines issued with "Revision 1" in March 2016 when DOL/DOE delayed the effective date of infrastructure funding requirements

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Governor's Guidelines - Revision 2

Next steps:

- Were issued in December 2016 to reflect Final Rules
- Examples:
 - Rewrote the regulations on infrastructure costs
 - Added new language about three possible types of partner contributions under the local funding mechanism: cash, non-cash and third-party in-kind
 - Revised language about providing career services in comprehensive one-stop centers
- Other timeline adjustments and clarifications made
- Revised MOU template and budget spreadsheet

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Governor's Guidelines - Supplemental Guidance for PY2017 ONLY

- DOL issued three Training and Employment Guidance Letters (TEGLs) in January 2017 after Revision 2 to the Governor's Guidelines.
- Provided further guidance for WIOA Implementation
- Guidance related to negotiation of shared costs and services
- Supplemental Guidance for PY2017 issued in March

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Governor's Guidelines - Supplemental Guidance for PY2017 ONLY

1. The effective date for implementation for all infrastructure funding requirements in Illinois remains July 1, 2017
2. Infrastructure funding requirements apply only to comprehensive one-stop centers in each local area for Program Year 2017
3. The preferred cost allocation methodology in Illinois for each required partners' share of infrastructure costs and local service delivery system costs remains FTEs

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Governor's Guidelines - Supplemental Guidance for PY2017 ONLY

4. Required partners must continue to define applicable career services and commit to pay the cost of providing those services in comprehensive one-stop centers
5. Cost sharing obligations of multiple Adult Education providers and Career-Technical Education colleges in a single LWIA
6. The signature of required partners on the MOU is sufficient to indicate their agreement with the budget and costs to be shared

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General Requirements for MOUs

- Serve as a tool to achieve integration
- Reflect a shared vision and commitment of local workforce innovation boards (LWIBs)
- Document each required partner's commitments to service delivery
- Demonstrate negotiations were in good faith by individuals with authority to commit financial and programmatic resources

MOU negotiated every 3 years

Shared costs negotiated annually

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General Requirements for MOUs

Decisions reflected in the MOU:

1. Services available in local one-stop delivery system
2. Locations where services are provided
3. Each program partner's method of service delivery
4. Role of comprehensive one-stop center operators
5. Coordination of referrals
6. How local comprehensive one-stop center infrastructure costs and local system costs will be shared (annually)

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General Requirements for MOUs

WIOA definition of "Access:" Final Rules identify three methods through which required partners can provide access to services at comprehensive one-stop centers (§ 678.305):

1. Having program staff physically present at the one-stop;
2. Cross-training an individual from a different program who is physically present to provide programs and services; or
3. Making available a "direct linkage" at the one-stop center through technology – a direct connection within a "reasonable time" to a program staff member who can provide information or services to the customer.

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General Requirements for MOUs

Direct Linkage Technology Requirements: Additional clarifications in the Final Rules regarding direct linkage:

1. A direct linkage through program staff or technology must be made available *if* needed and demanded by the customer. (§ 678.305(d)(3)(i)-(ii))
2. Program staff can arrange to meet with a customer at a later date and time.
3. Providing a phone number, website or pamphlet is OK as long as it's not the *only* information offered to a customer. Direct linkage via technology to a program staff member must remain available to the customer at all times.

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General Requirements for MOUs

Additional Direct Linkage Requirements in Illinois:

1. Direct connection at the one-stop center via phone or web-based communication

By phone:

- A specific, dedicated phone number
- Phone coverage during normal business hours on all business days
- Voicemail or other capability enabling customers to leave a message if access to services via phone is unavailable at the time of contact

By video:

- High-speed Internet capability
- Dedicated, computer-based communication between multiple locations (e.g., Skype, Zoom)
- Communication via two-way, real-time video and audio transmission
- Back-up instructions or appointment scheduling if access to services via video is unavailable at the time of contact

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General Requirements for MOUs

Additional Direct Linkage Requirements in Illinois:

2. Reasonable period of time
 - Immediate, on-demand access as the norm
 - Contact initiated within 24 business hours if service via direct linkage was unavailable at the time of initial contact from the customer
3. Program staff member who can provide information or services to the customer
 - Specifically identified required partner staff person(s) who are:
 - Trained and knowledgeable regarding the required partner's services and programs, and
 - For whom providing services via direct linkage is a formal part of his/her job

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Infrastructure costs – What are they?

- WIOA Section 121(h)(4) defines infrastructure costs:

“... the non-personnel costs that are necessary for the general operation of the one-stop center, including the rental costs of facilities, the costs of utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the one-stop center, including the center’s planning and outreach activities.”

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Infrastructure and Shared System Costs

Infrastructure costs:

Non-personnel costs to operate the comprehensive one-stop center

- Facilities costs (e.g., leases)
- Technology (e.g., telecom)
- Marketing (e.g., signage)

Shared local system costs:

Non-infrastructure costs essential for service delivery and shared services; e.g.,

- Intake, needs assessments
- Local board functions
- Joint staff training
- Business services
- Other costs agreed upon by local required partners

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Infrastructure Costs

Local funding mechanism when partners agree

- More flexibility
- No new statutory caps on partner contributions
- Increased flexibility to decide on cost allocation methodology (FTE = preferred methodology)
- Cash, non-cash or third-party in-kind contributions allowed

Contribution	Example
Cash	Cash or interagency transfer between required partners
Non-cash	Expenditures incurred by a partner on behalf of the one-stop center and non-cash goods or services to be used in the center
Third-party in-kind	E.g., space, equipment, technology, non-personnel services or other contributions from a non-one-stop partner

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Infrastructure Costs

State funding mechanism as a last resort

- No flexibility
- Must be cash contributions (no non-cash or personnel)
- Statutory caps placed on partner contributions
- Limited funds available, in part because of the caps
- Funds only available for certified comprehensive one-stop centers (i.e., no certification = no state funding)
- Mandated partner acceptance of Governor's infrastructure cost budget

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Shared Local System Costs

Guidelines:

- All required partners must share in these costs
- Specific costs to be shared are determined locally
- Cash, non-cash and third-party in-kind contributions are allowable
- Priority is for costs that promote integration, streamline service delivery or improve outcomes

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Shared Local System Costs (examples)

Costs to Support

Local Board Functions:

- Board staff salaries
- Board meeting costs
- Audit costs
- Strategic data gathering, analysis

Costs that Promote

Integration:

- Joint training
- Customer satisfaction surveys
- Business services
- Receptionists
- Resource room material

The list can include anything local core and required partners agree upon.

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One-Stop Operator Role

- **One-stop operator role** (§ 678.620)
 - Coordinate service delivery of required one-stop partners and service providers; e.g.:
 - Coordinate service providers across the one-stop delivery system
 - Be the primary provider of services within the center
 - Provide some services within the center
 - Coordinate service delivery in a multi-center area

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One-Stop Operator Role (cont.)

- **One-stop operators**
 - Local Workforce Innovation Boards (LWIBs) must demonstrate they are taking steps to prepare for the competitive selection of one-stop operators by January 16, 2017 (90 days from the Final Rule)
 - One-stop operators must be competitively procured at least once every four years
 - The one-stop operator role, including referrals between required partners, must be clearly defined in RFPs and MOUs

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MOU and Budget Negotiation Timelines


MOU

- 105-day period for negotiations
- Outcomes report due
- 30-day remediation period by State-level team if agreement not yet reached

Shared costs

- Annual budget included in the MOU
- (New budget every year into the MOU)
- Periodic reconciliation of *allocated costs* to *actual shared costs*

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MOU and Budget Negotiation Timelines

Annual Timeframe	Activity
January 1	Initiation of local negotiations on MOUs and cost sharing
April 15 each year an MOU is negotiated	Local MOU negotiations end Negotiation outcomes and draft budget reported
May 1	30-day remediation period begins for LWIAs not reaching agreement on infrastructure costs
May 31	LWIAs at impasse on infrastructure costs are referred to the Governor's Office
June 15	Governor makes final determination of each required partner's proportionate share of infrastructure costs under the State infrastructure funding mechanism
July 1	Signed MOU submitted every year an MOU is negotiated LWIAs at impasse for reasons other than infrastructure costs are reported to the respective Federal agencies

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Certification of Comprehensive One-Stop Centers

PART 3

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Certification of comprehensive one-stop centers

Purpose:

- Fulfill a WIOA requirement for the State Workforce Board to consult with chief elected officials and local boards to establish objective criteria for use by local boards in certifying their comprehensive one-stop centers
- Each area must have one comprehensive one-stop center that provides on-demand access to career services, training services, employment services and all other required programs
- Helps ensure a minimum level of **quality and consistency** in one-stop centers throughout the state

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Certification of comprehensive one-stop centers

- It is the role of the IWIB to establish criteria and procedures for certification.
- It is the responsibility of each LWIB to certify comprehensive one-stop centers in each area.
- Comprehensive one-stop centers must be certified no less than once every three years.
- All comprehensive one-stop centers must be certified by July 1, 2017.
- Review certification criteria at least every two years as part of the process of updating Local Plans
- One-Stop Certification Criteria available on ePolicy site

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Certification of comprehensive one-stop centers

Criteria must cover:

1. Effectiveness
2. Physical Accessibility
3. Programmatic Accessibility
4. Continuous Improvement

Content:

- Application for Certification of One-Stop Centers in Illinois
- Notice of Intent to Apply for Certification
- Affiliate Sites

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Certification of comprehensive one-stop centers

- When an LWIA is at impasse:
 - Only certified comprehensive one-stop centers can receive state funding under the state infrastructure funding mechanism, which only kicks in if local partners do not agree on an annual budget
 - No certification = no state infrastructure funding

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Resources

PART 4

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State Technical Assistance Teams (STATs)

Three Primary Purposes:

1. Be a resource that Local Workforce Innovation Boards (LWIBs), chief elected officials (CEOs) and local partners can access to obtain technical assistance, information, clarification and support as they implement WIOA
2. Provide hands-on assistance to resolve issues in local areas
3. Raise major operational issues or needs among local areas to the Interagency Work Group (IWG) for resolution

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State Technical Assistance Teams (STATs)

Core Partner Agency	Statewide Point of Contact for STATs
Commerce	John Barr, Mike Baker
Illinois Community College Board	Lavon Nelson
IDES	Janice Taylor Brown
DHS – Rehabilitation Services	Doug Morton

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WIOA Implementation Portal

<https://www.illinoisworknet.com/wioaimplementation>

- Documents and Updates
 - Governor's Guidelines
 - STAT Leaders
- Regional Planning Materials
- Archived Webinars
- WIOA Frequently Asked Questions

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WIOA ePolicy Manual

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Questions?

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