

May 17, 2017



# WIOA Eligibility and Program Services

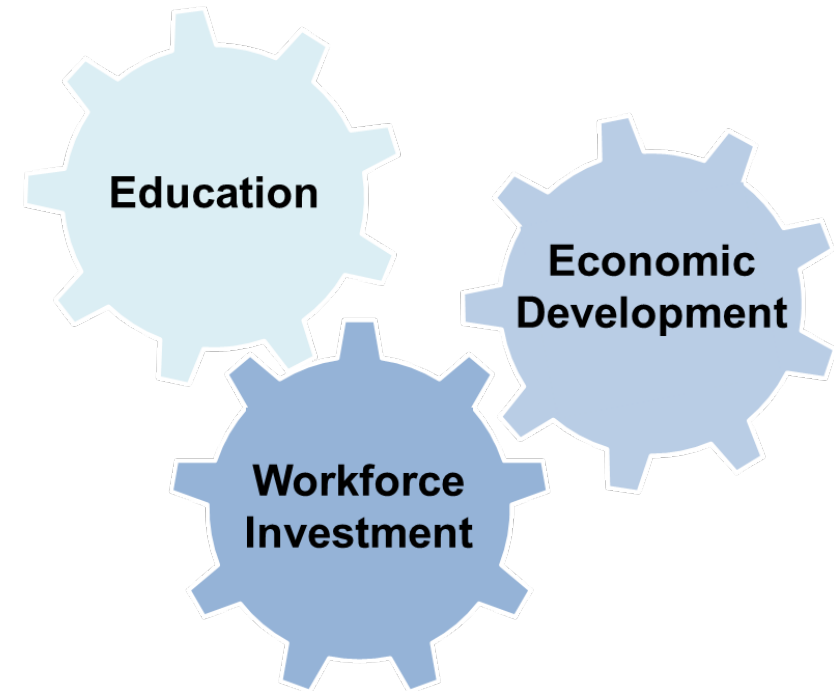
# WIOA Background

- Strong focus on serving the hard to serve populations
- Replaces and Amends the Workforce Investment Act of 1998
- Passed with broad, bi-partisan support
- Signed WIOA into law on July 22, 2014



# WIOA Goals

- Increase access to education, training, and employment-- particularly for people with barriers to employment.
- Create a comprehensive, high-quality workforce development system by aligning workforce investment, education, and economic development.
- Improve the quality and labor market relevance of workforce investment, education, and economic development efforts.
- Promote improvement in the structure and delivery of services.
- Increase the prosperity of workers and employers.
- Reduce welfare dependency, increase economic self-sufficiency, meet employer needs, and enhance the productivity and competitiveness of the nation.



# WIOA Guidance



- [Workforce Innovation and Opportunity Act](#)
- [WIOA Final Regulations](#)
- [Training and Employment Guidance Letters \(TEGLs\)](#)
  - [21-16, Third Workforce Innovation and Opportunity Act \(WIOA\) Title I Youth Formula Program Guidance](#)
  - [19-16, Guidance on Services through the Adult and Dislocated Worker Programs](#)
  - [16-16, One-Stop Operations Guidance for the American Job Center Network](#)
  - [08-15, Second Title 1 WIOA Youth Program Transition Guidance](#)
  - [23-14, Workforce Innovation and Opportunity Act \(WIOA\) Youth Program Transition](#)
  - [19-13, Jobs for Veterans' State Grants \(JVSG\) Program Reforms and Roles and Responsibilities of American Job Center \(AJC\) Staff Serving Veterans and subsequent Changes 1 and 2](#)
  - [10-09, Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor \(DOL\)](#)
  - [22-04, Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant and subsequent Change 1](#)
- Rescinded TEGL 3-15, Guidance on Services Provided through the Adult and Dislocated Worker Program , and Wagner Peyser, and Guidance for the Transition to WIOA Services



Adult, Dislocated  
Worker and  
Employment Services

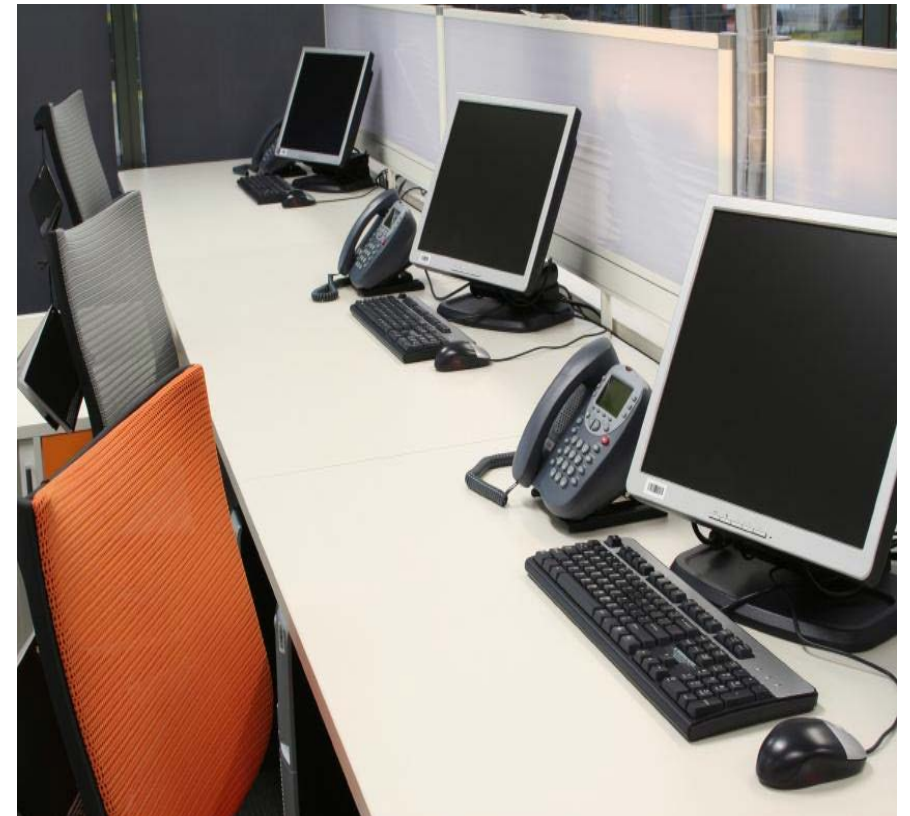
# Career Services

- Core and Intensive Services replaced by Career Services
- Career Services separated into Basic, Individualized and Follow-Up
- Must be available in all one-stop centers
- May trigger inclusion in participation
- No requirement for sequence of service



# Basic Career Services

- Self-service or minimal staff assistance
- Universally accessible
- Available to ALL individuals seeking employment and training services
- Generally, available through Employment Services or the Adult and Dislocated Worker programs under Title I
- More commonly referred to as Labor Exchange Services under the Wagner-Peyser program



# Basic Career Services – Non-Participation



- Eligibility determination
- Outreach, Intake and Orientation
- Job search assistance (Self-directed)
- Providing info on in-demand sectors, occupations, or nontraditional employment
- Provision of referrals and associated coordination of activities with other programs and services
- Provision of workforce and labor market employment statistics information
- Provision of info on job vacancies
- Provision of info on job skills necessary to fill vacancies
- Provision of info on local demand occupations, with earnings, skill requirements, and opportunities for advancement for those jobs
- Provision of performance and program cost info for providers of education and training
- Provision of info on local performance
- Provision of info on availability of supportive services or assistance
- Referral to supportive services



# Basic Career Services – Participation Inclusion

- Initial assessment of skill levels & supportive service needs
- Job search assistance (Staff-assisted)
- Placement assistance (Staff-assisted)
- Career Counseling (Staff-assisted)
- Provision of information and meaningful assistance filing for UI
- Assistance establishing eligibility for financial aid
- Comprehensive and specialized assessments
- Group Counseling
- Individual Counseling
- Career Planning



# Individualized Career Services



- Identified by employment needs of the individual as jointly determined by the individual and career planner
- Required to obtain or retain employment
- Identified through an Individual Employment Plan (IEP)
- Require significant staff assistance and customization to individual's needs
- Generally provided through the Adult and Dislocated Worker programs of Title IB, but may be appropriate through Employment Services

# Individualized Career Services – Participation Inclusion



- Comprehensive and specialized assessments
- Development of an Individual Employment Plan (IEP)
- Group Counseling
- Individual Counseling
- Career Planning
- Short-term prevocational services
- Internships and work experiences (including transitional jobs)
- Workforce preparation activities
- Financial Literacy Services
- Out-of-area job search assistance and relocation assistance
- English-language acquisition and integrated education and training programs

# WIOA Training Services



- Determined as appropriate by American Job Center staff following:
  - Interview, Evaluation, or Assessment; and
  - Career Planning
- Unlikely/Unable to obtain/retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone;
- In need of training services to obtain/retain employment
- Able to successfully participate in selected training service
- Unable to receive grant assistance from other sources
- Eligible in accordance with State and Local priority system (Adult Program)
- Training leads to an in-demand occupation

# Training Services Coordination

- Utilize Previous Assessments, as appropriate
- Reduce Duplicative Assessments
- Develop Alignment and Coordination among partner programs
  - Common intake forms
  - Encourage system alignment
  - Reduce individual burden
  - Seamless receipt of services to customers
  - Greater access based on needs
  - Reflect Employment/Training goals in an Individual Employment Plan



# Training Services



Individual Training Account (ITA) – classic WIOA  
Occupational skill training leading to credential or degree

Bridge Training  
Quick upgrade to reading / math, contextualized learning

Incumbent Worker Training  
(20% of Adult and Dislocated Worker Funds)

On-the-Job Training – Learn and Earn

Class Size Training – Bundling ITAs to get classes started now

Customized Training – Meeting a specific employer training need

# Types of Training Services

- Occupational Skills
- Combined training with related instruction
- Private sector training programs
- Skill Upgrade and Retraining
- Entrepreneurial Training
- Job Readiness, in combination with above training services
- Adult Education and Literacy Activities
- Registered Apprenticeships



## ApprenticeshipUSA



# Supportive Services



- Allows tailored services to meet customer with resources necessary to successfully complete career and training services
- Local policies required to ensure resource and service coordination
  - Referral to services
  - Funding when otherwise not available from other sources
  - Limits on amount of funding and length of time available
  - Exceptions to limits
- Only funded through WIOA when not available through other agencies
- Provided only when necessary for the individual to participate in workforce service activities
- Not available during “follow-up” only services



# Supportive Services

- Types of allowable Supportive Services may include:
  - Transportation
  - Child and dependent care
  - Linkages to community services
  - Housing assistance
  - Needs-Related Payments (for individuals enrolled in training services)
  - Educational testing
  - Reasonable accommodations
  - Health Care referrals
  - Uniforms and work-related tools
  - School necessities such as books, fees, supplies for post-secondary education
  - Employment and training-related applications, test and certifications



# Follow-Up Services

- Must be provided to all Adults and Dislocated Workers who are placed in unsubsidized employment
- May be provided for up to 12 months after the first day of employment (mandatory for customers placed in unsubsidized employment)
- May include such items as individual counseling about the work place
- Do not extend the date of exit for performance reporting





# Youth Eligibility

# Expanded Access for Youth



- At least **20%** of local Youth formula funds (minus administrative) must be used for work experience activities that include academic and occupational education, such as Summer jobs, Pre-apprenticeship, On-the-job training, and Internships
- Requires that at least ***75 percent of available (minus admin) state-wide funds and 75 percent of funds available to local areas*** be spent on workforce investment services for out-of-school youth. This is an increase from 30 percent under WIA.



# General Youth Determination



- Classified as either In-School Youth (ISY) or Out-of-School Youth (OSY)
- Status determined at time of eligibility determination
  - Eligible youth retain eligibility even if they exceed the age limit
- School status determined at time of program enrollment or registration
- State education agencies and/or local education agencies have policies regarding the classification of youth who are home-schooled.
  - WIOA youth programs must classify homeschooled youth as ISY or OSY based on their state education agency (or local education agency, if relevant) policy.
- Once the school status of a youth is determined, that school status remains the same throughout the youth's participation in the WIOA youth program.

# In-School Youth (ISY) Determination



- ISY Determination
  - If a youth is enrolled in the WIOA youth program during the summer and is in between school years, the youth is considered an ISY if they are enrolled to continue school in the fall
  - If a youth is enrolled in the WIOA youth program between high school graduation and postsecondary education, the youth is considered an ISY if they are registered for postsecondary education, even if they have not yet begun postsecondary classes at the time of WIOA youth program enrollment
  - If the youth participant is enrolled in any credit-bearing postsecondary education classes, including credit-bearing community college classes and credit-bearing continuing education classes, then they are considered attending postsecondary education, and, therefore, an ISY

# Out-of-School Youth (OSY) Determination



- OSY Determination
  - If a youth graduates high school and registers for postsecondary education, but does not ultimately follow through with attending postsecondary education, then such a youth would be considered an OSY if the eligibility determination is made after the point that the youth decided not to attend postsecondary education
  - If the youth is only enrolled in non-credit-bearing postsecondary classes, they would not be considered attending postsecondary school and, therefore, an OSY

# Additional Considerations

- A youth attending postsecondary education who is 22 at time of eligibility determination would not be eligible for the WIOA youth program because they are in school and over the age of 21
  - These individuals could be served by the Adult program
- For purposes of WIOA, providers of adult education under Title II of WIOA, YouthBuild programs, the Job Corps program, high school equivalency programs, and dropout re-engagement programs are not considered to be schools for the purposes of determining school status, with one exception:
  - Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, funded by the public K–12 school system that are classified by the school system as still enrolled in school are considered ISY
  - Currently accepted high school equivalency certificates include:
    - General Equivalency Diploma (GED)
    - High School Equivalency Test (HiSET)
    - Test Assessing Secondary Completion (TASC)





# In-School Youth Eligibility

- To be provided services under ISY, individual must be:
  - Attending school, including secondary and post-secondary school,
  - No younger than 14 or older than 21 at time of enrollment,
    - Exception for an individual with a disability
  - A low-income individual, and
  - Have one or more of the following barriers:
    - Basic Skills Deficient
    - An English Language Learner
    - An Offender
    - A homeless individual aged 16-24, a homeless child or youth aged 16-24, or a runaway
    - A foster child or aged out of foster care
    - Pregnant (expectant mother) or parenting (mother or father, custodial or non-custodial)
    - An individual with a disability
    - A low-income individual requiring additional assistance (as defined by the local board) to enter or complete an educational program or secure or hold employment



# Out-of-School Youth Eligibility



- To be provided services under OSY, the individual must be:
  - Not attending any school as defined by state law,
  - Not younger than 16 or older than 24 years of age, and
  - Have one or more of the following barriers:
    - A School Dropout (does not include former dropouts)
    - Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter
    - A recipient of a Secondary School diploma or its recognized equivalent who is low-income and Basic Skills Deficient or an English Language Learner
    - An offender
    - A homeless individual aged 16-24, a homeless child or youth aged 16-24, or a runaway
    - An individual in foster care or who has aged out of the foster care
    - Pregnant (expectant mother) or parenting (mother or father, custodial or non-custodial)
    - An individual with a disability
    - A low-income individual requiring additional assistance (as defined by the local board) to enter or complete an educational program or secure or hold employment

# Youth with a Disability

- Individuals that choose to access the youth program based solely on disability as an eligibility criterion will be required to provide evidence of disability.
  - If an individual is determined eligible for the youth program based on other eligibility criteria or if disability status is disclosed after Enrollment, disability self-attestation is sufficient for the Participant's file.
  - Additional evidence of disability is not required if the youth eligibility determination is not made based solely on disability.





# Youth Program Elements

# Youth Program Elements Overview

- WIOA requires fourteen program elements be available to all youth
- Individual Service Strategy (ISS) identifies appropriate services and career pathway
- Utilize co-enrollment in Adult program if needs, knowledge, skills and interests align
- Focuses on a more difficult to serve population
- As a result, partnering is more critical, encouraging further alignment and leveraging of funds
- Reduce the potential for duplicating reporting of the same service in multiple reporting categories
- Clarifies and defines each program element and how it should be reported in the Participant Individual Record Layout (PIRL)



Important Changes to Youth Services in WIOA

# Youth Program Elements



- Tutoring, study skills training, instruction, and dropout prevention
- Alternative secondary school services or dropout recovery services
- Paid and unpaid work experience
  - Summer employment
  - Pre-apprenticeship programs
  - Internships and job shadowing
  - On-the-job training
- Occupational skills training
- *Education offered concurrently with workforce preparation and training for a specific occupation*
- Leadership development opportunities
- Supportive services
- Adult mentoring
- Follow-up services
- Comprehensive guidance and counseling
- *Financial literacy education*
- *Entrepreneurial skills training*
- *Services that provide labor market information*
- *Postsecondary preparation and transition activities*

Note: Case management is the act of connecting youth to appropriate services and as such should not be reported as one of the 14 youth program elements in the PIRL.



# Adult and Dislocated Worker Eligibility

# Adult Eligibility

- An individual must:
  - be 18 years of age or older;
  - be a citizen or noncitizen authorized to work in the US; and
  - meet Military Selective Service registration requirements (males only)
- Individualized and Career Services must be given on a priority basis, regardless of funding levels





# Dislocated Worker Eligibility



- An individual must:
  - be a citizen or noncitizen authorized to work in the US;
  - meet Military Selective Service registration requirements (males only); and
  - meet one of the following six criteria:



**Job Fair**

# Dislocated Worker Eligibility (continued)



- The individual:
  - has been terminated or laid off, or has received a notice of termination or layoff, from employment;
  - is eligible for or has exhausted entitlement to unemployment compensation, or has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state's Unemployment Insurance law; and
  - Is unlikely to return to a previous industry or occupation.
- The Individual:
  - has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
  - is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
  - for purposes of eligibility to receive services other than training services, career services, or support services, is employed at a facility at which the employer has made a general announcement that such facility will close.

# Dislocated Worker Eligibility (continued)



- The individual was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters. This includes individuals working as independent contractors or consultants but not technically employees of a firm.
- The individual is a displaced homemaker
- Is the spouse of a member of the Armed Forces on active duty, and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in 12 duty station of such members; or is the spouse of a member of the Armed Forces on active duty and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

# Priority Populations

- Serve Individuals with Barriers to Employment
  - Displaced Homemakers
  - Low-Income Individuals
  - Individuals with Disabilities
  - Migrant and Seasonal Farmworkers
  - Older Individuals
  - Ex-Offenders
  - Homeless Individuals or Homeless Children and Youth
  - Youth who are in or have aged out of Foster Care System

## Older Workers and Age Discrimination

The Age Discrimination in Employment Act (ADEA), signed into law in 1967, forbids discrimination in the workplace against anyone 40 or older. A recent survey shows that many workers still believe there are signs of age discrimination on the job today.



Source: Bureau of Labor Statistics  
Staying Ahead of the Curve 2013: AARP Multicultural Work and Career Study Perceptions of Age Discrimination in the Workplace — Ages 45-74

GRAPHIC: AARP Digital Design

# Priority Populations

- Individuals with Barriers to Employment (continued)
  - English Language Learners, with low levels of literacy and substantial cultural barriers
  - Eligible migrant and seasonal farmworkers
  - Individuals within 2 years of exhausting lifetime TANF eligibility
  - Single parents (including single pregnant women)
  - Long-term unemployed (at least 27 consecutive weeks)
  - Other Groups identified by the Governor
    - Outlined in [Illinois Unified State Plan](#) and Regional/Local Plans



# Priority of Services



- Statutory requirement for Title IB Adult Funds
  - Applies to Individualized Career Services and Training Services
  - Priority must be given to
    - recipients of public assistance,
    - other low-income individuals, and
    - individuals who are basic skills deficient
  - Applies regardless of amount of funds available
    - Removes the 51% requirement from WIA
  - No priority restrictions apply to basic career services



Low-Income  
Individuals

# Low-Income Individual

- Means an individual who
  - Receives (or member of a family), or in past 6 months has received, assistance through
    - Supplemental nutrition assistance program (SNAP)
    - Temporary assistance for needy families program (TANF)
    - Supplemental security income program
  - State or local income-based public assistance
  - In a family with total family income not exceeding the higher of
    - The poverty limit
    - 70 percent of the lower living standard income level (LLSIL)
  - A homeless individual or homeless child or youth
  - Receives or is eligible to receive free or reduced price lunch
  - A Foster Child
  - An individual with a disability whose own income meets the income requirement
  - A youth customer living in a high poverty area





# High Poverty Area



- This low-income criterion that applies to in-school youth, for some out-of-school youth in the WIOA youth program, and for youth in the Indian and Native American Supplemental Youth Program.
  - A high poverty area is defined as a Census tract, a set of contiguous Census tracts, an American Indian Reservation, Oklahoma Tribal Statistical Area (as defined by the U.S. Census Bureau), Alaska Native Village Statistical Area or Alaska Native Regional Corporation Area, Native Hawaiian Homeland Area, or other tribal land as defined by the Secretary in guidance or county that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey 5-Year data.
  - All instructions will begin from the Census Bureau's American Fact Finder homepage at [FactFinder.Census.Gov](https://factfinder.census.gov)
  - Instructions for determining High Poverty Area are outlined in Attachment 2 of [TEGL 21-16](#)

# Low-Income Eligibility - Youth



- If an OSY is a parent living in the same household as a child who receives or is eligible to receive free or reduced price lunch based on their income level, then such OSY would meet the low-income criteria based on his/her child's qualification.
- For individuals required to attend school under applicable state compulsory school attendance laws, the priority of assistance shall be for the individual to attend school regularly.

# Low Income Calculation



- Three exclusions of payments no longer apply
  - Unemployment Compensation
  - Child Support payments
  - Old-age and/or Survivors Insurance Benefits
- Additional Exclusions
  - Military pay or allowances paid while on active duty
  - Payments by Department of Veterans Affairs (VA) for
    - Vocational rehabilitation
    - Disability payments
    - Related VA-funded programs
  - All determinations of low-income status must be supported by proper documentation as outlined in the WIOA Title IB General and Fund Source Eligibility Requirements and Documentation Sources attachment

# Basic Skills Deficient

- An Individual who is:
  - A youth with English reading, writing, or computing skills at or below the 8<sup>th</sup> grade level on a generally accepted standardized test
  - A youth or adult that is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society





Veterans Priority of  
Services

# Veterans Priority of Service

- Applies for all USDOL funded job training programs
- Applies to Veterans and eligible spouses
- Veteran must meet program eligibility requirements
- Policies outlining processes to identify veterans and eligible spouses at point of entry
  - Ensure they are aware of priority of service
  - Know of all employment, training and placement services available
  - Understand applicable eligibility requirements for services



# Veterans and Eligible Spouse



- Veteran is a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable
- Excludes from definition of “active service”
  - Full-time duty performed strictly for training purposes
  - Full-time duty performed by National Guard personnel who are mobilized by State rather than Federal authorities
- Priority includes widows and widowers
- Also referred to as “Covered Persons”

# Veterans and Eligible Spouse

- Eligible Spouse means the spouse of any of the following:
  - Veteran who died of a service-connected disability
  - Member of the Armed Forces serving on active duty who, at time of application for priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days
    - Missing in Action
    - Captured in the line of duty by a hostile force
    - Forcible detained or interned in the line of duty by a foreign government or power
  - Veteran who has a total disability resulting from service connected disability
  - Veteran who died while a disability was in existence
- Eligibility remains only as long as veteran status exists





# Application of Priority of Service for Adult Customers



- Receives access to a service earlier in time than a non-covered person, or if resources are limited, receives access to the service instead of or before the non-covered person
- State and local programs do not have discretion to establish further priorities
- Applies to selection process as follows:
  - If a waiting list exists, covered persons move to the top of the list
  - Applies up to the point an individual is approved AND accepted or enrolled
  - Cannot “bump” a non-covered person who has been approved and accepted/enrolled in a service
- Local plans required to outline priority of services policy

# Priorities of Service - Recap



- If a statutory priority for a program exists (e.g. low income individuals), the following order of priority must be utilized:
  - Covered persons who meet the statutory priority receive the highest level of priority for the program or service
  - Non-covered persons who meeting statutory priority receive second level of priority for the program or service
  - Covered persons outside the statutory priority received third level of priority
  - Priority populations established by the Governor and/or LWIB
  - Non-covered persons outside the statutory priority receive final level of priority
- If a discretionary priority for a program exists, covered persons must receive the highest priority for programs and services

# Employment Status



- Career and training services are provided to individuals who are primarily unemployed
- Significant number of job seekers are underemployed and may include individuals:
  - employed less than full-time who are seeking full-time employment
  - employed in a position that is inadequate with respect to their skills and training
  - employed who meet the definition of a low-income individual
  - employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment
- Underemployed could be served with Adult or Dislocated Worker funds



Performance  
Accountability

# Are We Serving Priority Populations?

- Reporting appears to be inconsistent based on data in IWDS from 07/01/15 through 04/30/17
  - ALL LWIAs report at least 65% of Adult customers as Low-Income
  - 8 LWIAs report below 25% of Adult customers as Basic Skills Deficient
  - Keeping in mind that Adult Priority of Services requires ALL customers who are Low-Income, Basic Skills Deficient or on Public Assistance be served so long as there are funds available
  - Should not be turning away customers with priority
  - Priority does not apply to non-covered basic career services
  - Local policies are required to identify methods of serving priority populations in the local area



# Identifying Individuals with Barriers

- WIOA removed performance measurement provisions disincentives that existed under WIA
- These priority populations need assessments that identify all barriers to determine appropriate services to address each barrier
- Allows state and local officials to focus on serving disadvantaged individuals without the prior risks of lost funding or potential sanctions if they failed to meet performance goals
- Provides adjustment to year-end performance based on characteristics of participants served
- Career planners should be assessing all customers for any barrier to employment and recording it appropriately





# Coordination of Services

# Integrated Service Delivery

- WIOA intended to increase the quality, integration, and accessibility of services
- Services are delivered via One-Stop centers, as in WIA. Wagner-Peyser Employment Services cannot stand alone, and must be delivered at one-stop centers with few exceptions
- States must develop integrated intake, case management, reporting systems, and fiscal and management accountability systems





# Required One-Stop Partners

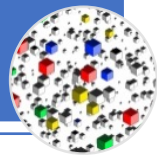
- Trade Adjustment Assistance (TAA) Programs
- Community Services Block Grant (CSBG)

Commerce



- Career and Technical Education (Perkins)

ICCB



- Unemployment Compensation Programs
- Local Veterans' Employment Representatives and Disabled Veterans' Outreach Program
- Migrant Seasonal Farmworkers - National Farmworker Jobs Program

IDES



- Temporary Assistance for Needy Families (TANF)
- Food Stamp Employment & Training

DHS



- Housing and Urban Development Employment & Training Programs
- Job Corps
- Senior Community Services Employment Program
- Second Chance
- Youth Build

Other





# Questions/Comments?



- What other topics would you like to hear in future webinars?

**webinar**

- Contact:

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- Jim Potts, [james.potts@illinois.gov](mailto:james.potts@illinois.gov)

**Thank You!**

