EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA - Vision
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 19-14

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
LABOR COMMISSIONERS

FROM: PORTIA WU
Assistant Secretary

SUBJECT: Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014

1. **Purpose**. This Training Employment Guidance Letter (TEGL) lays out the vision for a revitalized transformed workforce system as a result of implementation of the Workforce Innovation and Opportunity Act (WIOA). Further, it encourages workforce system leaders and partners to take action now to support successful implementation to fully realize the vision of WIOA. Finally, it provides an overview of upcoming guidance and technical assistance to support effective implementation of WIOA.

2. **References.**
   - WIOA, Public Law (Pub. L.) 113-128, enacted July 22, 2014.
   - Workforce Investment Act of 1998 (WIA), Pub. L. 105-220, et seq.
   - TEGL No. 15-14, *Implementation of the New Uniform Guidance Regulations*, dated December 19, 2014.
   - TEGL No. 12-14, *Allowable Uses and Funding Limits of WIA Program Year 2014 Funds for Workforce Innovation and Opportunity Act Transitional Activities.*
   - Training and Employment Notice (TEN) No. 6-14, *Information for Stakeholder Engagement for Workforce Innovation and Opportunity Act Implementation.*
   - TEN No. 5-14, *WIOA Announcement and Initial Informational Resources.*
   - WIOA implementation dates, at www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf.
   - TEGL No. 3-14, *Implementing a Job-Driven Workforce System.*
   - 2 CFR, Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

RESCISSIONS	EXPIRATION DATE
None	Continuing

3. **<u>Vision for WIOA and the Workforce System</u>.** WIOA, which supersedes the Workforce Investment Act of 1998, presents an extraordinary opportunity to improve job and career options for our nation's workers and jobseekers through an integrated, job-driven public workforce system that links diverse talent to businesses. It supports the development of strong, vibrant regional economies where businesses thrive and people want to live and work.

   This revitalized workforce system will be characterized by three critical hallmarks of excellence:

   - ✓ The needs of business and workers drive workforce solutions;
   - ✓ One-Stop Centers (or American Job Centers) provide excellent customer service to jobseekers and employers and focus on continuous improvement; and
   - ✓ The workforce system supports strong regional economies and plays an active role in community and workforce development.

   Across the system, continuous improvement is supported through evaluation, accountability, identification of best practices, and data driven decision making.

   a. **The Needs of Businesses and Workers Drive Workforce Solutions:** Businesses inform and guide the workforce system and access skilled talent as they shape regional workforce investments and build a pipeline of skilled workers. This engagement includes leadership in the workforce system and active participation in the development and provision of education and training, work-based learning, career pathways, and industry sector partnerships. Jobseekers and workers, including those individuals with barriers to employment, such as individuals with disabilities, as defined by WIOA, have the information and guidance to make informed decisions about training and careers, as well as access to the education, training and support services they need to compete in current and future labor markets.

   b. **One-Stop Centers (American Job Centers or AJCs) Provide Excellent Customer Service to Jobseekers, Workers and Employers and Focus on Continuous Improvement:** One-Stop Centers and partners provide jobseekers, including individuals with barriers to employment, such as individuals with disabilities, with the skills and credentials necessary to secure and advance in employment with family-sustaining wages. Additionally, AJCs enable employers to easily identify and hire skilled workers and access other supports, including education and training for their current workforce. Further, rigorous evaluations support continuous improvement of AJCs by identifying which strategies work better for different populations; states, local areas, and training providers remain accountable for performance; high-quality, integrated data informs policy maker, employer and jobseeker decision making; and training providers are accountable for performance using the data and evidence.

   c. **The Workforce System Supports Strong Regional Economies:** Meeting workforce needs is critical to economic growth. State and local workforce development boards—in partnership with workforce, economic development, education, and social service organizations at the state, regional and local levels—align education and training investments to regional civic and economic growth strategies, ensuring that all jobseekers and businesses can access pathways to prosperity.

4. **Implementing WIOA: Realizing the Vision**. State and local workforce system leaders should take immediate action to achieve the vision of modernizing the workforce system and ensuring it operates as a comprehensive, integrated and streamlined system that expands opportunities for all workers and businesses.

   Key operational and governing principles:

   a. ***States align programs and ensure integrated services through a unified strategic plan and shared governance.*** Every state collaborates across the core programs (Adult, Dislocated Worker and Youth, Wagner-Peyser, Adult Education and Vocational Rehabilitation) to create a single unified and integrated strategic state plan. States govern the core programs as one system, assessing strategic needs and aligning them with service strategies to ensure the workforce system meets employment and skill needs of all workers and employers. States also collaborate with One-Stop partner programs and other partners at the state and local levels to produce Combined WIOA plans. States use the certification process and competition to help achieve this vision and ensure continuous improvement.

   b. ***Workforce boards focus on strategy.*** As strategic leaders, state and local workforce boards, in partnership with governors and chief elected officials, facilitate public-private partnerships; support sector strategies and career pathways that advance opportunities for all workers and jobseekers, including low-skilled adults, youth, and individuals with disabilities; foster innovation; and ensure streamlined operations and service delivery excellence.

   c. ***States and local areas align workforce programs with regional economic development strategies***. Local boards, program leaders, and elected officials share a common vision and design and govern the system regionally; create unified regional and local plans integrating education, training, support services, and other workforce services across the core programs; align workforce policies and services with regional economies; and support sector strategies tailored to their needs.

   d. ***The One-Stop Center network and partner programs are organized to provide high-quality services to individuals and employers.*** State and local boards, One-Stop Center operators and partners must increase coordination of programs and resources to support a comprehensive system that seamlessly provides integrated services that are accessible to all jobseekers, workers, and businesses.

   e. ***States and local areas promote accountability and transparency, and data drives decisions and informs customer choice.*** State and local leaders ensure investments in employment, education and training programs are evidence-based and data-driven, and programs are accountable to participants and taxpayers. This includes evaluating approaches and aligning performance accountability and data systems to support program management, facilitate common case management systems, and inform policy. State and local areas provide robust, validated data to inform strategy, operations, and evaluations. Information technology systems are designed to reduce burden and present integrated information to support services, inform customer choice and guide strategy development. Technological strategies for improving the quality of services

are adopted, including advances in digital literacy skills and models for accelerating skill acquisition and credential attainment of jobseekers.

5. **Taking Action Now.** Most WIOA provisions related to DOL-administered programs take effect in Program Year (PY) 2015, which starts July 1, 2015. ETA strongly advises states and local areas to begin planning and implementing WIOA transition activities now. As discussed further in Section VI, ETA will issue regulations and additional guidance; in addition, the legislation and the technical assistance tools currently available support initial implementation and transitional activities. While some provisions do not go into effect until PY 2016 (July 1, 2016), such as the unified or combined state plans and the performance accountability system, states should be preparing now for the ultimate implementation of these provisions.

   Beyond complying with the requirements of the new law, WIOA offers an opportunity to continue to modernize the workforce system and create a customer-centered system: where the needs of business and workers drive workforce solutions; where One-Stop Career Centers provide excellent customer service to all jobseekers and businesses; and where the workforce system supports strong regional economies. To realize this vision, workforce system leaders are asked to step back and re-envision how they conduct business and restructure activities accordingly.

   Below are recommended actions workforce system leaders and partners are strongly encouraged to take now to move toward full implementation of the law. These should be considered in any state and local transition discussions to ensure states and local areas are well positioned on July 1, 2015 to implement WIOA. The list is not exhaustive, and each state and local area should fully assess its own situation and requirements and determine the activities it will need to undertake to support a full and effective transition.

   - ✓ ***Identify and allocate funding for transitional activities.*** TEGL 12-14, *Allowable Uses and Funding Limits of Workforce Investment Act Program Year (PY) 2014 funds for Workforce Innovation and Opportunity Act (WIOA) Transitional Activities* explains that states and locals may use up to two percent of the WIA's Fiscal Year 2014 Youth, Adult, and Dislocated Worker formula funds to transition to WIOA. The TEGL identifies nine priority areas for transition activities more fully described in this document and also details how to incur and report transition activities costs. Please consult TEGL 12-14 in tandem with this guidance. Also, please note the importance of maintaining a balance between exercising the transitional funding authority and continuing to serve current system customers effectively.

   - ✓ ***Build new, and strengthen existing, partnerships.*** WIOA requires states and local areas to enhance coordination and partnerships with local entities and supportive service agencies for strengthened service delivery, including through unified state plans and combined state plans. These plans should include statutorily specified additional partners in the planning process; establish a set of system performance measures that apply to all core programs; strengthen linkages between a myriad of complementary programs within the One-Stop Center system; require co-location of employment services in One-Stop Centers; add One-Stop Center partners, such as Temporary Assistance for Needy Families (TANF) and the Jobs for Veterans State Grants (JVSG)

programs; enhance the role of apprenticeship; clarify partner programs support for system infrastructure costs and other common costs; and ask the system to work regionally and across local workforce development areas.

Additionally, successful implementation of many of the approaches called for within WIOA, such as career pathways and sector strategies, require robust relationships across programs and with businesses, economic development, education and training institutions, including community colleges and career and technical education local entities and supportive service agencies. As workforce system leaders step back and explore their approach for moving toward the WIOA vision, robust partnerships will be required to successfully enable our dual customers—jobseekers and employers—to drive solutions, to ensure these customers receive excellent services, and to effectively support economic regions.

✓ ***Engage with core programs and other partners to begin strategic planning***. Local and state leaders should engage in strategic planning and find new ways to align core and other key programs, such as Registered Apprenticeship, Job Corps, JVSG, TANF, Perkins Career and Technical Education programs, Unemployment Insurance, and required partners under the Act. It is vital to understand the new unified and combined state plan requirements, and assess whether the right partners are at the table, and are participating fully as equal partners in the design and coordination of the programs and services within the workforce system. Strategic planning should include concrete goals as well as a vision of success: how the workforce system should ideally function in each state to best meet WIOA goals. We encourage local and state leaders to include state economic development staff and alignment of workforce and economic development goals.

✓ ***Reassess One-Stop delivery system.*** With your WIOA partners, reassess the One-Stop delivery system and what is needed to achieve seamless service delivery models that place the customer at the center of how programs are designed and delivered. Consider operations, such as "bricks and mortar" and information technology infrastructures in light of new requirements: core and mandatory One-Stop Center partners; co-location of Wagner-Peyser employment services; procedures and policies to transition to selecting One-Stop Center operators through competitive procurement; a Memoranda of Understanding to address One-Stop Center infrastructure funding; physical and programmatic accessibility requirements; and the vision of WIOA and state established goals. These actions will better position states and local workforce development areas to better tailor the state's plan for infrastructure funding and certification of One-Stop Centers.

✓ ***Develop plans to ensure workforce investment boards become WIOA compliant.*** State and local boards must meet the new membership requirements and be able to carry out new functions by July 1, 2015. Chief elected officers should review the new requirements to reconstitute and certify boards. While a business majority is required by WIOA and must be maintained for the transition period of July 22, 2014 through June 30, 2015, suggested strategies may be employed to bring board membership into compliance by July 1, 2015, such as establishing standing committees and transition board members. When establishing standing committees, we strongly encourage

focusing on serving youth, low skilled adults, Indians and Native Americans, individuals with disabilities and other relevant priorities for the local area. Also, local areas can reach out to the state to signal interest in initial designation or re-designation that may result in a new area.

- ✓ ***Develop transition plans.*** Transition to WIOA and realizing its vision is complex, and will require substantial activities leading up to July 1, 2015 and after. We encourage states and local areas to develop transition plans that will allow for transition preparation and tracking of transition and implementation progress and use these to guide implementation of new WIOA requirements. Also, consider customer impacts, such as how current WIA participants are impacted in WIOA transition. ETA is developing several technical assistance tools to assist states and locals in this area.

- ✓ ***Prepare for fiscal and program changes for transition across legislations.*** There are several fiscal and program changes that have been recently issued that require attention as part of transition planning: the new Office of Management and Budget Uniform Guidance was published in the Federal Register on December 19, 2014 and ETA issued associated guidance in TEGL 15-14, also dated December 19, 2014. Financial staff and other applicable staff must become familiar with the requirements of this guidance and the impact on the state system and the transition from WIA to WIOA. States should also prepare for 100 percent transfer between adult and dislocated worker formula funds.

- ✓ ***Assess state laws.*** It is important to review state legislation and identify areas that may conflict with WIOA to develop plans and strategies that resolve these conflicts. When state and federal laws conflict, federal laws take precedence.

- ✓ ***Review Eligible Training Provider processes.*** Review Eligible Training Provider List processes and assess how they need to be updated to reflect new eligibility criteria. Examples include: adding new procedures for the inclusion of Registered Apprenticeship programs; taking into account the need to ensure access to training throughout the state, including rural areas; and ensuring the ability of providers to provide training to individuals who are employed and individuals with barriers to employment. States must also take steps to ensure that eligible training providers are in a position to provide required outcomes information for individuals served by their programs by July 1, 2015. ETA will be providing additional technical assistance to support such implementation.

- ✓ ***Ensure new or existing youth service contract operators support the 75 percent out-of-school youth and the 20 percent work experience expenditure rate requirements.*** States and locals that are not currently meeting the 75 percent out-of-school youth requirement must begin to prepare for this transition. ETA will provide guidance and technical assistance to aid with this transition, including further guidance on use of funds, productive approaches for serving out-of-school youth, as well as alternative resources for serving in-school youth. In the meantime, states, local areas and federal partners should develop plans to address this requirement. States will receive their first WIOA allotment for the youth programs in April 2015 and will begin full implementation of WIOA for the Youth Program at that time

6. **Timeframe of Anticipated Regulations, Guidance & Technical Assistance.** ETA is committed to continuing its collaborative work with its Federal partners and all workforce system stakeholders and grantees to support WIOA implementation. Generally, the WIOA provisions take effect on July 1, 2015, with the exception of the provisions in title IV, which became effective on enactment, and targeted exceptions.

   Two Notices of Proposed Rulemaking (NPRMs) will be issued in early 2015: a joint NPRM with the Department of Education which will cover joint activities, including state planning, performance, and provisions covering the One-Stop system; and a second which will cover the remaining ETA-administered provisions in WIOA. (Concurrently, three additional NPRMs will be published by the Department of Education, one implementing Adult Education and Literacy and two implementing WIOA amendments to the Rehabilitation Act of 1973.) These NPRMs will provide notice of the current thinking by ETA and the Department of Education and an opportunity for public comment. These NPRMs will be published in the Federal Register and posted on www.regulations.gov. Instructions on how to comment on the NPRMs are included in the preambles of each proposed rule. ETA and the Department of Education will analyze these public comments and develop and issue Final Regulations by early 2016.

   As many provisions of the law go into effect July 1, 2015, ETA will issue Operating Instructions in spring 2015 to support such implementation. ETA also intends to issue operating and programmatic guidance and continue to disseminate technical assistance beginning in early 2015 and throughout implementation. We will continue to gather stakeholder input for guidance development and technical assistance needs and convene additional regional events and conferences to provide more in-depth learning and networking opportunities.

   The DOL's official Website for additional information on WIOA is www.doleta.gov/wioa. In addition, ETA has created a new WIOA collection page at https://wioa.workforce3one.org which currently houses existing technical assistance resources that are relevant for WIOA implementation, and will house more technical assistance resources and guidance as they are developed. These pages will be updated as new information is available.

7. **Inquiries.** Questions regarding this guidance should be directed to the appropriate ETA regional office or through the ETA email address established for this purpose: DOL.WIOA@dol.gov. ETA monitors this account daily, and may respond to inquiries directly or through general communications such as official guidance, webinars, and public Q&A documents. You can also contact your regional office for any inquiries or feedback.