

ADA Compliant Transcript  
WIOA: Implementing Change  
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Title slide

Understanding WIOA Services for Adults and Dislocated Workers

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Objectives

- Highlight and clarify distinctions between WIA and WIOA
- Introduce and reference relevant state policies
- Learn basic WIOA adult and dislocated worker eligibility criteria
- Review documentation and case file management requirements
- Learn about adult and dislocated worker service delivery

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Adult & Dislocated Worker Eligibility (title only)

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Adult & DW Eligibility

To receive WIOA-funded services, an individual must be:

- U.S. Citizen or Authorized to Work in U.S.
- Properly registered for Selective Service (for males 18 or older)
- WIOA Adult – Age 18 or over
- WIOA Dislocated Worker – Age 18 or over and who lost his or her job through no fault of their own

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Adult & DW Eligibility continued

Information can be found at

- WIOAPL 15-02: Adult and Dislocated Worker Eligibility
- WIOAPL 15-04: Selective Service Registration
- WIOAPL 15-07: Source Documentation for WIOA Eligibility
- And at the website [http://jfs.ohio.gov/owd/WorkforceProf/policy\\_info.stm](http://jfs.ohio.gov/owd/WorkforceProf/policy_info.stm)

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Adult & DW Eligibility continued

WIOAPL 15-02: Adult and Dislocated Worker Eligibility consists of

- Definitions of key terms
- Statutory eligibility requirements for Adults and Dislocated Workers
- Special eligibility conditions for Dislocated Workers

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### Adult & DW Eligibility continued

Three key definitions in WIOAPL 15-02: Adult and Dislocated Worker Eligibility are:

1. Attachment to workforce: An individual who, at the time of application for WIOA services, worked at the same company or in the same occupation for 15 out of the last 26 weeks.
2. Public assistance: As defined in section (3)(50) of WIOA, federal, state, or local government case payments for which eligibility is determined by a needs or income test. This includes temporary assistance for needy families (TANF), supplemental nutrition assistance program (SNAP), or supplemental security income (SSI).
3. Underemployment : An individual who is working part time but desires full time employment, or who is working in employment not commensurate with the individual's demonstrated level of educational and/or skill achievement. Also, includes individuals who fall below the dislocated worker self-sufficiency threshold, as defined by the local WDB.

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### Adult & DW Eligibility continued

WIOAPL 15-04: Selective Service Registration describes

- Who is exempted from selective Service registration
- Status information letters
- Determining eligibility for customers who failed to register
- Local workforce development area procedures
- Key questions in determining willful vs. non-willful failure to register

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### Intake and Eligibility

- Staff must first determine if the individual is eligible for services.
- Staff must ensure individual's information is entered into OWCMS.
- Keep good records!

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### Eligibility vs. Appropriateness

- WIOA is not an entitlement program.
- There is a difference between wanting and needing services.
- Access to services is based on the following:
  - Program eligibility
  - Appropriateness of services available
  - Individual career goals and procedures
  - Local funding, capacity and resources

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WIOA Dual Enrollment

- Like WIA, you can dual enroll customers (i.e., Adult-Dislocated Worker and Adult-Youth)
- If you are dual enrolling, please note that the WIOA Youth program now covers individuals up to age 24
- Since the waivers are gone, Adult-Youth dual enrollment can give an In-School Youth customer access to an ITA

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Eligibility Documentation (title only)

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Eligibility Documentation

WIOAPL 15-07: Source Documentation for WIOA Eligibility describes

- General documentation requirements
- Mandatory use of certain forms such as:
  - JFS 13188, WIOA Telephone Eligibility Verification
  - JFS 13186 , Self-Attestation
  - JFS 13187, Citizenship Status/Authorization to Work Self-Attestation
- Records Retention:
  - Keep records three (3) years after submittal of the final closeout expenditure report for that funding period
- **Attachment A! (emphasized in bold red)**

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Eligibility Documentation continued

- If there is a need to determine self-sufficiency, the definition is established by local board.
- Documentation must be maintained in order to justify the approval for training.

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WIOA Adult Documentation requirements

- U.S. Citizen or Authorized to Work in U.S.
- Properly registered for Selective Service (for males 18 or older)
- WIOA Adult – Age 18 or over

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WIOA Adult Documentation continued

To determine low-income status, individuals must meet one of the following conditions:

- Low Family Income
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI)
- Supplemental Nutrition Assistance Program (SNAP)
- Homeless Individual

- Foster Child
- An Individual with a Disability still qualifies as a Family of One for determination of low-income

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##### Low Income

Family income does not exceed the higher of:

- Poverty line
- 70 percent of the lower living standard income level (LLSIL)

Why is low income status documented for WIOA Adult customers?

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WIOA Dislocated Worker Documentation requirements include

- U.S. Citizen or Authorized to Work in U.S.
- Properly registered for Selective Service (for males 18 or older)
- WIOA Dislocated Worker – Age 18 or over and who lost his or her job through no fault of their own

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WIOA Dislocated Worker Categories

Must meet at least requirements in one of the five categories:

1. Category A
2. Category B
3. Category C
4. Category D
5. Category E (New!)

A file must clearly indicate which category the participant meets.

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WIOA Dislocated Worker Category A

Category A: Terminated or Laid Off, or Received a Notice of Termination or Layoff From Employment

- Has been terminated or laid off or has received a notice of termination or layoff from employment; AND
- 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 unemployment compensation law; AND
- Is unlikely to return to a previous industry or occupation.

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### Unlikely to Return

Unlikely to return to previous industry or occupation means: An individual who is laid off without a recall date (or the recall date has passed) and falls into one of the following 6 categories:

1. The number of jobs in the applicant's previous industry/occupation is declining based on Labor Market Information (LMI) data;
2. The projected annual increase in employment growth within the local area based on LMI or O\*Net is fewer than 100 jobs in the previous industry (including replacements) or the projected annual increase in growth openings is fewer than 30 jobs in the previous occupation;
3. The applicant is dislocated from a job not found on the most recent local or state list of demand occupations (if applicable);

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### Unlikely to Return continued

4. The applicant has conducted a dedicated but unsuccessful job search in the previous industry/occupation, as evidenced by employer rejection letters or employer contact logs;
5. Evidence, preferably from several sources including OhioMeansJobs.com, professional journals, etc., of few openings in the previous industry or occupation;  
or
6. The applicant is unable to perform the duties of the previous job due to age, ability, or disability (as defined in this section).

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### WIOA Dislocated Worker Category B

#### Category B: Plant Closure or Substantial Layoff

- 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; OR
- Is employed at a facility where 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 described in section 134(c)(3) of WIOA, career services described in section 134(c)(2)(A)(xii) of WIOA, or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.

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### WIOA DW Category C

#### Category C: Self-Employed Individual

- Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of natural disasters; or general economic conditions in the community where the individual resides.

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WIOA Dislocated Worker Category D

Category D: Displaced Homemaker includes

- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment; AND
- Has been dependent on the income of another family member, but is no longer supported by that income; OR
- Is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section); a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code; a permanent change of station; or a service-connected (as defined in section 101(16) of title 38, United States Code) death or disability.

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WIOA DW Category E (New!) – emphasized in bold red

Category E: Military Spouse includes:

- Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty state of such member; **OR**
- Is the spouse of a member of the Armed Forces on active duty and who meets the criteria of a displaced homemaker who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

References to use

- Workforce Innovation and Opportunity Act (WIOA) July 2018
- 20 CFR 6603 et al.
- Ohio Administrative Code 5101:9-30-04
- Ohio Administrative Code 5101:9-9-21
- WIOAPL 15-02 (Adult and Dislocated Worker Eligibility)
- WIOAPL 15-04 (Selective Service Registration)
- WIOAPL 15-07 (Source Documentation for WIOA Eligibility)

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Service Delivery (title only)

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Key Concepts

- Priority of service for low-income individuals and individuals who are basic skills deficient
- No sequence of services
- Core, intensive and training services are replaced with career services and training services

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### Key Concepts

- Basic career services vs. individualized career services (ICS)
- Training services
- 100% funds transfer between adult and dislocated worker programs
- OJT reimbursement levels
- Workforce Inventory of Education and Training

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### Priority of Service

- In the WIOA Adult Program, low-income customers, and individuals who are basic skills deficient will have priority for registered services
- Local Limited Funds Status policies will no longer be needed

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### No Sequence of Services

- Sequence of services is eliminated
- A customer does not have to participate in one type of service to access another type of service

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### Services

- When individuals seek more than minimal services from staff, they must be registered and determined to be eligible before receiving registered services
- When a customer crosses this threshold, information that is used for performance begins to be collected

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### Services (continued)

When an individual that has been registered and determined eligible and actually receives a service, he or she becomes a participant and is part of the local area's and state's performance measures

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### Career Services include

- Basic Career Services – self-service available to universal customers
- Staff Assisted Basic Career Services – available to universal customers with staff assistance
  - Eligibility must be determined
  - These are registered services
- Individualized Career Services – involves staff making a determination on needs of an individual and arranging those services to be provided to the participant
- Follow-up Services – services available for a minimum of 12 months

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##### Examples of Basic Career Services include

- Determination of whether the individual is eligible to receive WIOA services
- Orientation to the information and other services available through the workforce development delivery system
- Labor market employment statistical information using OhioMeansJobs.com
- Self-administered initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs

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##### Examples of Basic Career Services (continued)

- Provision of performance information and program cost information on the eligible providers of training services
- Provision of referrals to and coordination of activities with other programs and services
- Provision of information and assistance regarding filing claims for unemployment compensation
- Group workshops (e.g. interviewing, job search, and resume writing)

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##### Examples of Staff Assisted Basic Career Services

- Job search and placement assistance, and when needed by an individual, career counseling
- Staff-administered initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs
- Provision of job club activities

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##### Examples of Individualized Career Services

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers
- Development of an Individual Employment Plan (IEP)
- Group counseling or individual counseling
- Career planning
- Short-term prevocational services to prepare individuals for unsubsidized employment or training
- Internship and work experiences that are linked to careers

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##### Training Services

- Training may be made available to individuals after an interview, evaluation, or assessment and career planning determines that the individual requires training to obtain employment or remain employed

- Documentation to justify the need for training services
- Use of previous assessments
- Priority for adult program
- Priority for veterans and eligible spouses

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##### Examples of Training Services

- Occupational skills training
- On-the-job training
- Incumbent worker training
- Training programs operated by private sector
- Skill upgrading and retraining
- Entrepreneurial Training
- Transitional Jobs

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##### Training Services continued

- Linkages to Occupations in Demand
- Eligible Training Providers
- Informed Customer Choice
- Individual Training Accounts
- Needs-Related Payments

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##### Training Services

- Individual Training Accounts (ITAs) will fund training available through the new eligible training provider list
- Training contracts may be provided in lieu of ITAs, such as
  - On-the-Job training
  - Customized training
  - Incumbent working training

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##### Training Services continued

##### Development of a Local ITA policy

- Maximum duration of ITA
- Maximum funding for training through ITAs
- Allowable costs to complete training financed through ITAs
- Other locally defined considerations

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##### Career and Training Services

Supportive services, including needs-related payments, may enable participants to participate in career and training services.

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##### Follow Up

Appropriate follow-up services must be made available to a participant placed in unsubsidized employment for a minimum of 12 months following the participant's first date of employment

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##### OJT Reimbursement in WIOA

- Under WIOA, employers can be reimbursed up to 75 percent in an On-the-Job Training
- Local area can provide reimbursement up to 75 percent under the following circumstances:
  - The characteristics of the participants (barriers)
  - The size of the employer, with an emphasis on small businesses
  - The quality of employer-provided training and advancement opportunities
  - Other factors the Governor or Local Board may determine to be appropriate

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##### Incumbent Worker Training

- Local areas can use up to 20 percent of their combined adult and dislocated worker funds to conduct incumbent worker training
- Local areas to determine criteria for using funds for incumbent worker training with an employer

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##### Transitional Jobs

- Local areas can use up to 10 percent of combined total of adult and dislocated worker allotments for transitional jobs
- Must be provided along with comprehensive career services and supportive services

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##### Funds Transfer

- Funds Transfer between Adult and Dislocated Worker Training programs
- 100 percent of funds can be transferred between the Adult and Dislocated Worker Programs

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WIET – Means the Workforce Inventory of Education and Training (WIET).

- The system will include new functionality and changes to (or removal of) old functionality
- All training providers will apply directly to the state
- Current providers will be “grandfathered” from July 1, 2015 to December 31, 2015. They must apply and be approved by December 31, 2015

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References include

- Workforce Innovation and Opportunity Act (WIOA) July 2018
- 20 CFR 680.700-680.850
- WIOAPL 15-08 and 15-08.1 (Career Services for Adults and Dislocated Workers)
- WIOAPL 15-09 (Training Services for Adults and Dislocated Workers)
- WIOAPL 15-11 (Use of Individual Training Accounts [ITA])
- WIOAPL 15-12 (Work Experience for Adults and Dislocated Workers)
- WIOAPL 15-14 (Needs-Related Payments [NRPs] Using Adult and Dislocated Worker Funds)

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Performance Measures (title only)

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Current Performance Measures include

- Entered Employment (in first quarter after exit)
- Retention Rate (employed in 2nd and 3rd quarters after exit)
- Average Earnings

Ohio will operate under these current (WIA) measures through Program Year 2015, which ends June 30, 2016

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WIOA Performance Measures continued

- Though Ohio will operate under the old measures through PY '15, some current activity may be included in the new measures:
  - People who exited starting January 2015 may be included in three of the WIOA PY 2016 measures if they are included in a measure that involves employment in the fourth quarter or within one full year after exit
- Under WIOA, there will be six measures for Adults and six measures for Dislocated Workers

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WIOA Performance Measures continued

- Percentage of participants employed in the second quarter after exit
- Percentage of participants employed in the fourth quarter after exit\*
- Median earnings of participants employed in the second quarter after exit
  - "Median" earnings vs. "Average" earnings

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WIOA Performance Measures continued

Percentage of participants who have a credential/certificate during or within one year from exit\*

- For this measure, if the certificate is a diploma or GED, then the customer must also have obtained or retained employment or be in an education or training program leading to a recognized post-secondary credential within one year after exit from the program to receive a positive outcome. [WIOA, Sec. 116, (b)(2)(A)(iii)]

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##### WIOA Performance Measures continued

Percentage of program participants who are in an education or training program who are achieving measurable skill gains toward credential or employment

- This “will more than likely” be: The percentage of program participants who, during the program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains based on attainment of one of the four types of gains: 1) educational achievement; 2) secondary/post-secondary transcript/report card; 3) training milestone, or 4) skills progression.”

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##### WIOA Performance Measures continued

Indicators of effectiveness of serving employers\*

- This “will more than likely” be: The percentage of program participants who were in unsubsidized employment during the second quarter after exit who during the fourth quarter after exit are employed with the same employer.

#### Slide 60

References include

- Workforce Innovation and Opportunity Act (WIOA) July 2018
- 20 CFR Section 680.700 thru 680.970
- WIOAPL 15-08 and 15-08.1 (Career Services for Adults and Dislocated Workers)
- WIOAPL 15-09 (Training Services for Adults and Dislocated Workers)
- WIOAPL 15-11 (Use of Individual Training Accounts [ITA])
- WIOAPL 15-12 (Work Experience for Adults and Dislocated Workers)
- WIOAPL 15-14 (Needs-Related Payments [NRPs] Using Adult and Dislocated Worker Funds)

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Questions?

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