A photograph of two women in a professional setting, possibly a meeting or training session. One woman is looking at a document held by the other, who is smiling. The image is overlaid with a dark teal color.

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

COMMUNITY GUIDE FOR:

*Services for Adults,
Dislocated Workers,
& Young Adults*

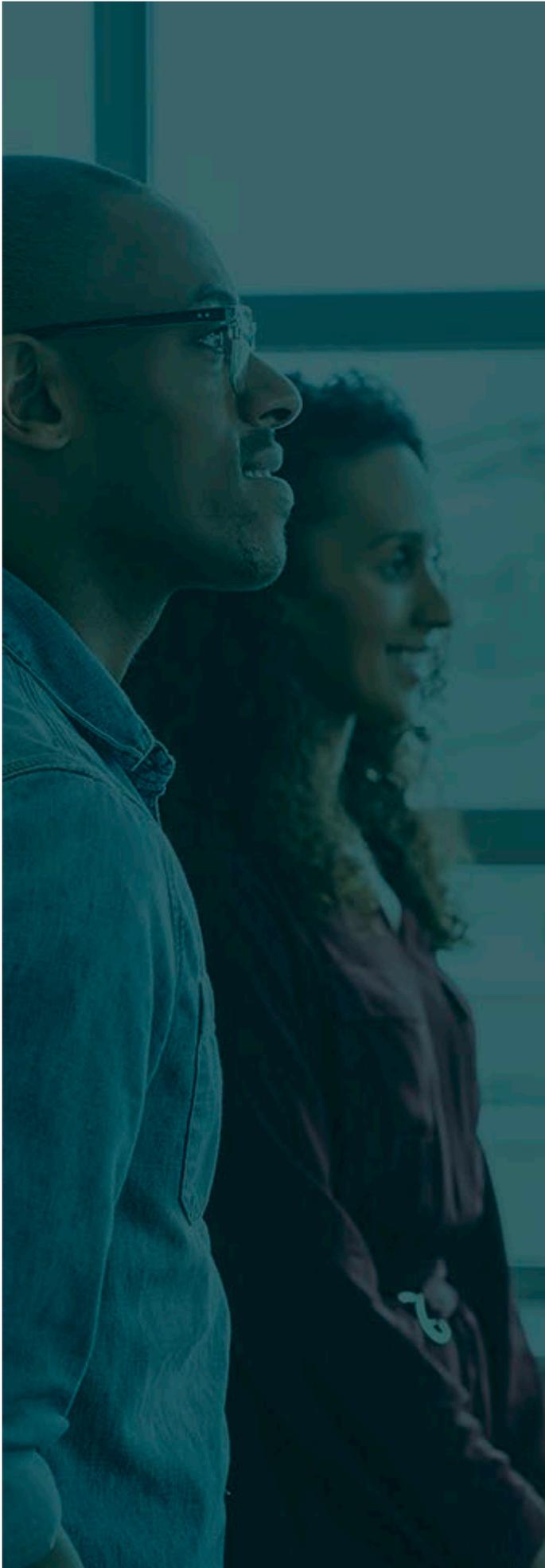


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WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

WIOA offers an integrated and comprehensive range of workforce development activities benefiting employers, job seekers, and communities.

WIOA is designed to:

- Increase access to and opportunities for the employment, education, training, and support services needed for individuals to succeed in the labor market
- Improve the quality and labor market relevance of workforce investment
- Provide individuals with the skills and credentials necessary to secure and advance in employment with family-sustaining wages
- Provide employers with the skilled workers needed to succeed in a global economy
- Increase the prosperity of workers and employers/businesses
- Provide workforce investment activities that increase participants' employment, retention, and earnings
- Support the alignment of workforce investment, education, and economic development systems for a comprehensive, accessible, and high-quality workforce development system

SERVICES FOR ADULTS AND DISLOCATED WORKERS

Services offered to Adults and Dislocated Workers:

- Career Services
- Training Services

Career Services:

- Basic Career Services
- Individualized Career Services
- Follow-up Services

Basic Career Services include:

- Determination of eligibility for one or more of the following:
 - Adult
 - Dislocated Worker
- Initial Assessment
- Eligible Training Provider List and other information on training providers
- Information/Assistance filing Unemployment Insurance claims and other UI information
- Labor Exchange Services/Labor Market Information
- Outreach, Intake, Orientation, and information on other services available in the workforce system/partner agencies/referrals to other agencies
- Workshops: Introduction to Computers, Internet Job Search, Resume Writing, Effective Interviewing, Social Media and your Job Search, Ready Set Go to Work, and more

Individualized Career Services include:

- Comprehensive/Specialized Assessment
- Career Planning
- Employment Plan
- English as a Second Language/Educational Training Services for literacy & High School equivalency
- Financial Literacy
- Group/Individualized Counseling
- Job Search/Out-of-Area Job Search Assistance and Relocation Assistance
- Short-Term Prevocational Services/Training (including contracted computer classes)

Employment and Training (E&T) staff conduct an assessment of each customer to determine appropriate services. This assessment includes a review of:

- Current/past work experience in relation to local/regional labor market information, in-demand occupations, and ongoing employer recruitments
- A review of aptitudes, abilities, and skill gaps
- Educational background, licenses, certifications, and specific job skills
- Military experience
- Reading, math, and digital literacy levels
- English language proficiency
- Employment limitations
- Legal background issues
- Other barriers to employment

Based on this assessment, an Employment Plan is developed with the customer to identify appropriate employment goals & possible barriers. Customers are then set to receive either:

- Job Search Readiness Services (JSRS)
- Career Development Services (CDS)

**see attachment A*

The Employment Plan is then referenced to determine:

- Other Individualized Career Services
- Possible training services
- Outreach/referral to other partner agencies
- Outreach/referral to other provider agencies
- Assistance to applying for Unemployment Insurance Benefits

Follow-up Services

- WIOA requires states and local areas to make follow-up services available for Adult and Dislocated Worker participants who enter unsubsidized employment. As appropriate, follow-up services must be made available for up to 12 months after the first day of employment. Follow-up services do not extend the date of exit in performance reporting.
- The Oswego County Workforce Development Board established a policy for us to follow.

**see attachment B*

Training Services:

- Classroom Training (CRT)/Vocational Training to gain license/certificate/degree (limit of 2 yrs) **see attachment C*
- On-the-Job Training (OJT) for new hires and incumbent workers **see attachment D*
- Supportive Services when in CRT/Vocational Training or receipt of employment **see attachment E*

ADULT PROGRAM ELIGIBILITY

To be eligible to receive WIOA services as an Adult, an individual must be:

- 18 years of age or older;
- Be a citizen or noncitizen authorized to work in the United States;
- If male and born after December 31, 1959, must meet Military Selective Service registration requirements.

Priority of Service:

The Oswego County WDB established the following Priority of Service Policy:

- 1st Priority- Veterans and eligible spouses who are: -low income, or -recipients of public assistance, or -who are basic skills deficient
- 2nd Priority- Individuals (non-covered persons) who are: -low income, or -recipients of public assistance, or -who are basic skills deficient
- 3rd Priority- Veterans and eligible spouses who are: -not low income, and -not recipients of public assistance, and not basic skills deficient
- 4th Priority- Individuals (non-covered persons) who do not meet the above priorities

Priority of Service means that a covered person receives access to a service earlier in time than a non-covered person, and if resources are limited, instead of, or before the non-covered person.

**see attachment F*

Low-Income Individuals

- Receives, or in the past six months has received or is a member of a family that is receiving or in the past six months has received, assistance through SNAP, TANF, SN, or the Supplemental Security Income (SSI) program
- Receives an income or is a member of a family receiving an income that, in relation to family size, is not more than the current 70% Lower Living Standard Income Level
- Is a homeless individual as defined in §41403(6) of the Violence Against Women Act of 1994, or a homeless child or youth as defined in §725(2) of the McKinney-Vento Homeless Assistance Act
- Is an individual with a disability whose own income meets the guidelines

Family = two or more individuals related by blood, marriage, or decree of a court

DISLOCATED WORKER PROGRAM ELIGIBILITY

The WIOA Dislocated Worker (DW) program offers employment and training services for eligible workers who are unemployed through no fault of their own or who have received an official layoff notice. To be eligible to receive WIOA services under the DW program, in addition to meeting the eligibility requirements as an adult, clients must meet one of the following five sets of criteria:

1. 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 of having performed services for an employer that were not covered under a state's unemployment law; and
 - Is unlikely to return to a previous industry or occupation
2. 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, individualized career services, or support services, is employed at a facility at which the employer has made a general announcement that such facility will close.
3. The individual:
 - Was self-employed (including employment as a farmer, a rancher, or a fisherman) but unemployed due to general economic conditions in the community in which the individual resides or because of natural disasters.
4. The individual:
 - Is a displaced homemaker: A displaced homemaker is an individual who:
 - Has been providing unpaid services to family members in the home;
 - Is unemployed or underemployed and experiencing difficulty finding or upgrading employment; and
 - Meets one of the following: has been dependent on the income of another family member but is no longer supported by that income; or
 - A dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member.*
5. The individual is the spouse of a member of the Armed Forces on active duty and:
 - Has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the duty station of such member; or
 - Is unemployed or underemployed and experiencing difficulty finding or upgrading employment.

*Note: A displaced homemaker may lose support income due to divorce or the death of a spouse. In addition, the loss of support income may result from a former wage earner's job loss, and that former wage earner may still be living in the home.

SERVICES FOR YOUNG ADULTS

The Young Adult Program consists of 14 Program Elements. Services fulfilling each of the 14 Program Elements must be available to all eligible Young Adult Program participants.

1. Tutoring/Study Skills Training
2. Alternative Secondary Education
3. Work Experience, On-the-Job Training (OJT), Internship/Job Shadowing, Pre-apprenticeship, Summer Employment, and other employment during the year
4. Occupational Skills Training
5. Leadership Development
6. Adult Mentoring
7. Comprehensive Guidance and Counseling
8. Supportive Services
9. Follow-up Services
10. Integrated Education and Training
11. Financial Literacy
12. Entrepreneurial Skills
13. Local Labor Market Information for Demand Occupations
14. Postsecondary Preparation and Transition

Resource mapping, RFP, Contract/MOA- **see attachment G*

YOUNG ADULT PROGRAM ELIGIBILITY

The WIOA Youth Program focuses services on out-of-school youth (OSY) (note we call them young adults) was instituted. WIOA calls for a minimum of 75% of our youth allocation to be spent on OSY. The reason for this is that a large number of OSY are not connected to the labor force. In addition, work experience is an important service under WIOA, requiring that a minimum of 20% of youth funds be spent on this service.

*see attachment H

WIOA Young Adult Eligibility:

- 16-24 years of age (see below)
- Be a citizen or noncitizen authorized to work in the United States;
- If male age 18 or older and born after December 31, 1959: must meet Military Selective Service registration requirements
- Have one or more “Barriers” to employment and possible low-income requirement

75/25 split requirement: expenditures and enrollments: no less than 75% on Out-of-School Young Adults and no more than 25% on In-School Young Adults.

WIOA Title I Youth Program Eligibility Guide (WIOA §681.200 - §681.320)

Out-of-School Youth (OSY)	In-School Youth (ISY)
Must meet criteria A through D at the time of program enrollment	Must meet criteria A through D at the time of program enrollment
Criteria A: Age	
16 to 24 years old	14 to 21 years old
Criteria B: An individual who is facing <u>one or more</u> of the following designated barriers to employment	
1) High School Dropout; 2) Within the age of compulsory school attendance, but has not attended school for at least the most recent 45-day school calendar year quarter; 3) Pregnant or parenting, including non-custodial parents; 4) With a disability; 5) Offender- youth involved in any stage of juvenile or adult justice system; 6) Homeless or a runaway, who meet the criteria defined by the McKinney-Vento Homeless Assistance or Violence Against Women Act; See i ; 7) Involved in any stage of the foster care system; a. In foster care; b. Aged out of the foster care system; c. Attained 16 years of age and left foster care for kinship, guardianship, or adoption; d. In an out-of-home placement; or e. A child is eligible for assistance under sec. 477 of the Social Security Act. (John H. Chafee Foster Care Independence Program) 8) Low-income <u>and</u> is a recipient of a high school diploma or its equivalent, <u>and</u> is basic skills deficient (at or below 8 th grade or unable to compute/read/write as defined in the local policy); See ii and iii ; 9) Low-income <u>and</u> is a recipient of a high school diploma or its equivalent, <u>and</u> is an English language learner; See ii ; or 10) Low-income <u>and</u> a youth who needs additional assistance to <u>enter</u> or complete an educational program or to secure or hold employment, as determined by the LWDB. See ii and iv .	1) N/A 2) N/A 3) Pregnant or parenting, including non-custodial parents; 4) With a disability; 5) Offender- youth involved in any stage of juvenile or adult justice system; 6) Homeless or a runaway, who meet the criteria defined by the McKinney-Vento Homeless Assistance or Violence Against Women Act; See i ; 7) Involved in any stage of the foster care system: a) In foster care; b) Aged out of the foster care system; c) Attained 16 years of age and left foster care for kinship, guardianship, or adoption; d) In an out-of-home placement; or e) A child is eligible for assistance under sec. 477 of the Social Security Act. (Chafee Program) 8) Basic skills deficient (at or below 8 th grade or unable to compute/read/write as defined in the local policy); See iii ; 9) English language learner; or 10) Youth who need additional assistance to complete an educational program or secure and hold employment as determined by the Local Workforce Development Board. See 5% ISY Limitation iv .

<p style="text-align: center;">Out-of-School Youth (OSY)</p> <p style="text-align: center;">Must meet criteria A through D at the time of program enrollment</p>	<p style="text-align: center;">In-School Youth (ISY)</p> <p style="text-align: center;">Must meet criteria A through D at the time of program enrollment</p>
<p>Criteria C: Low-Income Requirements</p> <p>5% Low-Income Limitation: Up to 5% of youth participants who ordinarily must be low-income for eligibility do not need to be low-income. See ii and v.</p>	
<p>Low-income status is only required when determining eligibility using barriers 8, 9, or 10, which are that the newly enrolled OSY in the Program Year (PY):</p> <ul style="list-style-type: none"> 8) Is a recipient of a high school diploma or its equivalent, and are basic skills deficient; 9) Is a recipient of a high school diploma or its equivalent, and is an English language learner; or 10) Needs additional assistance to enter or complete an educational program or secure or hold employment, as determined by the LWDB. 	<p>All newly enrolled ISY in a PY must be low income.</p> <p>For ISY with a disability, the youth's income can be used for eligibility purposes rather than their family's income.</p>
<p>Criteria D: Attending versus not attending school as defined by State law</p>	
<p>Not attending any school as defined by state law, unless WIOA expressly excludes the school:</p> <ul style="list-style-type: none"> 1) Youth attending the following institutions or programs excluded by WIOA are considered not attending school for Youth Program eligibility determination: <ul style="list-style-type: none"> a) An adult education program under WIOA Title II; List of WIA Title II RFP 2013-2018 Awards for Workforce Investment Act: http://www.acces.nysed.gov/aapp/workforce-investment-act-wia-title-ii-funding b) YouthBuild; c) Job Corps; or d) A high school equivalency and dropout re-engagement program not funded by the public K-12 school system. 2) According to State law, if a youth has not attended a school for at least the most recent complete school year calendar quarter (45 days) and is within the age of compulsory school attendance, the youth is considered not attending school for Youth Program eligibility determination. 3) Youth ages six to sixteen are required to attend school in NYS (or, if home-schooled, the youth must be registered with the local school district). Some school districts mandate the compulsory age of school attendance through age 17. 4) Youth enrolled in the WIOA youth program during the summer and not registered to continue school in the fall are considered not attending school. 5) Youth Participant who is a NYS resident and enrolled in a secondary education program that is not registered with NYSED is considered not attending school. Note that NYS residents must attend/participate in programs registered with NYSED to achieve a valid high school diploma or equivalency. 	<p>Attending a school as defined by State law:</p> <ul style="list-style-type: none"> 1) Youth attending the following institutions or programs are considered attending school for Youth Program eligibility determination: <ul style="list-style-type: none"> a) A school registered with the NYS Education Department (NYSED), including but not limited to public, private, charter, and religious schools, or a home-school program where the participating youth is registered with the local school district. b) A high school equivalency and dropout re-engagement program funded by the public K-12 school system. The four pathways to high school equivalency accepted in NYS are found at http://www.acces.nysed.gov/hse/high-school-equivalency-hse. <p>Use the NYSED Application Business Portal found at https://portal.nysed.gov/pls/sedrefpublic/SED.sed_inst_qry_vw\$.startup to verify if the school/program is registered with NYSED.</p> <p>Note that NYS residents must attend/participate in programs registered with NYSED to achieve a valid high school diploma or equivalency.</p> <ul style="list-style-type: none"> 2) Credit-bearing courses at a post-secondary school, including colleges, junior colleges, community colleges, two-year colleges, universities, professional and technical schools, and degree-granting institutions. 3) Youth enrolled in the WIOA youth program during the summer and in between school years are considered as attending school if they are registered to continue school in the fall.
<p>For details, see Training and Employment Guidance Letter (TEGL) 21-16: https://wdr.doleta.gov/directives/attach/TEGL/TEGL_21-16.pdf.</p>	

i. **Homeless individual or homeless children and youths (WIOA SEC. 3(24)(G); TEGL 19-16 ATTACHMENT III)**

Homeless youth is an individual who meets any of the following criteria:

- (A) Lacks a fixed regular, and adequate nighttime residence; this includes a participant who:
 - a. Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. Is living in a motel, hotel, trailer park, or campground due to a lack of adequate alternative accommodations;
 - c. Is living in an emergency or transitional shelter;
 - d. Is abandoned in a hospital; or
 - e. Is awaiting foster care placement;
- (B) Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodation for human beings, such as a car, park, abandoned building, bus or train station, airport, or camping ground;
- (C) Is a migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent's or parent's spouse's seasonal employment in agriculture, dairy, or fishing work; or
- (D) Is under 18 years of age and absents themselves from home or place of legal residence without the permission of their family (i.e., runaway youth)

(Note-A participant imprisoned or detained under an Act of Congress or State law does not meet the definition. Additionally, a participant who may be sleeping in temporary accommodations while away from home should not, as a result of that alone, be recorded as homeless.)

ii. **Low-Income criteria for WIOA Title I Youth Programs (WIOA §681.200-§681.320)**

Participant demographic information, including income status and eligibility barriers, is used in the Statistical Adjustment Model during performance negotiations. Therefore, low-income status should be recorded for any youth who meets the criteria and provides documentation of low-income status. This should be recorded even when it is not an eligibility requirement for the selected barriers to employment.

A youth who meets one or more of the following low-income criteria can be identified as low-income status (WIOA Sec. 129(a)(2) & Sec. 3(36)):

1. Receives or has received in the past six months, or is a member of a family that is receiving or has received in the past six months, assistance through:
 - The Supplemental Nutrition Assistance Program (SNAP);
 - Temporary Assistance for Needy Families (TANF) programs;
 - The Supplemental Security Income (SSI) program; or
 - State or local income-based public assistance
2. Is in a family with a total family income that does not exceed the high of:
 - The poverty line/Lower Living Standard (LLS); or
 - 70 percent of the Lower Living Standard Income Level (LLSIL).
3. Is an individual with a disability whose individual income meets the requirement of criteria 2, but is a member of a family whose income does not meet criteria 2;
4. Is a homeless individual, as defined in the Violence Against Women Act, or a homeless child or youth, as defined under the McKinney-Vento Homeless Assistance Act;
5. Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act;
6. Is a foster child on behalf of whom State or local government payments are made; or
7. They live in a high-poverty area. See Attachment II of Training and Employment Guidance Letter (TEGL 21-16) for additional information on determining if a youth is living in a high-poverty area

Included Income for Youth Programs

Per TEGL 19-16, WIOA Youth Programs must include payments for unemployment compensation, child support payments, and old-age survivors' insurance benefits as income when determining a youth's eligibility based on low-income status.

iii. Basic Skills Deficiency

WIOA defines a basic skills deficient individual as an individual:

1. With English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
2. Who 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 society.

Per the first part of the definition, only standardized testing instruments, including records from the schools, should be used to demonstrate that a youth is reading below the 8th-grade level. The second part of the definition must be implemented based on the established local policy.

Note that LWDBs may use previous basic skills assessment results if the assessments were conducted within the past six months.

iv. Needs Additional Assistance

If an LWDB chooses to use the needs additional assistance criteria for eligibility, policies must be developed for:

- ISY to complete an education program or to secure and hold employment; and
- OSY to enter or complete an educational program or to secure or retain employment.

An individual who needs additional assistance may include, but is not limited to, a youth who is, failing a core subject; a victim of abuse; suffering from substance or medical issues; an expectant father; and/or the child of an incarcerated parent.

The LWDB should tailor its needs additional assistance policy to reflect the specific characteristics prevalent of youth in the local area and who may benefit from Youth Program services or do not have other local services available.

Needs additional assistance policies should be reasonable, quantifiable, and based on evidence that specific characteristics of the youth identified in the policy objectively need additional assistance.

Note that the specific needs additional assistance characteristics should be different than WIOA Youth Program eligibility barriers.

Note that Needs additional Assistance Criteria is limited to 5% of newly enrolled ISY in each program year.

v. Five Percent Low-Income Eligibility Exception

WIOA allows a low-income exception where up to five percent (5%) of WIOA youth may be participants who ordinarily would be required to be low-income for eligibility purposes and meet all other eligibility criteria for WIOA youth except the low-income criteria.

The 5% low-income exception applies to newly enrolled youth in a Y that are:

- All ISY, which ordinarily needs to be low-income; and
- OSY who fall into one of the following three low-income eligibility categories:
 1. Low-income, recipient of HS diploma or equivalency, and Basic Skills Deficient;
 2. Low-income, recipient of HS diploma or equivalency, and English Language Learner; and/or
 3. Low-income and needs additional assistance as defined by the LWDB.

A program must calculate the 5% based on the percentage of newly enrolled youth in the Local Workforce Development Area's (LWDA's) Youth Program in a program year, who ordinarily would be required to meet the low-income criteria.

For example, in a given program year, an LWDA enrolls 200 youth into its Youth Program. Let us assume that these 200 youth fall into three types:

1. 120 are OSY (in categories that do not require the youth to be low-income);
2. 50 are OSY (in categories that ordinarily require the youth to be low-income); and
3. 30 are ISY (who are ordinarily always required to be low-income).

However, only the last two types of youth that ordinarily need to be low-income fall into the "5% low-income exception" group. This means only 5% of these 80 (50+30) youth can be included in calculating the 5% low-income exception.

5% of 80 = 4

This means that four of these 80 youth are not required to be low-income if they are otherwise eligible youth participants.

Management Reports are useful in the determination of low-income requirements. To access the Management Reports:

- Within the NYSDOL network: <http://10.64.106.121:8055/reportsite/index.jsp>
- Outside the NYSDOL network: <http://my.ny.gov>

ADDITIONAL SERVICES:

Business Services

- Applicant pre-screening (TABE and Metrix)
- Job postings & advertising
- Recruitment events & Job Fairs
- Training reimbursement: OJT and customized training
- Labor market & wage information
- Tax credit information
- Referrals to alternative funding sources

599

The 599 Training Program is a provision in the Unemployment Insurance Law that makes it possible for Unemployment Insurance claimants to receive benefits while they attend a training course or program that has been approved by the Department of Labor. Under this provision, claimants are excused from the requirement to look for work, and they may be eligible for additional weeks of benefits when funding is available. This program does not pay tuition or other school-related expenses.

Training requirements include, but are not limited to

- Consist of a minimum of either 12 registered credit hours in each semester or at least 12 classroom hours each week
- Completed within 24 months of your approved date
- Be career specific
- Meet the minimum or standard education requirements to qualify for work in the specific career goal
- Improve one's ability to obtain more regular, long-term employment in the state or local labor market

TAA

The Trade Adjustment Assistance (TAA) program, known as the "Trade Act," provides benefits and support to workers who become unemployed or are threatened with job loss due to the impact of international trade.

If eligible, the customer can receive benefits and services, such as:

- Job training
- Income support payments
- Job search and moving allowances
- Tax credit to help pay for health insurance
- Wage supplement if age 50 or older