

Excerpts from the Workforce Innovation Opportunity Act (Public Law 113–128) Relevant Sections Regarding Career Services for Adults and Dislocated Workers

Note: These are not the only sections of the WIOA that are important to Career Services for Adults and Dislocated Worker program operations. For the full text of the Law please consult: <http://beta.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>
And for additional WIOA information consult: <http://www.doleta.gov/wioa/>

Section 134(c)(2) Career Services. – *(Not quoted verbatim)*

... Funds shall be used to provide career services to individuals who are adults or dislocated workers through the one-stop delivery system and shall at a minimum include --

- i. **Eligibility determination and documentation;**
- ii. **Outreach, intake (welcome and registration) and orientation to service available;**
- iii. **Initial assessment of skill levels (literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps) and supportive service needs;**
- iv. **Labor exchange services (job search and job placement assistance) and as appropriate career counseling;**
 - I. **Information on in demand industry sectors and occupations;**
 - II. **Information on non-traditional employment**
 - III. **Appropriate recruitment and other business services including providing information and referral to business services not offered through the Career Center system;**
- v. **Referrals to and coordination with other programs and services (including other workforce development services) as appropriate;**
- vi. **Provision of workforce and labor market employment statistics relating to local, regional and national labor markets;**
 - I. **Job vacancy lists;**
 - II. **Information on the skills necessary to obtain jobs;**
 - III. **Information on local jobs in demand, earnings, skill requirements and opportunities for advancement;**
- vii. **Performance information and program costs on eligible training providers;**
- viii. **Performance information on the local area's performance on accountability measures;**
- ix. **Information related to availability of supportive services including child care, child support, medical care and/ or child health assistance, nutrition assistance, transportation, Earned Income Tax Credit, Temporary Assistance for Needy Families, shelter/housing, clothing, heat, etc.**
- x. **Information and assistance regarding filing claims for unemployment compensation;**
- xi. **Assistance in establishing eligibility for financial aid for training and educational programs not funded under WIOA.**
- xii. **Appropriate services to assist individuals in obtaining and retaining employment, including:**
 - I. **Comprehensive and specialized assessments of skill levels and service needs**
 - (aa) **diagnostic testing and assessments;**
 - (bb) **In-depth interviewing and evaluation to identify employment barriers and set appropriate employment goals;**
 - II. **Development of Individual Employment Plans including employment goals, achievement objectives, appropriate combinations of services to achieve the employment goals; information about approved training providers; and information about career pathways;**
 - III. **Group counseling;**
 - IV. **Individual counseling;**
 - V. **Career planning**

- VI. Short term pre-vocational services including: learning skills, communication skills, interviewing skills, personal maintenance skills, and professional conduct;
 - VII. Internships and work experience linked to careers;
 - VIII. Workforce preparation activities;
 - IX. Financial literacy services;
 - X. Out-of-area job search assistance and relocation assistance;
 - XI. English language acquisition skills.
- xiii. Follow-up services including workplace counseling for a period of not less than 12 months after the first day of employment (as appropriate).

Section 134 (c)(3) - Training services --

(A)(i) Eligibility

- (I) Adults and dislocated workers who after an interview, evaluation, or assessment, have been determined by a one-stop operator or one-stop partner as appropriate to --
 - (aa) be unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - (bb) be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - (cc) have the skills and qualifications to successfully participate in the selected program of training services;
- (II) to select programs of training services that are directly linked to the employment opportunities in the local area or the planning region, or in another area to which the adults or dislocated workers are willing to commute or relocate;
- (III) and meet the requirements of subparagraph (B); and
- (IV) who are determined to be eligible in accordance with the priority system in effect under subparagraph (E).

Subparagraph B

(B) Qualification

- (i) **Requirement**-- Provision of such training services shall be limited to individuals who—
 - (I) are unable to obtain other grant assistance for such services, including Federal Pell Grants ...;
 - or
 - (II) require assistance beyond the assistance made available under grant assistance programs, including Federal Pell Grants.
- (ii) **Reimbursements**-- Training services may be provided under this paragraph to an individual who otherwise meets the requirements of this paragraph while an application for a Federal Pell Grant is pending, except that if such individual is subsequently awarded a Federal Pell Grant appropriate reimbursement shall be made to the local area from such Federal Pell Grant.
- (iii) **Consideration** -- in determining whether an individual requires assistance under clause(i)(II) , a one-stop operator (or one-stop partner where appropriate) may take into consideration the full costs of participating in training services, including the cost of dependent care and transportation, and other appropriate costs.

Subparagraph E

- (E) **Priority**-- ... priority shall be given to recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of career services described in paragraph (2)(A)(xii) and training services. The appropriate local board and the Gov. shall direct the one-stop operators in the local area with regard to making determinations related to such priority.

Section 134(c)(3)(D) Training services-- Training services may include—

- (i) occupational skills training, including training for nontraditional employment;
- (ii) on-the-job training;

- (iii) incumbent worker training in accordance with subsection (d) (4);
- (iv) programs that combine workplace training with related instruction, which may include cooperative education programs;
- (v) training programs operated by the private sector and:
- (vi) skill upgrading and retraining;
- (vii) entrepreneurial training;
- (viii) transitional jobs in accordance with subsection (d)(5);
- (ix) job readiness training provided in combinations with services described in any of the clauses(i) through (iii);
- (x) adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of the clauses(i) through (vii); and
- (xi) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

Section 134 (d) Permissible Local Employment and Training Activities –

(1) In general.--

(A) Activities.—

- (i) customized screening and referral of qualified participants and training services described in subsection (c)(3) to employers;
- (ii) customized employment–related services to employers, employer associations, or other such organizations on a fee-for-service basis;
- (iii) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 10% of the total funds allocated to the local area...
- (iv) customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities for such populations;
- (v) technical assistance for one-stop operators, one-stop partners, and eligible providers of training services, regarding the provision of services to individuals with disabilities in local areas, including the development and training of staff, the provision of outreach, intake, assessments, and service delivery, the coordination of services across providers and programs and the development of performance accountability measures;
- (vi) employment and training activities provided in coordination with – –
 - (I) child support enforcement activities of state and local agencies carrying out part of D of title IV of the Social Security Act...;
 - (II) child support services, and assistance, provided by state and local agencies carrying out part D of title IV the Social Security act...;
 - (III) Cooperative extension programs carried out by the Department of Agriculture; and
 - (IV) activities to facilitate remote access to services provided through the one-stop delivery system including facilitating access through the use of technology;
- (vii) activities –
 - (I) to improve the coordination between workforce investment activities and economic development activities carried out within the local area involved, and to promote entrepreneurial skills training and micro-enterprise services;
 - (II) to improve services and linkages between the local workforce investment system (including the local one-stop delivery system) and employers, including small employers, in the local area, through services described in this section; and

- (III) to strengthen linkages between the one-stop delivery system and unemployment insurance programs;
- (viii) training programs for displaced homemakers and for individuals training for nontraditional occupations in conjunction with programs operated in the local area;
- (xi) activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the local board, consistent with the local plan under section 108, which services --
 - (I) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board; and
 - (II) may include --
 - (aa) developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skills panels, and sectoral skills partnerships);
 - (bb) developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area employers and workers;
 - (cc) assistance to area employers and manage reduction in force in coordination with rapid response activities provided under subsection (a)(2)(A) and with strategies for the aversion of layoffs, which strategies may include early identification of firms at risk of layoffs, use the feasibility's studies to assess needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors; and
 - (dd) the marketing of business services offered under this title, to appropriate area employers, including small and midsized employers; ...
- (x) activities to adjust the economic self-sufficiency standards... for local factors, or activities to adopt, calculate, or commission for approval, economic self-sufficiency standards for the local area that specify the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;
- (xi) improved coordination between employment and training activities and programs carried out in the local area for individuals with disabilities, including programs carried out by the state agencies related to intellectual disabilities and developmental disabilities, activities carried out by statewide Independent Living Councils... and activities carried out by centers for independent living;
- (xii) implementation of promising services to workers and businesses, which may include support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out activities associated with such advising.