

# WIOA: What Human Service Agencies and Advocates Need to Know

*Advancing economic opportunities for low-income adults and youth*

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In July 2014, with overwhelming bipartisan support, Congress passed the Workforce Innovation and Opportunity Act (WIOA), reauthorizing federal workforce programs.<sup>i</sup> WIOA provides federal funding for training to help unemployed and underemployed workers qualify for better jobs. It also supports a network of American Job Centers, known as “one-stop centers,” where job seekers can find information on job openings, training, and career opportunities. The new law is substantially different from its predecessor, the Workforce Investment Act (WIA), in its emphasis on targeting low-income adults and youth with limited training and skills to help them overcome barriers to economic success. CLASP’s brief, *New Opportunities to Improve Economic and Career Success for Low-Income Youth and Adults*, provides a summary of key provisions in WIOA.<sup>ii</sup>

The changes made by WIOA are important, not just for workforce programs and agencies, but also for human service programs serving low-income youth and adults and for advocates and community stakeholders who care about these individuals. Many human service programs such as Temporary Assistance for Needy Families (TANF), the Supplemental Nutrition Assistance Program (SNAP) and others have the goal of increasing participants’ future employability and earnings, as well as of meeting immediate needs. Even when a program is not directly charged with improving work-related outcomes, employment can often support participants in achieving their own goals.

## Key WIOA Implementation Dates

### Spring 2015

Department of Labor, Department of Education, and Department of Health and Human Services will publish Notices of Proposed Rulemaking to implement WIOA. The public will have opportunities to provide comments on the proposed rules.

### July 1, 2015

The majority of WIOA provisions will become effective on this date, the start of the first full program year after enactment.

In addition, while the Department of Labor has not yet issued a timeline for states that are considering early implementation of WIOA, states may be able to submit plans as early as March 2015 and implement WIOA beginning July 1, 2015.\*\*

### January 22, 2016

Department of Labor, Department of Education, and Department of Health and Human service will publish final rules to implement WIOA.

### March 3, 2016

Deadline for state Unified Plan submission.

### July 1, 2016

Remaining provisions of WIOA take effect.

\*Employment and Training Administration, *WIOA Key Statutorily-Required Implementation Dates for Programs Administered by the Department of Labor*, U.S. DOL, July 2014, <http://www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf>

\*\*Bryan Wilson and Brooke DeRenzis, *Realizing Innovation and Opportunity in WIOA*, National Skills Coalition, 2014, <http://www.nationalskillscoalition.org/resources/publications/file/2014-11-NSC-WIOA-state-report.pdf>

With the new focus under WIOA on serving low-income individuals who face barriers to employment, this is an opportunity for human service providers and advocates to engage workforce programs to improve the services available to their common customers. Human service programs can draw upon the resources and experience of the workforce system to help customers attain self-sufficiency through employment. Workforce systems can learn from partnerships with human service providers about the services and supports needed by those who face barriers to employment. Together, human service and workforce programs have an opportunity to ensure quality services and job training for low-income individuals. However, making this opportunity a reality will rely heavily on stakeholders such as state workforce and human service agencies, advocates, community-based organizations (CBOs), and other service providers, as well as youth and adult participants, themselves, being at the table throughout the planning and implementation stages.

## WIOA Targets Services to Workers with Greatest Needs

WIOA reauthorized the nation's employment, training, adult education and vocational rehabilitation programs for the first time in 16 years. While it made a number of modifications to the programs, the most important for human service providers, CBOs, and others serving low-income individuals are the improvements that strengthen workforce development and adult education programs in ways that can benefit adults and youth who face barriers to economic success.<sup>iii</sup>

- I. **WIOA increases the focus on serving the most vulnerable workers** – low-income adults and youth who have limited skills, lack work experience, and face other barriers to economic security;
- II. **It expands education and training options** to help participants access good jobs and advance in their careers;
- III. **WIOA helps disadvantaged and unemployed adults and youth earn while they learn** through support services and effective employment-based activities; and
- IV. **It aligns planning and accountability policies across core programs** to support more unified approaches to serving low-income, low-skilled individuals.

**WIOA makes it explicit that low-income individuals and those with barriers to employment are a priority for funding and services. This is a change from the previous law which only required that funds allocated for employment and training activities be prioritized for individuals who are low-income when funds are limited.** It was left to the Workforce Development Boards (often referred to as workforce boards) to determine this priority of service. With this new focus on serving disadvantaged individuals, WIOA now requires workforce boards to report on the number of individuals who face barriers to employment (including subcategories by race, ethnicity, gender, and age) and who received services through the WIOA adult and dislocated worker programs. This encourages workforce agencies to better target their strategies and efforts toward hard-to-reach populations they may not have focused on previously.

**OPPORTUNITY:** While WIOA has stronger language about priority of service, it will not be meaningful unless local workforce agencies implement it effectively. Human service agencies and stakeholders should engage in the WIOA planning process at the state and local levels to ensure that workforce boards are fully implementing these provisions, including outreach to disadvantaged populations, as well as identification or development of appropriate training opportunities for less-educated workers and those with other barriers to employment. It is important to note that many lawfully present immigrants and those who are authorized to work also face barriers to employment and may be supported through WIOA programs. Stakeholder engagements should include organizations and agencies that have experience serving immigrant workers.

**WIOA focuses far more of the youth funding on disconnected youth by requiring that at least 75 percent—an increase from 30 percent under the previous Workforce Investment Act (WIA)—of available local funding under the youth component of WIOA be spent on workforce investment for out-of-school youth.**

This includes those who have dropped out of high school, individuals subject to the juvenile or adult justice systems, homeless youth, runaways, current and former foster care or out-of-home placement youth, and pregnant or parenting youth. This increase provides states and local communities the resources to implement effective employment, education, and youth-development strategies for the most disadvantaged individuals.<sup>iv</sup>

WIOA also increases the age range for out-of-school youth eligibility from the current 16-21 to 16-24 and expands the in-school youth-eligibility provision to include low-income individuals ages 14-21 who are English language learners (ELL) and those who have a disability.

## Many TANF and SNAP recipients qualify as *out-of-school youth* under WIOA

Nearly one-third of TANF recipients who are work-eligible are young adults under the age of 24. Many of these individuals are potentially eligible for WIOA workforce services dedicated to out-of-school youth, since a significant percentage of TANF work-eligible individuals (43 percent) also lack a high school diploma or equivalent. \* Similarly, SNAP served 4.3 million low-income young adults ages 18-24 in a typical month in 2011, providing critical resources to low-income young adults who are struggling to make ends meet. About a quarter of this young adult SNAP population (1.2 million) were able-bodied adults without dependents (ABAWDs), meaning that they lived in households without children, did not have an identified disability, and were employed less than 20 hours a week.\*\* This population is at risk of losing SNAP benefits due to time limits if they are not engaged in work-related activities under SNAP Employment and Training (E&T), WIOA, or Trade Adjustment Assistance.

\* Gene Falk, *Temporary Assistance for Needy Families (TANF): Welfare-to-Work Revisited*, Congressional Research Service, 2012, <http://fas.org/sgp/crs/misc/R42768.pdf>

\*\* Center on Budget and Policy Priorities analysis of USDA Household Characteristics Data, FY 2011, see also, [http://www.clasp.org/resources-and-publications/publication-1/SNAP-Cuts-Put-Youth-at-Risk-11\\_18.pdf](http://www.clasp.org/resources-and-publications/publication-1/SNAP-Cuts-Put-Youth-at-Risk-11_18.pdf)

**OPPORTUNITY:** The improvements in WIOA are also an opportunity to develop partnerships among a broad network of workforce and human service programs serving youth populations. In particular, child welfare, youth shelters, juvenile justice programs, and CBOs, along with TANF and SNAP partnerships can be instrumental in identifying and recruiting eligible disadvantaged youth, connecting them to services made available by WIOA provisions for both youth and adult employment and training activities, and providing the resources and supports needed to ensure success. Through state and local planning processes, human service providers can be instrumental in helping workforce boards develop community-wide strategies for this population.

WIOA allows local workforce agencies to provide low-wage workers with the support services they need in order to participate in workforce investment and training services. Local WIOA agencies can partner to coordinate services or develop their own programming to assist low-wage workers in retaining and enhancing employment. This includes providing child care services if activities are delivered during non-traditional hours.

**OPPORTUNITY:** The increased efforts to serve those with barriers to employment and provide support services is an opportunity for human service programs, CBOs, and other providers to engage in the planning and implementation of WIOA to better serve job seekers. Because WIOA funding has not been increased, partnerships between human service providers and CBOs are especially critical to address the supportive services needs of individuals while workforce funding can be used to strengthen the training services.

## WIOA Expands Education and Training to Higher-Quality Options

WIOA encourages workforce boards to offer higher-quality education and training options that go beyond job search. This increased focus on training programs is enabled by the elimination of the prior law's required "sequence of service" that previously required all job seekers to pass through multiple layers of core and intensive services before entering into job training. Prior to WIOA, the workforce development system was geared toward a "work first" approach, which meant that placement in employment was the first goal of the services provided. As such, the "sequence of service" requirement sent all job seekers first to the workforce agency's core services, which included basic resources such as job search and placement assistance. If core services were not successful in helping individuals retain employment, they could then access intensive, and finally, training services if they still were unable to obtain or retain employment. To be considered for training, however, a one-stop case manager had to determine that the individual had the adequate skills to successfully participate.<sup>v</sup> This created multiple steps for individuals who already experienced barriers to employment and training and, ultimately, left out many who needed more support to succeed in the workforce.

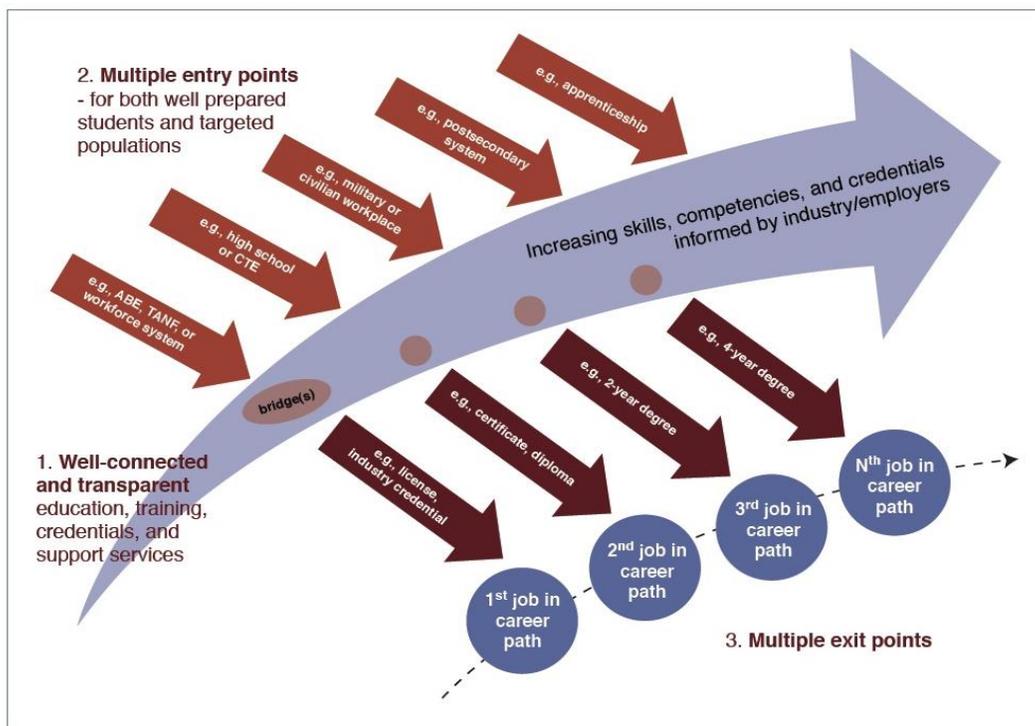
To meet the needs of job seekers who face barriers to employment, WIOA emphasizes higher-quality services. It provides more flexible training delivery options that allow local areas to contract with colleges or eligible providers to supply job training opportunities for a whole classroom or cohort of workers, rather than giving workers individual vouchers to pay for training services, limiting them to services that are already available. This flexibility allows for use of innovative approaches and best practices that can better support disadvantaged job seekers. For example, a workforce board could contract with a community college to provide integrated basic education and career training that is both tailored to the needs of specific populations of youth and adult learners and designed to meet the skill needs of local employers for particular jobs for which they are currently hiring.

**OPPORTUNITY:** Workforce boards should engage human service providers, community colleges and CBOs in the planning process to ensure that workforce plans take advantage of these options.

## Career Pathways

WIOA further strengthens education and training options by emphasizing career pathway approaches to address the needs of individuals who face significant barriers to employment. State and local workforce boards are required to convene their education partners to develop and implement career pathways. Career pathways are built within sectors that have regional in-demand occupations paying family-sustaining wages. Pathways align the education, workforce, human service, and CBO systems to connect progressive levels of education, training, support services, and credentialing for specific occupations in a way that optimizes the progress and success of individuals with varying levels of abilities and needs.

### Three Essential Features of Career Pathways



Pathways are built from these connected programs in such a way that people can enter and exit as needed for reasons related to work and life and yet reconnect to the pathway having retained that prior education and continue to build from it to more advanced credentials and higher level employment. This model is important for individuals who face barriers to employment because it incorporates best-practice service models by assessing participants' education, skills, and needs, while also providing support services, career navigation assistance, employment services and experiences that have been shown to help underprepared youth and adults obtain postsecondary credentials and good jobs.

**OPPORTUNITY:** Encourage and engage in the development of career pathways to ensure that they include programs for less-educated workers and supportive services to enable participation. Human service agencies with experience serving particularly disadvantaged workers may have more expertise in this area than workforce boards that have not traditionally focused on this population. Human service providers can also be critical career pathway partners in providing support services for program participants.

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## Supports Workers to Earn While They Learn

Many job seekers, particularly those who face barriers to employment, require an array of work-based training and employment strategies to become gainfully employed. WIOA encourages a comprehensive set of supports that involve public and private partners to help individuals earn secondary and post-secondary credentials and transition into jobs. WIOA explicitly allows up to 10 percent of Adult and Dislocated Worker funds to be used for transitional jobs, defined as time-limited, subsidized work experiences, for individuals with barriers to employment.

**OPPORTUNITY:** The inclusion of transitional jobs in WIOA provides an opportunity for local areas that do not use the model currently to add it to their portfolio of services to help individuals who are chronically unemployed and have barriers to employment establish work history and develop skills. This is an area where there is opportunity for workforce agencies to partner with TANF agencies that may have more recent experience with subsidized jobs from the programs operated under the TANF Emergency Fund.<sup>vi</sup>

## Opportunities in Policy and Planning

WIOA provides an opportunity for human service engagement at the policy and planning level, particularly through the existing workforce boards.<sup>vii</sup> Workforce Development Boards at the state and local levels provide key planning and implementation of WIOA programs. They create and implement policies that affect the way their workforce development systems are run and what innovative opportunities they will pursue. By early 2016, states are mandated to submit a single, unified state plan that details how they will implement their core workforce programs.<sup>viii</sup> States also have the option to submit combined state plans that include core and other programs, such as TANF, SNAP E&T, Career and Technical Education, and programs under the Second Chance Act. If a state chooses to submit a combined plan, the programs included in the plan will retain the requirements from their authorizing legislation. Whether or not a state chooses to officially submit a combined plan, bringing these agencies together in the planning process can help states develop and implement innovative approaches across programs that can better address the various needs of job seekers and their families.<sup>ix</sup>

**OPPORTUNITY:** Through the make-up of its members and the policies created by the boards, there is potential to ensure that human service providers and community-based organizations with expertise serving individuals who face barriers to employment are an integral part of these decision-making bodies. State and local workforce development boards have the opportunity to engage human service providers and community-based organizations as partners and as part of their board make up. The state workforce development boards are a key component of WIOA, and perspective from a community-based organization could be important to the implementation of WIOA and to the development of effective partnerships between workforce development and human service providers. Human service providers and community-based organizations that have experience serving low-income individuals can bring a unique perspective to the decision making of state and local boards.

WIOA and many human service programs share the goal of moving individuals into the workforce and helping them attain economic security. Toward this goal, WIOA makes the TANF program a mandatory partner in the one-stop system, unless a state's governor opts to exclude it.<sup>x</sup> This is an opportunity to engage and ensure alignment of human service and workforce resources to address the needs of individuals and increase efficiencies in the administration of these programs.

As a partner in the one-stop system, TANF agencies would be required to:

- Provide access to the TANF program services through one-stop centers.
- Contribute to the funding of the one-stop infrastructure<sup>xi</sup>;
- Enter into a memorandum of understanding (MOU) with the local board and participate in the operation of the one-stop system;

For TANF recipients, improved partnerships between TANF and WIOA Title I – Adult and Dislocated Worker Employment and Training Activities and Youth Investment Activities, and Title II – Adult Education programs have the potential to give them access to higher-quality training opportunities offered through one-stops as encouraged by the new law. Similarly, partnerships with Vocational Rehabilitation agencies (funded through WIOA Title IV) may provide TANF recipients with improved access to targeted services for individuals with disabilities. Such access is not guaranteed, as state TANF agencies will still determine what activities they will count towards an individual TANF recipient's work requirement.

One-stop partners, including human service programs, must enter into an MOU with the local workforce board relating to the operation of the one-stop centers. MOUs must detail the services that the one-stops will provide and how they will be coordinated with partner resources and delivered. MOU's must also detail the operational and service costs and how the system will be funded.

**OPPORTUNITY:** Bringing funding to the table gives TANF agencies additional leverage in conversations with workforce agencies. Partnership discussions should begin with how agencies can work together to improve outcomes for their shared customers and should only then turn to cost allocation. Once TANF and poverty program leaders come to a shared perspective with workforce leaders about their mutual commitment to serving the most disadvantaged clients, including TANF recipients, they can discuss the cost allocation issues and make a joint recommendation to the governor regarding making TANF a one-stop partner.

WIOA makes other human service programs such as the Social Security Administration's (SSA) employment and training programs, the Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T), and other federal, state or local employment, education and training programs *optional* partners. Partnerships may be particularly valuable for SNAP E&T programs that are new or expanding and do not have their own existing service delivery network. Furthermore, Able Bodied Adults Without Dependents (ABAWDs) who are between the ages of 18 and 50, not living in a household with a minor child and are mentally and physically able to work, are subject to a time limit for receiving SNAP of no more than three months in a 36-month period unless they are working or participating in work activity for at least 20 hours a week. States have the option of waiving this time limit in areas of high unemployment, or statewide, when unemployment rates are high enough. In recent years,

nearly all states have qualified for statewide waivers. However, as unemployment rates decline, the ABAWD time limits are starting to come back into effect in some states and more will face them in the future.<sup>xii</sup>

**OPPORTUNITY:** Participation in WIOA services counts as a work activity for the purpose of stopping the clock on time limits for ABAWDs. Partnerships between SNAP E&T and one-stops can better connect ABAWDs, many of whom face barriers to employment, to workforce resources, and opportunities. SNAP and workforce agencies should also share data in order to facilitate ABAWD's participation in WIOA-funded services, and to ensure that appropriate WIOA services count as participation in work activities and that participants are not incorrectly denied SNAP benefits.

## Conclusion

WIOA offers many opportunities to strengthen our workforce system by creating better partnerships with human service, CBOs, and other service providers such as community colleges in order to improve services to individuals who face barriers to employment and financial independence. The effectiveness and success of these efforts, however, depend on the engagement that all stakeholders have in the planning and implementation of the law. Now is a critical time to ensure that everyone who has a stake in ensuring the well-being of low-income individuals and job seekers is a part of these efforts. Advocates have an opportunity that we haven't had since the enactment of WIA 16 years ago to influence how workforce programs should be delivered in their states and communities during these early days of implementation of WIOA. Human service providers and advocates can encourage their local workforce boards and their state human service and labor agencies to participate in planning meetings that may be open to the public, or otherwise share best practices and identify policies that may pose barriers to alignment and effective partnerships.

Advocates can also engage their states to learn whether they will be early implementers of WIOA. States that choose to voluntarily submit and implement the WIOA state unified plans before July 1, 2016, may do so once the Department of Labor has developed a process and guidance on this. If a state is an early implementer, advocates should be aware of any changes and opportunities available to them and those they serve.

As the federal rulemaking process continues for WIOA, CLASP will share information and opportunities for advocates to weigh in. Additional information and resources on WIOA can be found on [CLASP's WIOA Game Plan for Low-Income People web page](#).

## Endnotes

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<sup>i</sup> The Workforce Innovation and Opportunity Act (WIOA) supersedes the Workforce Investment Act of 1998 (WIA) and is the first legislative reform of the public workforce program in 16 years.

<sup>ii</sup> Kisha Bird, Marcie Foster, and Evelyn Ganzglass, *New Opportunities to Improve Economic and Career Success for Low-Income Youth and Adults: Key Provisions of the Workforce Innovation and Opportunity Act (WIOA)*, CLASP, 2014, <http://www.clasp.org/resources-and-publications/publication-1/KeyProvisionsofWIOA-Final.pdf>

<sup>iii</sup> Ibid.

<sup>iv</sup> Ibid.

<sup>v</sup> David. H. Bradley, *The Workforce Investment Act and the One Stop Delivery System*, Congressional Research Service, 2013, <https://www.fas.org/sep/crs/misc/R41135.pdf>

<sup>vi</sup> LaDonna Pavetti, Liz Schott, and Elizabeth Lower-Basch, *Creating Subsidized Employment Opportunities for Low-Income Parents: The Legacy of the TANF Emergency Fund*, Center on Budget and Policy Priorities and CLASP, 2011, <http://www.cbpp.org/files/2-16-11tanf.pdf>

<sup>vii</sup> State workforce boards must include representatives of business, labor, the legislature, local elected officials, and the state agencies that administer WIOA programs. The state workforce board may also include representatives from community-based organizations, organizations that work on addressing the needs of youth, and other members designated by the governor.

<sup>viii</sup> WIOA Core Programs consist of: Title I – Adult and Dislocated Workers Employment and Training Activities; Title I – Youth Workforce Investment Activities; Title II – Adult Education and Family Literacy Act; Title III – Wagner-Peyser; and Title IV – Vocational Rehabilitation.

<sup>ix</sup> Bird et al., *New Opportunities*.

<sup>x</sup> Other Mandatory partners include Older Americans Action programs, Trade Adjustment Assistance Act Programs, Veterans Employment and Training, Community Services Block Grant employment and Training, Housing and Urban Development employment and training, Second Chance Act programs, Perkins Postsecondary Vocational Education activities.

<sup>xi</sup> A partnership between TANF and one-stops means that a portion of TANF funds must be used to maintain the one-stop infrastructure. However, costs are only supposed to be charged to TANF, to the extent that TANF recipients benefit from services. Given the many demands on TANF funds, human service agencies will want to ensure that they are getting good value for their investment. Partners, along with the local workforce board and chief elected officials would need to agree on the funding of the one-stop infrastructure. If the local areas cannot agree on the allocation of infrastructure costs, a State mandated funding mechanism may be imposed.

<sup>xii</sup> Elizabeth Lower-Basch, *SNAP E&T*, CLASP, 2014, <http://www.clasp.org/resources-and-publications/publication-1/SNAP-ET-Overview.pdf>