

Mass Workforce Issuance

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Policy **Information**

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: September 19, 2016

Subject: **Career Services Under the Workforce Innovation and Opportunity Act**

Purpose: To notify Local Workforce Development Boards, One-Stop Career Center Operators and other local workforce partners of career services required by the Workforce Innovation and Opportunity Act.

Background: The Workforce Innovation and Opportunity Act (WIOA) replaces the core, intensive and training services of Workforce Investment Act 1998 (WIA) Title I with Career Services. WIOA mandates that every interested individual or business must have access to career services through the One-Stop Career Center system. There are three categories of services under the umbrella of Career Services: Basic Services, Individual Services, and Follow-up Services.

This policy issuance identifies the Massachusetts One Stop Career Centers as the vehicle for the delivery of WIOA career services.

Policy: The following elements related to the provision of career services by required career center partners must be incorporated into career center operations by Local Workforce Development Boards and One-Stop Career Center operators.

All persons have access to employment-related information and self-service tools, without restrictions. Services that are not primarily informational and/or self-

service require WIOA registration. Eligibility for career services and training also requires WIOA registration. Eligibility for career services is restricted to adults and dislocated workers who are unemployed or employed and in need of career or training services in order to obtain or retain employment that allows for self-sufficiency.

Priority: “With respect to funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b) 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) of WIOA and training services.”

Self Service/Universal Access

There is universal access to Employment Services involving self-help. Unregistered services include self-help or other unassisted basic career services not tailored to specific needs or basic information, including:

- Self-service, including virtual services
- Facilitated self-help
- Job listings
- Labor Market Information (LMI)
- Labor exchange services, and
- Information about other services

Please note that the Employment Services may also be included with basic career services if they are assisted basic career services or tailored to specific needs.

Basic Career Services (WIOA 134(c)(2)(i – x))

Basic career services must be made available and, at minimum, must include the following services, as is consistent with allowable program activities. Basic career services include:

- (i). WIOA eligibility determination: determinations of whether the individual is eligible to receive assistance from the adult, dislocated work or youth programs.
 - “Adults and dislocated workers who receive services funded under Title I other than self-services or informational activities must be registered and must be a participant.” (CFR 680.110(b))
- (ii). Outreach/intake (including worker profiling) and orientation to information and other services available through the one-stop delivery system.
 - Registration is the process for collecting information to support a determination of eligibility.” (CFR 680.110(a))

- Participation: “Occurs after the registration process of collecting information to support an eligibility determination and begins when the individual receives a staff assisted WIOA service which does not include self-service or informational activities.” (CFR 680.110(a))
- (iii). Initial assessment of skill levels, including literacy, numeracy, and English Language proficiency, as well as aptitudes, abilities (including skill gaps), and supportive service needs.
 - (iv). Labor exchange services including:
 - i. Job search and placement assistance, and when needed by an individual, career counselling, including provision of information on in-demand industry sectors and occupations and provision of information on nontraditional employment.
 - ii. Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the One-Stop delivery system.
 - (v). Provision of referrals to and coordination of activities with other programs and services, including programs and services within the One-Stop delivery system and, when appropriate, other workforce development programs.
 - (vi). Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including:
 - Job vacancy listings in labor market areas
 - Information on job skills necessary to obtain the vacant jobs listed
 - Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs
 - (vii). Provision of performance information and program cost information on eligible providers of training services by program and type of providers.
 - (viii). Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area’s One-Stop delivery system.
 - (ix). Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including:
 - Child care
 - Child support

- Medical or child health assistance available through the State’s Medicaid program and Children’s Health Insurance Program, benefits under SNAP, assistance through the earned income tax credit, and assistance under a State program for Temporary Assistance for Needy Families and other supportive services and transportation provided through that program
- (x). Provision of information and assistance regarding filing claims for unemployment compensation, by which the One-Stop must provide meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation. “Meaningful assistance” means:
- Providing assistance on-site using staff who are well-trained in unemployment compensation claims filing and the rights and responsibilities of claimants, or
 - Providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within reasonable time
 - Assistance in establishing eligibility for programs of financial aid assistance for training and education programs (non-WIOA). (NPRM 678.430 (a)(10-11))

Individualized Career Services (WIOA 134(c)(2)(xii)(I – X))

Individualized career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These services include:

- I. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include:
 - (aa) Diagnostic testing and use of other assessment tools, and
 - (bb) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals
- II. Development of an Individual Employment Plan (IEP) to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including a list of, and information about, the eligible training providers.
- III. Group counseling.
- IV. Individual counseling.
- V. Career planning.
- VI. Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal

maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training.

- VII. Internships and paid or unpaid work experiences that are linked to careers; internships and work experiences may be arranged within the private for-profit sector, the non-profit sector, or the public sector.
- VIII. Workforce preparation activities, including programs or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of post-secondary education, or training, or employment.
- IX. Financial literacy services, including services which (WIOA Sec 129(b)(2)(D))
- Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions.
 - Support participants in learning, credit, debt, including student loans, consumer credit, and credit cards.
 - Teach participants about the significance of credit reports and credit scores, what their rights are regarding their credit and financial information, how to determine the accuracy of a credit report and how to correct inaccuracies, and how to improve or maintain good credit.
 - Support a participant's ability to understand, evaluate, and compare financial products, services, and opportunities to make informed financial decisions.
 - Educate participants about identity theft, ways to protect themselves from identity theft, and how to resolve cases of identity theft, and in other ways understand their rights and protections related to personal identity and financial data.
 - Support activities that address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials.
 - Provide financial education that is age appropriate, timely, and provides opportunities to put lessons into practice, such as by access to safe and affordable financial products that enable money management and savings, and
 - Implement other approaches to help participants gain the knowledge, skills, and confidence to make informed financial

decisions that enable them to attain greater financial health and stability by using high-quality, age-appropriate, and relevant strategies and channels, including where possible, timely and customized information, guidance, tools, and instruction.

- X. Out of area job search assistance and relocation assistance.
- XI. English Language acquisition and integrated education and training programs.

Training Services (WIOA 134 (c)(3))

Training services are provided to equip individuals to enter the workforce and retain employment. Under WIA, participants were required to undergo a sequence of core and intensive services before being determined eligible to receive training. The WIOA clarifies that there is no sequence of service requirements in order to receive training. Training may be made available to individuals after an interview, assessment, or evaluation resulting in a determination that the individual requires training to obtain employment or to remain employed.

Training services may be made available to an employed and unemployed adult and dislocated worker who: **(WIOA 134(c)(3)(i))**

- I. Is determined by a One-Stop operator or One-Stop partner, after an interview, evaluation, or assessment, and career planning to:
 - (aa). Be unlikely or unable to retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
 - (bb). Be in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - (cc). Have the skills and qualifications to participate in training services.
- II. Has selected a training directly linked to the employment opportunities either in the local area or planning region, or in another area to which the individual is willing to commute or relocate.

The participant is unable to obtain grant assistance from other sources to pay for the training, including other grants such as State-funded training grants, Trade Adjustment Assistance, and Federal Pell grants, or requires assistance beyond that available from other sources to pay for the cost of training. (WIOA Sec 134(c)(3)(B)(i))

- “An individual must at a minimum receive either an interview, evaluation, or assessment, and career planning or any other method through which the one-stop operator or partner can obtain enough information to make an eligibility determination to be determined eligible for training services. Where appropriate, a recent interview, evaluation, or assessment, may be used for the assessment purpose.” (CFR 680.220(a))
- “The case file must contain a determination of need for training services under §680.210 as determined through the interview, evaluation, or assessment, and career planning informed by local labor market information and training provider performance information, or through any other career service received.” (CFR 680.220(b))
- “There is no requirement that career services be provided as a condition to receipt of training services.” (CFR 680.220(c))
- “If career services are not provided before training, the Local Board must document the circumstances that justified its determination to provide training without first providing the services described above.” (CFR 680.220(b))

Training services may include the following: **(WIOA 134(c)(3)(D)(i-xi))**

- i. Occupational skills training, including training for nontraditional employment.
- ii. On-the-Job training.
- iii. Incumbent worker training.
- iv. Programs that combine workplace training with related instruction, which may include cooperative education programs.
- v. Training programs operated by the private sector.
- vi. Skill upgrading and retraining.
- vii. Entrepreneurial training programs that assist qualified unemployed individuals who are seriously interested in starting a business and becoming self-employed.
- viii. Transitional jobs training, which is:
 - Time-limited work experiences that are subsidized and are in the public, private, or non-profit sectors for individuals with barriers to employment who are chronically unemployed and/or have an inconsistent work history;
 - Combined with comprehensive employment and support services; and

- Designed to assist individuals with barriers to employment to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry and retention into unsubsidized employment.
- ix. Job readiness training provided in combination with any of the aforementioned training services with the exception of registered apprenticeships.
 - x. Adult education and literacy activities, including activities of English language acquisition, and integrated education and training programs provided concurrently or in combination with any of the aforementioned training services, with the exception of registered apprenticeships and transitional jobs training.
 - xi. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

In most circumstances, an individual will receive training services through an individual training account (ITA). The selection of a training program should be fully informed by the performance of relevant training providers and individuals must be provided with performance for all training providers who provide a relevant program. (CFR 680.300) (WIOA Sec 134(E)(G)(i))

Follow-up Services (WIOA Sec 134(c)(2)(A)(xiii)), CFR 678.430(c), 680.150 and 100 DCS 08.102

Follow-up services must be provided, as appropriate, including counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment. While follow-up services must be made available, not all of the adults and dislocated workers who are registered and placed into unsubsidized employment will need or want such services. Also, the intensity of appropriate follow-up services may vary among different participants. Participants who have multiple employment barriers and limited work histories may be in need of significant follow-up services to ensure long-term success in the labor market. Other participants may identify an area of weakness in the training provided by the WIOA prior to placement that will affect their ability to progress further in their occupation or to retain their employment.

Follow-up services could include, but are not limited to:

- Additional career planning and counseling.
- Contact with the participant's employer, including assistance with work-related problems that may arise.
- Peer support groups.

- Information about additional educational opportunities, and referral to supportive services available in the community.
- Case management administrative follow-up.
- Other services.

Business Services (NPRM §463.435 and §679.560, WIOA 134(c) and (d))

WIOA emphasizes business customers as an integral part of a demand driven system. As such, the Commonwealth identifies business services as a core component of the career center service delivery system.

Business services must be delivered with a proactive approach to the demand driven business customer's needs. Local areas must develop a business service plan that reflects the local labor market. Business services must include but are not limited to the following:

- Business Engagement in local service delivery model.
- Appropriate recruitment and referrals.
- Clear Understanding of Hiring Needs.
- Provision of information on specialized services available.
- Promote use of industry and sector partnerships to address workforce needs of multiple employers within an industry.
- Promotes and funds proven strategies: incumbent worker training, registered apprenticeship, OJT, customized training, transitional jobs.

Action

Required: Local Workforce Development Boards will adhere to the policy delineated in this issuance in developing its WIOA Standard Operating Procedures (SOP). Each local Board will also ensure that all career center staff are informed of the content of this issuance. Standard Operating Procedures will be reviewed by the DCS Field Management and Oversight Unit during the FY2016 Program monitoring.

Effective: Immediately.

Inquiries: Please email all questions to PolicyQA@detma.org. Also indicate Issuance number and description.

References: WIOA Section 134(c)(3)(D)
20 CFR Sections 680.120, 680.210 through 230, 678.430(c)
TEGLs 17-05, 15-10 TEGL No. 03-15

Attachment: A. Desk Aid