

Mass Workforce Issuance

100 DCS 18.102

☒ Policy ☐ Information

To: Chief Elected Officials
Workforce Development Chairs
Workforce Development 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: July 1, 2015

Subject: Participant Transition: WIA to WIOA

Purpose: To provide guidance and instruction to Local Workforce Development Boards, One-Stop Career Center Operators and other local workforce investment partners with regard to the transition of participants currently being served under Title I of the Workforce Investment Act of 1998 (WIA) and under the Wagner-Peyser Act to the Workforce Innovation and Opportunity Act (WIOA).

Background: The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 2, 2014. WIOA is designed to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

WIOA supersedes the Titles I and II of the Workforce Investment Act of 1998, and amends the Wagner-Peyser Act, and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment.

Policy: Transition of WIA Participants to WIOA

1. All WIA participants will transition into WIOA

On July 1, 2015, all WIA Title I participants (including Adult, Dislocated Worker, Youth, NFJP, and INA participants) who were enrolled in a WIA Title I program prior to July 1, 2015, must be transitioned (or "grandfathered") into WIOA. This shall occur even if the participant would not otherwise be eligible for WIOA.

2. Eligibility re-determination under WIOA is not required

Local operators are instructed **not** to complete an eligibility re-determination for participants already determined eligible and enrolled under WIA.

3. Participants are to complete services already planned

Furthermore, these participants **must be allowed** to complete the WIA services ("grandfathered services") specified in their individual service strategy and/or individual employment plan, regardless of whether or not the services are allowable under WIOA, as long as the WIA services were specified in participants' individual service strategies and/or individual employment plans as of June 30, 2015.

4. Participant services will be continued using the appropriate funding stream

Local operators must continue to serve participants enrolled under WIA (with pre-determined WIA or new WIOA services) by either: providing the services for which WIA funds were already obligated, with unobligated carry-in WIA funds that become WIOA funds (as established in Section 4 of [TEGL 38-14](#)); or with new WIOA funds.

5. WIOA eligibility determination and services begin on July 1, 2015

WIOA eligibility applies Effective July 1, 2015, local operators must make all new eligibility determinations under the WIOA framework for participants enrolling on or after that date and must follow all WIOA requirements. Participants enrolled on or after July 1, 2015 may only access services allowable under WIOA. Please refer to the WIOA Title I Adult and Dislocated Worker Eligibility Policy, #18-101 and the WIOA Title I Youth Eligibility Policy, #19-101.

Transition of Employment Services (ES) Participants under WIOA

WIOA Title III amended the Wagner-Peyser (WP) Act of 1933, which governs Employment Services (ES). However, under WIOA, ES maintains its identity as a universal access program for all job seekers, therefore ES eligibility criteria has not changed. Local operators should continue to provide participants with the full array of labor exchange services after WIOA takes effect on July 1, 2015.

Action

Required: Please follow the above instructions for participants who are currently enrolled in WIA. Please review the entire TEGL.

Effective: July 1, 2015

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

References: WIOA (Pub. L. 113-128) Title I
WIA (Pub. L. 105-220) Title I
US DOL ETA TEGL 38-14
MassWorkforce Issuance Policy #18-101
<http://www.mass.gov/massworkforce/issuances/wioa-policy/18-wioa/>
MassWorkforce Issuance Policy #19-101
<http://www.mass.gov/massworkforce/issuances/wioa-policy/19-youth/>