



**LEAD CENTER**

# **Workforce Innovation and Opportunity Act (WIOA) From a Disability Perspective**

**LEAD Center WIOA Webinar Series  
February 25, 2015**

# TODAY'S SPEAKERS

## **Rebecca Salon (Facilitator)**

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## **Michael Morris (Presenter/Moderator)**

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# TODAY'S SPEAKERS

**Kim Vitelli**

Chief, Division of National  
Programs

Employment and Training  
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U.S. Department of Labor



# TODAY'S SPEAKERS

## **Don Wehbey**

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## **Bridget Brown**

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# TODAY'S SPEAKERS

## **David Mank, Ph.D.**

Chairperson, Advisory Committee on  
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Employment for Individuals with Disabilities  
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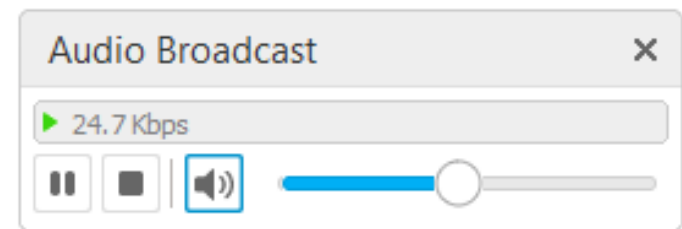
**The National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD)** is a collaborative of disability, workforce and economic empowerment organizations led by **National Disability Institute** with funding from the **U.S. Department of Labor's Office of Disability Employment Policy**, Grant No. #OD-23863-12-75-4-11.

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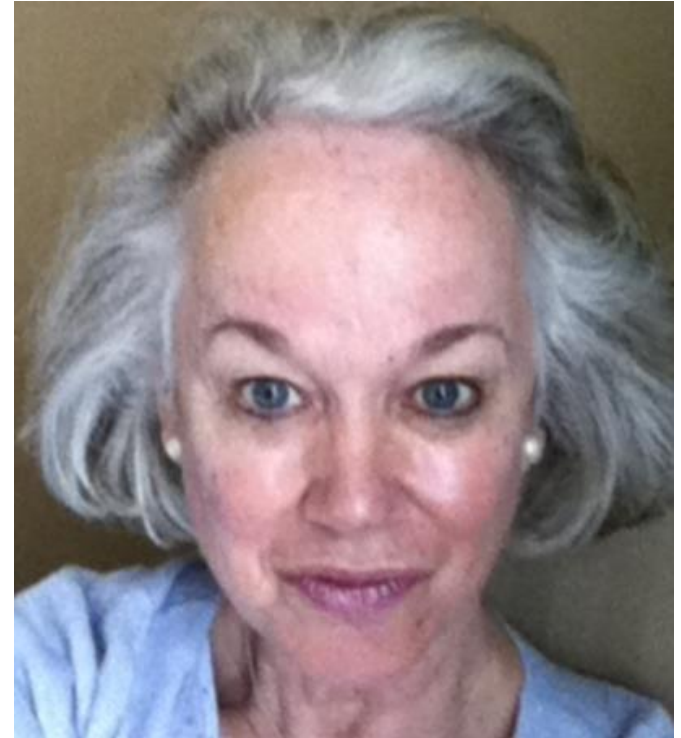


# WELCOME

**Christopher Button, Ph.D.**

Supervisor, Workforce  
Systems Policy

US Department of Labor  
Office of Disability  
Employment Policy



# LEAD CENTER MISSION

- ▶ To advance sustainable individual and systems level change that results in improved, competitive integrated employment and economic self-sufficiency outcomes for individuals across the spectrum of disability.

[www.leadcenter.org](http://www.leadcenter.org)



# AGENDA

- Review webinar outcomes
- Impact of the Workforce Innovation and Opportunity Act on Employment and Economic Advancement Outcomes for People with Disabilities
- ETA Activities and Timelines
- Panel Discussion
- Action Steps: What you can do now
- Questions & Answers
- Upcoming Webinars



# WEBINAR OUTCOMES

Attendees will learn about:

- ▶ Big changes in WIOA from a disability perspective
- ▶ ETA activities and timelines
- ▶ Additional system coordination requirements
- ▶ Actions to take to influence WIOA implementation in your state



# INTRODUCTION

- ▶ WIOA signed into law on July 22, 2014 (PL)113-128
- ▶ Proposed rules to implement WIOA will be released in Spring 2015
- ▶ Job seekers with and without disabilities may receive and benefit from job search and placement assistance, career counseling, skills training, and other supportive services.
- ▶ The new law will take effect July 1, 2015 except for amendments to the Rehabilitation Act which took effect on the date of enactment





# FROM A DISABILITY PERSPECTIVE WHAT ARE THE BIG CHANGES

- Emphasis on career pathways and sector partnerships to promote employment in in-demand industries and occupations
- Eliminates sequence of services before enrollment in training
- Establishes a single Unified State Strategic Plan



# FROM A DISABILITY PERSPECTIVE

## WHAT ARE THE BIG CHANGES (Cont.)

- Individuals with disabilities must be a part of State and Local Strategic Plans
- Performance outcomes must be identified and reported (including by disability)
- Criteria for certifying American Job Centers must include assessing physical and programmatic accessibility of facilities, programs, services, technology and materials, and appropriate staff training and support



# WHAT ARE THE BIG CHANGES - YOUTH

- ▶ 75% of the youth formula program funds must be spent on out of school youth as compared to 30% under WIA (Title I)
- ▶ At least 20% of local youth formula funds must be used for work experiences such as summer jobs, on the job training and internships (Title I)
- ▶ At least 15% of state VR funds must provide pre-employment transition services to prepare youth for post-secondary education and employment (Title IV)

# ENHANCED FOCUS ON EMPLOYER AS A CUSTOMER

- ▶ State and Local WIBs are comprised of a majority of business representatives with a business chair (Title I)
- ▶ State and local plans must identify employment needs of employers and develop strategies to meet those needs (Title I)
- ▶ Local Boards are to enhance collaboration among employers, economic development entities, and service providers (Title I)
- ▶ VR must identify and respond to needs of employers and help with recruitment, job matching, hiring, on the job training, accommodations and retention. (Title IV)



# ADDITIONAL SYSTEM COORDINATION REQUIREMENTS (TITLE I)

- Align employment, training, and education including career and technical education with human services programs not covered by the unified state plan
- Describe how community colleges will be engaged as partners in the workforce development system
- Promote work-based training and sector strategies to address the needs of multiple employers in the industry



# ADDITIONAL SYSTEM COORDINATION REQUIREMENTS (TITLE IV)

- VR must enter into formal agreements with state Medicaid, I/DD, and Mental Health agencies to improve coordination of resources
- VR must improve and expand VR services for students with disabilities on a statewide basis.
- VR in the state plan must indicate how services will be coordinated with the Ticket to Work program
- VR must improve engagement with in-demand industry sectors to increase competitive integrated employment opportunities



# FOR THE FIRST TIME

- ▶ Adds definition of customized employment in Title IV
  - ▶ Competitive integrated employment
  - ▶ Based on individual determination of strengths, needs, and interests of the individual with a significant disability
  - ▶ Designed to meet specific needs of the individual and employer
  - ▶ Carried out through flexible strategies



# ALSO FOR THE FIRST TIME

- ▶ Promotes financial literacy activities for youth and adults with disabilities (Title I)
- ▶ Extends length of time for supported employment services from 18 to 24 months (Title IV)
- ▶ Places new limitations on use of subminimum wage (Title IV)
- ▶ Creates a Federal Cross-Agency Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities (Title IV)





# SECTION 511: LIMITATIONS ON USE OF SUBMINIMUM WAGE

- ▶ Limits conditions of subminimum wage work for individuals 24 or younger only upon completion of each of the following actions:
  - ▶ Has received pre-employment transition services;
  - ▶ Has applied for and been rejected by VR as ineligible for services;
  - ▶ Has been provided career counseling and information and referrals to other public programs that allow the experience of competitive, integrated employment; and
  - ▶ Has been working toward an employment outcome for a reasonable period of time without success.

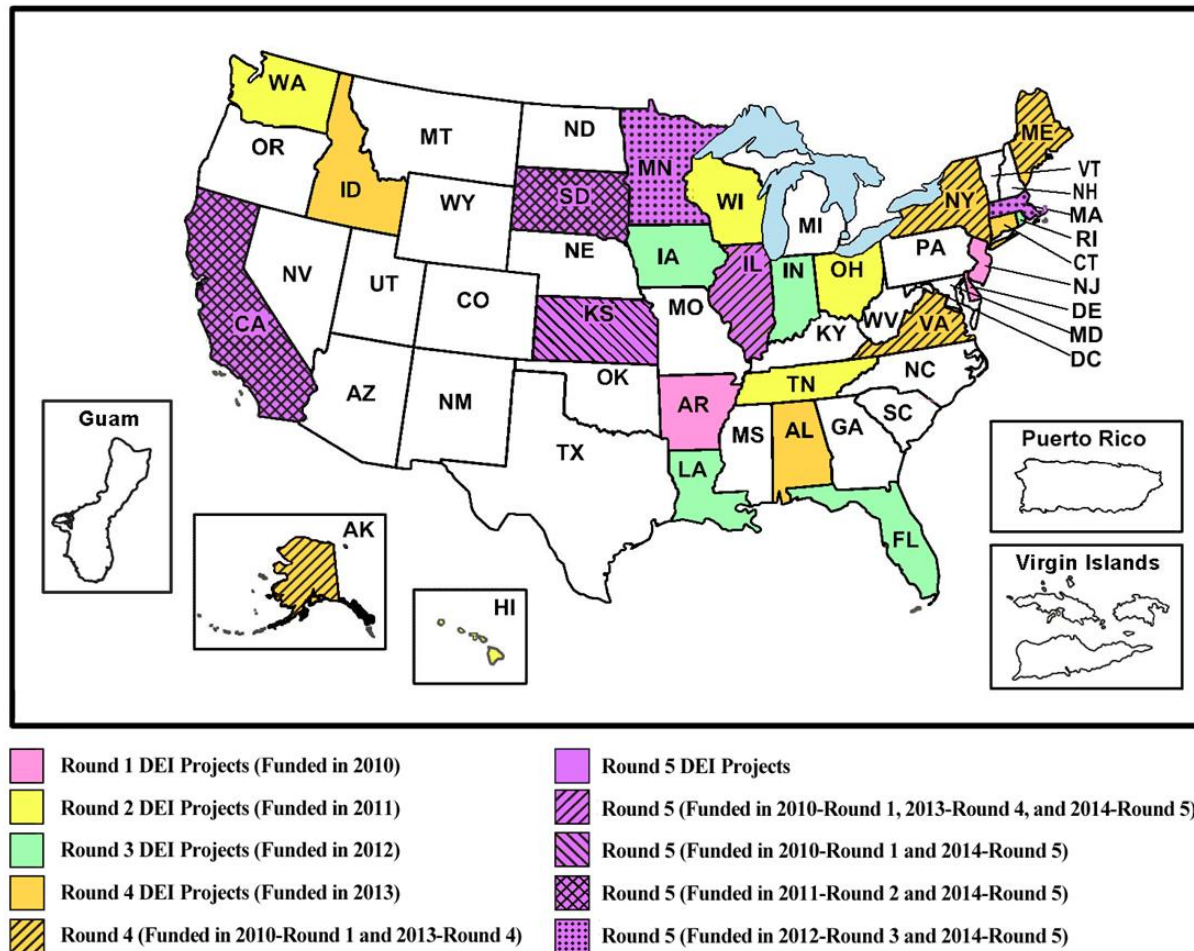


## SECTION 511: ALREADY RECEIVING SUBMINIMUM WAGE

- ▶ Reassessment every six months
- ▶ Requirement to provide work readiness and job training services
- ▶ Prohibition of schools from subcontracting with subminimum wage providers



# DEI COOPERATIVE AGREEMENTS



# UPDATE FROM EMPLOYMENT & TRAINING ADMINISTRATION (ETA)

**Kim Vitelli**

Chief, Division of National Programs  
Employment and Training Administration  
U.S. Department of Labor



# VISION FOR THE WORKFORCE SYSTEM AND INITIAL IMPLEMENTATION OF WIOA (ETA TEGL 19-14)

- ▶ Issued February 19, 2015
- ▶ Lays out the vision for a revitalized transformed workforce system as a result of implementation of WIOA
- ▶ Encourages workforce system leaders and partners to take action now to fully realize the vision of WIOA
- ▶ Provides an overview of upcoming guidance and technical assistance to support effective implementation

Download TEGL 19-14:

[http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7353](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7353)



# WIOA IMPLEMENTATION DATES

- ▶ July 1, 2015
  - ▶ Provisions take effect, unless otherwise noted in the Act
- ▶ July 22, 2015
  - ▶ Template for performance reports by state, local, and Eligible Training Providers must be developed by Secretary of Labor and Secretary of Education within 12 months after the date of enactment
- ▶ January 22, 2016
  - ▶ DOL, ED and HHS must publish Final Rules to implement WIOA (18 months after enactment)

Full list of WIOA Implementation dates:

[www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf](http://www.doleta.gov/wioa/pdf/WIOA-Key-Implementation-Dates.pdf)



WIOA from a Disability Perspective

# PANEL DISCUSSION



# PANEL DISCUSSION

- From your perspective, what are the most important, promising changes included in WIOA that will positively advance employment and economic outcomes for people with disabilities?





# PANEL DISCUSSION (CONT.)

- ▶ Given the increased emphasis on systems coordination in WIOA, what is ETA doing in the regulatory process to ensure greater alignment between Title I employment programs and the Title IV VR programs?



# PANEL DISCUSSION (CONT.)

- From the perspective of the state workforce agencies, what are the challenges you see ahead for development of integrated state plans?



# PANEL DISCUSSION (CONT.)

- From the perspective of a workforce professional, what are the challenges you see ahead for development of integrated state plans?



# PANEL DISCUSSION (CONT.)

- ▶ What do you see as the challenges and opportunities that can be taken up by the new advisory committee created to examine critical issues impacting not only 14(c) subminimum wage certificates, but also cross system collaboration and new options for career pathways that include people with significant disabilities?



# PANEL DISCUSSION (CONT.)

- From the perspective of a workforce professional, what will be the impact of removal of the tiered service approach of WIA and the new focus on career services and training?



# PANEL DISCUSSION (CONT.)

- ▶ What can state and community agencies, as well as employers and community colleges do in collaboration with the workforce investment system to be more inclusive of people with disabilities in order to improve employment and economic outcomes?



# PANEL DISCUSSION (CONT.)

- ▶ What are other critical issues to discuss in terms of WIOA From a Disability Perspective?
  - ▶ Section 188
  - ▶ Accessibility surveys
  - ▶ Section 503
  - ▶ Advancing financial literacy



# PANEL DISCUSSION (CONT.)

- ▶ What can people be doing now at the local level to improve employment and economic outcomes through the workforce investment system and its partners so that systems are more inclusive of people with disabilities?





# EIGHT ACTIONS YOU CAN CONSIDER

1. Become informed and involved in WIOA implementation
2. Become an active stakeholder in the advisory committee on increasing competitive integrated employment for individuals with disabilities (<http://www.dol.gov/odep/topics/WIOA.htm>)
3. Improve effective and meaningful participation of job seekers with disabilities in American Job Centers (AJCs)
4. Help inform criteria for certifying AJCs or “One-Stop Career Centers”



## EIGHT ACTIONS YOU CAN CONSIDER (Cont.)

5. Promote financial literacy activities for youth and adults
6. Become involved in the Unified State Plan development
7. Improve coordination of Pre-employment Transition Services for Youth
8. Become part of the solution by becoming an active partner in some aspect of the AJC operation



# IMPLEMENTING WIOA: TEGL 19-14 ACTIONS

- Identify and allocate funding for transitional activities
- Build new, and strengthen existing, partnerships
- Engage with core programs and other partners to begin strategic planning
- Reassess One-Stop delivery system
- Develop plans to ensure workforce investment boards become WIOA compliant



# IMPLEMENTING WIOA: TEGL 19-14 (CONT.)

- Develop transition plans
- Prepare for fiscal and program changes for transition across legislations
- Assess state laws
- Review Eligible Training Provider processes
- Ensure new or existing youth service contract operators support the 75% out- of-school youth and the 20% work experience expenditure rate requirements



# QUESTIONS?

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# LEAD CENTER WIOA WEBINAR SERIES

- ▶ WIOA and the Unified State Planning Process
  - ▶ April 29, 2015, 3:00-4:30 p.m. ET
  - ▶ Register here: [http://bit.ly/WIOA\\_Webinar\\_2\\_of\\_4](http://bit.ly/WIOA_Webinar_2_of_4)
  
- ▶ WIOA Youth Services
  - ▶ June 24, 2015, 3:00-4:30 p.m. ET
  - ▶ Register here: [http://bit.ly/WIOA\\_Webinar\\_3\\_of\\_4](http://bit.ly/WIOA_Webinar_3_of_4)
  
- ▶ Section 188, the Nondiscrimination Provisions of WIOA
  - ▶ September 24, 2015, 3:00-4:30 p.m. ET
  - ▶ Register here: [http://bit.ly/WIOA\\_Webinar\\_4\\_of\\_4](http://bit.ly/WIOA_Webinar_4_of_4)



# LEAD CENTER WEBINAR ON THE CMS FINAL RULE ON NON-RESIDENTIAL SERVICES

## **Redefining Home & Community Based Services: An Overview of CMS's Final HCBS Rule & Sub-regulatory Guidance on Non-Residential Services and its Implications for the Employment of Individuals with Significant Disabilities**

### ▶ Invited Guest Presenters:

- ▶ Ralph Lollar, Director, Division of Long Term Services and Supports, Disabled and Elderly Health Programs Group, CMCS, CMS
- ▶ Colleen Gauruder, Central Office Analyst, Division of Long Term Services and Supports, Disabled and Elderly Health Programs Group, CMCS, CMS
- ▶ **March 25, 2015, 3:00-4:30 p.m. ET**
- ▶ <https://leadcenter.webex.com/leadcenter/onstage/g.php?MTID=e6dc2cda1751c3093a2a45f66e72bdc4>



# ADDITIONAL RESOURCES

- ▶ **LEAD Center Policy Brief:**

**Summary of Major Policies Included in Titles I and IV of the Workforce Innovation and Opportunity Act**

[http://www.leadcenter.org/system/files/resource/downloadable\\_version/WIOA\\_POLICY\\_BRIEF\\_10.22.14.pdf](http://www.leadcenter.org/system/files/resource/downloadable_version/WIOA_POLICY_BRIEF_10.22.14.pdf)

- ▶ **Eight Actions You Can Consider to Support Youth and Adults with Disabilities in WIOA Implementation**

<http://www.leadcenter.org/blog/eight-actions-you-can-consider-support-youth-and-adults-disabilities-wioa-implementation>

- ▶ **Workforce3One**-An e-learning, knowledge sharing webspace that offers workforce professionals, employers, economic development, and education professionals a dynamic network featuring innovative workforce solutions at

<https://www.workforce3one.org/>





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