

WSD Feedback on Workforce Innovation and Opportunity Act of 2022 DRAFT

Title I

Section 101. Definitions

Apprenticeship Program – needs to be registered under the National Apprenticeship Act.

Dislocated worker – adding the “long term unemployed (27 plus weeks)” seems to be more inclusive;

“Foundational Skills needs” replaces “basic skills deficient” and includes digital literacy, financial literacy and communication skills (all good and seem to apply to current environment)

Defines **“individuals with barriers to employment”** to include historically underserved and marginalized as a result of race , color, sexual orientation or gender identity” (not sure if a significant issue in Montana)

Supportive services is expanded to include mental health care, substance use disorder treatment, and assistance with accessing the internet. (could be an issue with associated costs for these)

Title II

Chapter 1 – State Provision

SWIB membership increasing the share of labor organizations to 30% (from 2 Members).

Current Verbiage states:

(c) At least 20 percent of the members of the Local WDB must be workforce representatives.

These representatives:

(1) Must include two or more representatives of labor organizations, where such organizations exist in the local area. Where labor organizations do not exist, representatives must be selected from other employee representatives;

(2) Must include one or more representatives of a joint labor-management, or union affiliated, registered apprenticeship program within the area who must be a training director or a member of a labor organization. If no union affiliated registered apprenticeship programs exist in the area, a representative of a registered apprenticeship program with no union affiliation must be appointed, if one exists;

(3) May include one or more representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training or education needs of individuals with barriers to employment, including organizations that serve veterans or provide or support competitive integrated employment for individuals with disabilities; and

(4) May include one or more representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth.

Also charges SWIBS to develop strategies for using digital technology to improve access to workforce services especially those individuals with barrier s to employment.

Chapter 2

SWIB requirement for standing committees focused on adult education and requires demographic composition of boards to reflect he demographic diversity of the local/state area.

Chapter 3

Performance – **adds** a measure of longer-term earning progression (median earnings at 4th qtr. after exit) and career progression (% of participants earning multiple post-secondary credentials)

Requires States to develop **and publish equity reports** to identify and quantify disparities in performance outcomes across demographic groups i.e. race, ethnicity, and gender. (may need a better MIS system to capture and track)

Subtitle B – Workforce Investment Activities and Providers

Section 221 –

- Authorizes public libraries to serve as “affiliated one stop sites”;
- Provides more clarity to role of “One Stop Operator” to include managing infrastructure, coordination among workforce partners and providing direct services;
- Adds provision of the technology (COST?) to provide virtual services to the one stop infrastructure;

Section 222- eligible Providers of Training Services

- Authorizes online education and training programs to qualify for the ETP list;
- Expands criteria to include a certification by employers or an industry sector partnership that the training will lead to a post-secondary credential and for providers can be those trainings that are in demand competencies;
- Provides for expedited approval and adds requirement for a biannual review of providers to make sure they satisfy the criteria for inclusion.

Chapter 2 – Youth Workforce activities

Seems to add provision and funding for summer and year round employment opportunities

Chapter 3 - Adult and Dislocated Workers activities

- Amends the required and allowable uses of funding for activities that now include:
- Use of reserve funds (Govs 15% set aside) for older workers, including self – employment ;
- Serve victims of gender-based violence
- Requires that at least 50% of adult funds be spent on those with highest needs (low income, public assistance, and barriers to employment)
- Makes supportive services a required activity available to adults and DWs in training or in their first 12 months of a placement in unsubsidized employment.

Section 278 Reentry Employment

This section codifies the DOL reentry opportunity grants authorizing a competitive grant program to help justice involved adults and youth to avoid recidivism.

Section 301 Family Literacy

This section amends the title of Title II of WIOA to read “Adult Education and Family Literacy Act”

National Association of State Workforce Agencies (NASWA)
Scott Sanders, President and CEO - Feedback

Infrastructure Agreements for One-Stops or AJCs

Below is what the House says the intent is and attached is early draft legislative language. This would dramatically change the current arrangement and payment mechanism on the One-Stop Infrastructure Agreements (IFAs). Your feedback on this also appreciated.

“The language I shared would eliminate IFAs. Instead it would allow no more than 10% of Title I formula funds (from youth and adult and dislocated worker funds) to pay for infrastructure costs. It would still utilize the process in which Governors allocated infrastructure funds and allow for local boards to use other funds, like cash or in-kind payments to cover any further infrastructure costs.

It does not have a mechanism for allowing Wagner-Peyser funds to cover infrastructure costs, which is something that needs to be included still.

We received TA that most infrastructure costs come from Title I formula and Wagner-Peyser anyway, so we think this does not create any significant additional strain on any three of those sources of funding.”

State and Local Workforce Boards

A shift from 20% to 30% union representation could be a big change for some states.

Technology Changes

Page 49 of the WIOA_REAUTH_01 PDF is where you see the local boards taking the lead in developing technology strategies and solutions and then working with the state- instead of the state creating the framework that ensures cost-efficiency and equity locals can build on.

Page 52 of the WIOA_REAUTH_01 PDF focuses on Professional Development again placing the local boards in charge of providing board and one-stop delivery staff with training on digital technology and tools, implementation of evidence-based strategies, including training on customer centered service, etc....so, the system will pay for this multiple times, in various flavors and qualities, creating an uneven service delivery across the state.

Other major changes

We think other major changes in the bill from current law include:

- greatly increased authorized funding levels;
- much larger focus on youth programming (beginning on page 94)– including a robust summer jobs program, similar to what was included in RAWA;
- Inclusion of Adult Ed and Community College (CC) reps on the state boards;
- Some tweaks to accountability measures;
- Expansion of One Stop sites to include libraries, CBO's, and CC's.

- Priority of services language (beginning on page 119) – requiring at least 50% of local assistance to be directed to people with barriers to employment – we know this does not include any specific reference to Veterans;
- Expansion to 25% for incumbent worker training (which can increase to 30% with the approval of the Governor)
- Expansion to 20% of local funds for transitional jobs;
- New innovation fund (beginning on page 167) focused on evidenced based practices – state and local boards and CBO's as eligible entities;
- New community college program (starting on page 175) – very similar specs to the Strengthening Community College Training Grants program funded by ETA the last two years;
- Codified REO grants (beginning on page 195) – with authorized funding levels beginning at \$250 million.
- Tweaks to a number of definitions.