

SIDE-BY-SIDE COMPARISON
Comparison of the Workforce Investment Act of 1998 (WIA)
and the Workforce Innovation and Opportunity Act (WIOA)

WIA	WIOA
<p>Structure of the Act</p> <p>Title I of WIA authorizes the Adult, Dislocated Worker and Youth formula programs, the State and local workforce development boards, the designation of local areas, local plans, the One-Stop system, national programs, including Job Corps, YouthBuild, Indian and Migrant and seasonal farmworker programs, technical assistance, pilots and demonstrations and evaluations, and general administrative provisions. Title II contains the Adult Education and Family Literacy Act. Title III contains amendments to the Wagner-Peyser Act relating to the Employment Service and the Employment Statistics system. Title IV contains amendments to the Rehabilitation Act of 1973. Finally, title V contains general provisions.</p>	<p>Structure of the Act</p> <p>WIOA retains much of the structure of WIA. The main difference is title I-A of the bill addresses the alignment of the Workforce Development System, which includes a single State unified plan that is applicable to four core workforce development programs, and a common performance accountability system applicable to the core programs. The core programs consist of: (1) the Adult, Dislocated Worker and Youth formula programs administered by DOL under title I of WIOA; (2) the Adult Education and Literacy program administered by the Department of Education (ED under title II of WIOA); (3) the Wagner-Peyser Act employment services program administered by DOL, as amended by title III of WIOA; and (4) the vocational rehabilitation programs under title I of the Rehabilitation Act, administered by ED, as amended by title IV of WIOA.</p> <p>Otherwise, in addition to the alignment provisions, title I retains and amends the Adult, Dislocated Worker and Youth formula programs, the State and local workforce development boards, the designation of regions and local areas, local plans, the One-Stop system, national programs, including Job Corps, YouthBuild, Indian and Migrant and seasonal farmworker programs, technical assistance and evaluations, and general administrative provisions currently authorized under title I of WIA. Title II retains and amends the Adult Education and Family Literacy Program currently authorized under title II of WIA. As with WIA, title III contains amendments to the Wagner-Peyser Act relating to the Employment Service and the Workforce and Labor Market Information system. Title IV contains amendments to the Rehabilitation Act of 1973, which were also included under title IV of WIA. Finally, title V contains general provisions similar to the provisions applicable under title V of WIA, as well as the effective dates and transition provisions.</p>

WIA	WIOA
<p>Definitions (Section 101) Contains 53 definitions applicable <u>to Title I</u> (DOL workforce investment programs).</p>	<p>Definitions (Section 3) Sets forth 71 definitions applicable <u>to the Act</u>, with new definitions of: administrative costs, career pathway, career planning, core programs, in-demand industry sector or occupation, individual with a barrier to employment, industry or sector partnership, pay-for-performance contract strategy, recognized postsecondary credential, region, workplace learning advisor, and workforce development system. Definitions in current law that are amended include: basic skills deficient, customized training, dislocated worker, low- income individual, on-the-job training and outlying area.</p>
<p>Purpose (Section 106) The purpose of Subtitle B (Statewide and Local Workforce Investment Systems) is to provide workforce investment activities that increase employment, retention and earnings of participants and that increase occupational skill attainment and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet skill requirements of employers, and enhance productivity and competitiveness of nation.</p>	<p>Purpose (Section 2) Sets forth six broad purposes of WIOA, relating to: (1) increasing access to and opportunities for the employment, education, training, and support services that individuals, particularly those with barriers to employment; (2) supporting the alignment of workforce investment, education and economic development systems in support of a comprehensive, accessible and high-quality workforce development system; (3) improving the quality and labor market relevance of workforce investment, education and economic development efforts; (4) promoting improvement in the structure and delivery of services; (5) increasing the prosperity of workers and employers; and (6) for purposes of title I, the same language as section 106 of WIA described in the WIA column except “development” is substituted for “investment” and “postsecondary credentials” is substituted for “occupational skills gains”.</p>
<p>State Workforce Investment Board (Section 111) <u>Membership</u> includes: the Governor; <u>2</u> members of each chamber of the State legislature; and the following representatives appointed by the Governor: (1) businesses, (reflecting employment opportunities of the State, with optimal hiring or policymaking authority and nominated by State business organizations and trade associations), who must a majority of representatives; (2) chief elected officials; (3) labor organizations (nominated by State labor federations)); (4) individuals and organizations that have experience with respect to youth activities; (5) individuals with experience and expertise in the delivery of workforce investment activities, including community colleges and community-based organizations; (6) the lead State agencies responsible for One-Stop partner programs; and (7) such other representatives and State</p>	<p>State Workforce Development Boards (Section 101) <u>Membership</u> includes: the Governor, <u>a</u> (rather than 2) member of each chamber of the State legislature; and the following representatives appointed by the Governor: (1) businesses, (same conditions as WIA except qualifies type of business represented as including businesses with high-quality, work-relevant, training and development in in-demand industry sectors or occupations in the State), and which must be a majority of the representatives as in WIA; (2) not less than 20 percent of board be representatives of the workforce, including labor organizations (nominated by State labor federations) as in WIA, and apprenticeship programs (not in WIA) and which <u>may</u> include CBOs with expertise in meeting the employment, training, or education needs of individuals with barriers</p>

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<p>agency officials as the Governor may designate, such as officials responsible for economic development and juvenile justice programs.</p> <p>No comparable provision.</p> <p>The Governor selects the <u>chairperson</u> from among the business representatives.</p> <p><i>Functions.</i> States establish a State workforce investment board to develop the State plan among other activities, including: (1) developing and continuously improving a statewide system of activities funded under this subtitle or carried out through a one-stop delivery system, including the development of linkages in order to assure coordination and nonduplication among programs and activities and the review of local plans; (2) designating local areas and developing allocation formulas for distribution of funds for adult employment and training activities and youth activities to local area, (3) developing and continuously improving comprehensive state performance measures to assess the effectiveness of workforce investment activities and preparing the annual performance report ; (4) developing statewide employment statistics system per the Wagner-Peyser Act..</p>	<p>to employment and youth organizations meeting such needs of eligible youth (which are required representatives under WIA); and (3) the balance, government representatives, which must include agencies responsible for core programs (as opposed to one-stop partner programs under WIA) and chief elected officials (as in WIA) and may include other representatives such as agencies responsible for other one-stop partner programs, agencies responsible for economic development or juvenile justice (as in WIA), or agencies responsible for education programs in the State, including CEOs of community colleges and other IHEs, or individuals representing an Indian tribe or tribal organizations.</p> <p>Members shall represent diverse geographic areas of the State (urban, rural and suburban) and no one representative may represent multiple categories.</p> <p>Same as WIA regarding selection of chairperson..</p> <p><i>Functions.</i> The functions of the board, in addition to developing the State plan and the activities described in items (2)-(4) under the WIA column, are: recommendations on actions to be taken by the State to align workforce development programs in a manner that supports a comprehensive and streamlined workforce development system; better coordinating, aligning and avoiding duplication among programs and activities in the workforce system; supporting the use of career pathways; providing effective outreach and improved access to individuals and employers who could benefit from the services provided; development of strategies for meeting the needs of workers, jobseekers, and employers, particularly through industry or sector partnerships related to in-demand industries and occupations; identification of regions (in addition to continuing to designate local areas); supporting staff training and awareness across workforce development programs; identifying and disseminating best practices; development and review of statewide</p>

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<p>Governors and chief elected officials have broad authority to grandfather State and local boards that were in existence prior to the enactment of WIA.</p> <p>No comparable provision.</p>	<p>policies affecting the coordinated provision of services through the State's one-stop delivery system (including objective assessment criteria, guidance on allocating infrastructure funds, and policies on roles and contributions of one-stop partners); strategies for technological improvements to facilitate access to and the quality of services provided through the one-stop delivery system; and strategies for aligning technology and data systems across One-Stop partner programs.</p> <p>Retains WIA provision on grandfathering of State boards that were in existence prior to WIA.</p> <p>Provides State boards authority to hire staff and requires boards to establish and apply a set of objective qualifications for the position of board director. Includes a provision limiting the amount of salary and bonuses that may be paid to the director and staff (the limitation has been included in DOL appropriations acts).</p>
<p>State Plan (Section 112) The State Board develops a five-year strategic plan to be submitted to the Secretary of Labor that describes the workforce development activities to be undertaken in the State, how the State will implement the key requirements of the Act, and how special populations will be served.</p> <p>The plan includes descriptions of State board functions, State-imposed requirements, the performance accountability system, information on the workforce needs of the State, identification of local areas and the criteria for appointment of local boards, procedures to assure coordination and</p>	<p>State Plan (Section 102) <u>Unified State Plan</u> – Each State must prepare a single Unified State Plan that covers “core programs” (WIA Adult, Dislocated Workers, and Youth formula programs, Wagner-Peyser Act employment services, Adult Education, and Vocational Rehabilitation). The plan is to identify a four-year strategy for achieving the strategic vision and goals of the State for preparing an educated and skilled workforce and for meeting the skilled workforce needs of employers. The vision and goals are to be based on an analysis of economic conditions, workforce skills and needs, and available workforce development resources. The plan is to identify a strategy for aligning the core programs and other resources available to achieve the vision and goals.</p> <p>The plan also is to contain a description of the operational elements that support the strategy, including: activities to align the core programs and coordinate with other programs and activities; engaging community colleges and area career and technical education schools; coordinating with economic development</p>

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<p>avoid duplication among one-stop partner programs, how the State will leverage other resources and expand the participation of businesses, employees and other individuals in the statewide system, assurances regarding fiscal management, how discretionary formulas were developed, strategies for implementing one-stop systems, conflict of interest policies for boards, appeals processes for designation, processes for awarding contracts and grants, the services to be provided to adults and dislocated workers and individuals with multiple barriers to employment, a description of rapid response services, the procedures for identification of eligible training providers, and the strategy for providing and coordinating comprehensive services to eligible youth.</p> <p>The plan is also to incorporate the detailed State plans under the Wagner-Peyser Act relating to the delivery of employment services</p> <p>The State plan is to be submitted to the Secretary and deemed approved 90 days after submission unless the Secretary makes a written determination within that period that the plan is inconsistent with the provisions of title I, or with respect to the Wagner-Peyser portion, is not in conformity with W-P provisions or not reasonably appropriate and adequate to carry out the purposes of W-P.</p> <p>N/A</p>	<p>strategies; and improving access to activities leading to a recognized postsecondary credential; identifying State operating systems and policies that will provide for the assessment of the core programs and other one-stop partners; aligning and integrating workforce and education data on core programs, unemployment insurance programs, and education through postsecondary education; assessing the progress of participants exiting from the programs, and incorporating privacy safeguards; implementing priority of services for veterans; and complying with requirements to ensure the physical and programmatic accessibility of facilities, programs, services and technology for individuals with disabilities. In addition, the State plan is to contain program-specific elements for each of the core programs, including State policies for the use of funds, designation of local areas, and identification of youth service providers under title I. Finally, the plan is to include certain assurances regarding the establishment and implementation of policies and activities, including policies relating to the State board, the planning process, fiscal accountability monitoring and oversight, and compliance with nondiscrimination provisions.</p> <p>Wagner-Peyser is included in the Unified State plan and does not have separate detailed planning requirements.</p> <p>The State plan is to be submitted at least 120 days before the commencement of the second full program year (PY 2016). The plan must be jointly approved by the Secretary of Labor and the Secretary of Education within 90 days of submission. The plans are to be considered approved unless within the 90-day period the Secretaries issue a written determination that the plan is inconsistent with the planning requirements or with the provisions authorizing the core programs.</p> <p>The Secretaries are also to establish a process for early implementers to submit plans to cover periods commencing prior to PY 2016.</p>

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<p>No comparable provision.</p> <p>Under section 501 of WIA a “<u>Unified State Plan</u>” may be submitted to the Secretaries with responsibility for the respective program., In addition to the title I formula programs, the plan may include one or more of the required One-Stop partner programs (such as Adult Education and Vocational Rehabilitation), as well as TANF or the SNAP work and employment and training programs.</p>	<p>Plans are to be reviewed and modifications submitted to reflect changing conditions at the end of the first two-year period after approval.</p> <p><u>Combined State Plan</u> – Under section 103, States also have the option of submitting a Combined State Plan that covers the core programs plus one or more One-Stop partner programs, such as vocational education or TANF. The Secretaries of Labor and Education would have a 90-day period to jointly review and approve portions of the plan relating to the core programs and any other of the specified programs under their jurisdiction. If an included program is under the jurisdiction of another Secretary, that Secretary has 120 days to approve that portion of the plan.</p>
<p>Local Workforce Investment Boards (Section 117)</p> <p><u>Members</u> are appointed by local elected officials in accordance with criteria established by the Governor. The composition of the local workforce investment boards consists representatives of: (1) business in the local area (reflecting employment opportunities of the local, with optimal hiring or policymaking authority and nominated by local business organizations and trade associations), who must a majority of representatives; (2) local educational entities, including LEAs, school boards, adult education and postsecondary educational institutions (including community colleges), selected from among individuals nominated by regional or local educational agencies, institutions or organizations representing the entities; (3) labor organizations nominated by local labor federations, or where none exist other representatives of employees; (4) community-based organizations (including those representing individuals with disabilities and veterans where such organizations are present), (5) economic development agencies, and (6) each of the One-Stop partners. The local board may include other representatives determined appropriate by local elected officials.</p>	<p>Local Workforce Development Boards (Section 107)</p> <p><u>Members</u> are appointed by the chief elected official in the local area and the composition of the local board is similar to the composition of the State board, with: (1) a majority composed of business representatives (same conditions as WIA except qualifies type of business represented as including businesses with high-quality, work-relevant, training and development in in-demand industry sectors or occupations in the local area); (2) not less than 20 percent composed of representatives of the workforce, including labor organizations with same conditions as WIA and representatives of apprenticeship programs, and such category <u>may</u> include CBOs with expertise in meeting the employment, training, or education needs of individuals with barriers to employment and youth organizations meeting the needs of eligible youth; (3) representatives of entities administering education and training activities in the local area, which must include a representative of Adult Education and a representative of IHEs (including community colleges), and may include representatives of local educational agencies and CBOs with demonstrated expertise in addressing the education or training needs of individuals with barriers to employment; and (4) representatives of governmental and economic and community development entities in the local area, which must include a representative of economic and</p>

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<p>The chairperson of the local board is to be elected by the board members from the representatives of business.</p> <p>The Governor must certify the local board every two years. Certification criteria require meeting performance measures.</p> <p>Local workforce investment boards, in partnership with local elected officials, are responsible for planning and overseeing the local program Specifies local board functions that include development of local plan, selection of one-stop operators and providers of services, development of budget and administration, program oversight, negotiation of performance measures, development of employment statistics system, linkages to employers, and connecting, brokering, and coaching activities.</p>	<p>community development entities, a representative from the local State employment service office, and a representative of the Rehabilitation Act program in the local area, and may include other entities, such as local agencies or entities administering transportation, housing and public assistance, and may also include philanthropic organizations and other entities the chief elected official considers appropriate. <i>Significantly reduces local board size by eliminating the requirement that a representative of each of the one-stop partners must be included.</i></p> <p>Same as WIA regarding election of chairperson.</p> <p>Same as WIA, except certification requires meeting performance measures <u>and</u> sustained fiscal integrity.</p> <p>The additional local board functions include: analyses of regional conditions; leading efforts to engage employers; leading efforts to develop and implement career pathways; identifying and promoting proven and promising practices; more effectively utilizing technology to facilitate connections among the intake and case management information systems of One-Stop partners, to access to services provided through the one-stop system (including remote areas), to meet the needs of individuals with barriers to employment, and to leverage resources and capacity; promoting consumer choice of participants among providers; enhancing coordination with education providers; and annually assessing the physical and programmatic accessibility of One-Stop centers in accordance with applicable nondiscrimination provisions under title I of the WIOA and the Americans with Disabilities Act.</p>

WIA	WIOA
<p>No comparable provision.</p> <p>No comparable provision.</p> <p>Grants Governor authority to waive prohibition for local boards to provide training services for duration not to exceed 1 year.</p> <p>A local board may provide core or intensive services through the One-Stop or be designated as the One-Stop operator only with the agreement of the chief elected official and the Governor.</p> <p>Alternative entity provision allows grandfathering of local entities in existence on the date of WIA's enactment in 1998 to serve as the local board.</p>	<p>Local boards may incorporate and operate as entities exempt from taxation per section 501(c)(3) of the Internal Revenue Code.</p> <p>Provides local boards authority to hire staff and requires boards to establish and apply a set of objective qualifications for the position of board director. Includes a provision limiting the amount of salary and bonuses that may be paid to the director and staff (the limitation has been included in DOL appropriations acts).</p> <p>Expands the duration for local board waivers to 4 years, the duration of local plans.</p> <p>Same as WIA regarding direct provision by a local board of career services.</p> <p>Retains alternative entity provision allowing grandfathering of local entities established to serve the local area in existence the day before enactment of the WIOA, pursuant to state law, to serve as a local board.</p>
<p>Youth Councils (Section 117)</p> <p>Youth Councils are established in each local area as a subgroup of the local board. The youth council develops portions of the local plan relating to youth, recommends the providers of youth activities to be awarded grants by the local board, and coordinates youth activities in the area.</p>	<p>Standing Committees (Section 107)</p> <p>Eliminates the WIA requirement that the local board establish a youth council. However, the bill authorizes, at the discretion of the local board, the establishment of three standing committees to advise the board on: One-Stop partner issues, youth services, and services to individuals with disabilities, respectively, and also authorizes the establishment of additional standing committees. An existing youth council may be retained if it otherwise meets the requirements for a standing committee.</p>

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<p>Local Plan (Section 118) The local board is responsible for developing the 5-year local plan to be submitted to the Governor for approval. Governors have 90 days to approve local plans.</p> <p>The contents of the local plan include a description of: workforce needs of businesses, jobseekers, workers, employment opportunities, and job skills; the one-stop delivery system, including continuous improvement of service providers; local levels of performance; type and availability of services; coordination with rapid response; identification of disbursing entity; competitive process for awarding grants and contracts; and other information required by the Governor.</p>	<p>Local Plan (Section 108) Each local board is to develop and submit to the Governor a comprehensive four-year local plan that supports the strategy described in the State plan and is otherwise consistent with the State plan. The local plan is to be reviewed after two years and modified to reflect changes in labor market and economic conditions or in other factors affecting implementation of the local plan. The Governor has a 90-day period to approve the plans, and the Act adds as a basis for disapproval that the local plan does not align with the State plan.</p> <p>The contents of local plans include: strategic planning elements, including economic, skills, and workforce analyses, the local board's strategic vision and goals, and a strategy and plan for aligning the core programs and other resources to achieve the vision and goals; how the local board will expand access to services and facilitate the development of career pathways and promote the attainment of recognized postsecondary credentials; strategies to facilitate employer engagement; a description of coordination with economic development activities, including promotion of entrepreneurial skill training and microenterprise services; a description of the One-Stop delivery system, including facilitating access through the use of technology, ensuring physical and programmatic accessibility, and the roles and resource contributions of One-Stop partners; coordination activities with education programs, providers of supportive services, and with the other core programs; actions to ensure the board is a high performing board in accordance with the factors established by the State board; the coordination of individual training accounts and contracts for training services; and how One-Stop centers are implementing an integrated, technology-enabled intake and case management information system among the core programs and the One-Stop partners.</p>
<p>Funding of State and Local Boards No comparable provision.</p>	<p>Funding of State and Local Boards (Section 111) Authorizes state and local boards to use non-Federal funds available to the state and local area determined appropriate and available.</p>
<p>One-Stop Partners (Section 121) Establishes the One-Stop delivery system as the access point for</p>	<p>One-Stop Partners (Section 121) Adds a provision specifying the roles and responsibilities of One-Stop</p>

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<p>employment-related training services.</p> <p>Specifies designated One-Stop partners that are to provide services through the One-Stop center, including programs authorized under: (1) title I of WIA; (2) the Wagner-Peyser Act; (3) the Adult Education and Family Literacy Act under title II of WIA; (4) title I of the Rehabilitation Act relating to vocational rehabilitation programs; (5) title V of the Older Americans Act relating to the Senior Community Service Employment Program (SCSEP); (6) Carl Perkins Career and Technical Education Act relating to programs at the postsecondary level; (7) chapter 2 of title II of the Trade Act of 1974 relating to the Trade Adjustment Assistance for Workers (TAA); (8) chapter 41 of title 38 of the US Code, relating to veterans employment programs administered by DOL (9) the Community Services Block Grant program relating to employment and training activities; (10) Housing and Urban Development employment and training activities; and (11) State unemployment compensation laws. Also provides for optional additional partners; such as TANF, SNAP work and employment and training programs, and the National and Community Service Act.</p> <p>Requires at a minimum the one stop delivery system make programs, services and activities accessible at not less than one physical center in each local area; may also make them available through a network of affiliated sites and through a network of eligible one-stop partners.</p> <p>Specifies the contents of the Memorandum of Understanding between the local board and the One-Stop partners for operation of the One-Stop delivery system, including the services to be provided, how the costs will be funded, methods of referrals, and duration.</p>	<p>partners as including: providing access through the one-stop system to the program, including making career services available at one-stop centers (in addition to other appropriate locations); providing a portion of funds to maintain one-stop system, including infrastructure costs; entering into a memorandum of understanding governing the operation of the system; participate in the operation of the one-stop system in accordance with the MOU and authorizing laws; and providing appropriate representation on the State board.</p> <p>WIOA adds to the list of required partners the Temporary Assistance to Needy Families (TANF) program unless Governor notifies the Secretaries of Labor and Health and Human Services of determination not to include that program. The ex-offenders program for adults administered by DOL under the Second Chance Act is also included as a required partner. The WIOA identifies as potential additional partners the Social Security Administration Ticket to Work program and programs of the Small Business Administration.</p> <p>Retains WIA provision. In addition, requires that the employment service offices authorized under the Wagner-Peyser Act (a core program and required partner) must be co-located with One-Stop centers.</p> <p>WIOA adds as an element of the MOU methods to ensure the needs of workers and youth and individuals with barriers to employment are addressed through access to services, including through technology. Requires that the duration of the memorandum of understanding among partners be reviewed not less than once every 3 years to</p>

WIA	WIOA
<p>One-Stop operators are designated or certified either through: (1) a competitive process; or (2) by agreement between local boards and a consortium of entities including 3 or more one-stop partners.</p> <p>No comparable provision.</p> <p>Provides for the establishment of a One-Stop delivery system (currently Section 134(c)) that provides core services and access to intensive services and training services, including access to individual training accounts.</p> <p>.</p> <p>No comparable provision.</p> <p>Grandfathering provision for pre-WIA one-stop delivery system and operators.</p>	<p>ensure appropriate funding and delivery of services.</p> <p>Requires the designation and certification of one-stop operators be made only through a competitive process.</p> <p>One-stop operators are required to disclose any potential conflicts of interest arising from relationships of operators with particular training services providers; are not allowed to establish practices that create disincentives to serve individuals with barriers to employment; and are required to comply with Federal regulations and procurement policies in calculating use of profits.</p> <p>Same as WIA, except requires the one-stop delivery system as applicable and practicable to make programs, services, and activities accessible through electronic means.</p> <p>The State board is to establish <u>certification</u> criteria to be used by local boards in assessing one-stop centers at least once every 3 years in order for centers to be eligible for infrastructure funding. The criteria are to relate to continuous improvement, ensuring accessibility (including programmatic and physical accessibility for individuals with disabilities), and effective coordination and integration of service delivery. The local board may develop additional criteria relating to service coordination by the one-stop delivery system.</p> <p>Eliminates grandfathering provision.</p>
<p>One-Stop Delivery System Identifier No comparable provision.</p>	<p>One-Stop Delivery System Identifier Adds a new requirement that each One-Stop system use a common One-Stop Delivery System Identifier to be developed by the Secretary of Labor (in consultation with stakeholders) not later than</p>

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	the second full program year after the date of enactment (PY 2016). The identifier may include a logo, phrase or other identifier that informs users that products, programs, activities, services, facilities, property or materials are being provided through the One-Stop system.
<p>One-Stop Infrastructure Funding (Section 121) One-Stop partner programs are required to contribute a portion of their funds to create and maintain the One-Stop delivery system. This is to be accomplished by One-Stop partners negotiating cost allocation and resource sharing through a memorandum of understanding developed at the local level.</p> <p>No comparable provision.</p> <p>The payment for costs of one-stop operations is to be determined through the local MOU.</p>	<p>One-Stop Infrastructure Funding There are two options for the funding of the infrastructure of one-stop centers in local areas. First, as under WIA, the allocation of costs among the one-stop partners may be determined by agreement of all the partners in the local MOU. Second, beginning July 1, 2016, if the partners are unable to reach agreement, or would prefer, the Governor makes the determination of the portion of the funds to be provided by each partner based on the proportionate use of the centers by the partners. The funds are to be provided from funds available for administration (except for title I programs and programs under title V of the Older Americans Act), and specific caps on the proportion of funds that may be required to be provided are included as follows: 3 percent from WIA formula programs and the Employment Service; 1.5 percent from other One-Stop partners; and 0.75 percent for 2nd year, 1 percent for 3rd year, 1.25 percent for 4th year, and 1.5 percent for succeeding years after enactment from the Vocational Rehabilitation programs. The Indian and Native American program under title I is not required to provide infrastructure funding. There are also provisions on the factors the Governor is to use in allocating the funds. Infrastructure costs are defined as the non-personnel costs necessary for general operations of the One-Stop center.</p> <p>Infrastructure costs are defined as the non-personnel costs necessary for general operations of the One-Stop center.</p> <p>The Act includes a provision that One-Stop partners are to provide funding or noncash resources for other common costs relating to the operation of the centers, and the costs of providing the career</p>

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	services applicable to participants in each program through local MOU. These common costs may include shared services, such as intake, assessment, and referral.
<p>Eligible Training Provider Provisions (Section 122)</p> <p><i>In general:</i> Specifies requirements for being an eligible training provider under the Adult and Dislocated Worker programs. The Governor is to establish procedures to be used by the local boards. Initial eligibility is automatic for HEA-eligible and apprenticeship providers, while other providers must meet Governor's criteria, including the provision of performance and cost information to be initially eligible. Subsequent eligibility criteria are specified that apply to HEA, apprenticeship, and other providers.</p> <p><i>Eligibility Criteria:</i> After the initial eligibility period, training providers (including HEA-eligible and apprenticeship) must meet criteria for subsequent eligibility that includes: (1) annually submit performance and cost information; (2) annually meet performance levels established by the Governor, as demonstrated by utilizing quarterly wage records, consistent with State law. Local areas may establish higher levels of performance for eligibility.</p>	<p>Eligible Training Provider Provisions (Section 122)</p> <p><i>In general:</i> The Governor, after consultation with the State board, is to establish criteria, information requirements and procedures regarding the eligibility of providers of training services to receive funds under the Adult and Dislocated Worker formula programs. <u>Providers that are carrying out Registered Apprenticeship programs are eligible to provide those programs and be included in the list of eligible training providers as long as they remain registered under the National Apprenticeship Act.</u> The other providers, that must meet the criteria and information requirements, are: (1) institutions of higher education that provide programs leading to a recognized postsecondary credential, and (2) other public or private providers of a program of training services (which may include joint labor-management organizations, and providers of adult education and literacy activities where combined with occupational skills training.)</p> <p><i>Eligibility Criteria:</i> In establishing eligibility criteria, the Governor is to take into account the performance of the training program with respect to performance accountability measures, other appropriate measures of performance outcomes determined by the Governor for participants receiving training services, and <i>outcomes with respect to employment and earnings for students in general in the program through which those training services were provided.</i> In addition, the criteria are to take into account: the need to ensure access to training throughout the State; information reported to State agencies with respect training services provided under other Federal and State programs, including one-stop partner programs; the degree to which the training programs relate to in-demand industry sectors and occupations in the State; the requirements for licensing of providers and, if applicable, the licensing status of providers; the use of industry-recognized certificates or certifications and the ability to offer programs that lead to recognized postsecondary credentials; the</p>

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<p>Information requirements For <u>WIA participants</u>: (1) percentage completing the program and obtaining employment; (2) retention 6 months after obtaining employment; (3) wages 6 months after obtaining employment; and (4) where appropriate, rates of licensure or certification, attainment of academic degrees, or other measures of skills.</p> <p>Programs costs (such as tuition and fees) must also be reported.</p> <p>The information provided is to include <u>for all individuals</u> participating in the program; not just students who receive WIA funding: (1) program completion rates (2) percentage obtaining employment, which may also include the percentage who obtain employment in an occupation related to the program; and (3) wages at placement.</p> <p>The Governor may require additional program-specific information, such as retention rates in employment and wages of all individuals completing a program; where appropriate, rates of licensure or certification of all individuals who complete a program; and percentage of attainment of industry-recognized skills in the subject, occupation nor industry for all individuals completing a program.</p>	<p>ability to provide training services to individuals with barriers to employment and to individuals who are employed; and such other factors as the Governor determines are appropriate to ensure accountability, that the needs of employers and participants are met, the informed choice of participants among service providers, and that the collection of information is not unduly burdensome or costly to providers.</p> <p>Information requirements: The State information requirements are to include, <u>with respect to WIOA participants</u> receiving training in the applicable program: (1) information on the performance of the provider with respect to the performance accountability measures applicable to the title I formula programs, and, to the extent practicable, information specifying the percentage of such participants who enter employment in an occupation relating to the training program; (2) the recognized postsecondary credentials received by such participants; (3) information on the cost of attendance, including tuition and fees; (4) information on program completion rates; and (5) information on the eligibility criteria established by the Governor.</p> <p>While the eligible training provider provision in this section of WIOA does not include information on <u>all individuals</u>, similar information from eligible providers is required by WIOA under the performance accountability provisions in section 116(d)(4) as part of the State annual performance report. The eligible training provider reports are to include: <u>with respect to all individuals in the program of study</u>: the levels of performance achieved for the primary indicators of performance relating to the percentage in unsubsidized employment, median earnings, and credential attainment and the total number of individuals exiting the program of study. <u>With respect to WIOA participants</u>, the report is to include: the number of participants receiving training services in the adult and dislocated worker formula programs, respectively, for the most recent program year and 3 preceding program years, disaggregated by type of entity; the total</p>

WIA	WIOA
<p>Initial eligibility: As noted above, HEA and apprenticeship programs are automatically eligible for an initial period, while other providers must meet criteria established by the Governor, including the provision of performance and cost information.</p> <p>Procedures: As noted above, the Governor is to establish procedures to be used by the local boards in accepting applications for and determining the eligibility of training providers. The procedures are to include a process for appeal of denials from determinations made by local boards and the designated State agency. Does not include WIOA biennial review and renewal provision.</p> <p>List of providers and accompanying information: The designated State agency is to establish and disseminate through the one-stop delivery system a list of eligible providers to facilitate choices of training</p>	<p>number of those participants exiting such services during those years; the average cost of those participants during those years; and the number of individuals with barriers to employment served by those programs disaggregated by each subpopulation and by race, ethnicity, sex and age. [Note: an interpretative issue is how the eligible provider performance reports relate to the eligibility of providers.]</p> <p>Initial eligibility: Providers may seek initial eligibility for 1 year for a particular program under criteria and information established by the Governor. A provider that has not previously been a provider under WIA must meet criteria that includes at a minimum a factor relating to the indicators of performance for the formula programs, a factor concerning partnership with business, other factors that indicate high-quality training, and a factor concerning alignment with in-demand industry sectors and occupations, to the extent practicable. When the initial eligibility ends, all providers must meet the criteria, information, and procedures established by the Governor in accordance with this section. [Note: An interpretative question is whether WIA eligible providers would be included in this initial eligibility period (see transition provision) and what requirements would apply.]</p> <p>Procedures: The procedures established by the Governor are to identify the application process for a provider of training to become eligible, and the respective roles of the States and local areas in receiving and reviewing applications and making determinations of eligibility based on the criteria, information and procedures established under this section. The procedures are to include a process for appeal of denials and biennial review and renewal of eligibility.</p> <p>List of providers and accompanying information: The Governor is to ensure the preparation of an appropriate list of providers determined to be eligible to offer a training program that is</p>

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<p>services by participants in Adult and Dislocated Worker programs. The local board is to submit the list and accompanying performance and cost information to the designated State agency to compile the list. Individuals eligible to receive training services under the Adult and Dislocated Worker programs are to have the opportunity to select eligible providers from any of the local areas in the State.</p> <p>Exceptions for OJT and other work-based training: Providers of OJT and customized training are not subject to these requirements, but the Governor may establish performance criteria for eligibility.</p> <p>Enforcement: Specifies enforcement provisions to ensure the integrity of the eligible training provider system. These provisions including barring participation for not less than 2 years of providers who intentionally provide inaccurate information; terminate eligibility or take other action against providers who substantially violate any requirement under WIA; requiring repayment from such providers received during periods of noncompliance;</p> <p>N/A</p>	<p>accompanied by information identifying the postsecondary credential offered by the provider and other appropriate information. That information is to include the State information requirements, disaggregated by the local areas served, the information required for those providers with initial eligibility, and such other information the Governor determines is appropriate. The list and accompanying information is to be provided to local boards in the State and to members of the public through the one-stop delivery system. The information is to be provided in a manner that does not reveal personally identifiable information.</p> <p>Exceptions for OJT and other work-based training: Similar to WIA, providers of on-the-job training, customized training, incumbent worker training, internships, work experience opportunities or transitional employment are not subject to the other provisions of this section, but must provide One-Stop operators such performance information as the Governor may require, and the operators are to use the information to determine whether the providers meet such performance criteria as the Governor may require. The information relating to these eligible providers is to be disseminated through the one-stop delivery system.</p> <p>Enforcement: Retains WIA enforcement provisions.</p> <p>Implementation: The Governor and local boards must implement these provisions not later than 12 months after the date of enactment. The Governor may establish <u>transition procedures</u> under which providers eligible to provide training services under WIA may continue to be eligible to provide services until December 31, 2015,</p>

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	or until such earlier date as the Governor determines.
Eligible Providers of Youth Activities (Section 123) Requires local boards to identify eligible providers of youth activities by awarding grants or contracts on a competitive basis, based on recommendations of the youth council and criteria in the State plan.	Eligible Providers of Youth Activities (Section 123) Same as current law, except providers are to be identified based on quality criteria and taking into consideration ability to meet performance indicators and to conduct oversight, and reference to youth councils is deleted. Also, provides an exception allowing for sole-source contracts or grants if the board determines there is insufficient number of providers in local area.
Chapter 4 – Youth Activities Authorizes a comprehensive program targeted to youth who are low income and have one or more identified “barriers.”	Chapter 2 of Title I – Youth Workforce Investment Activities Authorizes funding for providing workforce investment activities for eligible youth in the States or outlying areas and in local areas.
Youth Funding (Sec. 127) If the amount appropriated of the annual exceeds \$1 billion, the Secretary is to reserve excess funds for Youth Opportunity Grants (up to \$250 million) and 4 percent to provide migrant and seasonal farmworker youth workforce investment activities. Remainder to be allotted to States. Of any remainder (irrespective of amount of appropriation) not more than 1.5% is to provide youth activities relating to Native Americans under section. 166 and not more than 0.25 percent is for outlying areas.	Youth Funding (Section 127) If the amount appropriated exceeds \$925 million, Secretary is to reserve 4 percent to provide migrant and seasonal farmworker youth workforce investment activities. Remainder to be allotted to States. As in WIA, of any remainder (irrespective of amount of appropriation) not more than 1.5% is to provide youth activities relating to Native Americans under section. 166 and not more than 0.25 percent is for outlying areas.
State Allotments for Youth Allotments of funds to States for youth activities are based on three factors: 1/3 based on number of unemployed living in areas of substantial unemployment; 1/3 based on higher of excess Area of Substantial Unemployment (ASU) unemployment or excess regular unemployment (greater than 4.5%); and 1/3 based on disadvantaged youth. There is a 90% hold harmless, a small State minimum and a 130 percent maximum increase in the allotment percentage.	State Allotments for Youth Allotment formula for youth is same as WIA.
Within State Allocation (Section 128) The Governor is authorized to reserve not more than 15% of funds for Statewide activities. A minimum of 70% of the remaining funds is allocated to local areas using the same factors as State allotments. Not more than 30% of funds are allocated using a discretionary formula determined by the Governor, taking into account excess youth poverty and excess unemployment in urban, rural and suburban areas. There is	Within State Allocations (Section 128) Same as WIA. Note that in the last several appropriations acts the percentage available for reserve by the Governor has been reduced to a percentage of less than 15 percent. The sponsors indicated that retaining the 15 percent indicates the intent to restore that percentage in subsequent appropriations acts.

WIA	WIOA
<p>a 90% hold harmless based on the preceding two year allocations.</p> <p>Local administrative costs are limited to 10% of funds allocated to a local area under the youth, adult and dislocated worker formula programs.</p>	<p>Retains the WIA 10 percent limitation on use of allocations under the youth, adult, and dislocated worker formula programs for administrative costs.</p>
<p>Reallotment and Reallocation (Sections 127 & 128)</p> <p>The Secretary of Labor <u>shall</u> reallot the unobligated youth funds that at the end of a program year that are in excess of 20% of the prior year's allotment to the State. The reallotment is made in accordance with the prior year's formula distribution. The Governor <u>may</u> reallocate the unexpended balances at the end of a program year that are in excess of 20% of funds allocated to the local area.</p>	<p>Reallotment and Reallocation (Sections 127 & 128)</p> <p>Same as WIA regarding reallotment and reallocation..</p>
<p>Youth Eligibility (Sections 101 and 129)</p> <p>Eligible youth are ages 14 through 21, low-income, and is one or more of the following: (1) deficient in basic literacy skills;(2) a school dropout; (3) homeless, a runaway, or a foster child; (4) pregnant or a parent; (5) an offender; or (6) an individual who requires additional assistance to complete an education program, or to secure and hold employment.</p>	<p>Youth Eligibility (Section 129)</p> <p>The eligibility provisions are revised to provide separate criteria for out-of-school and in-school youth. Youth are eligible as out-of-school youth if : (1) they are not attending any school, (2) are not younger than 16 or older than 24, and (3) included in one or more of the following categories, irrespective of income: (i) school dropouts; (ii) youth who are within the age of compulsory school attendance but have not attended school for the most recent calendar quarter; (iii) youth subject to the juvenile or adult justice system; (iv) youth who are homeless, a runaway, in foster care or aged out of such care; (v) pregnant or parenting; or (vi) youth who have a disability. Additional categories of eligible out-of-school youth are low-income youth who: (i) are recipients of a secondary school diploma or its equivalent but basic skills deficient or English language learners, or (ii) need additional assistance to enter or complete an educational program or secure or hold employment.</p> <p>Youth who are eligible as in-school youth must be: (1) attending school; (2) not younger than age 14 or older than age 21; (3) low-income; and (4) in one of the following categories: (i) basic skills deficient; (ii) English language learners (iii) an offender; (iv) homeless, a runaway, in foster care or aged out of such care; (v) pregnant or parenting; (vi) youth who have a disability; or (vii) need additional assistance to enter or complete an educational program or</p>

WIA	WIOA
<p>Not more than 5% of participants may be individuals who do not meet the minimum income criteria</p> <p><u>Out-of-School Youth Priority.</u> At least 30% of the local youth funds must be used to provide youth activities to out-of-school youth.</p> <p>The Secretary may approve a reduced percentage if a State receives the small State minimum in formula allotments and an analysis indicates a local area will not be able to meet the minimum.</p>	<p>secure or hold employment. There is a limitation that not more than 5 percent of in-school youth may be eligible under the last category of needing additional assistance.</p> <p>The WIOA also establishes a special rule under which low-income includes any youth living in a high poverty area.</p> <p>Not more than 5 percent of youth served as in-school youth or the two categories of out-of –school youth that include a low-income requirement may not be low-income individuals.</p> <p><u>Out-of-School Youth Priority</u> No less than 75 percent of youth funds reserved for <u>statewide and</u> not less than 75 percent of youth funds allocated for local activities may be used to provide youth activities for out-of-school youth.</p> <p>The Secretary may approve a reduced percentage of not less than 50 percent if a State receives the small State minimum in formula allotments and an analysis indicates a local area will not be able to meet the minimum.</p>
<p>Statewide Youth Activities (Section 129) Identifies required and allowable statewide activities. The 15 percent reservation from youth funds may be used for statewide activities relating to any of the Youth, Adult, Dislocated Worker programs, regardless of the funding source from which the funds were reserved.</p> <p>Required statewide youth activities include disseminating list of eligible youth providers, statewide activities described for adult and dislocated worker programs (conducting evaluations, providing incentive grants, providing technical assistance to local areas failing to meet performance measures, assisting in the establishment and operation of one-stop delivery systems, and operating a fiscal and management accountability information system), and providing additional assistance with high concentrations of eligible youth.</p>	<p>Statewide Youth Activities (Section 129) Same as WIA.</p> <p>Retains as required statewide youth activities disseminating lists of eligible youth providers, conducting evaluations, operating a fiscal and management accountability information system, and providing additional assistance with high concentrations of eligible youth.</p> <p>Adds assistance in regional planning and redesignations of local areas within a region, and monitoring and oversight.</p>

WIA	WIOA
<p>Allowable statewide activities include administration, capacity building and technical assistance to one-stop staff and eligible providers, research and demonstrations, programs targeted to enterprise zones, programs related to nontraditional employment, and carrying out on a statewide basis the design and program elements specified for local youth programs.</p>	<p>Allowable statewide activities are expanded to include: the development of alternative evidence-based programs that assist eligible youth in progressing through career pathways, supporting the provision of career services, and supporting financial literacy activities. Drops references to enterprise zones, and carrying out design and program elements on a statewide basis.</p>
<p>Local Elements and Requirements for Youth Programs (Sec 129)</p> <p>Sets forth program design requirements, required program elements, and additional requirements.</p> <p>The design elements include provision of objective assessment of skills and service needs, development of service strategies, and preparation for postsecondary educational opportunities and unsubsidized employment, as appropriate, with linkages between academic and occupational learning, and effective connections to intermediaries.</p> <p>The program elements include tutoring and study skills training (including dropout prevention), alternative secondary school services, summer employment linked to occupational and academic learning, work experience, occupational skills training, leadership development, supportive services, mentoring, follow-up services, and guidance and counseling.</p>	<p>Local Elements and Requirements for Youth Programs (Section 129)</p> <p>Same as WIA.</p> <p>The design of the youth program is amended to add: activities leading to the attainment of secondary school diplomas and linkages between academic instruction and occupational education that lead to recognized postsecondary credentials; and pay-for-performance contract strategies for the youth program elements for which not more than 10 percent of the local allocation may be used.</p> <p>The program elements are amended to link the elements to attainment of a secondary school diploma, entry into postsecondary education and career readiness. In addition, WIOA adds to the youth program elements additional elements including: (1) evidence-based dropout prevention and recovery strategies, as well as tutoring and study skills training, that lead to completion of a secondary school diploma or a recognized postsecondary credential; (2) priority consideration for occupational skill training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations; (3) education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster; (4) financial literacy education; (5) entrepreneurial skills training; (6) services that provide labor market and employment information about in-demand sectors or occupations ; and (7) activities that help youth transition to postsecondary education and training.</p>

WIA	WIOA
No comparable provision.	<i>Priority for Work-based Training.</i> WIOA requires that at least 20 percent of Youth formula funds at the local level be used for paid and unpaid work experiences that have as a component academic and occupational education, and may include: summer employment opportunities and other employment opportunities available throughout the school year; pre-apprenticeship programs; internships and job shadowing; and on-the-job training opportunities.
Youth Opportunity Grants (Section 169) Authorizes grants to local boards and eligible entities to increase the long-term employment of youth ages 14-21 who live in Empowerment Zones/Enterprise Communities, high poverty areas located on Indian reservations, or other high poverty areas designated by the States. YOGs have not been funded in over a decade.	Youth Opportunity Grants Eliminates provisions relating to YOGs.
Authorization of Appropriations (Section 137(a)) Authorized such sums as may be necessary for FY 1999-2003. Annual appropriations have extended the authorization through FY 2014.	Authorization of Appropriations for Youth Formula Program As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$820,430,000 for fiscal year 2015, \$883,800,000 for fiscal year 2016, \$902,139,000 for fiscal year 2017, \$922,148,000 for fiscal year 2018, \$943,828,000 for fiscal year 2019, and \$963,837,000 for fiscal year 2020.
WIA Adult and Dislocated Worker Funding (Sections 131 & 133) Includes separate funding streams for adults and dislocated workers. The Secretary reserves 20% of the amount appropriated for dislocated workers for dislocated worker technical assistance, dislocated worker demonstration projects, and national emergency grants, and grants to outlying areas. Not more than 5% of reserve may be expended on technical assistance, and not more than 10% on demonstrations.	WIA Adult and Dislocated Worker Funding (Sections 131, 132, 168, 169) Retains WIA provisions.
State Allotments (Section 132) Allotments of adult funds to States are based on three factors: 1/3 based on number of unemployed living in areas of substantial unemployment; 1/3 based on higher of excess regular unemployment (greater than 4.5%) or excess ASU unemployment; and 1/3 economically disadvantaged adults.	State Allotments (Section 132) Same as WIA.

WIA	WIOA
<p>Allotments of dislocated worker funds to States are based on three factors: 1/3 unemployed; 1/3 excess regular unemployed; and 1/3 long-term unemployed (15 weeks or longer).</p> <p>The Adult formula currently has a 0.25% small State minimum, a 90% hold harmless, and a 130% stop-gain. If the amount available for States for the Adult program is over \$960 million, the small State minimum increased and there is an additional minimum equal to States' 1998 allotment amount.</p> <p>The Dislocated Worker formula has <u>no</u> minimum or stop-gain.</p>	<p>Same as WIA.</p> <p>Same as WIA.</p> <p>Beginning in FY 2016 the WIOA provides that under the dislocated worker formula allotments to States no State is to receive an allotment less than 90 percent or greater than 130 percent of the allotment percentage for the preceding year.</p>
<p>Within-State Allocations (Section 133) The Governor may reserve not more than 15% of WIA Adult funds and Dislocated Worker funds for Statewide activities, and up to 25% of Dislocated Worker funds for rapid response activities.</p> <p>A minimum of 70% of Adult funds is allocated based on the same factors as State allotments, with a 90% hold harmless based on the preceding 2 years. Not more than 30% of Adult funds may be allocated using a discretionary formula developed by the State board and approved by the Governor that uses factors relating to excess poverty and unemployment in urban, rural and suburban areas.</p> <p>The Governor prescribes the sub-state allocation formula for dislocated worker funds, but must include at least 6 specified factors. No hold harmless.</p> <p><u>Transfer of funds.</u> Allows local board to transfer <u>not more than 20%</u> of funds between Adult and Dislocated Worker programs if approved by Governor. (This amount was increased to 30 percent in appropriations</p>	<p>Within-State Allocations (Section 133) Same as WIA.</p> <p>Same as WIA.</p> <p>Same as WIA on formula factors but adds a hold harmless provision to Dislocated Worker funds that provides no local area is to receive less than 90 percent of the average allocation percentage of the local area for the 2 preceding years</p> <p><u>Transfer of funds</u> Allows local board to transfer <u>up to 100%</u> of funds between Adult and Dislocated Worker programs if approved by Governor.</p>

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<p>Reallotment and Reallocation (Section 133)</p> <p>As with youth program, the Secretary of Labor <u>shall</u> reallocate the unobligated youth funds that at the end of a program year that are in excess of 20% of the prior year's allotment to the State. The reallotment is made in accordance with the prior year's formula distribution. The Governor <u>may</u> reallocate the unexpended balances at the end of a program year that are in excess of 20% of funds allocated to a local area.</p>	<p>Reallotment and Reallocation Sections 132 & 133)</p> <p>Same as WIA.</p>
<p>Use of Funds: Statewide Activities (Section 134)</p> <p>Provides for required and allowable statewide activities. The 15 percent reservations from the Adult and Dislocated Worker funds may be used for statewide activities relating to any of the Youth, Adult, Dislocated Worker programs regardless of the funding source from which the funds were reserved.</p> <p>The required activities include disseminating information on providers, evaluations, incentive grants and technical assistance to areas failing to meet performance measures, assisting in the establishment and operation of one-stop delivery systems, and operating a fiscal and management accountability information system.</p> <p>Rapid Response services to assist dislocated workers are a Statewide activity with a specific reserve of not more than 25 percent of the State's dislocated worker allotment.</p> <p>Among the allowable activities described in the WIA adult and dislocated worker sections are administration, capacity building and technical assistance to one-stop staff and eligible providers, research and</p>	<p>Use of Funds: Statewide Activities (Section 134)</p> <p>Same as WIA.</p> <p>Adds the following activities to the required statewide activities: assistance to State entities and agencies, local areas and One-Stop partners to carry out activities described in the State plan, including alignment of data systems, regional planning; implementation of industry or sector partnerships, and disseminating information identifying providers of work-based training activities, outreach to businesses, performance information and cost of attendance of eligible training providers, and on physical and programmatic accessibility for individuals with disabilities.</p> <p>Retains rapid response services as a required statewide activity but includes a provision allowing States to use funds that have been reserved for rapid response activities that remain unobligated after the program year in which they are reserved to be used for other statewide activities in the 2 subsequent program years.</p> <p>Adds the following activities to the allowable statewide activities: innovative programs may include sector and industry cluster strategies and partnerships, career pathway programs,</p>

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<p>demonstrations, implementation of innovative programs (generally described as relating to incumbent worker, enterprise zone, nontraditional employment, and displaced homemakers), identification of eligible providers and carrying out other activities through the statewide system to assist in the delivery of services authorized to be provided by local areas.</p>	<p>microenterprise and entrepreneurial training, business intermediaries and layoff aversion strategies; the development of strategies to serve individuals with barriers to employment; the development or identification of programs that respond to real-time labor market analysis, utilize direct and prior learning assessments and provide credit for prior experiences, evaluates skills and competencies for adaptability, and ensure credits are portable and stackable for more skilled employment and accelerate course or credential completion; activities that facilitate remote access to services utilizing technology; coordinating activities with the child welfare system to facilitate the provision of services for children and youth; promote coordination with child support services, cooperative extension programs, programs for individuals with disabilities, adult education and literacy, ex-offenders, and financial literacy activities; implementing promising services for workers and businesses including statewide networking to allow employees to become workplace learning advisers; adopting an economic self-sufficiency standard; developing common intake procedures; and providing technical assistance for implementing pay-for-performance contracting strategies.</p>
<p>Core, Intensive and Training Services (Section 134)</p> <p>Requires local areas to establish a one-stop delivery system and to provide core, intensive and training services.</p> <p>Core services are available universally, with no eligibility requirements. 11 core services are specified: (1) determinations of eligibility for the formula programs; (2) outreach, intake, and orientation to information and services available through the one-stop delivery system; (3) initial assessments of skill levels, aptitudes, abilities and supportive service needs; (4) job search and placement assistance, and in appropriate cases, career counseling; (5),the provision of employment statistics information relating to local, regional and national labor markets,</p>	<p>Career Services and Training Services (Section 134)</p> <p>Requires local areas to establish one-stop delivery system, provide career and training services, and adds requirement to develop relationships and networks with large and small employers and their intermediaries, and to develop, convene, or implement industry or sector partnerships.</p> <p>Merges the categories of core services and intensive services under WIA into the category of career services. Adds to item (3) that the initial assessments are to include assessments of literacy, numeracy and English language proficiency and skills gaps. Adds tom item (4) labor exchange services that include the provision of information on in-demand industries and occupations and nontraditional employment and appropriate recruitment and other business services for employers. Adds new item that includes the provision of referrals</p>

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<p>including job vacancies, skill requirements, local occupations in demand, and earnings; (6) the provision of performance information and program cost information on eligible training providers, youth providers, and providers of Adult Education under title II, postsecondary vocational education under the Perkins Act, and vocational rehabilitation activities under title I of the Rehabilitation Act; (7) performance of local area on WIA performance measures; (8) information on the availability of supportive services; (9) information regarding filing claims for unemployment compensation; (10) assistance in establishing eligibility for programs of financial assistance for training and education program; and (11) follow-up services, including counseling regarding the workplace, for participants who are placed in unsubsidized employment, for not less than 12 months.</p> <p>Intensive services are available for unemployed individuals who have been unable to obtain jobs through core services and those who are employed but need additional services to reach self-sufficiency. The services are: (1) comprehensive and specialized assessments of skill levels and service needs; (2) development of an individual employment plan; (3) group counseling; (4) individual counseling and career planning; (5) case management; and (6) short-term prevocational services, including development of learning skills, communication skills; interviewing skills, punctuality, personal maintenance skills, and professional conduct.</p> <p>Training services are available to those who: (1) met the eligibility requirements for intensive services, but are unable to obtain or retain employment through those services; (2) after interview, evaluation or assessment and case management are determined to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training; (3) select programs of training that are directly linked to employment opportunities in the local area; (4) who were unable to obtain other grant assistance (such as Pell grants) or require additional assistance; and (5) meet the priority for services if applicable.</p>	<p>to and coordination of activities with other programs and services, including other one-stop programs. Adds to items (7) and (8) that the information is to be provided in formats that are usable and understandable to one-stop center customers. Adds to item (8) that the information is to be provided on medical or child health assistance under the SSA, benefits under SNAP, the earned income tax credit, TANF, and other supportive services and transportation available in the local area.</p> <p>.</p> <p>The list of services that were in the category of intensive services under WIA are included as a career services in WIOA but are to be provided “as appropriate”,. The WIA eligibility criteria for those services is not included. Additional services under this “as appropriate” provision are: internships and work experiences linked to careers; workforce preparation activities; financial literacy activities; out-of-area job search assistance and relocation assistance; and English language acquisition and integrated education and training programs.</p> <p>Retains the training services category. Provides that training services are available for individuals who: (1) after interview, evaluation or assessment and case management are determined to be <u>unlikely or unable</u> to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through the career services identified in the provision that incorporates the services previously categorized in WIA as intensive services, are determined to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training; and retains the criteria described in items (3)-(5) in the WIA column.</p>

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<p>Training services may include: (1) occupational skills training; (2) OJT; (3) programs that combine workplace training with related instruction; (4) training programs operated by the private sector; (5) skill upgrading and retraining; (6) entrepreneurial training; (7) job readiness training; (8) adult education and literacy activities; and (9) customized training conducted with a commitment from employers to employ an individual upon successful completion of training.</p>	<p>Adds rule of construction that clarifies that “sequence of services” is not required – that is, an individual is not required to receive career services prior to receiving training services. For purposes of item (4), clarifies that notwithstanding HEA provisions that exclude HEA assistance from being taken into account in determining assistance available under other Federal programs, for WIOA purposes such assistance is to be taken into account in determining the level of training assistance. Also adds a provision that the full costs of participating in training services, such as dependent care and transportation, may be taken into account in determining needed assistance.</p> <p>Adds to “job readiness training” in item (7) in the WIA column that such services be provided in combination with other specified training services. Adds to item (8) that the adult education and literacy activities include activities of English language acquisition and integrated education and training programs concurrently or in combination with other training services. Identifies two new types of training services: (1) incumbent worker training and (2) transitional jobs.</p> <p>.</p>
<p>Adult Service Priorities (Section 134) In the event that funds allocated to a local area for adult employment and training activities are limited, priority must be given to recipients of public assistance and other low-income individuals for intensive services and trainings services.</p>	<p>Adult Service Priorities (Section 134) Removes qualifier that the priority only applies when funds are limited and expands the priority to include career services as well as training (adding what in WIA were core services). In addition to the priority for public assistance and low-income individuals, the priority is expanded to include individuals who are basic skills deficient.</p>
<p>Individual Training Accounts (Section 134) Requires adults and dislocated worker training to be provided through Individual Training Accounts, through which a participant chooses among qualified providers. Three exceptions where a contact for training may be used in lieu of ITAs are: (1) on-the-job training and customized training; (2) an insufficient number of providers; and (3) programs provided by community-based organizations or other private</p>	<p>Individual Training Accounts (Section 134) Retains requirement for use of ITAs and adds requirement that local boards coordinate funding for ITAs with funding from other Federal, state, local or private job training programs or sources to assist individuals in obtaining training services. Priority consideration is to be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand sectors or occupations in</p>

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organizations serving special participant groups that face multiple barriers to employment.	the local area. Adds to the current exceptions to the use of Individual Training Accounts: incumbent worker training, transitional employment, and where the local board determines that it would be most appropriate to award a contract to an institution of higher education in order to facilitate the training of multiple individuals in in-demand occupations, if such contract does not limit customer choice (the IHE exception has been included in DOL appropriations acts) or is a pay-for performance contract. Also, replaces exception for “special participant groups” with individuals with barriers to employment. Allows for the combined use of individual training accounts and the contracts for training that are authorized exceptions. .
On-the-Job Training (Section 134) On-the-Job Training services are authorized until Title I. Under the definition, employers may be reimbursed in amounts up to 50 percent of the wages of a participant.	On-the-Job Training (Section 134) Allows the Governor or local board to increase the reimbursement for on-the-job training up to 75% of wages.
Permissible Local Activities (Section 134) Authorizes the following discretionary One-Stop delivery activities: customized screening and referral; customized employment- related services to employers on a fee-for-service basis; supportive services, and needs-related payments	Permissible Local Activities (Section 134) In addition to the permissible activities in WIA, adds 10 additional activities: (1) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area; (2) customer support to individuals with barriers to employment, including individuals with disabilities, to <u>navigate</u> among multiple services and activities; (3) technical assistance; (4) employment and training activities in coordination with child support enforcement, child support services, cooperative extension programs carried out by the USDA, and activities to facilitate remote access; (5) activities to improve coordination with economic development activities and to promote entrepreneurial skills training and microenterprise services, to improve linkages with employers, and strengthen linkages with unemployment insurance programs; (6) training programs for displaced homemakers and for nontraditional occupations; (7) activities to provide business services and strategies, which may be provided through business intermediaries and may include industry sector strategies, innovative services for employers, assistance to employers in managing reductions in force, and marketing of workforce services offered to employers; (8)

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	<p>activities to adjust economic self-sufficiency standards; (9) improved coordination with activities for individuals with disabilities, including with centers for independent living; and implementation of promising services to workers and businesses, including workplace learning advisors.</p> <p>In addition, authorizes use of local funds to provide work-support activities designed to assist low-wage workers in retaining and enhancing employment, which may include the provision of activities during nontraditional hours and the provision of onsite child care while activities are being provided.</p>
<p>Incumbent Worker Training Programs (Section 134) Incumbent worker training can be currently funded only through the Governor's 15% reserve account.</p>	<p>Incumbent Worker Training Programs (Section 134) The local board may use up to 20% of Adult and Dislocated Worker funds allocated to a local area to pay for the federal share of the cost of providing training through incumbent worker training (IWT) programs. The training is to be carried out by the local board in conjunction with the employers or groups of employers (which may include partnerships with other entities delivering training) for the purpose of assisting workers in obtaining the skills necessary to retain employment or avert layoffs. Employers participating in IWT would be required to pay a portion of the costs of the training. The local board establishes the employer share of the costs, which may include in-kind contributions, but may not be less than 10% for employers of 50 or fewer employees; 25% for employers with 51-99 employees; and 50% for employers with 100 or more employees. The wages paid by an employer may be included in the calculation of the match.</p>
<p>Transitional Jobs No comparable provision.</p>	<p>Transitional Jobs (Section 134) A new provision authorizes a local board to use not more than 10% of its funds to provide transitional jobs that are: (1) time-limited work experiences that are subsidized in the public, private or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history; (2) combined with comprehensive employment and supportive services; and (3) designed to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.</p>

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<p>Authorization of Appropriations for Adult and Dislocated Worker Formula Programs</p> <p>Authorized such sums as may be necessary for FY 1999-2003. Annual appropriations have extended the authorization through FY 2014.</p>	<p>Authorization of Appropriations for Adult and Dislocated Worker Formula Programs</p> <p>As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows:</p> <p><u>Adult Formula Program</u> \$766,080,000 for fiscal year 2015, \$825,252,000 for fiscal year 2016, \$842,376,000 for fiscal year 2017, \$861,060,000 for fiscal year 2018, \$881,303,000 for fiscal year 2019, and \$899,987,000 for fiscal year 2020.</p> <p><u>Dislocated Worker Formula Program</u>--\$1,222,457,000 for fiscal year 2015, \$1,316,880,000 for fiscal year 2016, \$1,344,205,000 for fiscal year 2017, \$1,374,019,000 for fiscal year 2018, \$1,406,322,000 for fiscal year 2019, and \$1,436,137,000 for fiscal year 2020.</p>
<p>Performance Accountability System (Section 136)</p> <p>Establishes a set of performance measures (indicators and levels of performance) for all Adult, Dislocated Worker, and Youth formula programs under title I of WIA to be applied to States as well as local areas.</p> <p>Indicators of Performance: There are four core indicators relating to adults, dislocated worker programs, and youth ages 19-21 in the youth program: (1) entry into unsubsidized employment; (2) retention in unsubsidized employment <u>6 months after entry</u> into employment; (3) earnings received in unsubsidized employment <u>6 months after entry</u> into employment; and (4) attainment of a recognized credential relating to the achievement of educational skills, which may include attainment of a secondary school diploma or occupational skills who enter unsubsidized employment or youth ages 19-21 who enter postsecondary education,</p>	<p>Performance Accountability System (Section 136)</p> <p>WIOA establishes a set of system performance measures that applies across the core programs beginning in PY 2016.</p> <p>Indicators of Performance: There are six primary indicators of performance that apply to the core programs: (1) percentage of program participants in unsubsidized employment during the <u>second quarter after exit</u> from the program (2) percentage of program participants in unsubsidized employment during the <u>fourth quarter after exit</u> from the program; (3) <u>median</u> earnings of program participants in unsubsidized employment during <u>the second quarter after exit</u> from the program; (4) the percentage of program participants who obtain a postsecondary credential or a high school</p>

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<p>advanced training or unsubsidized employment.</p> <p>For youth ages 14-18 in the youth formula program: (1) attainment of basic skills and, as appropriate, work readiness and occupational skills; (2) attainment of secondary school diploma and their recognized equivalents; and (3) placement and retention in postsecondary education or advanced training, or placement and retention in military service, employment or qualified apprenticeships.</p> <p>Includes customer satisfaction as an indicator.</p> <p>Allows the State to establish additional indicators of performance.</p> <p>Under section 502 of WIA, the Secretary of Labor and the Secretary of Education were to issue definitions of the indicators of performance after consultation with specified representatives.</p>	<p>diploma or recognized equivalent <u>during participation or within one year after program exit</u> (high school completion is only included if the participant is enrolled in a postsecondary education program or is employed within one year of exit from the program); (5) the percentage of participants who during a program year are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skills gains toward such a credential or employment; and (6) effectiveness in serving employers, which is an indicator that is to be developed by the Secretary of Labor and the Secretary of Education prior to the second full program year after enactment (PY 2016). The Act provides that the Wagner-Peyser Act programs are not subject to the fourth and fifth indicators, which relate to outcomes from education and training activities that are not authorized under that Act.</p> <p>For the youth formula program: (1) the percentage of program participants in <u>education or training activities, or</u>; in unsubsidized employment, during the <u>second quarter after exit</u> from the program; (2) percentage of program participants in <u>education or training activities, or in unsubsidized employment during the fourth quarter after exit</u> from the program; and indicators (3)-(6)) are the same primary indicators that apply to core programs described above (relating to earnings, credentials, measurable skills gains, and serving employers).</p> <p>Does not include a customer satisfaction indicator.</p> <p>Retains provision allowing the State to establish additional indicators.</p> <p>Under this section of WIOA, the Secretaries are to issue definitions of the primary indicators of performance after consultation with specified representatives.</p>

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<p>Levels of Performance: The levels of performance for each core indicator are negotiated between the Secretary of Labor and each State through the State plan. The initial plan includes the levels for the first 3 program years covered by the plan, and the 4th and 5th program years are negotiated before the 4th program year.</p> <p>The factors to be taken into account in reaching agreement are: (1) the extent to which the levels will assist the State in attaining a high level of customer satisfaction; (2) how the levels compare with the levels established for other States, taking into account differences in economic conditions, participant characteristics, and services to be provided; and (3) the extent to which the levels promote continuous improvement and ensure optimal return on the investment of federal funds.</p> <p>No specific adjustment model is required, although the negotiated levels are to take into account differences in economic conditions and participant characteristics.</p> <p>States may establish levels for any additional indicators of performance.</p>	<p>Levels of Performance: The levels of performance for the primary indicators are to be negotiated by each State with the Secretary of Labor and the Secretary of Education as part of the State plan. The Secretaries are to establish performance goals for the core programs to serve as long-term goals for the negotiated levels of performance. The levels for the first two program years would be negotiated with the original submission of the State plan and the levels for the third and fourth years covered by the State plan would be negotiated before the beginning of the third year and incorporated as a plan modification.</p> <p>In reaching agreement the Secretaries and the State shall: (1) similar to the second factor in the WIA column, take into account how the levels compare with the levels established for other States; (2) ensure the levels are adjusted using an objective statistical model established by the Secretaries based on the differences among States in economic conditions and in the characteristics of the participants (including poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency); (3) the same as the third factor in the WIA column relating to continuous improvement and ensuring optimal return; and (4) the extent to which the levels will assist in achieving long-term goals that are to be established by the Secretaries in accordance with GPRA and WIOA.</p> <p>The statistical adjustment model referenced in the second factor is to be used to adjust the levels of performance while the levels are negotiated, and after the program year is completed to reflect the actual economic conditions and participant characteristics that applied during the program year of performance.</p> <p>Retains WIA provision.</p>

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<p>At the local level, the levels of performance for each indicator is negotiated between the local board and chief elected official and the Governor through the local plan. The levels are to be based on the levels applicable to the State and are to take into account the specific economic, demographic, and other characteristics of the populations to be served in the local area.</p> <p>Performance Reports Each State must annually submit to the Secretary a report on progress in achieving State performance measures. The report is also to include information on the progress of local areas in achieving local performance measures and information on the status of State evaluations.</p> <p>Additional information is to be included in the reports relating to: (1) entry into employment related to the training received by participants completing training; (2) wages at entry for participants in workforce activities who entered employment, including the rate of wage replacement for participants who are dislocated workers; (3) the cost of activities relative to the effect; (4) retention and earnings in employment 12 months after entry; (5) performance with respect to the indicators of participants in workforce investment activities who received training compared to those who did not (excluding self-service and informational activities); and (6) performance of participants who are recipients of public assistance, out-of-school youth, veterans, individuals with disabilities, displaced homemakers and older individuals.</p>	<p>For the Adult, Dislocated Worker and Youth formula programs under title I of WIOA, as with WIA, the levels of performance for each indicator are to be negotiated between the local board and chief elected official and the Governor through the local plan. As with WIA, the levels are to be based on the levels applicable to the State. The statistical adjustment model established by the Secretaries is also be used during negotiations and in the determination of the levels of performance of levels achieved to take into account economic conditions and characteristics of the population served.</p> <p>Performance Reports: The performance accountability provisions of the WIOA require performance reports by: each State regarding the performance outcomes for the core programs; each local area regarding the performance outcomes for the Youth, Adult and Dislocated Worker formula programs under title I; and each eligible training provider regarding the performance outcomes under the Adult and Dislocated Worker formula programs. Not later than 12 months after the date of enactment, the Secretary of Labor in conjunction with the Secretary of Education is to develop templates for each of the reports.</p> <p>State Reports.-- The State reports are to include: the levels of performance achieved by each of the core programs; those levels of performance disaggregated by each category of individuals with barriers to employment and by race, ethnicity, sex and age; the total number of participants served in each of the core programs, disaggregated by subpopulations; and the number of participants co-enrolled among the core programs. In addition, the report is to include: the number who received career and training services during the most recent and the 3 preceding program years; the number who exited from those services during those years; the average cost per participant who received career and training services; the percentage who received training services and obtained unsubsidized employment in a field related to the training (as in WIA); the amount expended on administration under the adult and dislocated worker programs; with respect to State implementing pay-for-performance contract strategies, the performance of providers and evaluation of the design; and other information that facilitates comparisons of</p>

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<p>No comparable provision.</p> <p>Required information to be provided by eligible training providers are described in the eligible training provider section (section 122).</p> <p>No comparable provision.</p> <p>The Secretary is to disseminate the reports to the general public, including State-by-State comparisons, and to the Congress.</p>	<p>programs with programs in other States.</p> <p><u>Local Area Reports.</u>-- The local area performance reports require: the same information as the State reports except only for the Youth, Adult and Dislocated Worker formula programs; the amount expended on administrative costs; and other information that facilitates comparisons among local areas.</p> <p><u>Eligible Training Provider Reports.</u>—The contents of these reports are also described in this column in the eligible training provider provisions and include: the levels of performance achieved for the primary indicators of performance relating to the percentage in unsubsidized employment, median earnings, and credential attainment <u>with respect to all individuals in the program of study</u> and the total number of individuals exiting the program of study; the number of participants receiving training services in the adult and dislocated worker formula programs, respectively, for the most recent program year and 3 preceding program years, disaggregated by type of entity; the total number of those participants exiting such services during those years; the average cost of those participants during those years; and the number of individuals with barriers to employment served by those programs disaggregated by each subpopulation and by race, ethnicity, sex and age.</p> <p>The State is to establish procedures, consistent with guidelines established by the Secretaries, to ensure the information is valid and reliable.</p> <p>The Secretaries are to annually make available the State performance reports, the State is to make available the local area and eligible training provider performance reports, and the Secretaries are to make available a summary of all the reports and transmit the reports to the Congress.</p>

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<p>State Evaluations: The State, in coordination with local boards, is to conduct ongoing evaluation studies .To the maximum extent practicable, the studies are to be coordinated with the Secretary of Labor. The studies are to include analyses of customer feedback, outcome, and process measures and may include the use of control groups. The State is to periodically prepare and submit to the State and local boards the results of the studies.</p> <p>Sanctions: For the first program year in which a State fails to meet performance measures <u>for the title I formula programs</u>, the Secretary is to provide technical assistance if requested, including assistance in developing a performance improvement plan. If there is a second consecutive year of failure, or the State fails to submit the required performance report, the Secretary <u>may</u> reduce by not more than 5 percent the amount of the grant that would have been awarded to the State in the succeeding program year. The withheld funds are to be used for incentive grants under section 503</p> <p>With respect to local areas, after the first year of failure to meet performance measures technical assistance is to be provided by the Governor, and upon the Governor's request, by the Secretary. If there is a <u>second</u> consecutive year of failure, the Governor is required to take corrective actions, which <u>may</u> include the development of a performance improvement plan through which the Governor may require the appointment of a new local board, prohibition of the use of eligible providers and one-stop partners identified as achieving a low level of performance, or other significant actions the Governor determines are appropriate. A local area may appeal the sanctions to the Governor or subsequently to the Secretary. .</p>	<p>State Evaluations: WIOA would continue the WIA requirement for States to conduct ongoing evaluations, but unlike WIA such evaluations are to include all of the core programs. These evaluations are to be coordinated with the Secretaries and designed in conjunction with State and local boards and administering agencies for the core programs. The States are to make available the results of the evaluations available on an annual basis to the public as well as to State and local boards..</p> <p>Sanctions: For the first program year in which a State fails to meet performance measures <u>for the core programs</u>, the Secretary of Labor and the Secretary of Education are to provide technical assistance, including assistance in developing a performance improvement plan. If there is a second consecutive year of failure (except in cases of exceptional circumstances as determined by the Secretaries), the amount available to be reserved by the Governor to carry out statewide activities under the title I formula programs in WIOA <u>must</u> be reduced by five percentage points. The same reduction would apply if a State failed to submit required performance reports. [Note: Failure will need to be administratively defined. If the failure of the State is attributable to the performance of core programs other than title I, it still appears under this provision the financial penalty would apply to the title I formula funds available for reservation by the Governor for statewide activities.]</p> <p>With respect to local areas, after the first year of failure to meet performance measures for the Adult, Dislocated Workers, and Youth formula grant programs under title I of WIOA technical assistance is to be provided by the Governor, and upon the Governor's request, by the Secretary, including assistance in the development of a performance improvement plan or development of a modified local or regional plan. If there is a <u>third</u> consecutive year of failure, the Governor is required to take corrective actions, which <u>must</u> include the development of a performance improvement plan through which the Governor may take the same actions that were authorized under WIA (require appointment of a new local board, prohibition of the use of eligible providers and one-stop partners identified as achieving a</p>

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<p>No comparable provision.</p> <p>Fiscal and Management Accountability System: Using funds available under title I, the Governor, in coordination with local boards and chief elected officials is to establish and operate a fiscal and management accountability system based on guidelines issued by the Secretary. The guidelines are to promote efficient collection and use of fiscal and management information for reporting and monitoring the use of funds and for preparing the annual performance report.</p> <p>A State is to use quarterly wage records, consistent with State law, to measure the progress on meeting State and local performance measures. The Secretary is to make arrangements, consistent with State law, to ensure that wage records of any State to the extent they are required in carrying out the State plan or comp[letting the annual performance reports.</p>	<p>low level of performance, or other significant actions the Governor determines are appropriate.) A local area may appeal the sanctions to the Governor or subsequently to the Secretary. .</p> <p><u>Pay-for-Performance Incentives:</u> The Governor may use non-Federal funds to establish incentives for local boards to implement pay-for-performance contract strategies with respect to training services and youth services.</p> <p>Fiscal and Management Accountability System: Using funds available under a core program, the Governor, in coordination with the State board, State agencies administering the core programs, local boards, and chief elected officials, is to establish and operate a fiscal and management accountability system based on guidelines established by the Secretary of Labor and the Secretary of Education. The guidelines are to promote the efficient collection and use of fiscal and management information for reporting and monitoring the use of funds under the core programs and preparing the required annual performance report.</p> <p>Retains provision requiring the use of wage records, consistent with State law, which would apply to the core programs rather than just title I formula programs as in WIA. The provision requiring the Secretary to make interstate arrangements for the use of wage records is also retained.</p>
<p>Job Corps (Title I-C)</p> <p>Individuals eligible for the Job Corps (Section 144) Individuals must be : (1) not less than 16 or older than 21, except that not more than 20% of enrollees may be between the ages of 22 and 24, and the Secretary may waive the upper age limit for individuals with disabilities in accordance with regulations; (2) a low-income individual; and (3) one or more of the following: basic skills deficient; school dropout; homeless, runaway, in or aged out of foster care; parent, or individual who requires additional education or training to participate</p>	<p>Job Corps (Title I-C)</p> <p>Individuals eligible for the Job Corps (Section 144) Retains WIA eligibility provisions (modifies last factor in WIA column to strike participate successfully in school work and adds obtain and retain employment “that leads to economic self-sufficiency”.</p> <p>Adds a special rule to disregard military income earned in the last 6 months in determining low-income eligibility.</p>

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successfully in school work or secure employment.	
<p>Recruitment, Screening, Selection, and Assignment of Enrollees (Section 145) Requires a determination that participants meet standards and procedures that indicate there is a reasonable expectation that the individual can participate successfully in group activities, understands the rules and consequences of failure to meet the rules, and passed a background check.</p> <p>Individuals may not be denied a position in the Job Corps solely on the basis of contact with the criminal justice system.</p> <p>Requires every 2 years the Secretary develop and implement an assignment plan to maximize the percentage of enrollees that reside in the State or region where the center is located. Individual enrollees are to be assigned the center closest to home, which may be waived if there would be an undue delay in participating or the parent or guardian request assignment to another center.</p>	<p>Recruitment, Screening, Selection, and Assignment of Enrollees (Section 145)</p> <p>Adds that participants must agree to comply with rules of the program.</p> <p>Adds provision prohibiting the selection of individuals to participate in the program who have been convicted of a felony consisting of murder, child abuse, rape or sexual assault.</p> <p>Amends the provision applying to the assignment of individual enrollees to provide for placements at centers closest to home <u>that offer the type of career and technical education selected by the individual</u>, rather than just the centers closest to home.</p>
<p>Enrollment (Section 146)</p> <p>No individual may be enrolled in the Job Corps for more than two years, except (1) completion of advanced training requires not more than one additional year; or (2) as the Secretary may authorize in a special case.</p>	<p>Enrollment (Section 146)</p> <p>WIOA adds two exceptions to the general limitation that the period of enrollment is not to exceed two years. The first addition is for individuals with disabilities who would reasonably be expected to graduate if allowed to participate for up to 1 additional year. The second is for individuals who participate in national service programs, as authorized by the Civilian Conservation Center program, for a period equal to the period of national service.</p>
<p>Job Corps Centers (Section 147) Describes the criteria for selecting contractors to operate Job Corps Centers. The considerations include: (1) ability to coordinate activities; (2) through the Job Corps center with activities carried out under State</p>	<p>Job Corps Centers (Section 147) Adds to the current list of considerations in selecting a Job Corps operator the ability of an entity to offer career and technical education that has been proposed by the workforce council advising the center,</p>

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<p>and local plans; (2) the degree to which training reflects local employment opportunities; (3) the degree to which the entity is familiar with the surrounding communities, one-stop centers, and the State and region; and (4) the past performance of the entity relating to operating or providing activities to a Job Corps center.</p>	<p>the effectiveness of an entity in achieving the primary indicators of performance applicable to Job Corps, and information contained in reports issued by the Department's Inspector General.</p> <p><u>Additional Selection Factors.</u>--Includes a provision identifying additional selection factors that must be included in a contract proposal submitted by an entity to operate a center, including descriptions of: program activities linked to employment activities; strategies and procedures to place graduates in employment or education leading to a postsecondary credential; demonstrated record of effectiveness; relationships with other workforce development entities; ability to coordinate Job Corps activities with State and local plans, strong fiscal controls, a detailed budget and other information on factors the Secretary may require.</p> <p><u>High Performing Centers.</u>--Provides that entities that operate high performing centers may compete in <u>any</u> competitive selection process to operate that center, which would include contracts otherwise set aside only for small businesses. To be a high performing center, the center must ranked in the top 20 percent of centers for the preceding program year, average 100 percent of the expected levels for the primary indicators for the preceding 3 program years, and achieved at least 100 percent for each of the primary indicators of performance for the preceding program year. The Act establishes transition provisions, requiring that centers achieve 100 percent for the measures applicable under WIA for program years preceding the implementation of the primary indicators of performance under the WIOA, or requiring that the center be ranked in the top 5 percent when the preceding program year is a transition year.</p> <p><u>Renewal Conditions.</u>—The WIOA specifies the length of the agreement with the operators is to be for not more than 2 years, with the Secretary of Labor having the option to renew the agreement in 1-year increments for not more than 3 additional years. The Secretary of Labor is not to renew a 1-year increment if the center has been ranked in the lowest 10 percent of Job Corps centers in preceding year or has failed to achieve an average of 50 percent or higher on the expected levels of performance. An exception may be</p>

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	made and the contract may be renewed for up to 2 additional years taking into account factors including: significant improvements in performance in accordance with a performance improvement plan; the performance is due to circumstances beyond the control of the entity, such as an emergency or natural disaster, a significant disruption to the center or increase in the costs of operations; or a significant disruption in the procurement process. If the exception is used, the Secretary is to provide a detailed explanation of the rationale to the Congress. In addition, the Secretary may only renew the agreement if the entity: has a satisfactory record of integrity and business ethics; adequate financial resources to perform the agreement; the necessary organization, experience, accounting and operational controls, and technical skills; and is otherwise qualified and eligible under applicable laws and regulations. These factors are generally applied under current law, but the WIOA incorporates them in the statute.
<p>Program Activities (Section 148)</p> <p>Each Job Corps center is to provide an intensive, well organized and fully supervised program of education, training, work experience, recreational activities physical rehabilitation and development and counseling.</p>	<p>Program Activities (Section 148)</p> <p>Adds to services English language acquisition, work-based learning, driver's education, and financial literacy.</p> <p>Authorizes services to graduates to promote their retention in employment or postsecondary education, including job placement and support services for up to 12 months after graduation. The provision identifies resources that may be coordinated to supplement these services for graduates who are individuals with disabilities</p>
<p>Support (Section 150)</p> <p>The Secretary is to provide readjustment allowances to graduates and may provide such allowances to former enrollees.</p>	<p>Support (Section 150)</p> <p>Replaces readjustment allowances for graduates with transition allowances, and requires that such allowances be incentive-based to reflect a graduate's completion of education and training and attainment of recognized postsecondary credentials. The Act limits transitional support for former enrollees who did not graduate from the program to a period of not more than 3 months.</p>
<p>Community Participation (Section 153)</p> <p>Established a business and community liaison to support community</p>	<p>Community Participation (Section 153)</p> <p>Eliminates the requirement that the director of each Job Corps center</p>

WIA	WIOA
participation.	designate a Business and Community Liaison, but requires the establishment of business and community relationships and networks, including the use of local boards. The networks are to establish relationships with one-stop centers and boards to provide information on job opportunities, with entities carrying out apprenticeship programs, labor organizations and employers and contractors, CBOs and other community members. The WIOA also renames the current Industry Councils as Workforce Councils.
Experimental, Research, and Demonstration Projects (Section 156) Allows the Secretary to carry out experimental, research, or demonstration projects, including waivers of Job Corps provisions.	Experimental Projects and Technical Assistance (Section 156) WIOA adds a requirement that if the Secretary of Labor issues a waiver of Job Corps provisions to carry out experimental, research or demonstration projects, the Secretary must notify the Congress not less than 90 days before issuing the waiver. The Act adds a new technical assistance provision that allows the Secretary of Labor to reserve 0.25 percent of the funds provided for purposes of administration of the program for technical assistance activities to Job Corps centers and programs.
Management Information (Section 159) Contains procedures to ensure that operators and service providers maintain financial management systems. Requires information on indicators of performance relating to: rates of graduation, entry into unsubsidized employment related to training received: average wages comparing those who were placed in training- related employment and those who were not; average wages by graduates on first day and 6 and 12 months after employment; retention in employment over those same periods; the number of graduates who entered postsecondary education; and the number of graduates who obtained job readiness and employment skills. The Secretary is also to establish performance measures for recruiters. An annual report on the performance of each center on the performance measures is required. There are also 8 items of additional outcome information that is to be reported.	Management Information (Section 159) Amends the performance accountability system to replace the current indicators of performance for Job Corps centers and programs with the same primary indicators of performance that are applicable to the youth formula programs. The Secretary of Labor is to establish expected levels of performance annually for such indicators. In addition, as in current law, the Secretary is to establish indicators and expected levels of performance for recruiters, but the Act specifies as indicators the number of enrollees who remain in the program 90 days after enrollment, and specified measures relating to the number of enrollees dismissed under the zero tolerance policy, consistency with the assignment plans, and cost per enrollee. The Act also includes a new provision requiring the Secretary to establish indicators and expected levels of performance for career transition providers, which are to include the primary indicators for youth as well as specified indicators relating to other outcomes for graduates. The Secretary is to submit an annual report to the Congress on the performance of Job Corps centers and programs and on the performance of the recruiters and career transition providers. As in WIA, the report is also to include additional information. The Act adds to additional performance information certain demographic information, the number of graduates, information relating to average

WIA	WIOA
<p>If a Job Corps Center fails to meet the expected levels of performance, the Secretary is to develop a performance improvement plan that may require actions including: (1) technical assistance; (2) changing the offered training; (3) changing the management staff; (4) replacing the operator; (5) reducing the capacity of the center; (6) relocating the center; or (7) closing the center.</p> <p>The Secretary <u>may</u> select an operator of a Civilian Conservation Center on a competitive basis if the center fails to meet national performance measures.</p> <p>Prior to closure of a Job Corps center the Secretary must announce the proposed closure in advance to the general public; establish a comment period not to exceed 30 days; and notify the Member of Congress represented the district in which the center is located in a reasonable time in advance of a final decision.</p>	<p>wages of graduates and the cost per enrollee and graduate.</p> <p>The Act retains the WIA provisions relating to performance improvement plans for centers failing to meet the expected levels of performance.</p> <p>With respect to Civilian Conservation Centers, the Act modifies the WIA provision (which <u>authorizes</u> the Secretary to operate CCCs on a competitive basis if the center fails to meet national standards) to provide that if a CCC fails to meet expected levels of performance relating to the primary indicators or fails to improve performance after 3 program years, the Secretary of Labor, in consultation with the Secretary of Agriculture, <u>must</u> select an entity to operate the CCC on a competitive basis.</p> <p>Retains the current law provisions relating to Job Corps center closures: In addition, the Act adds a requirement that not later than December 1, 2014, the Secretary establish written criteria to be used to determine when a Job Corps center is to be closed and how to carry out such closure, and submit the criteria to the Congress.</p>
No corresponding section in current law.	<p>Job Corps Oversight and Reporting (Section 161)</p> <p>New section requires the Secretary to submit financial reports on the implementation of financial oversight measures, any budgetary</p>

WIA	WIOA
	<p>shortfalls, and a description and explanation for any approval for contract expenditures that exceed the amounts provided for under the contract. These reports are due every 6 months for the first three years after enactment of this act and then two more annual reports.</p> <p>Creates a requirement for a third-party review of financial reports every five years.</p> <p>Requires the Secretary to establish written criteria to determine when a Job Corps center is to be closed and how to carry out such closure (by December, 2014)</p>
<p>Authorization of Appropriations (Section 161)</p> <p>Authorized such sums as may be necessary for FY 1999-2003. Annual appropriations have extended the authorization through FY 2014.</p>	<p>Authorization of Appropriations (Section 162)</p> <p>As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$1,688,155,000 for fiscal year 2015; \$1,818,548,000 for fiscal year 2016; \$1,856,283,000 for fiscal year 2017; \$1,897,455,000 for fiscal year 2018; \$1,942,064,000 for fiscal year 2019; and \$1,983,236,000 for fiscal year 2020.</p>
<p>Native American Programs (Section 166)</p> <p>Described the purpose of the Native American Programs to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order to: (1) develop more fully the academic, occupational and literacy skills of such individuals, (2) to make such individuals more competitive in the workforce; and (3) to promote economic and social development of those communities in accordance with the goals and values of those communities.</p> <p>The Secretary, on a competitive basis, is to make grants or enter into contracts or cooperative agreements with Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations, or Native Hawaiian organizations to carry out authorized activities.</p> <p>The competition is to be conducted <u>every two years</u>, except that the Secretary may waive such competition for the <u>succeeding two-year period</u> if a recipient performed satisfactorily and provides a satisfactory</p>	<p>Native American Programs (Section 166)</p> <p>Retains the purposes and adds to the second purpose described in the WIA column equipping individuals with the entrepreneurial skills necessary for successful self-employment.</p> <p>.</p> <p>Same as WIA.</p> <p>Requires that the competition be conducted <u>every four years</u>, without a subsequent waiver.</p>

WIA	WIOA
<p>two-year plan.</p> <p>Funds are to be used for: (1) comprehensive workforce activities; or (2) supplemental services for youth on or near Indian reservations in Oklahoma, Alaska, or Hawaii.</p> <p>Requires a two-year program plan that describes a strategy for meeting the needs of Indian, Alaska Native or Native Hawaiian individuals that is: (1) consistent with the section, (2) identifies the population to be served, (3) identifies the education and employment needs and the manner in which activities will strengthen the ability of individuals to obtain or retain unsubsidized employment; (4) the activities to be provided and how they are integrated, and (5) the performance measures to be used.</p> <p>Provides that after consultations with recipients, the Secretary is to establish regulations relating to performance accountability measures and develop funding distribution plan that takes into consideration</p>	<p>Adds that the comprehensive activities include training on entrepreneurial skills.</p> <p>Requires the submission of a four-year plan (rather than two years under WIA).</p> <p>Modifies the third element described in the WIA column by adding that the unsubsidized employment that is to be obtained or retained is to lead to self-sufficiency”.</p> <p>Modifies the fifth element described in the WIA column to provide that the performance measures to be used are to include the primary indicators of performance that are generally applicable to the core programs under the performance accountability provisions in section 116 and that the plan is to include the expected levels of performance for those indicators that are negotiated with the Secretary. The agreement on the levels of performance is to take into account economic conditions, characteristics of participants, and other appropriate factors, using to the extent practicable the statistical adjustment model established under the performance accountability provisions in section 116.</p> <p>The Secretary is to consult with the Native American Employment and Training Council to develop a set of performance indicators in addition to the primary indicators. These indicators are to take into account: the purpose of the grants, the needs of the groups served, including in needs in various geographic service areas, and the economic circumstances of the communities served, including differences among geographic service areas.</p> <p>Retains provisions relating to the establishment of regulations for performance accountability. Also retains provision for funding distribution plan.</p>

WIA	WIOA
<p>previous levels of funding to recipients.</p> <p>Establishes Native American Employment and Training Council Duties to advise the Secretary on all aspects of the operations an administration of programs authorized under this section.</p> <p>Authorizes the Secretary to provide assistance to American Samoans in Hawaii for the co-location of federally-funded workforce investment activities.</p> <p>authorized such sums as may be necessary for FY 1999-2003. Annual appropriations have extended the authorization through FY 2014.</p>	<p>Retains Council and modifies duties as advising the Secretary on the operations (rather than all aspects of such operations) of the programs.</p> <p>Deletes the American Samoan provision and substitutes a provision authorizing the Secretary to award grants on a competitive basis to entities with demonstrated expertise in serving the unique populations residing in Alaska and Hawaii. Also adds an authorization of appropriations specifically to carry out this subsection.</p> <p>As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$46,082,000 for fiscal year 2015; \$49,641,000 for fiscal year 2016; \$50,671,000 for fiscal year 2017; \$51,795,000 for fiscal year 2018; \$53,013,000 for fiscal year 2019; and \$54,137,000 for fiscal year 2020.</p> <p>In addition, there is a specific appropriation added for assistance to the unique populations in Alaska and Hawaii. Those authorizations are: \$461,000 for fiscal year 2015; \$497,000 for fiscal year 2016; \$507,000 for fiscal year 2017; \$518,000 for fiscal year 2018; \$530,000 for fiscal year 2019; and \$542,000 for fiscal year 2020.</p>
<p>Migrant and Seasonal Farmworker Programs (Section 167)</p> <p>Every <u>2 years</u>, the Secretary, on a competitive basis, is to make grants or enter into contracts or cooperative agreements with eligible entities to carry out authorized activities. The Secretary may waive such competition for the <u>succeeding two-year period</u> if a recipient performed satisfactorily and provides a satisfactory two-year plan.</p>	<p>Migrant and Seasonal Farmworker Programs (Section 167)</p> <p>Requires that the competition be conducted <u>every four years</u>, without a subsequent waiver.</p>

WIA	WIOA
<p>Eligible entities are entities with an understanding of the problems of eligible migrant and seasonal farmworkers, a familiarity with the area served and the demonstrated capacity to administer and deliver effectively a diversified program and related assistance for eligible migrant and seasonal farmworkers.</p> <p>Requires a two-year program plan that describes a strategy for meeting the needs of eligible migrant and seasonal farmworkers in the area to be served. The plan is to: (1) identify the education and employment needs of the population to be served and the manner in which activities will strengthen the ability of individuals to obtain or retain unsubsidized employment or stabilize their unsubsidized employment; (2) describe the related assistance and supportive services to be provided and how they will be integrated; and (3) the indicators of performance to be used to assess the entity.</p> <p>Funds may be used for workforce activities and related assistance, which may include: (1) employment, training , educational assistance, literacy assistance, English language, worker safety training, housing, supportive services, and school dropout prevention activities; (2) followup services for those placed in employment; (3) self-employment</p>	<p>Same as WIA.</p> <p>Requires the submission of a four-year plan (rather than two years under WIA). Modifies the first element described in the WIA column by adding a description of the population to be served and, as an employment goal, upgraded employment in agriculture.</p> <p>Modifies the third element to provide that the performance measures to be used are to include the primary indicators of performance that are generally applicable to the core programs under the performance accountability provisions in section 116 and that the plan is to include the expected levels of performance for those indicators that are negotiated with the Secretary. The agreement on the levels of performance is to take into account economic conditions, characteristics of participants, and other appropriate factors, using to the extent practicable the statistical adjustment model established under the performance accountability provisions in section 116.</p> <p>Adds as a fourth element a description of the availability and accessibility of local resources, including service provided through One-Stop Career Centers. Adds as a fifth element a plan for providing services, including strategies and systems for outreach, career planning, assessment, and delivery of services through the One-Stop Career Centers.</p> <p>Adds to the authorized activities in first element described in the WIA column outreach, literacy instruction, pesticide training, permanent housing (which has been included in appropriations acts), and dropout recovery activities. Adds to the third element microenterprise development. Revises the fourth element to specify technical</p>

WIA	WIOA
<p>and related business enterprise development education; and (4) technical assistance,</p> <p>Requires the Secretary to consult with eligible stakeholder groups and states to develop regulations.</p> <p>No comparable provision.</p> <p>Provides definitions of four terms: disadvantaged, eligible migrant and seasonal farmworkers, eligible migrant farmworker, eligible seasonal farmworker.</p> <p><u>Authorization of Appropriations.</u>- Authorized such sums as may be necessary for FY 1999-2003. Annual appropriations have extended the authorization through FY 2014.</p>	<p>assistance activities aimed at improving coordination of services and implementation of best practices relating to service delivery through the one-stop system. Adds a new element authorizing customized career and technical education in occupations that will lead to higher wages, enhanced benefits, and long-term employment in agriculture or another area.</p> <p>Retains requirement that the Secretary consult with eligible stakeholder groups and states to develop regulations pertaining to this section, and adds including how economic and demographic barriers to employment of the eligible population should be considered in negotiating the adjusted levels of performance.</p> <p>Adds a new subsection authorizing the Secretary to reserve not more than 1 percent of the appropriated funds for the program for discretionary purposes, such as providing technical assistance.</p> <p>Deletes the definition of disadvantaged and in the definition of “Eligible seasonal farmworker”: substitutes “low-income” for “disadvantaged”; includes individuals who were previously employed in fish farming; and adds a requirement that to be eligible individuals must also face multiple barriers to economic self-sufficiency.</p> <p><u>Authorization of Appropriations.</u>—As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$81,896,000 for fiscal year 2015; \$88,222,000 for fiscal year 2016; \$90,052,000 for fiscal year 2017; \$92,050,000 for fiscal year 2018; \$94,214,000 for fiscal year 2019; and \$96,211,000 for fiscal year 2020.</p>
Veterans’ Workforce Investment Programs (Section 168).	Does not include section authorizing the VWIP program.

WIA	WIOA
<p>Authorizes grant program to provide workforce investment activities to specified groups of veterans.</p>	
<p>Technical Assistance (Section 170) The Secretary must provide technical assistance to States and localities.</p> <p>Up to 5 percent of National reserve funds may be used for DW TA. The technical assistance to rapid response staff is to be provided by the dislocated worker office in the Department of Labor</p> <p><u>Authorization of Appropriations.</u>-Authorized such sums as may be necessary for FY 1999-2003. No funds have been appropriated since FY 2005.</p>	<p>Technical Assistance (Section 168) Requires the Secretary to ensure that DOL has the capacity to and does provide, coordinate, and support the development of appropriate training, technical assistance, staff development and other related activities. Adds the following activities: training of rapid response staff; training of other staff of recipients of funds under title I, including staff and members of local and state boards; assistance in the development and implementation of an integrated, technology-enabled intake and case management system, including standard technology requirements or interfaces states could use with their current systems; training on accounting and program operations; and peer review activities required by WIOA</p> <p>Retains up to 5 percent of National Reserve funds for DW TA. Provides that ETA (rather than the specific dislocated worker office) provide training for rapid response staff..</p> <p>Adds new subsection requiring the Secretary to: establish a system through which states may share promising and proven practices; evaluate and disseminate information on promising and proven practices and to identify knowledge gaps and to commission research to address identified knowledge gaps.</p> <p><u>Authorization of Appropriations.</u>- As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$3,000,000 for fiscal year 2015; \$3,232,000 for fiscal year 2016; \$3,299,000 for fiscal year 2017; \$3,372,000 for fiscal year 2018; \$3,451,000 for fiscal year 2019; and \$3,524,000 for fiscal year 2020.</p>
<p>Demonstration, Pilot, Multiservice, Research, and Multistate</p>	<p>Evaluations and Research (Section 169)</p>

WIA	WIOA
<p>Projects (Section 171) and Evaluations (Section 172).</p> <p>Under section 171 of WIA, every 2 years the Secretary is to develop a 5-year strategic plan to describe the demonstration and pilot, multiservice, research and multistate project priorities. In accordance with the plan, the section authorizes the Secretary to carry out such projects. The section includes requirements relating to competitive awards, time limits and peer review.</p> <p>Under section 172, the continuing evaluation of programs and activities under Title I are to be carried out.</p> <p>Each evaluation is to address: (1) the general effectiveness of programs and activities in relation to their cost, including the extent to which they improve the employment competencies of participants and increase the level of employment; (2) the effectiveness of the performance accountability measures; (3) the effectiveness of the structure and mechanism for delivery of services; (4) the impact on the community, and participants; (5) the extent to which the needs of various demographic groups are met; and (6) other appropriate factors.</p> <p>The strategic plan is to describe the priorities for demonstration and pilot, multiservice, research and multistate projects.</p>	<p>WIOA eliminates WIA section 171 authorizing demonstrations, pilots, multiservice and research, but includes many of the authorities that had been under that section to the section entitled "Evaluations and Research" and adds several new provisions under that section.</p> <p>Continues the requirement that the Secretary, through grants, contracts or cooperative agreements, provide for the continuing evaluation of programs.</p> <p>Includes a new provision requiring that an independent evaluation of the programs and activities under title I be carried out at least once every four years. Also requires that at least one multistate control group evaluation of such programs and activities be conducted by the end of fiscal year 2019 and thereafter such an analysis is to be included in the independent evaluations.</p> <p>Adds, to the third item described in the WIA column, the coordination and integration of program services, and to the fourth item the impact of the program and activities on businesses. Also adds a provision requiring that within 30 days after transmitting to Congress a final report relating to an evaluation, the Secretary of Labor is to make the report publicly available through the internet on the Department's Web site.</p> <p>Provides for a strategic plan that is to be published every two years that describes the research, studies and multistate projects concerning employment and training for the following 5-year period. Includes a requirement that the plan be consistent with the purposes of title I, including the purpose of aligning and coordinating core programs with other one-stop partner programs, and that copies of the plan be submitted to the Department of Education and other relevant federal agencies in addition to the Congress.</p>

WIA	WIOA
<p><u>Multistate projects.</u>—Authorizes the Secretary of Labor to award grants for multistate projects that require demonstrated expertise at the national level to effectively disseminate best practices and models for implementing employment and training services, address the specialized employment and training needs of particular service populations, or address industrywide skill shortages.</p> <p><u>Limitations.</u>—Contains provisions applicable to multiservice projects,</p>	<p><u>Studies.</u>—Adds a provision authorizing the Secretary to conduct studies. 2 studies that <u>must</u> be conducted are: (1) <i>Career Pathways.</i>—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of HHS, must conduct a multistate study to develop, implement and build upon career advancement models and practices for low-wage health care providers or providers of early education and child care, including family education and distance education programs; and (2) <i>Equivalent Pay.</i>—The Secretary of Labor must conduct a multistate study to develop and disseminate strategies for ensuring programs and activities carried out under the WIOA are placing individuals in jobs, education and training that lead to equivalent pay for men and women, including strategies to increase the participation of women in high-wage, high demand occupations in which women are underrepresented.</p> <p>Identifies 8 studies that <u>may</u> be conducted by the Secretary of Labor in coordination with other specified Secretaries. These studies relate to: (1) net impact and best practices of programs carried out under the WIOA; (2) resources available to assist disconnected youth; (3) the effectiveness of the workforce development system in meeting business needs; (4) participants entering nontraditional occupations; (5) performance indicators relating to measuring wages, benefits and incentives provided by employers; (6) job training for recipients of public housing assistance; (7) improving employment prospects for older individuals; and (8) utilizing prior learning.</p> <p>Requires the Secretary to prepare and disseminate to Congress and the public reports containing the results of the studies conducted</p> <p><u>Multistate projects.</u>—WIOA includes in this section the provision from WIA authorizing multistate projects. [Note: This authority would appear to authorize a broad array of multistate pilots and demonstration projects, including projects currently carried out relating to the Reintegration of Ex-Offenders (ReXO)].</p> <p><u>Limitations.</u>—WIOA includes in this section the provision from WIA</p>

WIA	WIOA
<p>research projects, and multistate projects that: (1) require competitive awards for projects in excess of \$100,000 except in the case of a project funded jointly with other public or private sector entities that provide a substantial portion of assistance under the project; (2) prohibits awarding a grant or contract for more than 3 consecutive years to the same organization unless the contract or grant is competitively reevaluated within that period; (3) require the utilization of a peer review process to review and evaluate all applications for grants in amounts that exceed \$500,000 and to review and designate exemplary and promising programs; and (4) requires priority in the awards be provided to entities with recognized expertise in the methods, techniques and knowledge of workforce investment activities.</p> <p><u>Dislocated Worker Projects.</u>—The Secretary may use not more than 10 percent of the funds appropriated to carry out dislocated worker activities to carry out demonstration and pilot projects, multiservice projects, and multistate projects to meet the employment and training needs of dislocated workers.</p> <p><u>Authorization of Appropriations.</u>— Authorized such sums as may be necessary for FY 1999-2003. Annual appropriations have extended the authorization through FY 2014.</p>	<p>containing the four provisions relating to awards applicable to research projects, studies and multistate projects.</p> <p><u>Dislocated Worker Projects.</u>-- The Act incorporates in the evaluation and research section the authority from the pilots and demonstration section under WIA for the Secretary to carry out demonstration and pilot projects, multiservice projects, and multistate projects to meet the employment and training needs of dislocated workers. As in WIA, the Secretary of Labor is to use not more than 10 percent of the funds from the National Reserve for these projects. The projects are to be carried out by ETA instead of the WIA requirement that they be carried out by a designated dislocated worker office.</p> <p><u>Authorization of Appropriations.</u>-- As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations (which does not include the dislocated worker projects funded from the National Reserve) are as follows: \$91,000,000 for fiscal year 2015; \$98,029,000 for fiscal year 2016; \$100,063,000 for fiscal year 2017; \$102,282,000 for fiscal year 2018; \$104,687,000 for fiscal year 2019; and \$106,906,000 for fiscal year 2020.</p>
<p>National Emergency Grants (Section 173)</p> <p>The Secretary is authorized to award National Emergency Grants: (1) to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or</p>	<p>National Dislocated Worker Grants (Section 170)</p> <p>Adds as a basis for disaster relief assistance in the second item described in the WIA column, in addition to areas where there has been a declaration of a disaster under the Stafford Act, areas where</p>

WIA	WIOA
<p>closures or realignment of military installations; (2) to provide assistance to the Governor of any State within the boundaries of which is a disaster area as defined in the Stafford Act; (3) to provide additional assistance to a State or local board where the dislocated worker formula funds have been expended and there is a need for additional assistance; and (4) to provide health coverage assistance for TAA participants and PBGC beneficiaries as a bridge to the Health Coverage Tax Credit.</p> <p>No comparable provision.</p> <p>Disaster relief assistance is available within the area that the emergency or disaster has been declared.</p> <p>Individuals eligible for disaster relief employment are dislocated workers, long-term unemployed, or temporarily or permanently laid off as a consequence of the disaster.</p> <p>Limits the period of disaster relief employment to 6 months.</p> <p>.</p>	<p>there is an emergency or disaster of national significance that could result in a potentially large loss of employment, as declared or recognized by a federal agency with authority for or jurisdiction over the Federal response to an emergency situation.</p> <p>Adds as a basis for providing additional assistance to local areas a higher than average demand for employment and training activities for dislocated members of the Armed Forces, spouses of members of the Armed Forces who have experienced a loss of employment, or members of the National Guard who have been involuntarily separated, that exceeds State or local resources. Such assistance is to be carried out in coordination with Department of Defense and Department of Veterans Affairs transition programs.</p> <p>Deletes the fourth item relating to health coverage assistance. The HCTC to which such grants were to be a bridge expired on December 31, 2013. However, the funds available for such NEG activities are to remain available until expended.</p> <p><u>Decisions and Obligations.</u>-- Adds a provision requiring the Secretary of Labor to issue on an application within 45 days after receipt of the application and a notice of obligation within 10 days of the award of a grant.</p> <p>Adds "offshore areas related to the emergency or disaster" as a location that can be a target of rehabilitation activities when using the grant funds.</p> <p>Adds a provision that includes self-employed individuals as eligible for disaster relief employment if they become unemployed or significantly underemployed.</p> <p>Increases the period for which disaster employment may be provided from 6 months under WIA to 12 months under WIOA, and allows an extension by the Secretary at the request of the State for an additional 12 months.</p>

WIA	WIOA
<p>No comparable provision.</p> <p>Grants are funded from the 20 percent National Reserve of the Dislocated Worker appropriation.</p>	<p>Provides that disaster relief assistance is to be used in coordination with FEMA, as applicable. A provision is added to clarify that nothing in the Act is to be construed to relieve the liability of a responsible party that is liable under Federal law for costs incurred under this section, including responsibility to provide reimbursement to the U.S.</p> <p>Retains funding source.</p>
<p>YouthBuild Program (Section 173A)</p> <p>Authorizes the Youthbuild program for the purposes of providing opportunities to disadvantaged youth to: obtain education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and postsecondary education and training opportunities; engage in meaningful work and service to their communities; foster the development of employment and leadership and commitment to community development in low-income communities; and expand the supply of permanent affordable housing for homeless individuals and low-income families.</p> <p><u>Definitions.</u>—Contains definitions of 13 terms, including “YouthBuild program.”</p> <p><u>Eligible Activities.</u>—Authorizes activities under the categories of: (1) education and workforce investment activities;(2) supervision and training in the rehabilitation or construction of housing; (3) supervision</p>	<p>YouthBuild Program (Section 171)</p> <p>Retains the purposes of YouthBuild described in WIA and adds as a purpose to improve the quality and energy efficiency of community and other nonprofit and public facilities.</p> <p><u>Definition.</u>-- Revises the definition of the YouthBuild program to clarify that rehabilitation of housing or public facilities includes energy efficiency enhancements. In addition, modifies the definition of homeless individual to include the meaning given in section 41403(6) of the Violence Against Women Act of 1994; removes the definition of an “individual of limited English proficiency”; and modifies the definition of transitional housing to use the meaning given in section 401(29) of the McKinney-Vento Homeless Assistance Act.</p> <p><u>Eligible Activities: In-Demand Industries or Occupations.</u>-- Provides that first three categories of authorized activities described in the WIA column regarding the education and workforce activities and</p>

WIA	WIOA
<p>and training for participants in the rehabilitation or construction of community or other public facilities, except that not more than 10 percent may be used for such activities; (4) payment of administrative costs, except that not more than 15 percent of assistance to a grant recipient may be used for such costs; (5) adult mentoring; (6) provision of wages, stipends and benefits to participants; (7) ongoing training and technical assistance; and (8) follow-up services.</p> <p><u>Performance Accountability.</u> In the application, the eligible entity must describe the results to be achieved with respect to common indicators of performance for youth and lifelong learning, as identified by the Secretary.</p> <p><u>Eligible Participants.</u>—Eligibility criteria are that the individual: (1) is not less than age 16 and not more than age 24; (2) is a member of a low-income family, in foster care or aging out of such care, a youth offender, a youth with a disability; a child of incarcerated parents or a migrant youth; and (3) a school dropout.</p> <p><u>Authorization of Appropriations.</u>—Authorized such sums as may be necessary for FY 2007-2012. Annual appropriations have extended the authorization through FY 2014.</p>	<p>supervision and training provided under the program may relate to in-demand industry sectors or occupations in the region, in addition to rehabilitation and construction, if approved by the Secretary of Labor. In addition, if seeking approval from the Secretary, the eligible entity is to include in the grant application a description of the additional proposed activities relating to in-demand industries and occupations.</p> <p><u>Eligible Activities: Percentage of Funds Available.</u>—Modifies the third category relating to supervision and training in the rehabilitation or construction of community or other public facilities by Increasing the percentage of appropriated funds that may be used from 10 percent under WIA to 15 percent under WIOA. Modifies the fourth category relating to administration by decreasing the percentage of funds that may be used from 15 percent under WIA to 10 percent under WIOA.</p> <p><u>Performance Accountability.</u>-- Provides that the Secretary of Labor is to establish for YouthBuild projects expected levels of performance for the same primary indicators of performance that are applicable to the youth formula program under title I. The Secretary is authorized to establish expected levels of performance for additional indicators.</p> <p><u>Eligible Participants .</u>—With respect to the third eligibility criterion, WIOA incorporates a provision that had been included in the Department of Labor's appropriations acts including, in addition to school dropouts, individuals who were school dropouts but subsequently reenrolled in school.</p> <p><u>Authorization of Appropriations.</u>-- As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$77,534,000 for fiscal year 2015; \$83,523,000 for fiscal year 2016; \$85,256,000 for fiscal year 2017; \$87,147,000 for fiscal year 2018; \$89,196,000 for fiscal year 2019; and \$91,087,000 for fiscal year 2020.</p>

WIA	WIOA
<p>Requirements and Restrictions (Section 181) Contains provisions applicable to title I relating to wage rates, labor standards (including non-displacement provisions, health and safety standards, employment conditions, opportunities to submit comments on programs and activities under the formula programs, and assurances that funds will not be used to impact union organizing), grievance procedures, the prohibition on the use of title I funds to encourage or induce relocation, limitation on the use of funds for specified employment generating activities not directly related to the training for eligible individuals, and a provision precluding the Federal government from prohibiting States from testing and imposing sanctions on participants for use of controlled substances.</p>	<p>Requirements and Restrictions (Section 181) Same as WIA except extends the prohibitions against using funds to induce relocation to include funds for incumbent worker training and transitional employment. Adds a new provision explicitly authorizing recipients of grant funds under title I to award subgrants, subject to any conditions established by the Secretary.</p>
<p>Reports; recordkeeping; investigations (Section 185) Contains requirements under title I relating to recipient recordkeeping and reports, investigations on the use of funds, accessibility of reports, information to be used in reports, quarterly financial reports and maintenance of additional records.</p>	<p>Reports; recordkeeping; investigations (Section 185) Adds provision requiring that recipients of funds under title I, to the extent practicable, submit or make available (including through electronic means) any required reports, records, plans, and data. Requires the Secretary of Labor to submit to the Congress a summary of the quarterly financial reports that the Governors submits to the Secretary.</p>
<p>Nondiscrimination (Section 188) Prohibits WIA funded organizations from discriminating in participation, benefits or employment under this act on the basis or race, color, religion, sex (with the exception of Title IX of the Education Amendments of 1972), national origin, age, disability, or political association or belief.</p>	<p>Nondiscrimination (Section 188) Same as WIA. The Secretary is to issue regulations necessary to implement this section not later than 1 year after the date of enactment.</p>
<p>Administrative Provisions (Section 189) <u>Period for expenditures for demonstrations, research and evaluation.</u>-- Provides that funds used to carry out activities relating to pilots and demonstrations, research and evaluation under sections 171 and 172 of WIA are available until expended.</p>	<p>Secretarial administrative authorities and responsibilities. (Section 189) Authorizes the funding of contracts relating to evaluations, research projects, studies and reports, and multistate projects, including a long-term, non-severable services contract, to be <u>funded on an incremental basis</u> with annual appropriations or other available funds. Retains WIA provision that those activities, carried out under section</p>

WIA	WIOA
<p><u>Waivers.</u>—Extends waivers granted prior to WIA. Authorizes the Secretary to waive for a State, or a local area in a State, pursuant to a request submitted by the Governor of the State (in consultation with appropriate local elected officials) statutory or regulatory requirements of the formula grants under title I, except for requirements relating to wage and labor standards, grievance procedures and judicial review, nondiscrimination, allocation of funds to local areas, eligibility of providers or participants, the establishment and functions of local areas and local boards, and procedures for review and approval of plans.</p>	<p>169 of WIOA, are available until expended. In addition, funds used for pay-for-performance contract strategies by local areas remain available until expended.</p> <p>.</p> <p><u>Waivers.</u>-- Eliminates a WIA provision that extended waivers that had been granted prior to the enactment of the WIA. Includes among the statutory and regulatory requires under title I that may not be waived the funding of infrastructure costs for one-stop centers and other requirements relating to the basic purposes of title I. Adds a provision requiring the Secretary of Labor to expedite the determination regarding the approval of a waiver of statutory or regulatory requirements requested by a State that the Secretary has waived for another State or local area.</p>
<p>Continuation of State activities and policies. (Section 194)</p> <p>Grandfather provisions of Texas workforce laws in effect prior to WIA.</p>	<p>Continuation of State activities and policies. (Section 193)</p> <p>Retains grandfather provision for Texas workforce laws in effect prior to WIA..</p>
<p>General Program Requirements (Section 195)</p> <p>Contains requirements applicable to all programs under Title I.</p> <p>No comparable provision.</p> <p>No comparable provision in WIA, but the salary limitation provision has been included in DOL appropriations acts.</p>	<p>General Program Requirements (Section 194)</p> <p>Retains general program requirements contained in WIA.</p> <p>Adds to the general program requirements a prohibition on the use of title I funds to establish or operate a stand-alone fee-for-service enterprise in a situation where a private sector employment agency is providing full access to similar or related services meeting the need. The prohibition does not apply to the one-stop delivery system.</p> <p>Adds a provision that has been included in the Department of Labor's appropriations acts prohibiting the use of title I funds by a recipient or subrecipient to pay the salary and bonuses of an individual in excess of the annual rate of pay prescribed for Level II of the Federal Executive Schedule under title 5 of the US Code. The prohibition does not apply to vendors, and States may establish lower limits taking into account factors including the relative cost of living, compensation levels for comparable State or local government employees and the size of the organizations administering the</p>

WIA	WIOA
	Federal programs.
No comparable provision in WIA, but similar provisions have been included in DOL appropriations acts.	<p>Restrictions on lobbying activities. (Section 195) The WIOA incorporates provisions included in the Department of Labor's appropriations acts prohibiting the use of title I funds for publicity or propaganda purposes or for materials designed to support or defeat the enactment of Federal, State or local legislation, or proposed or a pending regulation, administrative action or order issued by the executive branch of any State or local government. These prohibitions do not apply to normal and recognized executive-legislative relationships or to materials used in a presentation to the Congress or a State or local legislature or to the executive branch of a State or local government. The provision also prohibits the use of title I funds to pay a recipient or agent of the recipient to influence the enactment or issuance of legislation, appropriations, regulations, administrative action or an Executive Order pending before Congress payment or any State government or State or local legislature. This prohibition does not apply to normal and recognized executive-legislative relationships or to participation by an agency or officer of a State, local or tribal government in policy-making and administrative processes within the executive branch of that government.</p>
<p><u>TITLE II--Adult Education and Family Literacy Act (AEFLA):</u></p> <p>[May be added]</p>	<p><u>TITLE II-Adult Education and Family Literacy Act (AEFLA):</u> [Note that the detailed summary in this column was reviewed by ED.]</p> <p>WIOA reauthorizes the Adult Education and Literacy program under title II. The title is administered by the Secretary of Education. Note that the detailed summary in this column was reviewed by ED.</p> <p><u>Purpose.</u>—The purpose of AEFLA has been expanded from the current law by adding emphasis on transitions to postsecondary education and training through career pathways and assisting immigrants and English language learners to improve their English literacy and mathematics skills , and assist them in acquiring an understanding of American government, individual freedom, and the</p>

WIA	WIOA
	<p>responsibilities of citizenship.</p> <p><u>Definitions.</u>--The Act includes a definition of “integrated education and training” as a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement. The Act includes amendments to strengthen connections with the workforce system through these integrated education and training approaches. The Act also adds a definition of “workplace preparation activities” that are activities, programs or services designed to help an individual acquire a combination of specified skills necessary for successful transition into and completion of postsecondary education or training, or employment. The Act adds a definition for “English language acquisition program” that includes a requirement for the program to lead to a secondary school diploma or its equivalent, or transition to postsecondary education, training or employment and adds a definition of “integrated English literacy and civics education.” The list of “eligible providers” is changed to a suggested list rather than a required list and includes a partnership between an employer and another eligible entity.</p> <p><u>Plan and Performance Accountability.</u>--To be eligible for funds the States must submit the unified plan required under title I-A of the WIOA (or the combined plan) and the programs are subject to the performance accountability provisions under that title.</p> <p><u>State Plan Title II-Specific Requirements.</u>—The unified State plan is to contain a description of title II-specific requirements, including: how the eligible agency will align content standards for adult education with state-adopted academic content standards; fund local activities using 13 considerations listed in the Act, as well as how it will carry out programs for corrections education, integrated English literacy and civics education, integrated education and training and State leadership activities; and how it will assess the quality of adult education providers.</p> <p>The plan also includes title II-specific assurances to ensure that: eligible agencies under the title will expend the funds in a manner</p>

WIA	WIOA
	<p>consistent with supplement and not supplant provisions contained in the Act; there is at least one eligible provider serving each local area; and the State will pay an appropriate share of the costs for carrying out the performance accountability system using funds made available from each of the core programs.</p> <p>Authorization of Appropriations: As with the other authorizations of appropriations under the Act, the authorizations are increased by a total of 17 percent over the 6-year authorization period. The specific authorizations are as follows: \$577,667,000 for fiscal year 2015, \$622,286,000 for fiscal year 2016, \$635,198,000 for fiscal year 2017, \$649,287,000 for fiscal year 2018, \$664,552,000 for fiscal year 2019, and \$678,640,000 for fiscal year 2020.</p> <p>State Distribution of Funds: WIOA maintains the State distribution of funds to include no more than 82.5 percent of funds to award grants and contracts to eligible providers and carry out programs for corrections education, not more than 12.5 percent of grant funds to carry out State leadership activities, and not more than 5 percent (increased cap from \$65,000 to \$85,000) for administrative expenses of the eligible agency.</p> <p>State Leadership Activities: WIOA adds four new required leadership activities, including: alignment of adult education and literacy activities with the core programs and one-stop partners to implement the strategy in the State plan, including the development of career pathways; establishment or operation of high quality professional development programs to improve instruction; provision of technical assistance to eligible providers, including development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available in reading, writing, speaking, mathematics, English Language acquisition programs, distance education, and staff training, and the role of eligible providers as a One-Stop partner to provide access to services, and assistance in use of technology; and monitoring and evaluation of the quality of, and improvement in, adult education activities and dissemination of information about models and proven or promising practices within the State.</p>

WIA	WIOA
	<p>The Act also adds a number of new permissible statewide activities, including support for the use of instructional technology; developing content and models for integrated education and training and career pathways; provision of assistance to eligible providers in measuring and achieving performance goals; developing a system to assist in the transition from adult education to postsecondary education; and identifying curriculum frameworks and aligning rigorous content standards, among other activities.</p> <p>Programs for Corrections Education: WIOA increases the percentage of funding a State agency may use for corrections education from not more than 10 percent under WIA, to not more than 20 percent under the Act. The Act also adds to the uses of funds for these programs: integrated education and training, career pathways, concurrent enrollment, peer tutoring, and transition to re-entry initiatives and other services with the goal of reducing recidivism. The Act also requires the performance reports to include the relative rate of recidivism for those served.</p> <p>Local provisions: WIOA amends the considerations States are to use in awarding grant or contracts. Considerations include: the degree to which the provider would be responsive to the regional needs identified in the local plans in title I and the extent to which the proposed activities align with the activities in the local plan under title I; the ability to serve individuals with disabilities, including learning disabilities; past effectiveness of the eligible provider in improving literacy levels; instructional activities based on best practices from rigorous research available; effective use of technology; a activities that provide learning in context, including through integrated education and training; coordination with education, training, businesses, and social service resources in the community for the development of career pathways; and a demonstrated need for additional English language acquisition and civics education programs.</p> <p>Local application: WIOA adds to local application for an eligible provider a description of how the provider will fulfill one-stop partner responsibilities under title I of the Act, including alignment with the local plan, activities that promote concurrent enrollment, meeting the</p>

WIA	WIOA
	<p>State adjusted levels of performance and data collection, and addressing the 13 considerations in title II.</p> <p><u>Administrative Provisions:</u> WIOA retains the provisions that funds under this title may supplement and not supplant other State or local adult education funds. The maintenance of effort provisions remain unchanged.</p> <p><u>National Leadership Activities:</u> WIOA reserves 2 percent of AEFLA funds (not to exceed \$15 million) to carry out national leadership activities. The Act requires the Secretary to support four mandatory technical assistance activities, including: assistance to help states carry out the performance accountability requirements under title I; assistance to eligible providers in using performance accountability measures and data systems for the improvement of adult education and literacy activities; coordinating and carrying out rigorous research and evaluation on effective adult education and literacy activities; and conducting an independent evaluation at least once every four years of the programs and activities under AEFLA.</p> <p>WIOA also sets out an additional list of other permissible technical assistance activities, including professional development activities, improving the use of technology in instruction, conducting research and demonstration programs, evaluation projects, and identifying and disseminating successful methods and techniques, among other activities,</p> <p><u>Integrated English Literacy and Civics Education:</u> WIOA codifies the authority to carry out the Integrated English Literacy and Civics Education (IEL/CE) program, which is defined as the provision of instruction in literacy and English language acquisition with instruction on the rights and responsibilities of citizenship and civic participation, including workforce training. Twelve percent of AEFLA funds (after reserving funds for national leadership activities) will be reserved to carry out the IEL/CE program. The section includes an allocation formula. The goal is to design programs: (1) to prepare adults who are English language learners for, and place them in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and (2) to integrate with the</p>

WIA	WIOA
	local workforce development system and its functions to carry out the program. Finally, this section requires the Secretary of Education to submit to Congress and make available to the public a report on activities carried out under this section.
<p>Title III – Amendments to the Wagner-Peyser Act</p> <p>The Wagner-Peyser Act provides for the establishment of Federal and State employment service offices, and includes formula grants to State to provide employment services. In addition, the Wagner-Peyser Act includes provisions establishing an employment statistics system that separately provides funds to cooperating States.</p>	<p>Title III – Amendments to the Wagner-Peyser Act</p> <p>WIOA maintains the Wagner-Peyser Act programs. The employment statistics system is renamed the workforce and labor market information system. The substantive amendments made to the Wagner-Peyser Act by WIOA are described below.</p>
<p>Federal and State Employment Service Offices (Section 3 of the Wagner-Peyser Act)</p> <p>Requires the Secretary of Labor to: (1) assist in coordination and development of a nationwide system of public labor exchange services, provided as part of the one-stop system; (2) assist in the development and continuous improvement models for the nationwide system that ensures private sector satisfaction with the system and meet the demands of job seekers; and (3) ensure for individuals otherwise eligible to receive unemployment compensation the provision of reemployment services and other activities in which such individuals are required to participate.</p> <p>References that the public labor exchange services are part of the one-stop delivery system.</p>	<p>Federal and State Employment Service Offices (Amendments contained in Section 303 of WIOA)</p> <p>Adds to the activities of the Secretary described in item (2) in the WIA column identifying and disseminating information on best practices to support the nationwide system of public labor exchange services.</p> <p>Adds a new requirement that the Secretary, in coordination with State agencies and the staff of those agencies, assist in the planning and implementation of activities to enhance professional development and career advancement opportunities for staff of the State agencies administering the Employment Service. The purpose of those activities are to strengthen: the provision of a broad range of career guidance services; the identification of job openings (including outreach to small/medium enterprises and enhanced employer services); the provision of technical assistance and training to other providers of workforce development activities (including workplace learning advisors, who under the definition in section 101 of the Act, advises fellow employees about services and activities to assist in career advancement) relating to counseling and employment-related services; and the development of new strategies for coordinating counseling and technology.</p> <p>Paralleling a provision in the One-Stop delivery provisions in title I, WIOA amend Wagner-Peyser to require that employment service</p>

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<p>No specific provision, but funding for national electronic tools has been included in DOL appropriations acts.</p>	<p>offices be co-located with One-Stop centers. The purposes described in the provision for the required co-location are to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services statewide in underserved areas.</p> <p>Specifically authorizes the Secretary to assist the States in the development of national electronic tools to improve individual access to workforce information through One-Stop network or other appropriate delivery systems.</p>
<p>Authorization of Appropriations (Section 5 of the Wagner-Peyser Act)</p> <p>Authorizes to be appropriated such amounts from time to time as Congress deems necessary to carry out the employment service purposes of the Act.</p>	<p>Authorization of Appropriations</p> <p>Retains the “such sums” authorization of appropriations provision for employment service purposes.</p>
<p>Use of Funds (Section 7 of the Wagner- Peyser Act)</p> <p>Describes the authorized activities under the State employment service formula grants.</p>	<p>Use of Funds (Amendments contained in Section 305 of WIOA)</p> <p>Adds that the authorized use of funds for job search and placement services to job seekers includes the provision of those services to unemployment insurance claimants. Adds as authorized activities making eligibility assessments of UI claimants and providing UI claimants with referrals to and application assistance for training and education programs and resources (including Pell grants and other student assistance under title IV of the Higher Education Act, the GI Bill and other Veterans Educational Assistance, titles I and II of the WIOA and under title I of the Rehabilitation Act).</p>

WIA	WIOA
State Plan (Section 8 of the Wagner-Peyser Act) Requires that States submit a detailed plan for carrying out the provisions of the Wagner-Peyser Act as part of the State plan under title I of WIA.	State Plan (Amendments contained in Section 306 of WIOA) Substitutes for the detailed plan provisions the requirement that States desiring employment service formula funds submit and have approved by the Secretary of Labor and the Secretary of Education the unified state plan or combined state plan under title I of WIOA.
Performance Measures (Section 13 of the Wagner-Peyser Act) Authorizes the Secretary to establish performance standards for activities under the Wagner-Peyser Act.	Performance Measures (Amendments contained in Section 307 of WIOA) Substitutes provision requiring that programs carried out with the formula funds provided under the Wagner-Peyser Act are to be subject to performance measures based on the primary indicators of performance described in title I of WIOA.
Employment Statistics (Section 15) Establishes the requirement of a nationwide employment statistics system.	Workforce and Labor Market Information Systems (Amendments contained in Section 308 of WIOA) Renames the “employment statistics system” to “workforce and labor market information system.”
System Responsibilities (Section 15(b) of the Wagner-Peyser Act) The statistics system will be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.	System Responsibilities (Amendments contained in Section 308 of WIOA) The Secretary is responsible for evaluating and improving the workforce and labor market information system, in consultation with the Workforce Information Advisory Council. Provides that the Secretary of Labor is to carry out responsibilities under the system through the Bureau of Labor Statics and the Employment and Training Administration (ETA was not specifically referenced in this section under WIA) in collaboration with the States.
Annual Plan (Section 15(c)) The Secretary is to prepare an annual plan that includes: a description the steps to be taken over the next 5 years to carry out the system; results of an annual customer satisfaction review; an evaluation of the system and recommended improvements; justification of budget requests; description of spending needs; and a description of the State involvement in the development of the plan.	Two-Year Plan (Amendments contained in Section 308 of WIOA) Provides that the Secretary, acting through BLS and ETA, and in consultation with the newly authorized Workforce Information Advisory Council, a two-year plan for the workforce and labor market information system. The plan is to take into account State plans submitted under title I of the WIOA and is to be submitted to the Congress. The plan is to include: how the Secretary will work with

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	<p>the States to manage the nationwide workforce and labor market information system and statewide systems that comprise the national system; steps to be taken in the following 2 years; an evaluation of the performance of the system, with particular attention to the improvements needed at the State and local levels; a description of the involvement of States in the development of the plan; and a description of the written recommendations received from the Workforce Information Advisory Council and the extent to which those recommendations were incorporated into the plan. This plan would replace the annual plan</p>
<p>Coordination with the States (Section 15(d))</p> <p>Requires that the Secretary, acting through BLS, hold formal consultations with representatives from each of the 10 federal regions elected State employment statistics directors (commonly referred to as the <u>Workforce Information Council</u>)..</p>	<p>Workforce Information Advisory Council (Amendments contained in Section 308 of WIOA)</p> <p><u>Workforce Information Advisory Council.—Establishment and Functions.</u>--The Act provides that the Secretary of Labor is to establish a Workforce Information Advisory Council (which replaces the Workforce Information Council consisting of representatives of the State Labor Market Information agencies established under WIA). The Secretary, through BLS and ETA, is to formally consult at least twice annually with the Council. The consultations are to address the evaluation and improvement of the nationwide system and the state systems that comprise the nationwide system, and how the Department and the States will cooperate in the management of such systems. The Council is to provide written recommendations to the Secretary on ways to improve the national workforce and labor market information system, which, as noted above, are to be included in the 2-year reports.</p> <p><u>Membership.</u>--The Act provides that the Secretary is to appoint the 14 members of the Council, which are to consist of: 4 members representing state agencies responsible for workforce investment</p>

WIA	WIOA
	<p>activities who have been nominated by a national organization that represents such agencies; 4 members representing state workforce and labor market information directors who have been nominated by the directors; 1 member representing providers of training under title I; 1 member representing economic development entities; 1 member representing businesses who has been nominated by national business organizations or trade associations; 1 member representing labor organizations who has been nominated by a national labor federation; 1 member representing local workforce development boards who has been nominated by a national organization representing the boards; and 1 member representing research entities that utilize the data. The membership is to be geographically diverse and no member (excluding research entity representative) can represent the same state. Generally, members are to be appointed for 3 years, except for the initial implementation, when members may be appointed for 1, 2, or 3 years so that 1/3 of members are appointed every year. Members may not be appointed for more than 2 consecutive terms. The Department is to cover travel expenses for the members and the members are not to be compensated for their services. The Act makes the authorization of the Council permanent by providing that the provision in the Federal Advisory Committee Act terminating such councils after a two-year period is not to apply.</p>
<p>Authorization of Appropriations for Employment Statistics System (Section 15(g))</p> <p>Authorized such sums as may be necessary for FY 1999-2004. Annual appropriations have extended the authorization through FY 2014.</p>	<p>Authorization of Appropriations for Workforce and Labor Market Information System (Amendments contained in Section 308 of WIOA)</p> <p>\$60,153,000 for fiscal year 2015, \$64,799,000 for fiscal_year 2016, \$66,144,000 for fiscal year 2017, \$67,611,000 for fiscal year 2018, \$69,200,000 for fiscal year 2019, and \$70,667,000 for fiscal year 2020.</p>

WIA	WIOA
TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973	TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973
[May be Added]	<p>WIOA amends the Rehabilitation Act of 1973. In general, the amendments emphasize the preparation for and achievement of employment outcomes by individuals with disabilities in competitive integrated employment. WIOA also authorizes the provision of pre-employment transition services to youth with disabilities. The Department of Education retains responsibility for the Vocational Rehabilitation, American Indian Vocational Rehabilitation Services, Client Assistance Program, Protection and Advocacy of Individual Rights, Supported Employment, Older Individuals who are Blind programs, and various discretionary grant programs. The Department of Labor has particular administrative responsibilities with respect to the provisions establishing the limitations on use of the subminimum wage and the advisory committee on increasing competitive integrated employment for individuals with disabilities.</p> <p>Some of the key changes that affect programs authorized under the Rehabilitation Act and administered by the Department of Education are described below, as well as the provisions that involve administration by DOL. Unless specified otherwise, changes made by WIOA to the Rehabilitation Act take effect on the date of enactment.</p> <p>WIOA amends the Rehabilitation Act of 1973. In general, the amendments emphasize the preparation for and placement of individuals with disabilities in competitive integrated employment and to ensure the provision of pre-employment transition services to youth with disabilities. The Department of Labor has particular administrative responsibilities with respect to the provisions establishing the limitations on use of the subminimum wage and the advisory committee on increasing competitive integrated employment for individuals with disabilities. Some of the key sections from this title are summarized below.</p>
	<p><u>Definitions.</u>- The new terms used throughout the amendments include “competitive integrated employment”, “customized employment”, and “supported employment”.</p>

WIA	WIOA
	<p><u>State Plans.</u>—A State desiring assistance under title I of the Rehabilitation Act must submit a unified plan or combined plan in accordance with title I of the WIOA. The Act adds to the program-specific information and requirements included in the unified plan. This information includes a modification of the “order of selection” requirements (to prioritize persons with the most significant disabilities if VR cannot serve everyone eligible) to allow States to serve eligible individuals who “require specific services or equipment to maintain employment”. Other requirements relate to the development of education and experience requirements for staff, and requirements relating to the attainment of degrees and work experience. A requirement is also added to describe how the State will coordinate with employers to identify competitive integrated employment opportunities and facilitate the provision of vocational rehabilitation and transition services. In addition, the plan must describe how States will utilize initiatives involving in-demand industries or occupations under the regional plans and local activities described in title I of the WIOA to increase competitive integrated employment opportunities.</p> <p><u>Performance Accountability</u> The programs under title I of the Rehabilitation Act are subject to the performance accountability requirements of title I of the WIOA.</p> <p><u>Provision of Pre-Employment Transition Services.</u>—A section is added to title I requiring the State unit in collaboration with local education agencies provide or arrange for the provision of pre-employment transition services for all students with disabilities in need of such services who are eligible or potentially eligible for services under title I of the Rehabilitation Act. Fifteen percent of the State allotment under title I of the Rehabilitation Act is to be used to provide these services. The required activities include: job exploration counseling; work-based learning experiences in an integrated a setting as possible; counseling on opportunities for post-secondary education or comprehensive transition programs at higher education institutions; workplace readiness training to develop social skills and independent living; and self-advocacy training, which may include peer mentoring. This section also specifies allowable</p>

WIA	WIOA
	activities and provides for coordination at the local level and at the national level by the Secretary of Education to provide best practices and consult with other Federal agencies to advance the goals of this section.
No comparable provision	<p><i>Limitations on Use of the Subminimum Wage.</i>-- The WIOA adds a new section 511 to the Rehabilitation Act relating to the use of special wage certificates under section 14(c) of the Fair Labor Standards Act of 1938. The section takes effect two years after the date of enactment.</p> <p><u>Conditions.</u>—The section provides that in order for an entity holding a special wage certificate to compensate an individual with a disability who is age 24 or younger at a wage less than the Federal minimum wage either the individual must be currently employed as of the effective date of the section or the individual, before beginning work that is compensated at the subminimum wage, has completed and produces documentation indicating completion of several specified actions. These actions include that the individual received pre-employment transition services under the Rehabilitation Act or transition services under the IDEA, and the individual applied for vocational rehabilitation services and was found ineligible (and has documentation of the finding), or was determined eligible for such services, has an individualized plan for employment, has been working toward an employment outcome in the plan with appropriate supports and services for a reasonable period of time without success, and the individual's vocational rehabilitation case has been closed. In addition, such individuals must have been provided career counseling and information referrals to Federal or State and other resources that offer employment-related services and supports to assist in attaining competitive integrated employment and the counseling and information were not for employment compensated at a subminimum wage by the entity with the certificate.</p> <p><u>Construction.</u>—The section includes a provision that states nothing in the section should be construed to change the purpose of the Act in maximizing opportunities for competitive integrated employment or preference subminimum wage employment as an acceptable</p>

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	<p>vocational rehabilitation strategy or successful employment outcome. State and local educational agencies are also prohibited from entering into contracts or other arrangements with an entity for the purpose of operating a program for individuals age 24 or younger in which work is compensated at a subminimum wage.</p> <p><u>During Employment.</u>—The entity with the certificate may not continue to employ an individual, <i>regardless of age</i>, at a subminimum wage, unless the individual, every 6 months for the first year of such employment and annually thereafter, is provided by the designated State unit career counseling and information and referrals, and is informed by the employer of self-advocacy, self-determination and peer mentoring opportunities available in the local area from an entity that does not have any financial interest in the individual's employment outcome.</p> <p><u>Documentation.</u>—The State designated unit, in consultation with the State educational agency, is to establish a process consistent with guidelines issued by the Secretary of Education to document the action required for youth with disabilities by this section. The provision details what the State unit and what the appropriate school official must document and when the individual must be provided that documentation.</p> <p><u>Verification.</u>—The entity with the certificate must review the documentation regarding the actions that must be completed prior to employment and during employment and must maintain that documentation. The entity is subject to review of the individual's documentation by a representative working directly for the designated State unit <i>or the Department of Labor</i> at such time and in such manner as may be necessary to fulfill the intent of this section, <i>consistent with regulations established by the designated State unit or the Secretary of Labor.</i></p>
	<p><i>Employment Opportunities for Individuals with Disabilities:</i> Title VI of the Rehabilitation Act is amended to require that half of the allotment received by a State shall be used for supported employment services, including extended services, to youth with the</p>

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	most significant disabilities in order to assist those youth in achieving an employment outcome in supported employment
No comparable provision.	<p><i>Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities:</i></p> <p><u>Establishment.</u>—The WIOA includes a new section 609 of the Rehabilitation Act that requires not later than 60 days after the date of enactment, the <u>Secretary of Labor</u> is to establish an Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities.</p> <p><u>Duties.</u>—The Committee is to study and prepare findings, conclusions and recommendations for the Secretary of Labor on: (1) ways to increase the employment opportunities for individuals with intellectual or developmental disabilities or other individuals with significant disabilities in competitive integrated employment; (2) the use of the certificate program carried out under section 14(c) of the Fair Labor Standards Act for the employment of individuals with intellectual or developmental disabilities, or other individuals with significant disabilities; and (3) ways to improve oversight of the use of such certificates.</p> <p><u>Reports.</u>—The Committee is to submit to the Secretary of Labor and to the Congress an interim report not later than 1 year after the date the Committee is established and a final report not later than 2 years after such date, containing findings, conclusions and recommendations.</p> <p><u>Composition.</u>—The Committee is to be comprised of: (1) from DOL, the Assistant Secretary for Disability Employment Policy, the Assistant Secretary for Employment and Training, and the Administrator of the Wage and Hour Division; (2) the Commissioner of the Administration on Intellectual and Developmental Disabilities, or the Commissioner's designee; (3) from HHS, the Director of the Centers for Medicare & Medicaid Services or the Director's designee; (4) the Commissioner of Social Security, or the Commissioner's designee; (5) the Commissioner of the Rehabilitation Services Administration, or the Commissioner's designee; and (6) representatives appointed by the Secretary of Labor from</p>

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	<p>constituencies consisting of—(A) self-advocates for individuals with intellectual or developmental disabilities; (B) providers of employment services, including those that employ individuals with intellectual or developmental disabilities in competitive integrated employment; (C) representatives of national disability advocacy organizations for adults with intellectual or developmental disabilities; (D) experts with a background in academia or research and expertise in employment and wage policy issues for individuals with intellectual or developmental disabilities; (E) representatives from the employer community or national employer organizations; and other individuals or representatives of organizations with expertise on increasing opportunities for competitive integrated employment for individuals with disabilities. The Chair is to be elected from among the appointed members.</p> <p><u>Administration.</u>—The Secretary of Labor is to provide the staff (which may include detailees), facilities, equipment, supplies and services. The members may not receive compensation, but are to be reimbursed for travel expenses including per diem.</p>
	<p><i>Transfer of Functions.</i>-- The Act transfers from ED to HHS the National Institute on Disability, Independent Living, and Rehabilitation Research; the State Independent Living Grants program; the Centers for Independent Living program; and programs under the Assistive Technology Act.</p>
TITLE V –GENERAL PROVISIONS	TITLE V—GENERAL PROVISIONS
<p>Authorizes a State unified plan consisting of two or more specified one-stop partners.</p> <p>Requires definitions for indicators of performance be issued by the Secretary of Labor and the Secretary of Education.</p> <p>Requires the award of incentive grants to each State that exceeds the State adjusted levels of performance for each of these: workforce</p>	<p>Deleted, requirements for State unified plans and State combined plans are contained in sections 102 and 103 of the WIOA, respectively.</p> <p>This provision is deleted and the requirement for the Secretaries to issue definitions of performance indicators is contained in the performance accountability provisions in section 116 of WIOA.</p> <p>Deleted.</p>

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<p>investment; adult education; and vocational education, and submits an application for funds.</p> <p>Privacy provisions are included that apply that provide nothing is to be construed to supersede the requirements of FERPA. In addition, WIA is not to be construed to permit the development of a national database of personally identifiable information on individuals receiving services under title I. That prohibition is not to be construed to prevent the proper administration of Job Corps and other national programs under title I.</p> <p>Funds made available under titles I-III and V may not be expended by an entity unless the entity agrees to comply with the Buy America Act.</p> <p>No comparable provision.</p>	<p>Same as WIA, but extends the database prohibition to title IV.</p> <p>Applies the WIA requirement to titles I and II of WIOA and the Wagner-Peyser Act.</p> <p>Adds a provision requiring the Comptroller General to submit an interim (due 1 year after date of enactment) and final report (due 18 months after the date of enactment) regarding existing Federal and State databases and data exchange agreements that contain job training information relevant to the administration of the Act. The report is to contain information on: the purposes of the databases and agreements, the data elements, and the programs involved; the Federal and State agencies (as well as private research organizations) with access to the data; the effects of these databases and agreements on carrying out the Act and on privacy; the opportunities to enhance the quality, reliability and reporting frequency of the data; the number of individuals with data included, elements that could be used to personally identify an individual, the number of data breaches since 2004, including breaches involving private research organizations, and a survey of the security protocols used for protecting personal data, including best practices and recommendations for improvement.</p>
N/A	<p>Transition Authority: Authorizes the Secretary of Labor and the Secretary of Education to take such actions as the Secretaries determine appropriate to provide for the orderly transition from the authority under WIA to the authority under title I-A the WIOA. The actions are to include the provision of guidance relating to unified and</p>

WIA	WIOA
	combined State planning and performance accountability. The same authority is provided to the Secretary of Labor for the implementation of subtitles B-E of title I, to the Secretary of Education for title II, to the Secretary of Labor for the amendments to the Wagner-Peyser Act under title III, and to the Secretary of Education and the Secretary of HHS for the amendments to the Rehabilitation Act under title IV.
N/A	Regulations: Requires that that not later than 180 days after the date of enactment the Secretary of Labor, the Secretary of Education, and the Secretary of HHS, as appropriate, develop and publish in the Federal register proposed regulations relating to the transition to, and implementation of, the Act, including the amendments made by the Act. Not later than 18 months after the date of enactment, the Secretaries are to issue final regulations
N/A	Expenditure of Funds During Transition: Authorizes the States, grant recipients, administrative entities and other recipients of financial assistance under WIA to expend funds received under WIA to plan and implement programs and activities under the WIOA. Not more than 2 percent of any allotment for FY 2014 may be made available for such activities, and not less than 50 percent of that amount is to be made available to local entities for those activities.
No comparable provision.	Reduction of Reporting Burdens and Requirements: Provides that in order to simplify reporting requirements and reduce reporting burdens, the Secretary of Labor, Secretary of Education, and Secretary of HHS are to establish procedures and criteria under which a State board and local board may reduce reporting burdens and requirements under the Act.
N/A	Effective Dates: Except where otherwise provided in the WIOA, the Act is to take effect on the first full program year (PY 2015) after the date of enactment. The Act provides that for PY 2015 the performance accountability provisions of WIA are to apply in lieu of such provisions of the WIOA.

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	<p>A special provision is included providing that except for references to that section or to the State plan, the references in that WIA section are to be deemed to be to the provisions of the WIOA. The agreements on the levels of performance under WIA are to remain in place until renegotiated, the sanctions provided under WIA for failure to meet measures is to apply to PY 2016, and the Secretary of Labor is to use any amounts retained for States failing to meet performance measures for that year for technical assistance in lieu of incentive grants.</p> <p>The Act provides that for PY 2015 the provisions of WIA governing State and local plans are to apply instead of the sections relating to those plans in the WIOA. References in those sections to sections of WIA, except to the planning or performance section are to be deemed references to the sections of the WIOA. [Note: DOL will have to determine how to implement these requirements since the plans are based on the WIA provisions.]</p>