

**Nevada Department of Employment, Training and Rehabilitation
Employment Security Division
Workforce Innovation Support Services**

**Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)**

Policy Number: 1.8

Originating Office: Department of Employment, Training and Rehabilitation (DETR); Workforce Innovation Support Services (WISS)

Subject: Adult Program Design, Career and Training Services

Approved: Ratified Governor's Workforce Development Board (GWDB) Executive Committee March 19, 2025; Approved GWDB July 21, 2016

Purpose: To provide program requirements for the Adult and Dislocated Worker (A/DW) programs. WIOA divides required employment and training activities provided by American Job Centers into two categories: Career Services and Training Services. (WIOA Sec.134(c)2-3) Eligibility requirements for services in these categories are different and are indicated in this policy.

State Imposed Requirements: This directive contains some state-imposed requirements. These requirements are printed in ***bold, italicized*** type.

Authorities/References: Workforce Innovation and Opportunity Act (P.L. Sec. 113-128); WIOA Sec. 134; 20 CFR §§ 678.430, 680.110, 680.150-680.170; TEGL 39-11; TEGL 8-19; TEGL 7-20; TEGL 8-20; TEN 17-15; [Career Pathways Toolkit](#); MIS WIOA Data and Performance Desk Reference; Nevada SCPs

ACTION REQUIRED: Upon issuance bring this guidance to the attention of all WIOA service providers, Local Workforce Development Board (LWDB) board members and any other concerned parties. Any local boards' policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background: WIOA became law on July 22, 2014, and supersedes Titles I and II of the Workforce Investment Act (WIA). The following SCP communicates the unaffected requirements, the proposed changes and state requirements in program service delivery. The policy includes procedure and content definition. Reference [SCP 1.6](#) for Adult/Dislocated Worker participant eligibility and file content requirements.

The one-stop system is the basic delivery system for adult and dislocated worker services. Through this system, adults and dislocated workers can access a continuum of services. The services are classified as career and training services. These services, tailored to the individual needs of jobseekers, form the backbone of the one-stop delivery system. While some jobseekers may only

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need self-service or other basic career services like job listings, labor market information, labor exchange services or information about other services, some jobseekers will need services that are more comprehensive and tailored to their individual career needs. These services may include comprehensive skills assessments, career planning, and development of an individual employment plan that outlines the needs and goal of successful employment. Under WIA, career services were identified as core and intensive services and generally participants would go through each level of service to eventually receive training. WIOA clarifies that individuals receiving services in the one-stop centers must receive the service that is needed to assist the individual to meet his or her job search goals and does not need to follow a fixed sequence of services that may not be necessary to effectively serve the individual. Training is made available to individuals after an interview, assessment or evaluation determines that the individual requires training to obtain employment or remain employed. Supportive services, including needs-related payments, can be essential to enable individuals to participate in career and training services.

Policy and Procedure:

Registration and Participation ([20 CFR § 680.110](#))

(a) Registration is the process for collecting information to support a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview, or an individual's application. Individuals are considered participants when they have received a WIOA service other than self-service or information-only activities and have satisfied all applicable programmatic requirements for the provision of services, such as eligibility determination (see [§ 677.150\(a\) of this chapter](#)).

(b) Adults and dislocated workers who receive services funded under Title I other than self-service or informational activities must be registered and must be a participant.

(c) Employment Opportunity (EO) data, as defined in [§ 675.300 of this chapter](#), must be collected on every individual who is interested in being considered for WIOA Title I financially assisted aid, benefits, services, or training by a recipient, and who has signified that interest by submitting personal information in response to a request from the grant recipient or designated service provider.

Individual Employment Plan (IEP) ([20 CFR § 680.170](#))

The IEP is an individualized career service, under WIOA Sec. 134(c)(2)(A)(xii)(II), that is developed jointly by the participant and career planner when determined appropriate by the one-stop center or one-stop partner. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

Local Boards must have a written policy to plan content, update and inclusion in the participant case file and as appropriate in the Management Information System (MIS).

Career Services (WIOA Sec. 134(c)(2); [20 CFR §§ 680.150-160](#))

Career Services must be provided through the one-stop delivery system. They may be provided by the one-stop operator or through contracts with service providers that are approved by the LWDB. The LWDB only may be a provider of career services when approved by the chief elected official and the Governor in accordance with the requirements of WIOA Sec. 107(g)(2) and [§ 679.410 of this chapter](#).

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Participant Eligibility for Career Services ([20 CFR § 680.120-130](#))

To be eligible to receive career services as an adult in the adult and dislocated worker programs, an individual must be 18 years of age or older. To be eligible for any dislocated worker programs, an eligible adult must meet the criteria of 20 CFR [§ 680.130](#). Eligibility criteria for training services are found at 20 CFR [§ 680.210](#). To be eligible to receive career services as a dislocated worker in the adult and dislocated worker programs, an individual must meet the definition of “dislocated worker” at WIOA Sec. 3(15).

Required Career Services ([20 CFR § 678.430 \(a\)-\(c\)](#); [20 CFR § 680.220](#); [TEGL 7-20](#))

WIOA Section 134(c)(2)(A) requires that local areas provide A/DW services that include, at a minimum:

Career services consist of three types:

(a) **Basic** career services must be made available and, at a minimum, must include the following services, as consistent with allowable program activities and Federal cost principles:

- (1) Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
- (2) Outreach, intake (including worker profiling), and orientation to information and other services available through the one-stop delivery system. For the TANF program, States must provide individuals with the opportunity to initiate an application for TANF assistance and non-assistance benefits and services, which could be implemented through the provision of paper application forms or links to the application website;
- (3) Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
- (4) Labor exchange services, including—
 - (i) Job search and placement assistance, and, when needed by an individual, career counseling, including—
 - (A) Provision of information on in-demand industry sectors and occupations (as defined in Sec. 3(23) of WIOA); and
 - (B) Provision of information on nontraditional employment; and
 - (ii) Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the one-stop delivery system;
- (5) Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, when appropriate, other workforce development programs;
- (6) Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—
 - (i) Job vacancy listings in labor market areas;
 - (ii) Information on job skills necessary to obtain the vacant jobs listed; and
 - (iii) Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs;
- (7) Provision of performance information and program cost information on eligible providers of education, training, and workforce services by program and type of providers;

- (8) Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
- (9) Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including: Child care; child support; medical or child health assistance available through the State's Medicaid program and Children's Health Insurance Program; benefits under SNAP; assistance through the earned income tax credit; and assistance under a State program for TANF, and other supportive services and transportation provided through that program;
- (10) Provision of information and meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation.
- (i) "Meaningful assistance" means:
- (A) Providing assistance on-site using staff who are well-trained in unemployment compensation claims filing and the rights and responsibilities of claimants; or
- (B) Providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.
- (ii) The costs associated in providing this assistance may be paid for by the State's unemployment insurance program, or the WIOA adult or dislocated worker programs, or some combination thereof.
- (11) Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.
- (b) **Individualized** career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These services include the following services, as consistent with the program requirements and Federal cost principles:
- (1) Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—
- (i) Diagnostic testing and use of other assessment tools; and
- (ii) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- (2) Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, the eligible training providers (as described in [§ 680.180 of this chapter](#));
- (3) Group counseling;
- (4) Individual counseling;
- (5) Career planning;
- (6) Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;
- (7) Internships and work experiences that are linked to careers (as described in [§ 680.170 of this chapter](#));
- (8) Workforce preparation activities;
- (9) Financial literacy services as described in Sec. 129(b)(2)(D) of WIOA and [§ 681.500 of this chapter](#);
- (10) Out-of-area job search assistance and relocation assistance; and
- (11) English language acquisition and integrated education and training programs.

(c) **Follow-up** services must be provided, as appropriate, including Counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.

In accordance with [20 CFR § 680.220](#); an individual must at a minimum receive either an interview, evaluation, or assessment, and career planning or any other method through which the one-stop center or partner can obtain enough information to make an eligibility determination to be determined eligible for training services under WIOA Sec. 134(c)(3)(A)(i) and [§ 680.210](#). Where appropriate, a recent interview, evaluation, or assessment may be used for the assessment purpose. An individual's case file must contain a determination of need for training services under [§ 680.210](#) as determined through the interview, evaluation, or assessment, and career planning informed by local labor market information and training provider performance information, or through any other career service received. There is no requirement that career services be provided as a condition to receipt of training services; however, if career services are not provided before training, the LWDB must document the circumstances that justified its determination to provide training without first providing the services described in [paragraph \(a\)](#) of this section. There is no Federally required minimum time period for participation in career services before receiving training services.

Pursuant to [TEGL 7-20](#), the ETA envisions that giving priority of service to priority groups means ensuring that at least 75% of a state's participants receiving individualized career and training services in the Adult program are from at least one of the priority groups mentioned above, and expects this rate will be no lower than 50.1% in any state. ETA expects states and local boards to review and update their policies and procedures, including monitoring the implementation of these policies and procedures in AJCs, as necessary. To this end, ETA will provide technical assistance to states to ensure priority of service is being implemented, including that at least 50.1% or more of the individuals receiving WIOA Adult-funded individualized career or training services in a given state are from a priority population. If any state does not meet the minimum 50.1% benchmark, ETA may initiate a review of the state's compliance with the statutory requirement to provide priority of services to the priority populations.

When providing services under WIOA Sec. 134(c)(2)(A)(xii), priority must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

Training Services ([20 CFR § 680.200](#);-WIOA Sec. 134(c)(3)(D))

Training services are designed to increase participant access to training that equips the individual to enter the workforce and retain employment. These must be directly linked to an in-demand industry sector or occupation in the local area or the planning region, or in another area to which the participant adult receiving such services is willing to relocate.

Types of training services are listed in WIOA Sec. 134(c)(3)(D) and in [paragraphs \(a\)](#) through [\(k\)](#) of this section. This list is not all-inclusive and additional training services may be provided.

(a) Occupational skills training, including training for nontraditional employment;

(b) On-the-job training (OJT) (see [§§ 680.700](#), [680.710](#), [680.720](#), and [680.730](#));

(c) Incumbent worker training, in accordance with WIOA Sec. 134(d)(4) and [§§ 680.780](#), [680.790](#), [680.800](#), [680.810](#), and [680.820](#);

- (d) Programs that combine workplace training with related instruction, which may include cooperative education programs;
- (e) Training programs operated by the private sector;
- (f) Skills upgrading and retraining;
- (g) Entrepreneurial training;
- (h) Transitional jobs in accordance with WIOA Sec. 134(d)(5) and [§§ 680.190 - 680.195](#);
- (i) Job readiness training provided in combination with services listed in [paragraphs \(a\)](#) through [\(h\)](#) of this section;
- (j) Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with training services listed in [paragraphs \(a\)](#) through [\(g\)](#) of this section; and
- (k) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training (see [§§ 680.760 - 680.770](#)).

Programs of Training Services or Programs of Study (WIOA Section 3(52); [20 CFR § 680.420](#); [TEGL 8-19](#))

A program of study is defined as one or more courses or classes, or a structured regimen that provides job-driven training services and leads to a recognized post-secondary credential, as defined in WIOA Section 3(52), which includes an industry-recognized certificate or certification, a certificate of completion of a registered apprenticeship, a license recognized by the state involved or Federal Government, a postsecondary credential, secondary school diploma or its equivalent, employment, or measurable skill gains toward a recognized postsecondary or secondary school diploma or its equivalent credential or employment. These training services could be delivered in person, online, or in a blended approach.

Eligibility for Training Services: (WIOA Sec. 134(c)(3)(A)(B)(E); [20 CFR §§ 680.210-230](#) and [680.600](#))

Under WIOA Sec. 134(c)(3)(A) training services may be made available to employed and unemployed adults and dislocated workers who:

- (a) A one-stop center or one-stop partner determines, after an interview, evaluation, or assessment, and career planning, are:
 - (1) Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
 - (2) In need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - (3) Have the skills and qualifications to participate successfully in training services;
- (b) Select a program of training services that is directly linked to the employment opportunities in the local area or the planning region, or in another area to which the individuals are willing to commute or relocate;
- (c) Are unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as State-funded training funds, Trade Adjustment Assistance (TAA), and Federal Pell Grants established under Title IV of the Higher Education Act of 1965, or require WIOA assistance in addition to other sources of grant assistance, including Federal Pell Grants (provisions relating to fund coordination are found at [§ 680.230](#) and WIOA Sec. 134(c)(3)(B)); and
- (d) If training services are provided through the adult funding stream, are determined eligible in accordance with the State and local priority system in effect for adults under WIOA Sec. 134(c)(3)(E)

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and [§ 680.600](#).

Training Provider Qualifications (WIOA Sec. 122; [20 CFR § 680](#))

Training services shall be provided through providers identified in accordance with WIOA Sec. 122 and 20 CFR Part 680. An individual who has been determined to be eligible for training services may select a provider from the State Eligible Provider List (ETPL) after consultation with a case manager and must be provided in a manner to maximize customer choice. Reference [SCP 1.12](#) and [1.13](#). Unless the program has exhausted funds for the program year, the Service Provider must refer the individual to the selected training provider establish an Individual Training Account (ITA) or Contract for Service for the individual to pay for the selected course of training.

Providers of on-the-job training, customized training, incumbent worker training, internships, and paid or unpaid work experience opportunities, or transitional employment shall not be subject to the requirements of the Eligible Training Provider List. Reference [20 CFR § 680.530](#)

Adult & DW Services LWDBs are Required and Permitted to Provide ([20 CFR § 680.140](#))

(a) WIOA Title I formula funds allocated to local areas for adults and dislocated workers must be used to provide career and training services through the one-stop delivery system. LWDBs determine the most appropriate mix of these services, but both types must be available for eligible adults and dislocated workers. Different eligibility criteria apply for each type of services. See [§§ 680.120](#), [680.130](#), and [680.210](#).

(b) WIOA Title I formula funds also may be used to provide the additional services described in WIOA Sec. 134(d), including:

(1) Job seeker services, such as:

- (i) Customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities;
- (ii) Training programs for displaced homemakers and for individuals training for nontraditional employment (as defined in WIOA Sec. 3(37) as occupations or fields of work in which individuals of one gender comprise less than 25% of the individuals so employed), in conjunction with programs operated in the local area;
- (iii) Work support activities for low-wage workers, in coordination with one-stop partners, which will provide opportunities for these workers to retain or enhance employment. These activities may include any activities available under the WIOA adult and dislocated worker programs in coordination with activities and resources available through partner programs. These activities may be provided in a manner that enhances the worker's ability to participate, for example by providing them at nontraditional hours or providing on-site child care;
- (iv) Supportive services, including needs-related payments, as described in [subpart G of this part](#); and
- (v) Transitional jobs, as described in [§ 680.190](#), to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;

(2) Employer services, such as:

- (i) Customized screening and referral of qualified participants in training services to employers;
- (ii) Customized employment-related services to employers, employer associations, or other such organization on a fee-for-service basis that are in addition to labor exchange services available to employers under the Wagner-Peyser Act Employment Service;

- (iii) Activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the LWDB and consistent with the local plan (see [§ 678.435 of this chapter](#) and WIOA Sec. 134(d)(1)(A)(ix)); and
- (3) Coordination activities, such as:
- (i) Employment and training activities in coordination with child support enforcement activities, as well as child support services and assistance activities, of the State and local agencies carrying out part D of Title IV of the Social Security Act ([42 U.S.C. 651 et seq.](#));
 - (ii) Employment and training activities in coordination with cooperative extension programs carried out by the Department of Agriculture;
 - (iii) Employment and training activities in coordination with activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;
 - (iv) Improving coordination between workforce investment activities and economic development activities carried out within the local area involved, and to promote entrepreneurial skills training and microenterprise services;
 - (v) Improving services and linkages between the local workforce development system (including the local one-stop delivery system) and employers, including small employers, in the local area;
 - (vi) Strengthening linkages between the one-stop delivery system and the unemployment insurance programs; and
 - (vii) Improving coordination between employment and training activities and programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under Sec. 705 of the Rehabilitation Act of 1973 ([29 U.S.C. 796d](#)), programs funded under part B of chapter 1 of Title VII of such Act ([29 U.S.C. 796e et seq.](#)), and activities carried out by centers for independent living, as defined in Sec. 702 of such Act ([29 U.S.C. 796a](#));
- (4) Implementing a Pay-for-Performance contract strategy for training services in accordance with [§§ 683.500 through 683.530 of this chapter](#) for which up to 10% of the LWDB's total adult and dislocated worker funds may be used;
- (5) Technical assistance for one-stop centers, partners, and eligible training providers (ETPs) on the provision of service to individuals with disabilities in local areas, including staff training and development, provision of outreach and intake assessments, service delivery, service coordination across providers and programs, and development of performance accountability measures;
- (6) Activities to adjust the economic self-sufficiency standards referred to in WIOA Sec. 134(a)(3)(A)(xii) for local factors or activities to adopt, calculate or commission for approval, economic self-sufficiency standards for the local areas that specify the income needs of families, by family size, the number and ages of children in the family, and sub-State geographical considerations;
- (7) Implementing promising service to workers and businesses, which may include support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising; and
- (8) Incumbent worker training programs, as described in [subpart F of this part](#).

Definitions

Career Pathway: Per WIOA Sec. 3

The term “career pathway” means a combination of rigorous and high-quality education, training, and other services that—

- (A) aligns with the skill needs of industries in the economy of the State or regional economy involved;
- (B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937, also known as the National Apprenticeship Act;
- (C) includes counseling to support an individual in achieving the individual’s education and career goals;
- (D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- (E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
- (F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least one recognized postsecondary credential; and
- (G) helps an individual enter or advance within a specific occupation or occupational cluster.

Case Management: ([TEN 17-15](#); [Career Pathways Tool Kit, Page 62](#))

Case Management is an overarching process that may directly arrange for or provide services that allow a learner to participate and complete a program of study. Case management is more a process than a service and typically includes non-instructional activities such as navigation to and arrangements for academic, career or personal counseling, financial aid, childcare, housing, and other financial assistance that can be critical to the success and continued engagement of the individual in pursuing their career pathway component.

Concurrent Enrollment: Reference Definition in [SCP 1.6](#)

Consumer Choice: (WIOA Sec. 134(c)(3)(F); WIOA Sec. 122(d); [20 CFR § 680.340](#))

Training services shall be provided in a manner that maximizes customer choice in the selection of an eligible provider of such services. Each LWDB, through the American Job Center, must make available to customers the State list of eligible training providers required in WIOA Sec. 122(d). The list includes a description of the programs through which the providers may offer the training services, and the performance and cost information about those providers described in WIOA Sec. 122(d).

Customized Training: (WIOA Sec. 3(14); [20 CFR § 680.760](#))

The term “customized training” means training-

- (a) That is designed to meet the special requirements of an employer (including a group of employers);
- (b) That is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and
- (c) For which the employer pays for a significant cost of the training, as determined by the local Board in accordance with the factors identified in WIOA Sec. 3(14).

Reference [SCP 1.14](#)

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Data Collection/Recordkeeping: Reference Definition in [SCP 1.6](#)

Local boards are required to establish a written policy for data collection and handling to ensure the quality and integrity of data over time. This includes standards for data verification, data validation and data security. The purpose is to ensure resulting electronic databases, participant files and reports are certifiably accurate up to and including participant exit and through all storage requirements. Local Boards have determined a hard case file will be used for medical documentation only, as appropriate, to protect an individual's privacy.

Data Element Validation Requirements (DEV): Reference Definitions in [SCP 1.6](#)

Follow-Up Services: (WIOA 134 (c)(2)(A)(xiii); [20 CFR § 680.150\(c\)](#))

Follow-up services must be provided, as appropriate, including counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for a minimum of 12 months after the first day of employment.

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

Note: Local Boards must have a written policy and procedure for follow-up services. They could include but are not limited to additional career planning and counseling, contact with the participant's employer, including assistance with work-related problems that may arise, peer support groups, information about additional educational opportunities, and referral to supportive services available in the community, case management administrative follow-up, other services as defined by the local boards.

Incumbent Worker: (WIOA 134 (d)(4); [20 CFR §§ 680.780-820](#))

To qualify as an incumbent worker, the incumbent worker needs to be employed, meet the Fair Labor Standards Act requires an employer-employee relationship and have an established employment history with the employer for 6 months or more. The training must satisfy the requirements in WIOA Sec. 134(d)(4) and [20 CFR § 680.790](#) and increase the competitiveness of the employee or employer. An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated workers under this Act.

Reference [SCP 1.19](#)

Note: Local Boards must have a written policy, approved by their Board, defining the eligibility of a participant and employer.

Indicators Relating to Credential: (WIOA Sec. 116(b)(2))

For purposes of clause (i)(IV) [adult and dislocated workers-see below], or clause (ii)(III) [youth] with respect to clause (i)(IV), program participants who obtain a secondary school diploma or its

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recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment or are in an education or training program leading to a recognized postsecondary credential within 1 year after exit from the program.

Per (i)(IV) the percentage of the program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program

Obtainment of Credential must be noted in case notes/MIS comments and entered into the MIS as indicated in Data Performance Desk Reference. DEV requires dates of obtainment to match from file to MIS month/day/year.

Initial Assessment: (WIOA Sec. 134(b)(2)(A)(iii))

Initial assessment of skill levels, including literacy, numeracy, and English language proficiency, aptitudes, abilities, including skills gaps, and assessment of supportive service needs.

Integrated Education and Training: ([Career Pathways Toolkit, Page 57](#))

The term “integrated education and training” means 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 articulated career pathway should include short-, moderate-, and long-term training and education programs to match the availability of different students (especially working learners and those balancing adult responsibilities) and include multi-level employment opportunities at different points of certificate or degree attainment.

Internship/Work Experience: (WIOA 134(c)(2)(A)(VII); [20 CFR § 680.180](#))

For the purposes of WIOA Sec. 134(c)(2)(A)(xii)(VII), internships or WEXs are a planned, structured learning experience that takes place in a workplace for a limited period. Work experience may be paid or unpaid, as appropriate. An internship or work experience may be arranged within the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists. Transitional jobs are a type of work experience, as described in [20 CFR §§ 680.190 and 20 CFR § 680.195](#). See Work Experience definition.

Local Boards must have a written policy to detail the Intern/WEX process to include that of a fully executed contract, progress reports, financial activities and MIS content and must have these available at the time of program monitoring.

Linkage to Occupation in Demand: (WIOA Sec. 134(c)(3)(G)(iii))

Training services provided must be directly linked to an in-demand industry sector or occupation in the local area or the planning region, or in another area to which a dislocated worker receiving such services is willing to relocate, except that a local board may approve training series for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained

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demand or growth in the local area. [Reference SCP 1.11](#)

Needs Related Payments: (WIOA Sec. 134(d)(3); 20 CFR §§ 680.930-970)

Needs related payments are financial assistance paid to a participant for the purpose of enabling the individual to participate in training. Needs-related payments are a type of supportive service that provides direct financial payments to a participant, and unlike other supportive services, the participant must be enrolled in training to receive needs-related payments. Reference SCP 1.15 for participant eligibility, documentation and policy requirements.

Local Boards must have a written policy to detail the Needs Related Payment process to include that of a fully executed contract, progress reports, financial activities and MIS content and must have these available at the time of program monitoring.

On-the-Job Training: (WIOA Sec. 3(44); [20 CFR § 680.700](#))

OJT continues to be a key method of delivering training services to adults and dislocated workers. WIOA provides for States and local areas to provide up to 50% of the wage rate of the participant to employers for the costs of training while the participant is in the program. Additionally, State and local areas have the flexibility under WIOA to increase the reimbursement level to up to 75%, taking in the following factors:

The characteristics of the participants (e.g., length of unemployment, current skill level, and barriers to employment);

- The size of the employer (e.g., small and medium-sized businesses often have more barriers to participation at lower reimbursement rates);
- The quality of employer-provided training and advancement opportunities; and
- Other factors the State or local boards may determine as appropriate (e.g., the number of employees participating in the training, wage and benefit levels of the employees (both pre- and post-participation earnings), and relation of the training to the competitiveness of the participant).

Local Boards must have a written policy to detail the OJT process to include that of a fully executed contract, job description, progress reports, financial activities and MIS content.

Pay for Performance: (WIOA Sec. 3(47); TEGL [8-20](#))

If the Local Board determines a pay for performance contract is the most effective means of providing training services (note that no more than 10% of the local funds may be spent on these service contract strategies as defined in WIOA Sec. 3(47).

Priority of Service: Reference Definitions in [SCP 1.6](#)

Rapid Response: (WIOA 134(a)(2)(A); [20 CFR § 682.310](#))

(a) Rapid response activities must be carried out by the State or an entity designated by the State, in conjunction with the Local Boards, chief elected officials, and other stakeholders, as provided by WIOA Secs. 133(a)(2) and 134(a)(2)(A);

(b) States must establish and maintain a rapid response unit to carry out statewide rapid response activities and to oversee rapid response activities undertaken by a designated State entity, Local

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Board, or the chief elected officials for affected local areas, as provided under WIOA Sec. 134(a)(2)(A)(i)(I).

Registered Apprenticeship:

RA is an important component of potential training and employment services that the workforce system can provide to its customers. We encourage local areas to use RA, and it should be used more often as a career pathway for job seekers and as a job-driven strategy for employers and industries. RA can be funded through several mechanisms. Section 122(a)(3) of WIOA provides a new opportunity for RA programs to be more directly connected to the public workforce system. As RA programs, they automatically qualify to be placed on the State and local board's ETPL, allowing ITAs to support participants in RA programs, and directly connect those programs to one-stop centers. Local areas may also include supportive services, in coordination with career and/or training services, to participants in a RA program. These supportive services must be consistent with WIOA Section 134(d)(2), and state and local policies. [Reference SCP 1.14](#)

Reporting Requirements: (20 CFR § 683.300)

The WIOA Participant Individual Record Layout (PIRL) provides a standardized set of data elements, definitions, and reporting instructions that will be used to describe the characteristics, activities, and outcomes of WIOA participants. States and local areas will be required to collect participant information that corresponds with the data elements and descriptions delineated within the PIRL. Once collected, the information will then be aggregated according to the conditions outlined in the WIOA Data Element Specifications. This document details the common data elements and technical specifications necessary for calculation of the State and Local Area performance report elements and will be used in reporting across all core programs.

Service Plan Dates:

Services must be entered and closed as the service is provided for DOL reporting methods to work correctly. Extending Service dates are only used should the service activity need to be extended such as if the participant failed to meet the training requirements and requires extra time with the training provider. Case notes/MIS comments must substantiate the service type and length. Should the participant/case manager fail to participate/provide services during the 90-day period, the individual will exit back to the last provided service and from the program unless re-engagement happens within this period.

Supportive Services: (WIOA Sec. 134 (d)(2); [20 CFR §§ 680.900-970](#); [2 CFR Part 200](#))

Supportive services for adults and dislocated workers are defined at WIOA Sec. 3(59) and Secs. 134(d)(2) and (3). LWDBs, in consultation with the one-stop partners and other community service providers, must develop a policy on supportive services that ensure resource and service coordination in the local area. The policy should address procedures for referral to such services, including how such services will be funded when they are not otherwise available from other sources. The provision of accurate information about the availability of supportive services in the local area, as well as referral to such activities, is one of the career services that must be available to adults and dislocated workers through the one-stop delivery system. WIOA Sec. 134(c)(2)(A)(ix) and § 678.430 of this chapter). LWDBs must ensure that needs-related payments are made in a manner consistent with [§§ 680.930, 680.940, 680.950, 680.960, and 680.970](#). Supportive services are services that are necessary

to enable an individual to participate in activities authorized under WIOA Sec. 134(c)(2) and (3). These services may include, but are not limited to, the following:

- (a) Linkages to community services;
- (b) Assistance with transportation;
- (c) Assistance with childcare and dependent care;
- (d) Assistance with housing;
- (e) Needs-related payments, as described at [§§680.930, 680.940, 680.950, 680.960, and 680.970](#);
- (f) Assistance with educational testing;
- (g) Reasonable accommodations for individuals with disabilities;
- (h) Legal aid services;
- (i) Referrals to health care;
- (j) Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye-gear;
- (k) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
- (l) Payments and fees for employment and training-related applications, tests, and certifications.

Local Boards must have a written policy identifying approved support services, state and regulatory requirements and defined caps, if any, for each instance. Reference [SCP 1.15](#) for participant eligibility, documentation and policy requirements. Reference [2 CFR 200](#) for support service limitations.

Transitional Jobs: Reference Definition in [SCP 1.6](#)

Underemployed: Reference Definition in [SCP 1.6](#)

Local Boards must define and have written policy and procedures approved by their Board for determining underemployment for both Adult and Dislocated Worker programs.

Work-based Training/Learning:

Under WIOA there are additional work-based training options and flexibilities for adults and dislocated workers: See Registered Apprenticeship

Work Experience (WEX): ([20 CFR 681.600\(a\)-\(c\)](#))

(a) Work experiences are a planned, structured learning experience that takes place in a workplace for a limited period. Work experience may be paid or unpaid, as appropriate. A WEX may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law, exists. Consistent with [§ 680.840 of this chapter](#), funds provided for work experiences may not be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage. Work experience provides the youth participant with opportunities for career exploration and skill development.

(b) Work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience. Further academic and occupational

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education may occur inside or outside the work site.

(c) The types of work experiences include the following categories:

- (1) Summer employment opportunities and other employment opportunities available throughout the school year;
- (2) Pre-apprenticeship programs;
- (3) Internships and job shadowing; and
- (4) On-the-job training opportunities as defined in WIOA Sec. 3(44) and in [§ 680.700 of this chapter](#).

Local Boards must have a written policy to detail the WEX process that includes a fully executed contract, job description, progress reports, financial activities, file and MIS content.

Work Support Activities for Low-Wage Workers: (WIOA Sec. 134 (D)(1)(B))

Funds for dislocated workers and adults may be used to provide work support activities designed to assist low-wage workers in retaining and enhancing employment. The one-stop partners of the system shall coordinate the appropriate programs and resources of the partners with the activities and resources provided under this subparagraph.

These activities may include the provision of activities in a manner that enhances the opportunities of such workers to participate in the activities, such as the provision of activities described in this section during non-traditional hours and the provision of onsite childcare while such activities are being provided.