



EQUITY BARRIERS IN THE WORKFORCE SYSTEM

WORKFORCE INNOVATION AND OPPORTUNITY ACT



POLICY BARRIERS IMPACTING JOB SEEKER SUPPORT

AMERICAN JOB CENTERS

- Shared infrastructure costs ≠ Partnerships
- Job seekers navigate through all of the resources in the American Job Center

WORKFORCE INNOVATION AND OPPORTUNITY ACT ENROLLMENT

- Individualized services = large caseloads = compliance burden
- Registration challenges
- Job training for less than 50% of enrolled

JOB PLACEMENT

- Challenging performance metrics
- Non-registered customers have access to fewer resources



ABOUT NATIONAL ABLE NETWORK:

National Able Network, Inc. is a leading non-profit organization specializing in providing employment counseling, training, and placement services for job seekers. Our programs are designed to assist jobseekers from all backgrounds, including the unemployed, career changers, military veterans, seniors, and aspiring IT professionals. Each year, National Able Network serves more than 75,000 individuals throughout Delaware, Illinois, Indiana, Iowa, and Nebraska.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

American Job Center

WIOA	Citation/Policy	Barrier/Unintended Consequence	Recommended Citation/Policy Change
20 CFR 679.130(f) https://ecfr.federalregister.gov/current/title-20/chapter-V/part-679-p-679.130(f)	<i>Development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system described in WIOA sec. 121(e), including the development of -</i> (1) <i>Objective criteria and procedures for use by Local WDBs in assessing the effectiveness, physical and programmatic accessibility and continuous improvement of one-stop centers. Where a Local WDB serves as the one-stop operator, the State WDB must use such criteria to assess and certify the one-stop center;</i> (2) Guidance for the allocation of one-stop center infrastructure funds under WIOA sec. 121(h); and (3) <i>Policies relating to the appropriate roles and contributions of entities carrying out one-stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation in the system;</i>	The intent of infrastructure costs was to promote collaboration and accountability among mandated partners. However, the opposite seems to have happened. When faced with new costs for already lean programs, partners chose instead to reduce their footprint at the centers. Additionally, as more and more people apply for unemployment online, the physical centers' foot traffic decreased.	Instead of unfunded mandates, a more flexible system geared toward community outreach and engagement would help outreach, partner referrals, and engagement compared to mandated infrastructure costs. Additionally, federal investment in shared referral systems would enhance mandated program collaboration.

Challenges, yes, but I overcame them. I found new employment during the pandemic which happens to be a much more promising career than the previous job I was laid off from due to the pandemic.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Orientation & Eligibility

WIOA	Citation/Policy	Barrier/Unintended Consequence	Recommended Citation/Policy Change
<p>20 CFR 680.110 (a)</p> <p>https://www.ecfr.gov/courrent/titled-20/chapter-V/part-680#p-680.110(a)</p>	<p><i>§ 680.110 When must adults and dislocated workers be registered and considered a participant?</i></p> <p><i>(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 Workforce Innovation and Opportunity Act (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).</i></p> <p><i>(b) Adults and dislocated workers who receive services funded under WIOA title I other than self-service or information-only activities must be registered and must be a participant.</i></p> <p><i>(c) Equal 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.</i></p>	<p>The public workforce system as described in the WIOA is not designed to serve diverse populations of job seekers. Any job seeker in need of assistance would need to fall within the stringent eligibility guidelines to become a registered customer of WIOA. Additionally, challenging placement requirements give providers the incentive to turn away those who need the most help.</p> <p>Providers tend to prioritize job seeker registrations for those who are eligible <i>and</i> are most likely to be successful but may present fewer barriers.</p> <p>Registration requires the collection and documentation of an extensive quantity of personal information. The process of collecting and documenting can take several hours to multiple days before all of the requirements are met for registration.</p> <p>This complex registration process is an enormous burden on job seekers who are already struggling to get back to work, and attrition is high among prospective WIOA enrollees. Only about 1 in 75 prospects ever make it through the WIOA registration process¹.</p> <p>Many job seekers who do not matriculate through the enrollment process or who are placed on a "waitlist" because of capacity limits are still able to receive universal services such as job search training and other employment resources. Providers' performance should also be measured by the services that are offered to non-registrants.</p> <p>For frontline staff, the rigors of the enrollment documentation process create an enormous compliance burden that can consume up to half of their workweek. In short, the registration process takes frontline staff away from individualized career coaching, training, and job development activities.</p> <p>The workforce system is narrowly focused on a "slice" of the job-seeking population based on rigid eligibility and performance policies. Enrollment prioritization excludes the hardest to serve and those with fewer barriers.</p>	<p>The enrollment process for WIOA should be much easier with fewer redundant paperwork requirements and hurdles for customers to jump through. If someone is unemployed or underemployed, they should be eligible for support with minimal eligibility requirements. These requirements would likely already be fulfilled through the UI system making a redundant eligibility process unneeded. Customers would be enrolled in group coaching, job search training, job fairs and others supports at the center.</p> <p>If a customer then chooses to use WIOA to gain a credential, they would then be able to go through a simplified process of assessment, industry and training evaluation with an assigned coach. By separating job seekers from those who need training and those who don't, we can simplify the eligibility process and get many job seekers back to work quicker.</p>

¹ Based on National Able Network's WIOA Adult & Dislocated Worker contracts in Cook County, Illinois.

I'm underemployed and having trouble paying my utilities and food. Staying hopeful has been challenging.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Eligibility & Enrollment

WIOA	Citation/Policy	Barrier/Unintended Consequence	Recommended Citation/Policy Change
20 CFR 680.600(a) https://ecfr.federalregister.gov/current/title-20/chapter-V/part-680#p-680.600(a)	<p><i>Subpart E - Priority and Special Populations</i> § 680.600 What priority must be given to low-income adults and public assistance recipients and individuals who are basic skills deficient served with adult funds under title I of the Workforce Innovation and Opportunity Act?</p> <p>(a) WIOA sec. 134(c)(3)(E) states that priority for individualized career services (see § 678.430(b) of this chapter) and training services funded with title I adult funds must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient (as defined in WIOA sec. 3(5)(B)) in the local area.</p> <p>(b) States and local areas must establish criteria by which the one-stop center will apply the priority under WIOA sec. 134(c)(3)(E). Such criteria may include the availability of other funds for providing employment and training-related services in the local area, the needs of the specific groups within the local area, and other appropriate factors.</p> <p>(c) The priority established under paragraph (a) of this section does not necessarily mean that these services only may be provided to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. The Local WDB and the Governor may establish a process that also gives priority to other individuals eligible to receive such services, provided that it is consistent with priority of service for veterans (see § 680.650) and the priority provisions of WIOA sec. 134(c)(3)(E), discussed above in <i>paragraphs (a) and (b)</i> of this section.</p>	<p>The WIOA eligibility and priority of service sections are intended to help guide states and providers into service strategies that help those with barriers to employment; however, in an effort to meet performance metrics, job seekers with fewer barriers are enrolled.</p> <p>This practice creates a cycle of enrolling job seekers who may not fall within the priority of service guidance and have fewer needs, but are more likely to successfully meet performance benchmarks.</p> <p>The unintended consequence of mixing stringent performance standards with “optional” priority of service delivery strategies is “creaming” enrollments further amplifies the inequities that exist in both our workforce and our workforce system.</p>	<p>Implement a system similar to SCSEP with most in need factors that give providers and incentive to serve those with higher barriers. Remove the performance requirements to study the outcomes for two program years (similar to SCSEP) before re-attaching more achievable requirements for performance based on the most in need factors.</p>

Pandemic has resulted in total shut down of library access; this has had huge impact.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Job Training

WIOA	Citation/Policy	Barrier/Unintended Consequence	Recommended Citation/Policy Change
<p>20 CFR 680.200(a)</p> <p>https://www.ecfr.gov/current/title-20/chapter-V/part-680#p-680.200(a)</p>	<p><i>Subpart B - Training Services</i> § 680.200 <i>What are training services for adults and dislocated workers?</i> Types of training services are listed in WIOA sec. 134(c)(3)(D) and in <i>paragraphs (a) through (k) of this section. This list is not all-inclusive and additional training services may be provided.</i></p> <p>(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 and 680.195; (i) Job readiness training provided in combination with services listed in <i>paragraphs (a) through (h) of this section</i>; (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 <i>paragraphs (a) through (g) of this section</i>; 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 and 680.770).</p>	<p>Performance measures are developed without allowance for variances in the starting points of diverse populations of job seekers.</p> <p>Most-in-need and high-barrier job seekers are often excluded from enrollment into WIOA because their journey to reemployment may be more time-consuming than performance standards allow. But in reality, these high-need customers are more likely to <i>benefit</i> from training services as a means to exit cycles of poverty and pursue career pathways that offer family-sustaining wages.</p> <p>On the other end of the employment equation, employers are often not inclined to participate in work-based learning because of the difficult-to-navigate “paperwork” involved in engaging with the public workforce system.</p>	<p>Performance measures should not dissuade providers from enrolling high-barrier and most-in-need job seekers into job training that could change their career trajectory, rather, job training should be encouraged as an exit from precarious employment.</p> <p>Simplify the employer participation requirements so that all companies—from small to large—can view the public workforce system as a cost-and time-saving resource where they can easily access local talent. Conduct more marketing and training for employers to understand the benefits of these programs.</p> <p>Hold training providers accountable for credential attainment and employment outcomes in a more timely manner. Remove poor providers from the approved list more quickly. Require that approved training providers’ sales teams follow selling guidelines if they are pushing customers into WIOA programs.</p>

Overall, the company was extremely helpful with funding me to finish nursing school.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Performance & Reporting

WIOA	Citation/Policy	Barrier/ Unintended Consequence	Recommended Citation/Policy Change
<p>20 CFR 677.160 (a)</p> <p>https://www.ecfr.gov/curren/titled-20/chapter-677/subpart-A/section-677.160#p-677.160(a)</p>	<p>§ 677.160 What information is required for State performance reports?</p> <p>(a) The State performance report required by sec. 116(d)(2) of WIOA must be submitted annually using a template the Departments of Labor and Education will disseminate, and must provide, at a minimum, information on the actual performance levels achieved consistent with § 677.175 with respect to:</p> <p>(1) The total number of participants served, and the total number of participants who exited each of the core programs identified in sec. 116(b)(3)(A)(ii) of WIOA, including disaggregated counts of those who participated in and exited a core program, by:</p> <p>(i) Individuals with barriers to employment as defined in WIOA sec. 3(24); and</p> <p>(ii) Co-enrollment in any of the programs in WIOA sec. 116(b)(3)(A)(ii).</p> <p>(2) Information on the performance levels achieved for the primary indicators of performance for all of the core programs identified in § 677.155 including disaggregated levels for:</p> <p>(i) Individuals with barriers to employment as defined in WIOA sec. 3(24);</p> <p>(ii) Age;</p> <p>(iii) Sex; and</p> <p>(iv) Race and ethnicity.</p> <p>(3) The total number of participants who received career services and the total number of participants who exited from career services for the most recent program year and the 3 preceding program years, and the total number of participants who received training services and the total number of participants who exited from training services for the most recent program year and the 3 preceding program years, as applicable to the program;</p> <p>(4) Information on the performance levels achieved for the primary indicators of performance consistent with § 677.155 for career services and training services for the most recent program year and the 3 preceding program years, as applicable to the program;</p> <p>(5) The percentage of participants in a program who attained unsubsidized employment related to the training received (often referred to as training-related employment) through WIOA title I, subtitle B programs;</p>	<p>In an effort to meet state WIOA performance goals, providers often resort to enrolling job seekers who have fewer barriers to employment. This selective enrollment process is a symptom of rigid performance benchmarks that do not account for the various starting points of job seekers in need of employment resources.</p> <p>Each year, thousands of job seekers interact with the public workforce system in a quantifiable way, but very few are registered into WIOA (as described earlier). Many job seekers receive meaningful employment services, but these micro-successes are unfairly not weighed into overall performance.</p> <p>When non-registered customers are not counted toward performance, this creates a disincentive to serve job seekers.</p>	<p>WIOA employment measures should allow for a variable unsubsidized employment rate based on the makeup of the population, local labor market and so on. This would encourage cooperation and increased co-enrollment with SNAP, TANF, homeless and public housing programs.</p> <p>Initial placement should be tracked, and connection to a work-based learning activity and/or subsidized employment program measure would help to ensure individuals with barriers or little work experience are enrolled in programming that is shown to be impactful and successful.</p> <p>Customers who receive SNAP and TANF benefits should be measured differently with unsubsidized employment possibility not being the only positive outcome. Success with these populations should instead be measured by completion of a vocational training or education program, as well as self-sufficiency or decreased reliance on public benefits.</p>

Thank you for the excellent counseling from your advisors and coaches.
I really appreciate their assistance.

WORKFORCE INNOVATION AND OPPORTUNITY ACT

Performance & Reporting (CONTINUED)

WIOA	Citation/Policy	Barrier/ Unintended Consequence	Recommended Citation/Policy Change
<p>20 CFR 677.160 (a)</p> <p>https://www.ecfr.gov/curren/titled-20/chapter-677/part-677/subpart-A/section-677.160#p-677.160(a)</p>	<p>§ 677.160 What information is required for State performance reports? (SECTION A CONTINUED)</p> <p>(6) The amount of funds spent on career services and the amount of funds spent on training services for the most recent program year and the 3 preceding program years, as applicable to the program;</p> <p>(7) The average cost per participant for those participants who received career services and training services, respectively, during the most recent program year and the 3 preceding program years, as applicable to the program;</p> <p>(8) The percentage of a State's annual allotment under WIOA sec. 132(b) that the State spent on administrative costs; and</p> <p>(9) Information that facilitates comparisons of programs with programs in other States.</p> <p>(10) For WIOA title I programs, a State performance narrative, which, for States in which a local area is implementing a pay-for-performance contracting strategy, at a minimum provides:</p> <p>(i) A description of pay-for-performance contract strategies being used for programs;</p> <p>(ii) The performance of service providers entering into contracts for such strategies, measured against the levels of performance specified in the contracts for such strategies; and</p> <p>(iii) An evaluation of the design of the programs and performance strategies and, when available, the satisfaction of employers and participants who received services under such strategies.</p> <p>(b) The disaggregation of data for the State performance report must be done in compliance with WIOA sec. 116(d)(6)(C).</p> <p>(c) The State performance reports must include a mechanism of electronic access to the State's local area and eligible training provider (ETP) performance reports.</p> <p>(d) States must comply with these requirements from sec. 116 of WIOA as explained in joint guidance issued by the Departments of Labor and Education, which may include information on reportable individuals as determined by the Secretaries of Labor and Education.</p>	<p>In an effort to meet state WIOA performance goals, providers often resort to enrolling job seekers who have fewer barriers to employment. This selective enrollment process is a symptom of rigid performance benchmarks that do not account for the various starting points of job seekers in need of employment resources.</p> <p>Each year, thousands of job seekers interact with the public workforce system in a quantifiable way, but very few are registered into WIOA (as described earlier). Many job seekers receive meaningful employment services, but these micro-successes are unfairly not weighed into overall performance.</p> <p>When non-registered customers are not counted toward performance, this creates a disincentive to serve job seekers.</p>	<p>(CONTINUED)</p> <p>The "employment rate 4th quarter after exit" measure shouldn't be required or count towards performance. WIOA services tend to be funded at levels and for services which prioritize the rapid attachment to employment, training, or employment related activities. If retention is to be tracked past 60 days after exit, additional fiscal resources will be needed.</p> <p>Participants who are exited who end up needing services well past exit which inhibits agency capacity to serve new job seekers.</p> <p>Median Earnings should be tracked, but not count as a performance measure as it incentivizes providers to target individuals who have the probability of earning higher wages – and typically less barriers. This measure is also difficult to control based on current employer conditions.</p>

Thank you for the excellent counseling from your advisors and coaches.
I really appreciate their assistance.