

**WIOA:
What It Is,
and What Is the Impact**

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promoting the inclusion of people with disabilities



What's Happening



CMS
Settings
Rule

WIOA

*Employment
Integration
and
Inclusion*

DOJ
Actions

Employment
First
Movement

WIOA:

The Workforce Innovation and Opportunity Act of 2014

One Hundred Thirteenth Congress
of the
United States of America

AT THE SECOND SESSION

*Began and held at the City of Washington on Friday,
the third day of January, two thousand and fourteen*

An Act

To amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Workforce Innovation and Opportunity Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.

TITLE 1—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

Sec. 101. State workforce development boards.
Sec. 102. Unified State plan.
Sec. 103. Combined State plan.

CHAPTER 2—LOCAL PROVISIONS

Sec. 106. Workforce development areas.
Sec. 107. Local workforce development boards.
Sec. 108. Local plan.

CHAPTER 3—BOARD PROVISIONS

Sec. 111. Funding of State and local boards.

CHAPTER 4—PERFORMANCE ACCOUNTABILITY

Sec. 116. Performance accountability system.

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

Sec. 121. Establishment of one-stop delivery systems.
Sec. 122. Identification of eligible providers of training services.
Sec. 123. Eligible providers of youth workforce investment activities.

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

Sec. 126. General authorization.
Sec. 127. State allotments.
Sec. 128. Within State allocations.
Sec. 129. Use of funds for youth workforce investment activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

Sec. 131. General authorization.

- Signed into law July 22, 2014



Reauthorized Workforce
Investment Act of 1998,
including Rehabilitation Act

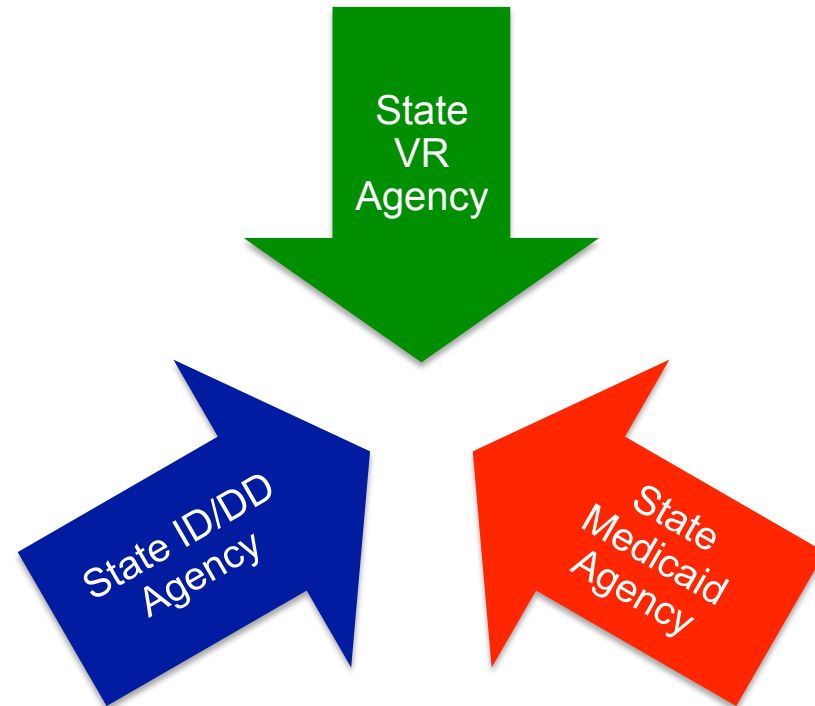


“The foundation of the VR program is the principle that individuals with disabilities, *including those with the most significant disabilities,* **are capable of achieving high quality, competitive integrated employment** when provided the necessary skills and supports.”



NEW!

Cooperative Agreement Requirement



- Requirement for formal cooperative agreement between state VR and state ID/DD agency, and state Medicaid agency, with respect to VR services for individuals, including extended services, with most significant disabilities determined eligible for HCBS



***“Competitive
Integrated
Employment”
Under WIOA***



***Optimal
outcome under
WIOA***

- Full-time or part-time work at minimum wage or higher
- Wages & benefits similar to those without disabilities performing the same work
- Fully integrated with co-workers without disabilities





- **This definition is specific to VR.**
- Does not necessarily apply to placements funded by other systems.
- However recent DOJ guidance has broadened its application.



PRE-EMPLOYMENT TRANSITION SERVICES

- **15% of state Title I VR Funds must be used for “Pre-Employment Transition Services”**
- **Required services:**
 - job exploration counseling
 - work based learning experiences
 - counseling on post-secondary opportunities
 - workplace readiness training
 - Instruction in self-advocacy, which may include peer mentoring
- **9 additional activities allowed if funding is available**



**"Never mistake
activity for
achievement."**



- John Wooden



Section 511:
*New restrictions on use of
sub-minimum wage
effective July 22, 2016*



Individuals 24 & Under

Before being placed in sub-minimum wage employment



1. Pre-employment transition services from VR or transition services from local educational agency
2. Either being **determined ineligible for VR** or an **unsuccessful VR closure**
3. Provision of **career counseling & referrals designed to assist individual to achieve competitive integrated employment**, in a way that facilitates independent decision-making and **informed choice**



Do you want
to work in
the
community?

**NOT INFORMED
CHOICE**



***Steps Required
Annually for All
Individuals
Earning
Sub-Minimum
Wage***



1. VR must provide career counseling and referral to other programs & resources
 - *Same as step # 3 for youth*
2. Is informed by ***employer*** of self-advocacy, self-determination, & peer mentoring opportunities not provided by ***employer***





- **Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities**

Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

Final Report to:

The Honorable Thomas E. Perez
United States Secretary of Labor

The United States Senate
Committee on Health, Education, Labor and Pensions

The United States House of Representatives
Committee on Education and the Workforce

September 15, 2016



General Workforce Development System



- **Federal Agency:**
US Department of Labor
- **State Workforce Boards**
- **Local Workforce Boards (600 nationally)**
- **One-Stop Career Centers/ American Job Centers (1,700 nationally)**



WIOA Workforce System Disability Changes



- Local boards must ensure **sufficient service providers** for individuals with disabilities
- **Local workforce committees** on disability issues encouraged
- **Annual assessment of One-Stop Career Center accessibility** required
- Youth services - **individuals with disabilities highly eligible**



“For far too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more now in communities needing help has been justified on grounds of inadequate funds, further studies and future promises. We can procrastinate no more.”

**- President John F. Kennedy
February 1963**

