



To: Workforce Development Board Directors
WorkOne Operators
DWD Regional Directors

From: Regina Ashley 
Associate Chief of Operations for Policy

Date: July 2, 2015

Subject: MEMORANDUM
Interim Guidance on the Delivery of WIOA Title I Adult and Dislocated Worker Services
and the Impact on Participation and Exit Dates

Purpose

This interim guidance discusses the career and training services for Workforce Innovation and Opportunity Act (WIOA) Title I adult and dislocated workers; the point at which delivery of certain services requires an individual to be eligible and enrolled as a participant; and the Department of Workforce Development's (DWD's) requirement for common participation and exit dates for all DOL-funded programs. The points at which an individual becomes a participant and exits are important because performance accountability is based only on outcomes for participants.

References

- Workforce Innovation and Opportunity Act Section 134(c)(2)
- WIOA Proposed Regulations Sections 678.430, 680.150, 680.210, 680.220

Content

Indiana's WorkOne system is the basic delivery system for workforce development services funded through WIOA. WIOA clarifies that adults and dislocated workers receiving services in the WorkOne centers must have access to services that are needed to assist the individual to meet his or her job search goals. Unlike the Workforce Investment Act (WIA), WIOA Title I does not require a fixed sequence of services; that is, job seekers is not required to engage in certain unassisted services before

engaging in staff-assisted services and is not required to engage in specific staff-assisted services for a given period of time before being enrolled in training.¹

WIOA consolidates the Core and Intensive services required by WIA into a single category of Career Services. Career Services are broken down into three subcategories: basic, individualized and follow-up.

1. **Basic Career Services.** Basic career services must be made available to all job seekers and include services such as employment services, labor market information, job listings, informational workshops, self-service, and information on partner programs.
2. **Individualized Career Services.** Individualized career services involve more intensive staff time. USDOL has proposed that the ES staff may also provide individualized career services and that Wagner-Peyser funds can be used to provide any of the individualized services defined in proposed § 678.430(b) and sec. 134(c)(2)(A)(xii) of WIOA as outlined in the chart below. Individuals must be determined eligible for WIOA Title I adult or dislocated worker programs to receive individualized services. Eligibility includes the consideration at Section 194(1) that specifies Title I programs shall provide services to those who are most in need of *and who can benefit from* such services.
3. **Follow-up Activities.** Follow-up includes:
 - 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** (rather than for 12 months after exit).
 - Basic self-service and informational career services provided during the 90 days following the close of individualized career services, training, or placement.

Definitions for reportable individual, registrant, and participant are included in [Attachment A](#). [Attachment B](#) provides a logic chart for establishing reportable individual, registrant, and participant. See [Attachment C](#) for a table that outlines the WIOA Title I Adult /DW and Wagner-Peyser Career Services and WIOA Title I Adult /DW Training Services and optional services in the WorkOne, the funds that may be used to support that service, and the point at which the individual being served becomes a reportable individual, registered individual, or participant of the program.

DOL encourages states that are able to track participant services across DOL-funded programs to utilize a single date of program participation for participants as well as a single date of exit. For example, if an individual becomes a Wagner-Peyser participant in January but is not enrolled in WIOA until March, the date of participation in WIOA would commence in January. DWD's policy is that the date of participation starts with the first participation in any DOL-funded program, and the date of exit ends with the last date of exit from any partner program. Since common date of participation only applies to DOL-funded programs, adult education, vocational rehabilitation, and other partner programs will have their own participation and exit dates. The common participation date encourages co-enrollment in

¹ However, case files must document participant eligibility for training services and explain how the determination was made – by interview, evaluation, or assessment, career planning, or other service such as an individual employment plan.

DOL-funded programs (Wagner-Peyser, WIOA Title I, and TAA) from the earliest point of contact to best serve the individual with the broadest menu of services possible.

Co-enrollment in non-DOL funded programs is also encouraged to the maximum extent that is appropriate and for which the customer is eligible in order to share costs and services and provide a foundation for shared infrastructure costs.² Referral, co-enrollment, shared service costs and shared infrastructure costs will be incorporated into Memoranda of Understanding among the partners and with the Workforce Development Board (WDB). See [Attachment D](#) for a chart comparing the points of becoming a reportable individual, registrant, or participant and point of exit among the core programs.

Effective Date

July 6, 2015

Ending Date

Upon rescission

Contact for Questions

policy@dwd.in.gov

Action

Workforce Development Boards and WorkOne Operators shall provide guidance to their service providers and maximize co-participation in WorkOne programs to the extent allowable and appropriate to meet customers' needs. Local policies must conform to the contents of this Interim Guidance.

Attachments

[Attachment A](#) – Definitions for Reportable Individual, Registrant, and Participant

[Attachment B](#)- Reportable Individual, Registrant, and Participant Logic Chart

[Attachment C](#) – WIOA Title I Adult and Dislocated Worker Services, Allowable Funding Source(s) and Status of Job Seeker as Reportable Individual, Registrant, or Participant

[Attachment D](#) – Point of Becoming a Reportable Individual, Registrant, and Participant and Point of Exit Comparison Among Core Programs

² The state's case management system automatically determines all programs for which individuals are **eligible**, but **enrollment** into a program (participation) does not commence until and unless the individual receives staff-assisted services funded by that program.

Attachment A

Definitions for Reportable Individual, Registrant, and Participant

The Indiana Department of Workforce Development strives to ensure that the State and each Region meets performance under WIOA. In order to do so, it is important to understand when an individual accessing and exiting the workforce system is counted in performance. Whether an individual is counted in performance is based on the funding stream being accessed.

Reportable Individual

- A “**Reportable Individual**” is a new term defined in WIOA that applies across all programs (see proposed regulation §361.150). It is a person who has taken action that demonstrates an intent to use program services and who meets specific reporting criteria of the core program, including:
 - Individuals providing identifying information.
 - Individuals who use only self-service; and
 - Individuals who only receive information on services or activities.
- Individuals are adult education reportable individuals when they complete 12 hours in the program.
- Note that unemployment insurance claimants who come to the WorkOne to ask questions about their claim are to be provided “meaningful assistance” and will **be reportable individuals**. WIOA proposed rule § 678.430 defines “Meaningful assistance” as:
 - Providing assistance on-site using staff who are **well-trained** in unemployment compensation claims filing and the rights and responsibilities of claimants; **or**
 - 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.

The costs associated with 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. They may also be paid for through Wagner-Peyser as stated in Sec. 7(a)(3)(F) of the Wagner-Peyser Act.

Registrant

- A registrant for Title I is an adult or dislocated worker for whom information has been collected through electronic data transfer, personal interview, or application to support a determination of eligibility. This is the point at which information that is used in performance begins to be collected. See Proposed regulation §680.110. NOTE: The term “registrant” is not contained in the Wagner-Peyser regulations or is it used for youth. “Registrant” is solely a WIOA adult/dislocated worker term.

Participant

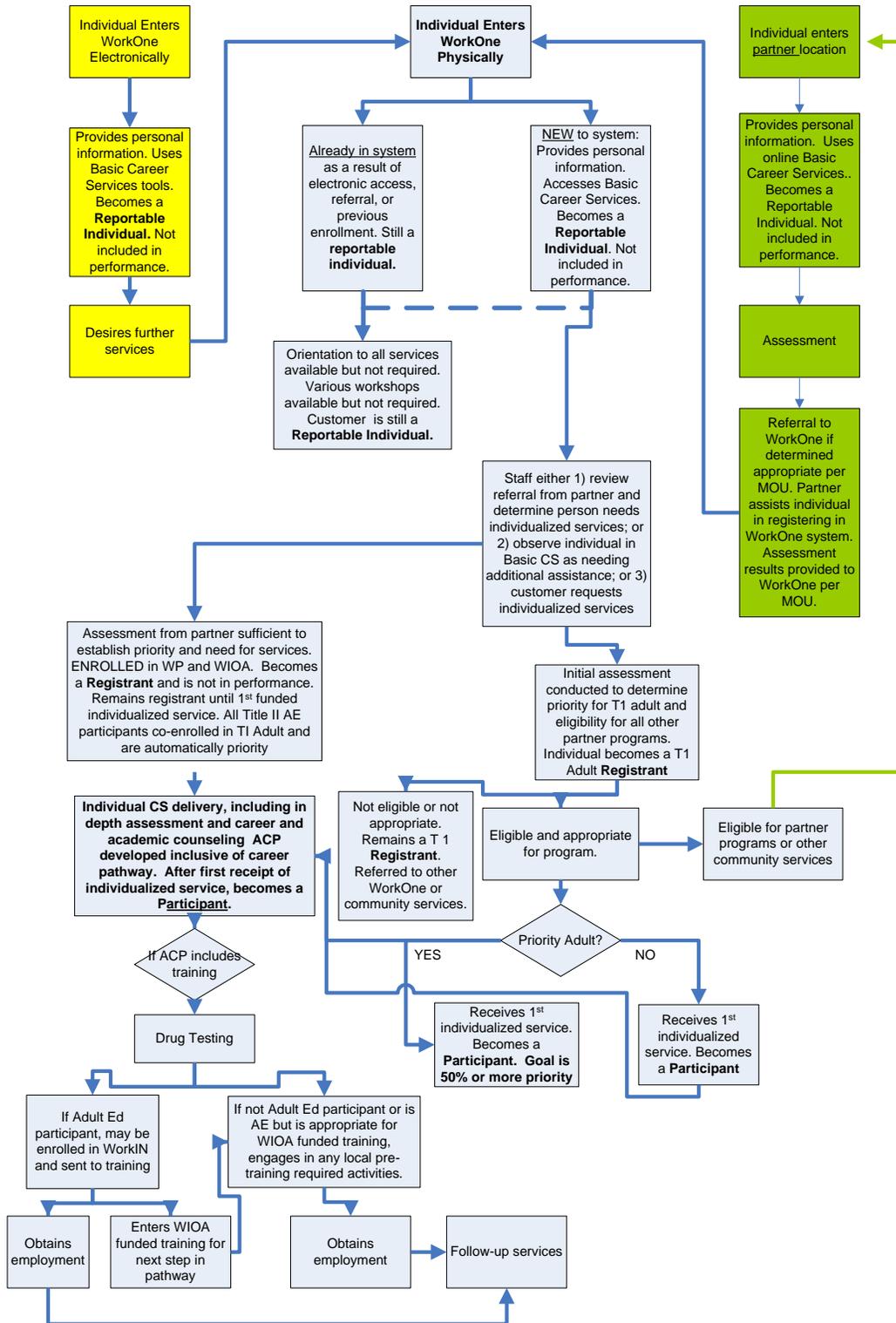
- A participant for Title I is an adult or dislocated worker who:
 - Has been determined eligible, AND
 - Has begun receiving a staff-assisted WIOA Title I adult/dislocated worker service other than Basic Career Services.

This is the point at which an individual is to be included in performance calculations for the primary indicators. See Proposed regulation §680.110.

- A participant for Wagner-Peyser is a reportable individual who received other than Basic Career services. See proposed regulations §§651.10, 677.150.
- A participant for Vocational Rehabilitation is an individual who has an approved and signed Individualized Plan for Employment (IEP) *and* has begun to receive services. See proposed regulations §361.150.
- A participant for Adult education is an individual who has completed at least 12 contact hours in the Adult Education and Family Literacy Act program as WIOA Title II participants. See proposed regulation §361.150.

Attachment B

Reportable Individual, Registrant, and Participant Logic Chart



Attachment C

WIOA Title I Adult and Dislocated Worker Services, Allowable Funding Source(s) and Status of Job Seeker as Reportable Individual, Registrant, or Participant

Basic Career Service	Allowable Funding Source(s)	Reportable Individual, Registrant or Participant
Determinations of whether the individual is eligible to receive assistance from the WIOA Title I adult, dislocated worker, or youth programs.	WIOA	WIOA Title I Registrant.
Outreach, intake (including worker profiling), and orientation to information and other services available through the one-stop delivery system.	Any WorkOne Partner	WIOA Title I Adult/DW and/or or Wagner-Peyser Reportable Individual
Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs.	Any WorkOne Partner for whom this is an allowable Service	If this information is used to determine eligibility for WIOA Title I, the individual is still a WIOA Title I Adult/DW registrant or a Wagner-Peyser Reportable Individual.
Labor Exchange Services-1.job search and placement assistance and career counseling that may include-a) provision of information on in-demand industry sectors and occupations and b)provision of information on nontraditional employment, 2. Appropriate recruitment & other business services on behalf of employers, including information and referral to specialized business services other than those traditionally offered through the one-stop delivery system.	Any WorkOne Partner for whom this is an allowable Service.	Reportable Individual if self-service or informational. Participant if staff-assisted.
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	Any WorkOne Partner for whom this is an allowable Career Service	WIOA Title I Adult/DW and/or Wagner-Peyser Reportable Individual
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— <ul style="list-style-type: none"> (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; 	Any WorkOne Partner for whom this is an allowable Career Service	WIOA Title I Adult/DW and WP Reportable Individual.
Provision of performance information and program cost information on eligible providers of training services by program and type of providers.	Any WorkOne Partner for whom this is an allowable Service	WIOA Title I Adult/DW and/or Wagner-Peyser Reportable individual.

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;	Any WorkOne Partner for whom this is an allowable Service	WIOA Title I Adult/DW and or Wagner-Peyser Reportable Individual.
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 Temporary Assistance for Needy Families, and other supportive services and transportation provided through that program;	Any WorkOne Partner for whom this is an allowable Service	WIOA Title I Adult/DW and/or Wagner-Peyser Reportable Individual.
Provision of information and assistance regarding filing claims for unemployment compensation, by which the one-stop must provide meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation.	<ul style="list-style-type: none"> • UI • WP • WIOA Title I Adult and DW 	WIOA Title I Adult/DW and/or Wagner-Peyser Reportable Individual
Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.	Any WorkOne Partner for whom this is an allowable Career Service	WIOA Title I Adult/DW and or Wagner-Peyser Reportable Individual.

Individualized Career Services	Funding Source(s)	Registrant or Participant?
Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include— <ul style="list-style-type: none"> (i) Diagnostic testing and use of other assessment tools; and (ii) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals. 	Any WorkOne Partner for whom this is an allowable Service	If provided by WIOA TITLE 1 <u>after determination of eligibility</u> , the person is a WIOA TITLE 1 adult/DW participant who counts in WIOA Title I adult/DW performance. If provided by other WorkOne partners, WIOA Title I may use the results of the assessment, but must provide a WIOA Title I adult/DW-funded service before the individual becomes a participant.
Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve	Same as above.	Same as above

his or her employment goals, including the list of, and information about, the eligible training providers.		
Group counseling	Same as above.	Same as above
Individual counseling	Same as above.	Same as above
Career planning (as defined in WIOA Sec 3(8))	Same as above.	Same as above
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.	Same as above.	Same as above
Internships and work experiences that are linked to careers	Same as above (Wagner-Peyser may provide staff support to establish work experiences and refer individuals to them, but may not pay wages.	Same as above
Workforce Preparation Activities- activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training or employment.	Same as above.	Same as above
Financial literacy services	Same as above.	Same as above
Out-of-area job search assistance and relocation assistance	Same as above.	Same as above
English Language and Integrated Education and Training- education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enable such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.	Same as above.	Same as above
Follow-Up Career Services	Funding Source(s)	Registrant or Participant or Reportable Individual?
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 (whether pre or post exit) and/or basic self-service and informational career services provided during the 90 days following the close of individualized career services, training, or placement	Same as above	WIOA Title I participant

Training	Funding Source(s)	Registrant or Participant or Reportable Individual?
Occupational skills training	Same as above, excluding WP	<p>WIOA Title I Participant. Individual may only enter training when:</p> <ul style="list-style-type: none"> ○ After an interview, evaluation or assessment and career planning has been determined by a one-stop operator or one-stop partner to – <ul style="list-style-type: none"> ▪ Be unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from a previous employment through Career Services without training (does not have to receive Career Services prior to training); ▪ Have the skills and qualifications to successfully participate in the selected program of training services. ○ Selects a program of training services that is directly linked to employment opportunities in the local area, planning region, or in another area to which he/she is willing to commute or relocate; ○ Is unable to obtain other grant assistance for training, including Federal Pell Grants or who requires additional assistance beyond the assistance made available under other grants; and ○ Is determined to be eligible in accordance the priority system in effect.
On-the-Job Training (OJT)	Same as above	Same as above
Incumbent Worker Training-training that is designed to meet the special requirements of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment; and is conducted with a commitment by the employer to retain or avert layoffs of the incumbent worker(s) trained.	Same as above	Same as above

Employers are required to pay the non-federal share of the cost.		
Programs that combine workplace training with related instruction, which may include cooperative education programs. . Cooperative Education Program is-a structured way of learning that combines classroom learning with practical work experience while providing academic credit for the job experience.	Same as above	Same as above
Training programs operated by the private sector	Same as above	Same as above
Skill upgrading and retraining	Same as above	Same as above
Entrepreneurial training	Same as above	Same as above
Transitional jobs - Transitional Jobs-The local board may use not more than 10 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(3) that-- (A) are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history; (B) are combined with comprehensive employment and supportive services; and (C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.	Same as above	Same as above
Job Readiness Training Combined with Other Training- Job Readiness training provided in combination with any of the following training services: (i) occupational skills training, including training for nontraditional employment; (ii) on-the-job training; (iii) incumbent worker training in accordance with subsection (d)(4); (iv) programs that combine workplace training with related instruction, which may include cooperative education programs; (v) training programs operated by the private sector; (vi) skill upgrading and retraining; (vii) entrepreneurial training; (viii) transitional jobs in accordance with subsection (d)(5);	Same as above	Same as above
Adult Education and Literacy with Other Training Services-adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (i) through (vii); (i) occupational skills training, including training for nontraditional	Same as above	Same as above

employment; (ii) on-the-job training; (iii) incumbent worker training in accordance with subsection (d)(4); (iv) programs that combine workplace training with related instruction, which may include cooperative education programs; (v) training programs operated by the private sector; (vi) skill upgrading and retraining; (vii) entrepreneurial training.		
Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of training.	Same as above	Same as above
Job Seeker Supports (Sec 3(59), Sec. 134(d)(2)(A), §680.140 and 680.900, 680.910)	Funding Source(s)	Registrant or Participant or Reportable Individual?
Work Supports for Low-wage workers to provide opportunities for them to retain or enhance employment (may include any activities available under WIOA adult/DW in coordination with any partner program).	Any WorkOne Partner for whom this is an allowable service,	WIOA Title I Adult/DW Participant
Supportive Services for participants in Career Services or Training Services and who are unable to obtain such services through other programs. Supportive services include transportation, childcare, dependent care, housing, and needs-related payments.	WIOA Title I Adult/DW	WIOA Title I Adult/DW Participant.
<p>Needs-Related Payments - limited to:</p> <ul style="list-style-type: none"> • Adults enrolled in training services under WIOA Sec. 134(c)(3) who are unemployed and who do not qualify for or have ceased qualifying for unemployment compensation. • Dislocated workers enrolled in training services who <ul style="list-style-type: none"> ○ Are unemployed and have ceased to qualify for unemployment compensation or trade adjustment allowance under TAA and enrolled in training services under WIOA Sec. 134(c)(3) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility; or , if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months OR ○ Are unemployed and did not qualify for unemployment compensation or trade adjustment assistance under TAA and are enrolled in training services under WIOA Sec. 134(c)(3). <p>Eligibility for needs-related payments for adults may be found at NRPM § 680.940 and for</p>	WIOA Title I Adult/DW	WIOA Title I Adult/DW Participant.

<p>dislocated workers at § 680.950 NPRM 680.970 explains how needs-related payments are calculated.</p>		
<p>Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of training.</p>	<p>Same as above</p>	<p>Same as above</p>

Attachment D

Point of Becoming a Reportable Individual, Registrant, and Participant and Point of Exit Comparison Among Core Programs

It is important to understand when a participant has “exited” a program for performance measurement purposes. While WIOA Title I adult and dislocated worker, youth, Wagner-Peyser, and Adult Education all define “exit” the same, vocational rehabilitation has a different definition.

For purposes of WIOA Title I adult and dislocated worker, youth, Wagner-Peyser, and Adult Education performance calculations, **EXIT** is defined as 90 days without any services other than self-service, informational, or follow-up **AND** there are no future services planned other than follow-up. Services that may be delivered during the 90 days that do not extend the period of participation include:

- Post-employment follow-up services designed to ensure job retention, wage gains, and career progress such as:
 - Additional career planning and counseling;
 - Contact with the participant's employer
 - Assistance with work-related problems that may arise;
 - Peer support groups;
 - Information about additional educational opportunities;
 - Informational mailings; and
 - Referral to supportive services available in the community; and
- Case management services and any other required administrative caseload management activities that involve regular contact with the participant or employer to obtain information regarding the participant's employment status, educational progress, or need for additional services.

For purposes of Vocational Rehabilitation performance calculations, “exit” occurs when the case is closed because the participant achieved an employment outcome, or the service record is closed because the participant did not achieve an employment outcome or was determined ineligible after receiving services. VR participants who achieved a supported employment outcome in an integrated setting but not competitive integrated employment will not be exited.

Program	Point of being a Reportable Individual	Point of Being a Registrant	Point of Being a Participant	Point of Exit
WIOA Title I Adult/DW	Shows intent to use program AND <ul style="list-style-type: none"> Provides identifying information and Uses only self-service or informational services 	Information collected to support a determination of eligibility	Determined eligible AND begins receiving a WIOA Title I adult/DW service	The last date of service. Determined 90 days after no service (excluding self-service, informational, or follow-up) and applied retroactively to the last date of service.
WIOA Title I Youth	Same as above	NA	Determined eligible AND begins receiving a WIOA Title I youth service	Same as above
WIOA Title II Adult Education	Same as above	NA	Receives 12 hours or more of adult education services.	Same as above.
WIOA Title III Wagner-Peyser	Same as above.	NA	Reportable individuals who received staff-assisted employment services	Same as above.
WIOA Title IV Voc. Rehab.	Same as above	NA	Approved and signed Individualized Plan for Employment (IEP) <i>and</i> has begun to receive services	Participant achieved an employment outcome, or did not achieve an employment outcome or was determined ineligible after receiving services.