**WorkforceGPS**

**Transcript of Webinar**

**WIOA Adult, Dislocated Worker and Wagner-Peyser Provisions**

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BRIAN KEATING: So welcome, everyone, to today's WIOA adult dislocated worker and Wagner-Peyser provisions, including work-based learning and priority of services.

And today's event is being brought to you by the Division of WIOA Adult Services and Workforce System. I want to turn things over to Robert Kight. Robert is the chief of the Division of WIOA Adult Services and Workforce System. Robert, take it away.

ROBERT KIGHT: Thank you, Brian. Good afternoon, and thanks to all of you who – from across the country who've joined today's webinar on WIOA Adults Dislocated Worker and Wagner-Peyser provisions. I'm told that we have well over 700 participants who've dialed in to be with us this afternoon. We are glad you've taken the time to at least share the next hour with us. I'm joined by my colleagues, Charlotte Harris, and Andrew Ridgeway, who are both workforce analysts within the division.

While we most likely won't be able to respond or answer all of our questions this afternoon, we would like for this to be an interactive process. Please feel free to submit your comments and our questions into the chat box. We'll do our best to respond to as many of you as we can by the end of the presentation. There are also several poll questions built into today's presentation and we encourage you to participate.

The agenda, as we you can see, for this afternoon is pretty straightforward. We will begin by focusing our thoughts with a brief background discussion on the intent of WIOA to transform the public workforce system and the vision of the core partners as they embark on full WIOA implementation. We'll also dive into a broad discussion on a variety of topics to include adult dislocated worker provisions, Wagner-Peyser provisions, types of individual services, priority populations, and work-based learning.

The intent of today's presentation is to not to make experts out of our audiences, but – audience, but to help participants gain better understanding of many of the changes in the WIOA provisions. Also, please keep in mind that a lot more technical assistance resources will be made available in the future. Today's topics will be followed within the near future by a training employment and guidance letter that's in the pipeline at the department of labor.

Now, as we get started with our backgrounds on the transformation of workforce systems and the federal partnership WIOA vision. WIOA is about transformation of the workforce system as we currently know it. There is already great work being done around the country in outlined areas to improve service delivery.

However, WIOA seeks to transform the system to move from good to better and from better to best. In order to do so, WIOA calls for a system capable of delivering high quality services to all individuals of diverse populations, income status, and education levels. Services are designed around customer needs, be it job seeks or business, both training and education services should lead to employment attainment or career advancement.

WIOA also advocates for a one-stop delivery system that brings multiple service providers together to break down silos and isolated service delivery, which allows for comprehensive services and the maximum use of resources.

Under WIOA, as you can see, training is a vital component of the workforce system tool. It enhance job seeker skills and knowledge and provides businesses with trained employees. Not one size fits all. So the WIOA provides for enhanced access to flexibility in work-based training options. So as you can see, there registered apprenticeship, on-the-job training, transitional jobs, and also incumbent worker training are all possible tools for enabled individuals to improve access to employment and enhance their skills.

WIOA also calls for continuous improvement across the system. The workforce system must constantly reassess its service delivery processes, analyze return on investment, and validate if services are effective. If not, the system must be willing to change based on proven evidence. So as you can see, evaluations, accountability, identification of best practices, and data-driven decision making will be vital in this transformation of the public workforce system.

Now, our federal partners issued joint guidance back in February 19, 2015 and this guidance lays out the vision for revitalized transformed workforce system as a result of implementation of WIOA as we know it today. And that vision really is built on three platforms, if you will. It's the needs of businesses and workers will drive workforce solutions with the intent that all of our training and design of program, we're really focusing on how individuals are prepared to meet the need of real career and job opportunities.

It calls for a One-Stop Center or American Job Center that provides excellent customer service to job seekers and employers and focus on continues – continuous improvement. And finally, a third pillar of excellence is the workforce system supports strong regional economy and plays an active role in community and workforce development.

We appreciate the magnificent work that's already being done around the country to make this vision a reality. We know that many of you have most likely been engaged in development of your state plans. You're engaging and reaching out to partners. You're also exploring conversation and strategies as how to better incorporate career pathways, effect a strategy into your operational models, and we really appreciate that. So we're hoping that this afternoon's sessions will broaden your understanding of the new provisions and how they'll help you further enhance the development of your service delivery system moving forward.

But before we move into our first round of discussions on adult services and dislocated worker, many of you should have already, if you have not, responded to the first poll question. And that question is how knowledgeable are you with the new changes to the Adult, Dislocated Worker, and Wagner-Peyser provisions under WIOA? And you have a choice of three – four options there. Pretty good, I'm on top of it, I need to know more, and some of you possibly have been on – out in space and you don't know it. I didn't know anything had changed.

So if you would take this time to indicate your answer there to poll question one.

MR. KEATING: All right. Very good. And you should see that poll question up on your screens. Many of you did vote earlier, but if you haven't already voted, just like we said, go ahead and choose one of the ready buttons on your screen now. Make sure you go ahead and vote. And if you could do that, that would be great. All right. I'll turn things back to you, Robert, to comment on what you're seeing so far.

MR. KIGHT: OK. As we look at the polling that's currently being done, approximately 67 percent, almost 68 percent of you say that you need to know more. So you are giving us a big challenge this afternoon. So hopefully we can meet your demand. Thank you. So if you haven't already cast your lot so we give you another second or so to please do so. OK.

Here's poll question number two. In which set of sections below will you find information regarding Adult, Dislocated Worker, and Wagner-Peyser service delivery? It looks like 95 percent of you have it. The answer is C, Section 680 and 652. So we thank you.

We will now turn our attention over to the Adult and Dislocated Worker program provisions. And I turn it over to Charlotte Harris.

CHARLOTTE HARRIS: Good afternoon, everyone. This is Charlotte Harris, also from the Division of Workforce Systems and Adult Services. And I'll be talking this afternoon on Adult and Dislocated Worker program provisions.

I will just say prior to becoming a fed, I worked out in the local areas. I was a one-stop manager for a couple of agencies before I came here. So the provisions that WIOA is changing or WIOA is changing are very exciting to me because these were some things we were hoping to get and that WIA had aimed to get, but WIOA now makes it more clear. So I'm excited about that.

Today, we're going focus primarily on the Adult and Dislocated Program provisions, my section anyway, and we're going to provide a broad overview of some of the changes that WIOA has made to these provisions. And based on your polling already, it looks like some of you or most of you are pretty knowledgeable on some of the changes that have happened, but we're going to test that with another poll.

For this poll, it says when does the priority for public assistance recipients, other low income individuals, or individuals who are basic skills deficient apply for the adult program? A, always; B, never; C, when funds are limited. It's good. It looks like the majority of you selected A, which is correct, and we'll talk about that in a few minutes. In this new provision, there's been a change with that. So we'll talk more about that next.

Let's look at the next poll question. Does a separating service member need to exit the military before receiving dislocated worker services? A, yes; B, no; or C, not sure.

MR. KEATING: All right. Thanks to everyone who is voting. Make sure you –

MS. HARRIS: Marvelous. Marvelous. It looks like 86 percent says no, and that is correct, and we will also be talking about that in a few minutes.

OK. The adult services. Some of the changes with the WIOA provisions for the adult services – and just to be clear, the adult services are provided to job seekers who are 18 years old and older. And under WIA, when the states and local areas had determined that the allocated funds are limited or had reached a predetermined threshold, the priority was required to be given to public assistance recipients or low income individuals and each local area got to determine what that threshold would be in their – those areas and then the priority kicked in.

Under WIOA, there is no threshold. The statue establishes a priority of service. Again, this is regarding employment and training activities for the adult to low income individuals, participants on public assistance. And now, the inclusion or addition of individuals lacking basic work skills, regardless of the funding. So these are the priority of service individuals. That does not mean everybody else cannot get services. This is the priority when establishing and setting up your employment and training activities in your area.

And to clarify just a bit, individuals lacking basic work skills, this could include an individual who's unable to compute or solve problems, read or write, speak English, or any of those barriers that will hinder them from functioning in employment. So it could be some ESLA issues or people with English as a second language challenges. It could be someone with a degree overseas and over here it can't translate. All of those could be considered or classified into this new category and changes for these provisions under the adult program.

OK. Now, we're going to talk about some changes with the Dislocated Worker program. And as many of you know, dislocated workers are those who have lost their jobs through no fault of their own. And the goal is to get them back to work to obtain quality employment in in-demand industries because they may have come out an industry that's been in lower demand, but now we're trying to get them back to work in a sustaining self or wage sustaining job.

Some great changes. I'm also a vet. I retired from the Air Force 100 years ago. And this was exciting for me because as a military retiree, a person that's served, I think this is a great change or expansion in the WIOA program. Vet and military spouses. It expands the definition of dislocated workers to include military spouses who have lost employment as a direct result of relocation to accommodate a permanent change of duty station.

As many of you know, those that are military who chose a military lifestyle, the spouses often have to give up a job to relocate with the active duty member or the military member. This also hinders them from establishing work as a career or tenured person. So they often have to relocate and look for a job every two to three years. So now, also can be classified as a dislocated worker under WIOA, which I think is great.

Some other things with the military spouses. If their incomes have been significantly reduced because of a deployment, a call to active duty, of that member or a permanent change of station, now they have to go – there's one income where there used to be two, all of those things impact military families. WIOA now makes provisions for the spouse to be included in the dislocated worker area. And again, it can be unemployed or underemployed as experience and are experiencing difficulty in obtaining or upgrading employment. Again, military lives are very mobile. So this is a challenge for the military family and I think this provision is significant for WIOA.

And I will add to that with – I'll just add one thing. To the military spouses, for the workforce system, this might be another opportunity for you to connect with your local bases at the beginning of somebody's assignment to a base. Typically, we go to the TAP, or Transition Assistance Program, for those members that are separating and inform them that they can come to the One-Stop and register for services. But it might be another opportunity as we look at innovative ways to get our system known to go to the newcomers orientations where the spouses and the families are there to brief them that this service is available to them when they get to that new location.

OK. Dislocated – some more dislocated worker changes with the military. Those separating service members – you guys answered the poll question earlier that they did not have to be out before they can receive services through the One-Stop or the American Job Center.

Service members exiting the military, including, but not limited to, recipients of unemployment compensation for ex-military generally qualify as dislocated workers. They did before, but WIOA clarifies that or makes it more clear on what's available. Most of the individuals for dislocated workers had to be eligible for unemployment insurance or had exhausted their compensation before receiving these services.

Not in this case, separating service members who are terminal leave can now qualify for dislocated worker services. They just have to bring verification of their pending separation. They don't necessarily have to have their DD form 214, which are their discharge papers because that's sometimes – oftentimes takes a while to get before they're separated. But if they have a verifiable document what – indicated that they're on leave and on terminal leave, they qualify for services under the dislocated worker program.

And additionally, the policy generally indicates or dictates that separating service members meet the dislocated worker requirement that an individual is unlikely return to his or her previous industry or occupation if you are curious as to what classification of dislocated worker they will fall under. OK.

Also with the dislocated worker program, dislocated workers may also be served through the National Dislocated Worker Grants Program. And these are discretionary grant awards that temporarily expand service capacity at the state and local levels through time limited funding assistance in response to a significant dislocation event. And a lot of you hear or participate or work in this area allow a rapid response or industry's closing and that whole system. But this is just another area where dislocated workers can be served. A whole webinar and program is being dedicated to that and will take place later on at a later date.

And one – the last significant thing that I want to talk about related to the dislocated worker program is the transfer of fund changes under WIOA. WIOA now authorizes the local board, with the approval of the governor, to transfer funds between adult and dislocated worker activities. Before this was – (inaudible) – you were able to do this under WIOA, but there were caps that add how much you could transfer between programs. There is no longer a cap, however, the local area has to establish criteria for implementing this change. It has to be documented either in a state plan or some other local policy, a written policy, as to when you would activate the transfer of fund authorization under WIOA.

And it cannot take away services for one program, like the dislocated worker program. You want to serve more of them where it's going to discount the adult services. You have to have a written policy and a plan in place to indicate or dictate when you would activate this transfer of funds.

OK. I'm going to now turn it over to Andy.

ANDREW RIDGEWAY: Thank you, Charlotte. Again, my name is Andy Ridgeway with the Division of WIOA Adult Services and Workforce System. And like Charlotte, I'm excited to talk about some of the other changes. We'll be going through the Wagner-Peyser Program provisions, some of the other priority issues, and some of the changes to work base learning and some of the flexibilities that exist under that today. So I'm going to try to talk about those things with you. And I too come from state and local levels. So I'm excited to share these flexibilities with you as well.

So quickly, WIOA, amends Title III of the Wagner-Peyser Act of 1933 and envisions a – really, a pivotal role for the employment service as part of the One-Stop or American Job Center System, makes it a core program. I'm sure those of you that have been working on state plans already, in submitting that, you're aware of what a core program is under WIOA. But it is the adult program, the dislocated worker program, the youth program, the employment service, the Title II adult education program, and the vocational rehabilitation program. So those are the "core programs." And so Congress really envisioned Wagner-Peyser to have a key role by making it a core program under the law.

You know, the role of Wagner-Peyser and the employment service providing universal access to job seekers, that is being – has been reinforced. That still exists under WIOA. So any job seeker can be helped by the Wagner-Peyser program. And it helps to facilitate the critical link between the job seeker and the employer or business involved.

You know, a couple of the things that WIOA expands upon is the co-location requirement that existed under WIA. The WIOA regs increase that to try and make that vision a reality. And also as I talked about before, some of the state planning issues as well. So we'll go ahead and go on and talk a little bit about some of the emphasis of the Wagner-Peyser provisions.

We want to reiterate that there's an increased emphasis on providing reemployment services to UI claimants. That's kind of a key tenant of the Wagner-Peyser Act. That relationship between UI and the employment service still remains. The key – Wagner-Peyser funds also provide some of the key backbone of the LMI data that we use on the ground so that we can be data driven in identifying jobs and occupations that are in demand or in a local area or within a state. So that can be part of the planning process and for what opportunities, we use training and we refer people to. So it's very important that that data is useful and Wagner-Peyser helps stand that up.

Also, going over some of the national electronic tools and also one of the key changes we wanted to highlight is that professional development can be used with 7B funds under Wagner-Peyser. So what that means is we can continuously improve our staff level at the state for Wagner-Peyser staff. So states can fund improvement, staff development. And that really goes to show the commitment to ensuring a robust employment service at the local level. So just wanted to emphasize those issues as well.

Moving on, we'll go to the – some of the reforms in service delivery under WIOA. This should not be a surprise if you've been engaged with WIOA over the past year, couple of years, but I just wanted to go ahead and get back to this. WIOA authorizes career services for adults and dislocated workers and we use the regulations to highlight Wagner-Peyser can also provide these career services.

We've for so long been calling them core and intensive services that we want to make sure we get people communicating them as career services. And this may just be a change in nomenclature a little bit, but I think the key emphasis that we want to drive home here is we don't want to think of this as a graduate from core to get to intensive, to then maybe get to training. We really want to emphasize that career services should be applied to the individual and the needs of the individual. So we wanted to just emphasize this customer-centric approach to service delivery and really empower people on the local level to provide the services needed and kind of get us out of the way of requiring certain service delivery elements in order for people to get the services they need.

So we will go on and talk about – having said that, we still do classify two types of career services: basic career services and individualized career services. But like I was mentioning before, there is no sequence of servicing requirement for these services. So if you determine on the ground that this individual needs an individual employment plan or needs some in-depth career counseling, there's no barrier to providing that right away.

And I just want to highlight some of the other individualized career services, things like short term pre-vocational services, career planning, ESL is actually by itself a career service, as well as work experiences and internships. So we just wanted to talk about those, including relocation assistance as well and on a – (inaudible) – job search. So these are just kind of things that maybe were allowed before but WIOA really just kind of puts that as tools in your pocket for you to use when serving individuals.

With that, we'll kind of talk a little bit – I want to talk about the priority populations that Charlotte talked about a little bit. And kind of how – Charlotte talked a bit about the statutory priority of the adult program with regards to individuals who are on public assistance, low income, or basic skills deficient. And then I want to talk about how that intersects with veterans priority of service, which is also a priority. And we have multiple priorities, but I want to iterate how we can operationalize this.

Priority of service for veterans is unchanged by WIOA. Veterans continue to receive priority for all DOL funded employment and training programs. And I kind of wanted to talk about how you can operationalize this with the adult programs priority.

So the first priority group would be veterans who meet the statutory priority provisions. So a veteran who is low income, who is basic skills deficient, or is on public assistance would be the top priority. One thing we will note, too, is that earnings, while an individual is in the military, continue to be excluded from income calculations.

So what this means is separating service member or somebody who just got out who maybe had a relatively – maybe a middle class job or paid through the military that is now unemployed and you're using the last six months of earnings to determine if they're low income, that is to be excluded from that. What that means is veterans can continue to get access to this adult program, which we think is really important.

And just to kind of complete the walkthrough of this, after the veterans who meet that criteria, we would then go to the other individuals who may be on public assistance, basic skill deficient, or other low income individuals. At that point, then all veterans would get the priority. And then beyond that, it would be non-covered persons.

One thing I would like to highlight here is that governors and local boards under the regs, under the WIOA regs can also identify other priority populations. So for example, if you want to target long-term unemployed or ex-offenders or something else like that, you can do that both at the state and local level. And really where that would fit in is you can provide that priority but it cannot trump veterans' priority or the statutory priority for the adult program that's discussed a little bit already.

So just wanted to talk about how that intersection goes. And especially when it comes to how you plan and how you provide outreach, that's kind of really how we think this can be operationalized. So with that, I think we'll move on to the work-based learning section, which I know is of great interest. And I think what – before we get into the polls – we do have two poll questions for you. And they might be a little bit of trick questions because one of them changed from the MPRM stage to the rule stage. So anyway, this is an opportunity for us to just do a knowledge check and then we will cover why we do things and – or why we did things the way we did and kind of talk through some of these issues.

So with that, we'll go on and go to the next poll question and that is is layoff aversion – is a layoff aversion strategy required for a local board to provide incumbent worker training? And this is actually kind of what I was expecting. There's a mixed understanding there because this does involve a key change. I'll go ahead and let people vote for a second. And there's no wrong answer until we talk afterwards about it.

MS. HARRIS: No wrong answer until I tell you so.

MR. RIDGEWAY: Yeah. OK. So we've definitely got a quorum there of people.

The correct answer is no, which may be a surprise to people because I know previously under WIA we did require – it's one of the later versions of the waivers that it – incumbent worker training would only be a layoff aversion strategy. That is no longer the case. It is an allowed layoff aversion strategy, but you can also do it without a layoff aversion component, which I'll get into a little bit. But thank you, everyone, for your feedback on that. And with that, we'll go ahead and move to what I expect also will be another interesting response for the next poll question.

And that is are transitional jobs a type of work experience or training? And we'll get into transitional jobs in a little bit. It's a new feature that WIOA added under Section 134D5 as a permissible local activity. So we'll get into that in a little bit. OK.

All right. We get – I'd say we got around a quorum there. And the correct answer is A. In the MPRM, we did call it training. And actually, the law kind of does contradict itself a little bit here. But under the regs, we do call it a work experience because that is part of the definition of a transitional job is that it is a type of a work experience. So with that, I will go ahead and get into talking about that at a high level.

Transitional jobs are a new type of work-based learning authorized in WIOA, as I mentioned before. The regs talk about that as it being a career service. And so it'd be under the 680.100 section. I think it's 180 and 190 or 190 and 195. It's in that area.

But some of the key aspects of it is they're time limited, they're subsidized work experiences, and they can be done in a private, public, or non-profit sectors. One of the things about it is that I want to emphasize is that they must be wage paid. So this is actually a payment to the individual for being in the transitional job. And it's really targeted very specifically for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history. And really, the goal of this is to kind of establish a work history for the individual, demonstrate success in the workplace, and develop skills that lead entering into a – and retention in unsubsidized employment.

And I saw earlier somebody did mention a limited public service employment piece and that is kind of what that is. Some of you have been doing this a while may remember SEDA [ph] and there was public service employment under SEDA. This is similar, but different. And I think we're really excited about this opportunity being brought back under WIOA in limited circumstances.

Some of the other facts I want to talk about transitional jobs are local boards can set aside up to 10 percent of their combined adult dislocated worker funds to provide transitional jobs. And it really needs to be partnered with comprehensive career and supportive services. And so that's kind of a key aspect of that. We also, through the regs, we give a lot of flexibility to local boards so they can develop policies for their youth.

Again, it's a permissible activity. So it is not something that a local board has to do. It's a tool in your toolbox that you can use at your discretion. But there are some of the general requirements, like determining the chronically unemployment or inconsistent work history is something that we can allow the local boards to kind of develop those policies at this point.

But we've been asked in – throughout the regulatory process, "What are the differences between work experiences and transitional jobs?" I think one of the key things that we talked about in the regs is work experiences can be paid or unpaid. They can be to any individual who's eligible for program services. So really, what transitional jobs are is kind of the next level. It's the never level of intensity. We really envision this for some of the hard to serve populations. Some examples could be by no means exhaustive examples, but could be a strategy for ex-offenders who are having trouble after they get out of the work – after they get out of the correctional institutions. They maybe have difficulty in obtaining that first job as they get out. That could be a strategy used for that.

Displaced homemakers who haven't really had what we would call a work history through – or a traditional work history, even though they've been doing work. It may be a way to kind of get them into a traditional work history as well. Another couple populations you could partner with we think would be TANF recipients. And really, there's not really – we don't envision this as being an exhaustive idea, but this is to kind of get the creative juices flowing a little bit on this front.

So with that, that's just a high level review of transitional jobs. As Robert mentioned, we're going to be doing additional guidance. But we'll go – with that, we'll go ahead and go on to the next aspect, which is to talk about another key emphasis of WIOA and that is registered apprenticeship.

I'm sure you've been hearing from us about registered apprenticeship for a while and some of the flexibilities that WIOA includes for that. And if I'm not mistaken, there's going to be a webinar on registered apprenticeship in WIOA next Wednesday. So we want to be sure to highlight that for everyone on this, encourage you to sign up for that.

But the regs do allow for WIOA adult and dislocated worker funds to be used to provide ITAs for registered apprenticeship programs or also to still do on-the-job training. You may also be familiar that registered apprenticeships automatically qualify to be on the eligible training provider list at the state level and then at the local level. So we want to make sure that people are aware of that flexibility and requirement, actually. And what that means is that ITA funds can be used to support some of the classroom based components of a registered apprenticeship program. So we definitely wanted to emphasize that.

I think there's a couple of other places that we can really work to support these registered apprenticeship models. And that is sometimes the idea of pre-apprenticeship programs. Pre-apprenticeship programs could end up applying to be on ETPL within a local – state or local area and that could be a place where some workforce dollars could be used to get people's skill levels up to the point where they could then get into a registered apprenticeship as well. So just another flexibility and option that we can use to support these proven models that work.

So with that, we'll go ahead and go on to on-the-job training. So on-the-job training was a key tenant of WIA and it continues to be under WIOA. A couple of the changes – there is a couple of changes to the reimbursement issues. So states and local areas can provide up to 50 percent of the wage rate of the participate while in the program. And then states and local areas also have the flexibility to raise that to 75 percent when they take into account certain factors, such as participant characteristics, employer size, the quality of the training, advancement opportunities.

You know, another opportunity would be if somebody's in a transitional job and then they – company wants to hire them, but they still maybe don't have all the skills necessary to do the job completely. One opportunity would be to maybe have the transitional job go into an OJT and then they slowly are working their way off of this – going from subsidized employment to unsubsidized employment. So kind of wanted to highlight that a little bit, too.

So states and local areas have some flexibility in how they apply this wage rate, but you need to take into account some of these factors going forward.

And so with that, I think we'll talk about the last of the topics that we will go over right now and that is the issue of incumbent worker training. Talked a little bit about that earlier with the poll question. Incumbent worker training is designed to serve two main purposes. One is to enhance the competitiveness of the employer/employee. And also, we talked a little bit about layoff aversion. Layoff aversion is still an allowable way to do incumbent worker training, but it's not the only allowable way to do incumbent worker training anymore.

And states and locals have some flexibilities in how they do incumbent worker training. But when determining if it should be done through a contract, like it should be, again, you take the characteristics of the program individuals, you look at the training itself. And really, one of the emphasis is if it's part of a broader sector strategy that you are doing in your local area or state, is it kind of doing an upscale back fill as kind of a model we've been talking about.

Some in the past where if an individual is an incumbent worker and you get them training, they can then move up to a next level, creating an opening below them that you could then maybe get a WIOA participant who is in need of a job into that company. So there's really a systematic approach that we think incumbent worker training can fill. And we wanted to talk a little bit about where the money for that comes from.

So states and – or the local areas can use up to 20 percent of their combined adult and dislocated worker funds to provide incumbent worker training. So that's money at the local level that can be used to provide that. Also, states can use their – continue to use the governor's reserve funds to provide incumbent worker training. And then one additional flexibility we've allowed that I want to highlight is states can also use some of their rapid response funds to provide incumbent worker training. And I will note that if they're using those funds, that does need to be layoff aversion with rapid response so that it's consistent with the goals of rapid response.

So we wanted to highlight some of those funding flexibilities. Also want to highlight that there are matching requirements by the employer that are in the law. But in a lot of situations, the wages of the employee can count as in-kind contributions towards that wage requirement. And again, as we're talking earlier, we understand that this is a topic that we'll have a lot of questions. And we may be able to answer some of them going – today. But really, we are developing guidance. And I know one of the big questions that we've gotten is how incumbent worker training and performance intersect.

You may be familiar with we did through the regs exclude incumbent worker training from the negotiated performance levels. However, there is a requirement to still collect the outcome data. And I know that's going to lead to many, many questions. And we'll be discussing that in guidance how you actually operationalize that concept.

But with that, I think I will go ahead and hand it back to Robert to kind of facilitate our next phase of this webinar presentation today.

MR. KIGHT: OK. Thanks to both Charlotte and Andy for those in-depth presentations on the provisions. We'll now entertain a few rounds of questions over the next few minutes. I think we had quite a few come in, but not certain that we'll get around to all of them.

So we're going to start with the first question. OK. And this question says this is all great information. Do the local WIOA offices all know of these rules? Do the transforming –

MS. HARRIS: Transitioning.

MR. KIGHT: Do the transitioning services members and spouses know they have these benefits? Is there a specific website that we can make them aware of? And I'm going to ask Charlotte if she'll entertain that question.

MS. HARRIS: OK. This one is related to the services available to I guess career service to the adult population and the dislocated spouses transitioning. Do the local WIOA offices all know these rules? Well, the local offices should have copies of the rules and we're in the process of making sure we provide additional technical assistance as we develop guidance to get back out to the fields. But this information is available. The final rules, if you don't have a copy, are available on the DOL website. And they're also attached to – there's a link on the resources page of this slide.

The second question. Do the transitioning service members and spouses know they have these benefits? Well, I'm hoping they do and that's why we're providing some of the training to let you guys know out in the field to brief them on these and more than just the veterans staff, but the frontline staff who are working with individuals that come into the One-Stop.

And as I had mentioned earlier, this is an opportunity for the local areas to develop and shake policy that will include connecting with your local military bases to get out to see who you need to connect with to get to newcomers orientation and those kinds of things. And fact sheets are coming out to provide more information on this.

OK. Go ahead. Were you going to say anything?

And as far as a specific website that we can make them aware of, right now, again, more information is coming out on that. Right now, we're using our ION network with all things workforce, which is also a link on the resources page here, too. So we're trying to get this information out to the field to the job seekers. And of course, we need your assistance in making that happen as well.

MR. RIDGEWAY: And this is a good chance for us to plug the – we do have a veterans-centric workforce GPS page as well where this information can be shared as well. I believe it's veterans.workforcegps.org. So we would like to plug that side of the house as well.

We got a question on the transitional jobs. And the question is does the employer pay the wage? And then is it reimbursed or does the local area pay the way of the transitional job training directly? This is a – that's a very good question. And we actually are leaving it flexible for you to work it out in your local area. The local board can be the employer of record and be responsible for making the payments.

However, we don't want to restrict. If the employer themselves wants to take on that level of responsibility, we aren't restricting that. However, it is allowed that the program provider – the WIOA program provider can be the employer of record for a transitional job, which is unlike on-the-job training where they do need to be – the employer is the employer of record. So that's a good question and thank you for that.

There was a question about can the local board include seasonal agriculture workers as priority populations for WIOA funds? Again, that's at the discretion of the state and local board. The local board can do that. So that's just really at the local board level as to how they identify that.

MR. KIGHT: OK. You have a busy audience this afternoon. OK. The next question. Can or will career services include skilled training?

MR. RIDGEWAY: So yes. So in some situations, as you may have seen in the law, we are considering transitional jobs a career service considering – (inaudible) – as a career service. ESL, English second language, is listed as a career service under WIOA as well. So if that's what you mean by skill training, then conceivably, yes, although I don't want to dive into specifically what question that was. But there are instances that I could see somebody calling it a skill training being allowed.

MR. KIGHT: Andy, someone sent you a personal question.

MR. RIDGEWAY: Oh. Yeah. OK. So 20 – OK. So somebody asked me can transitional jobs for the local – transitional jobs at the local area use adult and dislocated worker funds to pay the participant directly for their wages. I think to piggyback on what I said before, yeah. So the program provider can be the one who pays the participant directly in this situation. So yes. And I want to highlight that there's foreign labor standards – not foreign labor. Fair labor standards can apply here. So want to make sure there's the minimum wage at least being covered, if not more than the minimum wage and things like that. But yes. You can pay the participant directly for that.

And the 9130s do have a place for you to track the expenditures of transitional jobs. So that was a TIEGL that was released. I can't think of the number off the top of my head, but it was early in July that that was released. And so you'll see on there, there is a filter reporting transitional jobs expenditures.

And I will highlight that there are data elements on the participant individual record layout for reporting purposes. And so I just want to highlight the importance of if you do transitional jobs of making sure they're reported correctly because we anticipate there will be a lot of interest in what's being – how much is being done and who it's being done for, and the results of those who it's done for. So want to definitely highlight that going forward.

MR. KIGHT: OK. Our next question is what items would be used to document change of station?

MS. HARRIS: I believe this one is referring to military members that are changing stations. When military members change stations or location, they receive orders. So there is some paperwork there. They can get an official copy of the orders and those usually come in enough time before the member leaves to the next station. So you can use that. You can just ask for a copy of their order. And typically, yeah. They would have access or those would be available.

MR. KIGHT: OK. Next question concerning National Guard. Does this apply to National Guard?

MS. HARRIS: Right now, the National Guard, what these provisions provide – I mean, pertain to the active duty member and those that are transitioning out. However, the National Guard can still use the One-Stop services because they still provide universal access to anybody that's interested in using the American Job Center. So they can still come by, either looking at employed or underemployed or somebody just looking for assistance in improving their working condition.

MR. RIDGEWAY: And we see that question about policies regarding veterans priority of service and the adult priority and whether it can be combined. I will note that you could – for your adult priority policy, kind of what we went over can be part of that. However, veterans priority of service apply not just to the adult program. It applies to the employment service. It applies to the dislocated worker program as well as some of the other – like the National Dislocated Worker Grant Program and so on. So you still do need to have a veterans priority of service policy, but we do encourage you to keep in mind how these policies interact with each other.

MR. KIGHT: OK. I think we've done our best to answer many of your questions this afternoon and we want to be mindful not to keep you over time. But we would like to draw your attention to our resource page. If you enjoyed some of those presentations, the voices of experience at the beginning of today's presentation, we encourage you to look at those ones – the state one-stop partnerships. And you see the address there and you can pull up those voices of experiences.

For much of our – the information and resources that have been developed to support WIOA implementation, we strongly encourage you to go to our ION page, which is ion.workforcegps.org. Again, that's ion.workforcegps.org. We also encourage you, if you're feeling those, read the final rules for labor. You see the address there. If you want to read the joint labor-education, find WIOA final rules, you also see the address there.

Before we leave you this afternoon, Charlotte, Andy, do you have any paring –

MS. HARRIS: Yep. One last thing I will say about the questions, for the questions that we did not get to, we'll make sure we try to get back and address those either in upcoming guidance that's coming out and looking through some of those deeper because some of those required a deeper dive. So we'll look at making sure we address some of those things in our guidance that's coming forth.

MR. RIDGEWAY: And I saw a couple of the questions about will we do an OJT only one, will we do priority incumbent worker only one. So if we go to – basically, as Robert mentioned before, we are working on updating operating guidance for these programs and we kind of envision this to just be the foundation stone to start your understanding of this.

But we do have plans to take deeper dives going forward into these policies, specifically after operating guidance goes out the door so that we can really build out our knowledge base and understanding of WIOA and some of the flexibilities and the requirements of each of these different aspects of this because these are three really big programs and very important programs for serving adults throughout the system. So we wanted to just emphasize that.

We are working on that. And just we encourage you throughout this – while you're still on this webinar to keep typing things in the chat box if you want. There's things that you need guidance on. It's good feedback for us to use because we can still be, like, oh. We didn't realize that the field really wants to know about this topic. So it really is good for us to – we will use what you provide to help inform our plans for developing guidance. So we want to definitely feel like your input is valued because it is. So that's all I've got.

MR. KIGHT: OK. Again, I thank all of you for tuning in with us this afternoon. And again, we strongly encourage you to tune in next Wednesday for the webinar on apprenticeship and WIOA. So thank you very much.

(END)