

ETA Coronavirus (COVID-19) FAQs

The Employment and Training Administration (ETA) has developed a Frequently Answered Questions (FAQs) to address questions related to Coronavirus (COVID-19) to help state and local workforce leaders, and other stakeholders and partners to assist the public workforce system during this crisis.

Workforce Innovation Opportunity Act (WIOA) Performance

Updated as of 5/15/20

(New as of 5/15/20) Q. Will ETA consider waiving credential attainment performance requirements in response to the challenges facing grantees and training providers related to COVID-19?

Response: Credential attainment is a primary indicator of performance required by WIOA performance accountability provisions, a basic purpose of the statute, and cannot be waived. The U.S. Departments of Labor and Education will closely monitor the impact of COVID-19 on grantee performance for all primary indicators of performance, including but not limited to credential attainment, measurable skill gains, second and fourth quarter employment (and education and training for the Youth program), and second quarter earnings. Additionally, the Departments will take all necessary and available action to ensure objectively fair performance assessments.

Q. What steps will ETA take to account for a decrease in performance across programs/states as programs are closed for a significant period of time during the pandemic? Will States be penalized for performance issues?

Response: The Departments of Education and Labor understand the challenges States may face meeting Program Year (PY) 2019 negotiated levels of performance given the circumstances surrounding COVID-19. As a reminder, as noted in ETA's Training and Employment Guidance Letter 11-19, Negotiations and Sanctions Guidance for the Workforce Innovation and Opportunity Act (WIOA) Core Programs the first year for which performance success or failure can be determined, for some of the primary indicators of performance, is PY 2020. No determinations of sanctions will be made based on the PY 2019 performance information. Furthermore, the Departments use a statistical adjustment model to calculate adjusted levels of performance at the end of the program year, which takes into account actual characteristics of participants served and the actual economic conditions experienced. The Departments

will continue to closely monitor the effect of the COVID-19 outbreak and its impact on services and performance outcomes.

Q. Will ETA consider delaying negotiations, as state offices may be closed for an unspecified period of time?

Response: At this time, the Department of Labor anticipates that the negotiations process will proceed, and we will conduct negotiations with states. The Department of Labor anticipates that the negotiations between the ETA Regional Administrators and the states will begin in May 2020. The Department of Education has begun negotiations with States, and anticipates the process will continue throughout the Spring of 2020. The Departments anticipate negotiated levels of performance will be included in the approved State Plans. The Departments are aware that some State offices are closed and some States have implemented remote work. The Departments are also aware that State agency leadership and management staff may be involved with COVID-19 response efforts. As a result, the Departments will be as flexible as possible in conducting negotiations, including scheduling meetings at times that meet States' needs.

Q. Does the WIOA statistical adjustment model address unusual situations such as what we are experiencing now with COVID-19?

Response: The statistical model is intended to adjust for changes in economic conditions and participant characteristics; however, it is too soon to estimate the extent to which the models can address the effects of COVID-19 through these parameters. The Departments will closely monitor the impact of COVID-19 on grantee performance and service delivery and take all necessary and available action to ensure objectively fair performance assessments.