

REGION 12 RWIB/CEO MEETING

Location: Western Iowa Tech Community College

Date: 9/24/15

PRESENT - RWIB MEMBERS				ABSENT - RWIB MEMBERS			
Neal Adler	X	Rick Moon	X	Neal Adler		Rick Moon	
Cathie Bishop	X	Dan Moore		Cathie Bishop		Dan Moore	X
John Hamm		James O'Donnell	X	John Hamm	X	James O'Donnell	
Janet Hansen		Judy Peterson	X	Janet Hansen	X	Judy Peterson	
Bridget Hoefling	X	Dr. Robert Rasmus		Bridget Hoefling		Dr. Robert Rasmus	X
Geri Johnson	X	Marcia Rosacker	X	Geri Johnson		Marcia Rosacker	
Teresa Miller	X	Jeff Simonsen	X	Teresa Miller		Jeff Simonsen	
PRESENT - CEO MEMBERS							
Craig Anderson	X	Mark Monson	X	Craig Anderson		Mark Monson	
Tom Brouillette		Robert Paulsrud		Tom Brouillette	X	Robert Paulsrud	X
Pete Groetken	X	Jeff Simonsen	X	Pete Groetken		Jeff Simonsen	
PRESENT - MOU PARTNERS				PRESENT - Youth Advisory Council Members			
Shawn Fick-Job Training Partners			X				GUESTS:
Janet Gill-Job Training Partners			X	Pam Woolridge-WITCC			X
Lori Knight-Job Training Partners			X	Mary Ott-IVRS			X
Sara DeAnda-Iowa Workforce Development			X	Dar Raye Hunwardsen-WITCC			X
Todd Spencer-Iowa Workforce Development				Tito Parker-JTP			X
Maggie Wilcox-Iowa Workforce Development			X	Steve Ovel-IWD			X
Agenda Items							
1. Call to Order & Roll Call – RWIB @ 4:00pm / CEO @ 4:01 pm							
2. RWIB/CEO Approval of Agenda							
3. RWIB & CEO Approval of 5/21/15 Joint RWIB/CEO Minutes; CEO Approval of 7/20/15 CEO Teleconference Minutes; RWIB Approval of 9/1/15 CEO Teleconference Minutes							
4. New Business: CEO Review & Consideration of Ex-Officio Members New Business: RWIB DEI Letter of Support Round 6 Funding Request; Approval of DEI Fiscal Designation Letter New Business: RWIB/CEO Training for RWIB members & Chief Elected Officials on October 29, 2015 in Johnston, Iowa; Approval of WIOA Transition Funds for Regional Partners & Managers Training on October 29, 2015; Approval of Additional RWIB/CEO 2015-2016 Meeting Dates (Feb 18 & April 21); Approval of Administrative Budgets; Approval of PY 2016 WIOA Youth Budget - 12 Month & Adult/DW Budget - 3 Month; PY15 WIA Annual Report; Jobs Driven National Emergency Grant (JD-NEG)							
5. Old Business: Tyson Update – Quarterly Report							
6. IowaWORKS Region 12 Managers' Report: Sara DeAnda & Shawn Fick							
7. RWIB Chair Report: Bridget Hoefling; Fiscal Monitoring Report							
8. Policy/Field Memo Updates: Summary; Memo# 15-03 Change 1- August 13, 2015: Youth, Adult and Dislocated Worker Carryover Policy; Memo# 15-05: 2015 Poverty Guidelines and 2015 Lower Living Standard Income Level (LLSIL); Memo# 15-06: Instructions – Regional Annual Report for WIA – PY 14; Memo# 15-07: WIOA Title I Adult Priority of Service; Memo# 15-08: Key Workforce Innovation and Opportunity Act(WIOA) Transition & Implementation Steps; Memo# 15-09: Local Service Plan Modification as a Result of the Federal Consolidated Review; TEGL# 41-14: Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) Title I Training Provider Eligibility transition; TEGL# 4-15: Vision for the One-Stop Delivery System under the Workforce Innovation and Opportunity Act (WIOA)							
9. WIOA Updates: RFP (Request for Proposal) Information; Customer Service Plan Rewrite; QSAPS							
10. Report from Individual RWIB/CEO Members							
11. Report from State Representative: Maggie Wilcox – DEI Fiscal Designation Letter							

12. Report from State Workforce Investment Board: Steve Ovel**13. Adjournment****Motions Taken - Decisions Reached**

APPROVALS	1ST	2ND	Unanimously Approved
2. Agenda-RWIB	Judy Peterson	Cathie Bishop	X
2. Agenda-CEO	Craig Anderson	Mark Monson	X
3. May 21, 2015 Joint RWIB/CEO Minutes-RWIB	Marcia Rosacker	Jeff Simonsen	X
3. May 21, 2015 Joint RWIB/CEO Minutes-CEO	Pete Groetken	Craig Anderson	X
3. July 20, 2015 CEO Teleconference Minutes-CEO	Mark Monson	Craig Anderson	X
3. September 1, 2015 RWIB Teleconference Minutes-RWIB	Neal Adler	Judy Peterson	X
4a. Ex-Officio Members (Pam Woolridge, Mary Ott, Sara DeAnda) – CEO	Mark Monson	Pete Groetken	X
4b. DEI Fiscal Designation Letter – RWIB	Jeff Simonsen	Marcia Rosacker	X
4c. WIOA Transition Funds for Regional Partners & Managers Training on October 29, 2015 – RWIB	Neal Adler	Cathie Bishop	X
4d. Additional RWIB/CEO 2015-2016 Meeting Dates (Feb 18 & April 21) – RWIB	Rick Moon	Neal Adler	X
4d. Additional RWIB/CEO 2015-2016 Meeting Dates (Feb 18 & April 21) – CEO	Pete Groetken	Craig Anderson	X
4e. Administrative Budgets – RWIB	Marcia Rosacker	Judy Peterson	X
4e. Administrative Budgets – CEO	Craig Anderson	Mark Monson	X
4f. PY 2016 WIOA Youth Budget-12 Month & Adult/DW Budget-3 Month – RWIB	Jeff Simonsen	Neal Adler	X
4f. PY 2016 WIOA Youth Budget-12 Month & Adult/DW Budget-3 Month – CEO	Pete Groetken	Craig Anderson	X
11. Adjournment-RWIB @ P.M. 5:29	James O'Donnell	Marcia Rosacker	X
11. Adjournment-CEO @ P.M. 5:29	Jeff Simonsen Adjourned the CEOs		

Meeting Notes

Reports/discussion:

CEOs discussed Ex-Officio members. Ex-Officio members do not have any voting rights and do not have to maintain gender or political balance.

Steve Ovel is serving in an interim capacity providing leadership for WIOA.

Discussed the Regional Partners and Managers Training on October 29. RWIB members possibly interested in attending the training are Bridget Hoefling, Jeff Simonsen, and Jim O'Donnell. There is approximately \$6500 available in Transition Funds.

Additional meeting dates were discussed because of the rewriting of the Local Customer Service Plan.

Attachment H was discussed. IWD fiscal is asking each regional RWIB and CEO board to have a budget of their own from the WIOA funds. The budget should support the costs related to board meetings. The RWIB and CEO Executive Boards suggested the amount of \$2500 be set aside for the use of the boards. RWIB and CEO chairs will sign off for the expenditures.

Shawn Fick reviewed the annual report. The four key partners in WIOA include WIOA-Title I, Wagner-Peyser, Adult Basic Education, and Vocational Rehabilitation.
Dar Raye Hundwardsen discussed the Jobs Driven National Emergency Grant. Goal is to get 40 participants in registered apprenticeships. Employers will have incentives.
Tito Parker was introduced as the new WIOA Career Specialist working with the former Tyson employees. Under the Tyson SEG approximately 75 people have been served.
There are three career fairs coming up this fall: September 30 th at the IowaWORKS office in Sioux City; October 30 th at WITCC in Cherokee; and November 19 at WITCC in Sioux City.
Sara DeAnda talked about Governor Branstad coming to Sioux City next month for the City of Sioux City Skilled Iowa designation. On Wednesday mornings staff go to DISMAS Charities and lead the Take This Job and Love It job club support group.
Janet Gill gave a summary of the policy and field updates
Steve Ovel gave a State Workforce Investment Board update. Steve discussed the new WIOA legislation, State Plan, RFPs, Sector Partnerships and cooperation between agencies at the state level.
Janet Hansen retired from Cherokee Mental Health today.
Meeting Adjourned.

RESPECTIVELY SUBMITTED



Rick Moon

Date: 9/24/15

“The Mission of our group is to fully engage the Region 12 community in strengthening the economy through workforce development making it a better place to live, work, and grow.”

ATTACHMENT "B"

CUSTOMER SERVICE PLAN MODIFICATION TRANSMITTAL FORM

To Be Completed by Region: Region Number: 12 Date Submitted: 11/4/15 Effective Date: 11/12/15	For State Use Only: Date Received: Date Approved: Effective Date:
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Provide a brief description of the CSP changes below:

Region 12 utilizes a detailed paper application in conjunction with IowaWORKS MIS data system requirements to gather information necessary to determine eligibility to participate in the Workforce Innovation and Opportunity Act (WIOA) Adult/Dislocated Worker and Youth Programs. Although a specific application will no longer be mandated, any applications used for eligibility determination purposes are required, at a minimum, to have signature and date lines for the applicant, parent/guardian (if applicable), and the enrolling WIOA Specialist. Use of the specified application (pages 118 to 123) included in the current customer service plan (RCSP) will not be used after November 12th, 2015.

Regional Customer Service Plan Certification

I certify that the attached has been reviewed and approved by the Regional Workforce Investment Board and the Chief Elected Officials Board, and that I am authorized to sign on behalf of the group I represent.

RWIB Chair Signature / Date

CEO Chair Signature / Date

IOWA**ALIGNING THE EDUCATION AND TRAINING PIPELINE TO THE NEEDS OF THE ECONOMY****CHANGING WORKFORCE NEEDS**

A postsecondary degree or relevant job certification is the "new minimum" to meet the demands of an increasingly knowledge-based workforce, excel in rewarding careers and grow family incomes. Fifty years ago, nearly 80 percent of jobs required only a high school diploma or less, and most paid a good wage. Today, that number has dropped to 35 percent for jobs available to high school graduates and dropouts, and more than two-thirds of those jobs pay less than \$25,000 a year. The emerging economy is likely to provide even fewer jobs that pay well for workers who merely have a high school education or less. In short, Iowans need to complete education or training beyond high school to have rewarding careers. (Source: NGA Policy Academy RFP)

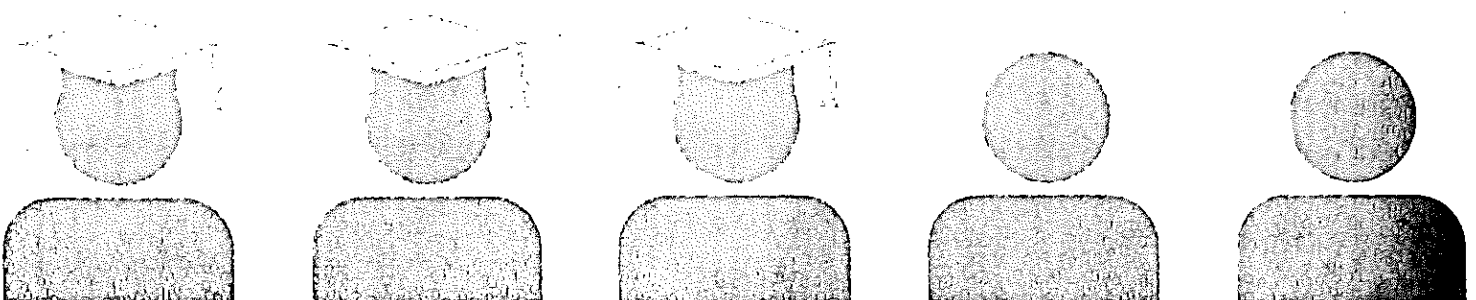
OVERVIEW OF IOWA'S WORKFORCE

Careers today in Iowa require advanced knowledge and/or technical skills. By 2018, three out of five jobs in Iowa will require education beyond high school. It will be increasingly difficult for workers without strong preparation to find good-paying jobs to support their families and communities. Earning a recognized credential/certification or a two- or four-year degree will be essential.

While Iowa's overall economic growth has been strong, the state should improve growth of high-skilled jobs — Iowa is below the U.S. average of such jobs, with 23 percent of Iowa's workforce employed in high-skilled jobs compared to 26 percent for the nation in 2013. Increasing the focus on the high-skilled careers can also help raise Iowans' average earnings — Iowa's average earnings for private-sector workers was \$40,489 in 2013, a full 23 percent below the national average of \$49,700. (Source: Iowa Battelle Report 2014)

Even as middle- and high-skilled jobs grow in Iowa, the availability of a skilled workforce is a major constraint on Iowa businesses and overall economic development. Strategic improvements to Iowa's education system, development of career awareness and training, and additional marketing of employer needs and viable career pathways will create a robust and predictable talent pipeline ensuring the state's businesses can compete at the highest levels. (Source: Iowa Battelle Report 2014)

BY 2018, 3 OF EVERY 5 JOBS IN IOWA WILL REQUIRE EDUCATION/TRAINING BEYOND HIGH SCHOOL

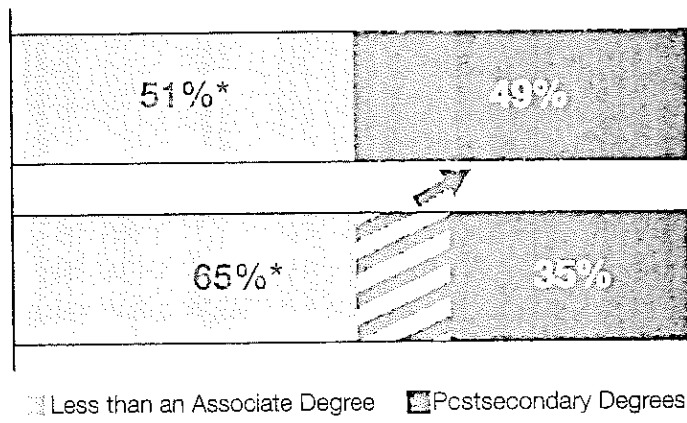


DEFINING THE MISMATCH IN IOWA'S TALENT PIPELINE**

Current educational attainment and projected industry requirements by education level

Tomorrow's Demand
Projected industry educational requirements for all new and replacement jobs in 2030.

Today's Supply
Educational attainment of individuals over 25 in 2010.



* Includes an unknown number of workforce certificates with labor market value that are part of the new minimum.

** The state's current educational attainment is based on the U.S. Census Bureau's American Community Survey, 2010. Projected demand estimates are based on Moody's Analytics' forecasts of output by industry and related employment in 2030 multiplied by the state's 2010 post-secondary attainment rate for each industry and summed to produce the projected educational attainment level needed for the state's economy.

IOWA EDUCATION STATISTICS AT A GLANCE

OVER 2 MILLION PEOPLE
66%
 OF THE POPULATION
 ARE AGE 25 OR OLDER

MOST OF THE 25 AND OVER SEGMENT
90.7%
 HAS A HIGH SCHOOL EDUCATION OR HIGHER

Only **26.3%**
 of people 25 or over
 have an associate's degree
 (26th out of 50 states)

Only **25.3%**
 of Iowans
 have a bachelor's degree
 (36th out of 50 states)

Source: Condition of Higher Education Report 2014

IOWA'S CHALLENGES/OPPORTUNITIES

- A growing skills gap (particularly middle skills) and the need for a more credentialed workforce.
- Demographic changes require appropriate policy solutions (rural to urban migration trends; racial and ethnic diversification; and outflows of college graduates).
- Reduced pathways to upward mobility for hard-working, low-skill Iowans. Jobs require greater education and skill levels. Juxtaposition of Iowans without skills and in low-wage jobs with employers with vacancies that cannot be filled or that take too much time to fill hampers economic growth and innovation. Multiple career pathway sub-systems, driven by various federal and state programs, serving different sets of learner segments, having unique data collection and reporting requirements creates a fragmented system.
- Better coordination across programs/initiatives is needed to maximize opportunities and drive synergy across agencies and key stakeholders. Many innovative initiatives are underway that are still maturing, but need better alignment.
- Opportunity to better target finite resources to support education and training programs aligned with economic priority areas (high-wage, high-demand and economic development priority occupations) to ensure efficient and effective program delivery.
- Need to identify and communicate economic priority occupations and an overarching vision to key stakeholders, policymakers for more efficient and effective program delivery, and to parents and children to align supply with demand.

Source: National Governors Association



IOWA'S SOLUTION

Iowa received a National Governors Association (NGA) policy academy grant in 2014 to develop strategies to improve the educational attainment of its citizens and the nimble alignment of those degrees and credentials with employer demand. The focus of the academy is to help the selected states make progress in the four following integrated components:

- Articulate and implement a strong vision connecting the education and training systems with the needs of the economy so more Iowans achieve the “new minimum” of education and training beyond high school (i.e., postsecondary degree or job credential);
- Integrate and use education and workforce data to inform policy, track progress and measure success;
- Build industry and education partnerships to get results; and
- Modify the use of resources and incentives to support the attainment of the integrated vision.

The first step is to articulate the vision and define the goal and objectives to achieve this vision. To meet the challenges described above, the Iowa NGA Steering Committee has adopted the following:

VISION

A Future Ready Iowa that prepares individuals for dynamic careers and lifelong learning, meets employer needs, grows family incomes and strengthens communities. Future Ready Iowa helps more Iowans attain the “new minimum” of high-quality education and training beyond high school by aligning education, workforce, and economic development resources.

GOAL

By 2025, 70 percent of all Iowans in the workforce will have earned education or training beyond high school (the new minimum) that meets employer needs.

OBJECTIVES

To support this vision and goal, state leaders working with other stakeholders will:

OBJECTIVE 1

Identify and meet employer needs by focusing on sector strategies, career pathways and better aligning state and federal programs and initiatives, including public-private partnerships, to support high-skill, high-demand jobs.

OBJECTIVE 2

Communicate career pathways – especially high-demand career pathways -- to students, parents, teachers, counselors, workers and community leaders through career planning, including an interactive portal of career opportunities and required credentials and experience.

OBJECTIVE 3

Improve college and career readiness, including increasing interest and achievement in science, technology, engineering and math (STEM) study and careers.

OBJECTIVE 4

Minimize education-related debt.

FOR MORE INFORMATION, PLEASE CONTACT:

Doug Hoelscher, Director, State-Federal Relations, Office of the Governor
202.624.5479
doug.hoelscher@iowa.gov

Gail Kotval, Innovation Team Leader, Iowa Economic Development Authority
515.725.3192
gail.kotval@iowa.gov

STRATEGIES AND OBJECTIVES IMPACTED

- 1 Identify and quantify employers' education, training, and employment needs and capture those needs in a Talent Supply and Demand interactive portal to be driven by a public-private collaborative, leveraging and institutionalizing the sector strategies and career pathways methodologies. **3**
- 2 Improve degree and credential completion and target resources to support attainment of high-demand credentials, degrees, and certifications valued by employers, including for those individuals with barriers to employment. **4**
- 3 Cultivate, develop and align work-based learning opportunities including, but not limited to, school-business partnerships (especially STEM partnerships), student internships, teacher externships and apprenticeships for individuals through public-private partnerships. **4**
- 4 Create a system of coordinated resources to engage, assist and reinforce Future Ready career guidance for parents, students, educators and adults. **4**
- 5 Ensure secondary students have access to high quality career and technical educational programs aligned with labor market needs. **4**
- 6 Ensure all Iowa students are academically proficient in rigorous content that prepares them to succeed in postsecondary education. **4**
- 7 Increase the availability and completion of rigorous concurrent enrollment opportunities, especially in high demand career pathways, including STEM disciplines. **4**
- 8 Build a statewide college and career ready culture by systemically supporting the college-planning process within K-12 schools and workforce services. **4**
- 9 Reduce student borrowing through promising practices such as targeted financial aid counseling, on- and off-campus employment, sector-driven repayment or loan reduction and financial literacy programs. **4**
- 10 Nurture entrepreneurial connectivity and skills development. **2 3**



IOWA

Careers in Iowa today — and in the future — require advanced knowledge and technical skills, beyond a high school diploma. As Iowa companies continue to grow, demand for highly skilled workers will only increase. To meet this demand, the “Future Ready Iowa” initiative is being launched to focus on ways to continue building Iowa’s talent pipeline to ensure our state has a workforce ready to fill the high-quality, well-paying jobs and careers of today and tomorrow.

Thanks to a grant from the National Governors Association, the Future Ready Iowa initiative will advance a shared vision, develop strategies to align resources, improve the educational attainment of Iowans, and ensure that those degrees and credentials/certifications match the needs of employers.

Future Ready Iowa will focus on four main objectives:

1. Identify and meet employer needs for highly skilled employees through sector strategies and career pathways.
2. Communicate high-demand career information to students, parents, teachers, counselors and other influencers.
3. Improve career-readiness for students by increasing interest and achievement in STEM subjects.
4. Minimize education-related debt.

BY 2018, 3 OF EVERY 5 JOBS IN IOWA WILL REQUIRE EDUCATION/TRAINING BEYOND HIGH SCHOOL



Workforce Education and Training with The Demands of a Growing Economy

IOWA EDUCATION STATISTICS AT A GLANCE

Just over 2 million people
25 = **56%**
 or older of population

Most of this segment
90.7%
 has a high school
 education or higher

Only **15%**
 of people
 25 or over

have a **BA/Bachelor's degree**
 (36th out of 50 states)

have an **associate's degree**
 (26th out of 50 states)

Only **10%**
 of Iowans

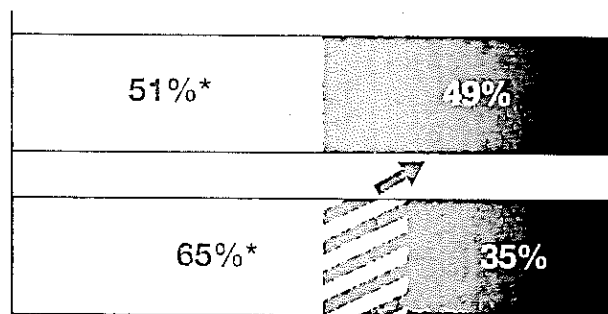
Source: Condition of Higher Education Report 2014

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 Educational attainment of
 individuals over 25 in 2010.



Less than an Associate Degree ■ Postsecondary Degrees

* Includes an unknown number of workforce certificates with labor market value that are part of the new minimum.

** The state's current educational attainment is based on the U.S. Census Bureau's American Community Survey, 2010. Projected demand estimates are based on Moody's Analytics forecasts of output by industry and related employment in 2030 multiplied by the state's 2010 post-secondary attainment rate for each industry and summed to produce the projected educational attainment level needed for the state's economy.

ATTACHMENT 'D'

Date: November 4, 2015

To: RWIB Board

Re: Summary of State Field Memos & Federal DOL Guidance Documents

Field Memo 15-10 – WIOA Youth Experiential Learning Activities

WIOA places an increased emphasis on “work experience” with research showing that work experience correlates to increased graduation rates and success in the labor market. Regions must spend a minimum of 20% of Youth funds to provide paid and unpaid work opportunities for participants in activities such as Job Shadowing, Work Experience, Internships, On-the-Job Training, and Pre-Apprenticeships.

Field Memo 15-11 – WIOA Youth and young adults living in High Poverty areas

A new provision allows for youth and young adults living in high-poverty area to automatically meet the low-income criterion for WIOA Youth program eligibility. High poverty areas are defined and determined based on census tracts and includes tribal land and areas with a poverty rate of at least 30 percent. Portions of Woodbury County fall into this category.

Training and Employment Notice 13-15 – Update on the Workforce Investment Act Adult and Dislocated Worker Programs Gold Standard Evaluation and Announcement of the Availability of a New Research Report: Providing Services to Veterans through the Public Workforce System: Findings from the WIA Gold Standard Evaluation, Volume I and II

Update on the reports and evaluations relating to individuals who have utilized limited services vs. intensive and training services funded by WIA. The reports are intended to inform the public and interested parties about the effectiveness of the system. It provides transparency and an understanding of what is working and where changes may be needed to conform to WIOA. A separate report studied the effectiveness of workforce services for veterans.

Employment and Training Administration Advisory System 2-16 – State Responsibilities for Ensuring Access to Unemployment Insurance Benefits

Guidance provided to ensure processes are in place to ensure all claimants have access to apply for unemployment benefits and barriers are reduced. This memo addresses barriers such as those that relate to individuals with disabilities, literacy limitations, and those that experience challenges with technology.

October 7, 2015

WORKFORCE DEVELOPMENT FIELD INFORMATION MEMO NO: 15-10

TOPIC: WIOA Youth Experiential Learning Activities

1. **Purpose:** This guidance provides clarification regarding Experiential Learning activities as it relates to WIOA Youth programming and work opportunities.
2. **Background:** WIOA legislation places an increased emphasis on "work experience" opportunities to address youth unemployment challenges by connecting youth employment opportunities to academic and occupational education and to a career pathway. With this, regions must expend not less than 20% of youth allocated funds to provide in-school and out-of-school youth participants paid and unpaid work opportunities. Support services are not included towards the 20% expenditure rate.
3. **Substance:** Work experience opportunities are considered Experiential Learning activities and are designed to enable youth to gain exposure to the working world and its requirements. Such activities are the most important program elements within the WIOA Youth Program. These include: Job Shadowing (SHW), Work Experience (WEP), Internships (INT), On-the-Job Training (OJT) and Pre-Apprenticeship (PRE).

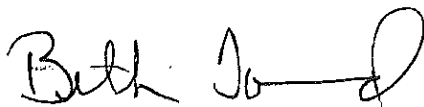
These opportunities assist youth to acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. Experiential Learning activities can serve as a stepping stone to unsubsidized employment and is an important step in the process of developing a career pathway for youth. Research shows work experience is correlated with increased high school graduation rates and success in the labor market. This is particularly important for youth with disabilities.

Experiential Learning activities may be viewed as using a stair step approach. Youth may be encouraged to follow a sequence of activities, as evidenced below, in order to explore career pathways and build upon successes; however following a sequence of Experiential Learning activities is not required. Each Experiential Learning activity requires the use of partnerships to develop a quality opportunity for both the youth participant and the business partner. For example, career planners may find it beneficial to work with the One-Stop business services team to identify an interested business partner to host a youth.

- I. **Job Shadow (SHW):** Job Shadows give participants an introduction into occupations and career fields. Participants have the opportunity in this activity to begin exploring different types of jobs which may assist them in further decisions regarding their future career choice. Of all the Experiential Learning activities, job shadows require the least amount of investment from the business as they are typically short-term.
- II. **Work Experience (WEP):** Work Experiences are utilized for participants who have no work experience or have lacked work opportunities. This activity helps

youth begin to form basic work habits such as showing up on time, and assists them in forming a work history. Although Work Experiences are temporary work assignments, it does require significant investment from the business.

- III. **Internships (INT):** Internships may be best suited for participants who have a specific career in mind, or if they have education or training relating to such field and could benefit from training within an actual work setting to enhance their employability. Like Work Experiences, Internships are temporary and require substantial investment from the business. Businesses who partner in internships are most successful when they act as mentors to the young person.
 - IV. **On-the-Job Training (OJT):** On-the-Job Trainings are most beneficial to participants who are prepared to enter the workforce long-term. OJT's are used to teach a participant specific skills and competencies to perform a specific job at a worksite where there may be a chance for advancement. The business is the employer of record in an OJT activity, meaning their investment in the OJT process is extensive. At the conclusion of an OJT, it is the expectation the business would continue employment with the participant. However, because the participant is an actual employee of the business, they have the right to terminate employment at any time.
 - V. **Pre-Apprenticeship (PRE):** Pre-apprenticeship's prepare individuals to enter and succeed in Registered Apprenticeship programs. They expand the participant's career pathway opportunities with industry-based training coupled with classroom instruction. Pre-apprenticeship supports participants in exploring a career while building literacy, math, English and work-readiness skills. Pre-Apprenticeships would be used for participants who are interested in advancing into a Registered Apprenticeship.
4. **Action:** Please distribute to WIOA Directors, Youth provider staff, Regional Workforce Development Board members, IWD Operations Managers, business services teams and other individuals with Youth program oversight and responsibility to ensure the guidance given regarding Experiential Learning is utilized in determining appropriate activities for youth participants, given the increased emphasis on these types of services under WIOA.
 5. **Effective Date:** Immediately.
 6. **Contact:** Direct any questions to Wendy Greenman at: wendy.greenman@iwd.iowa.gov or Kristi Judkins at: kristi.judkins@iwd.iowa.gov.



Beth Townsend, Director
Iowa Workforce Development

October 27, 2015

WORKFORCE DEVELOPMENT FIELD INFORMATION MEMO NO: 15-11

TOPIC: WIOA Youth and young adults living in High Poverty areas

1. **Purpose:** To transmit the identified high poverty areas in Iowa for WIOA youth eligibility based upon 2009-2013 5 year American Community Survey data.
2. **Background:** "Young people living in high-poverty communities have less access to work, as well as fewer opportunities to gain early work experience and develop the skills needed to advance in school and the workplace. They are more likely to live in communities where secondary schools are under-resourced and where high school graduation rates are far below the national average." www.clasp.org
3. **Substance:** WIOA contains a new provision that allows for youth and young adults living in a high-poverty area to automatically meet the low income criterion for WIOA Youth program eligibility. For purposes of WIOA Youth program eligibility and in alignment with Department of Labor proposed draft rule Section 681.260, a high-poverty area is defined and determined based on Census tracts; a set of contiguous Census tracts; Indian Reservation, tribal land, or Native Alaskan Village; or a county or geographical area having a **poverty rate of at least 30 percent as determined using American Community Survey 5-Year data.**

While the Department of Labor identifies there is no standard definition for the term "high-poverty area" in Federal programs, the Census Bureau uses two similar concepts. One is "poverty area," that is an area with a poverty rate of at least 20 percent and the other is "area with concentrated poverty," that is an area with a poverty rate of at least 40 percent. The term high-poverty area implies an area that has more poverty than a "poverty area" but not as much poverty as an "area with concentrated poverty." In addition, current Department of Labor competitive grant programs for ex-offenders define high poverty areas as communities with poverty rates of at least 30 percent. Until such time as the delivery of the Department of Labor final rule, for youth or young adults meeting the eligibility criterion for the WIOA Youth program, youth or young adults residing in an area by census tract with a poverty rate of 30% or greater meets the definition for youth living in a high poverty area.

High Poverty Area definition: A Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 30 percent as determined every 5 years using American Community Survey 5-Year data. (WIOA Section 129a(C)(2) and 20 CFR 681.260)

Contained within, a list of the relevant Iowa census tracts meeting the definition of a high poverty area follows. Additionally, further guidance on use of and access to Census data and Census tracts maps as well as determining census tracts is included as attachments at the end of this Field memo.

For Eligibility: (when applicable) Resident of High Poverty Area

Proof of residence in census tract with poverty rate of 30% or greater*

*See list of relevant census tracts and instructions that follow.

Iowa Census Tracts with a Poverty Rate of 30% or Greater by County

Use "Estimate" column of "Percent below poverty level" (when overall poverty 30% or greater)

By Census tract:	Population for whom poverty status is determined					
	Estimate	Margin of Error	Below poverty level		Percent below poverty level	
			Estimate	Margin of Error	Estimate	Margin of Error
Geography						
Census Tract 1, Black Hawk County, Iowa	1480	198	908	152	61.4	7.8
Census Tract 3, Black Hawk County, Iowa	2449	275	1202	394	49.1	13
Census Tract 7, Black Hawk County, Iowa	1622	299	602	287	37.1	15
Census Tract 9, Black Hawk County, Iowa	1817	232	640	252	35.2	11.9
Census Tract 17.01, Black Hawk County, Iowa	2068	165	709	189	34.3	9.2
Census Tract 23.03, Black Hawk County, Iowa	1650	302	1110	350	67.3	11
Census Tract 23.04, Black Hawk County, Iowa	2579	308	854	355	33.1	10.9
Census Tract 1, Clinton County, Iowa	2980	293	1207	278	40.5	7.4
Census Tract 1, Dubuque County, Iowa	2637	253	807	208	30.6	7
Census Tract 5, Dubuque County, Iowa	3717	471	1206	504	32.4	11.4
Census Tract 6, Johnson County, Iowa	3181	270	1104	218	34.7	6.2
Census Tract 11, Johnson County, Iowa	3722	331	2232	357	60	5.5
Census Tract 16, Johnson County, Iowa	7023	691	5034	782	71.7	6.2
Census Tract 21, Johnson County, Iowa	1666	349	1353	349	81.2	6.5
Census Tract 4908, Lee County, Iowa	2179	230	872	233	40	9.1
Census Tract 19, Linn County, Iowa	1565	188	528	153	33.7	8.5
Census Tract 22, Linn County, Iowa	1585	165	562	197	35.5	11.4
Census Tract 27, Linn County, Iowa	1634	154	507	120	31	6.7
Census Tract 9506, Mahaska County, Iowa	2988	293	953	252	31.9	7.5
Census Tract 11, Polk County, Iowa	4052	641	1588	627	39.2	11
Census Tract 12, Polk County, Iowa	3468	455	1157	395	33.4	9.2
Census Tract 26, Polk County, Iowa	2368	416	846	297	35.7	9.2
Census Tract 27, Polk County, Iowa	2964	398	1127	359	38	9
Census Tract 28, Polk County, Iowa	3444	399	1042	372	30.3	8.5
Census Tract 44, Polk County, Iowa	4140	344	1262	347	30.5	8.4
Census Tract 47.02, Polk County, Iowa	2923	339	907	347	31	10.2
Census Tract 48, Polk County, Iowa	2870	557	865	324	30.1	11.1
Census Tract 49, Polk County, Iowa	2163	298	763	309	35.3	12
Census Tract 51, Polk County, Iowa	4217	402	1313	393	31.1	8.3
Census Tract 52, Polk County, Iowa	3658	374	1146	395	31.3	9.7
Census Tract 306.02, Pottawattamie County, Iowa	2715	241	832	231	30.6	8.4
Census Tract 309, Pottawattamie County, Iowa	1800	260	635	186	35.3	9.1
Census Tract 106, Scott County, Iowa	2253	301	1054	262	46.8	11
Census Tract 107, Scott County, Iowa	1427	218	498	185	34.9	11.1
Census Tract 108, Scott County, Iowa	2939	454	931	374	31.7	10.5
Census Tract 110, Scott County, Iowa	2293	350	840	351	36.6	11.7

WIOA Youth and Young Adults and Living in High Poverty areas
Page 3

Census Tract 114, Scott County, Iowa	2837	435	1153	425	40.6	13.1
Census Tract 126.02, Scott County, Iowa	4503	407	1433	461	31.8	8.4
Census Tract 5, Story County, Iowa	2610	353	1940	350	74.3	7.3
Census Tract 7, Story County, Iowa	3524	349	1980	376	56.2	6.9
Census Tract 8, Story County, Iowa	4	6	4	6	100	100
Census Tract 10, Story County, Iowa	4394	320	1836	354	41.8	6.8
Census Tract 11, Story County, Iowa	4032	448	2271	426	56.3	6.8
Census Tract 13.01, Story County, Iowa	9426	526	3728	579	39.6	5.7
Census Tract 9605, Wapello County, Iowa	2490	340	916	300	36.8	9.2
Census Tract 4, Webster County, Iowa	2582	268	792	279	30.7	9.5
Census Tract 5, Webster County, Iowa	1809	178	581	212	32.1	10.4
Census Tract 7, Webster County, Iowa	1460	215	604	201	41.4	12
Census Tract 12, Woodbury County, Iowa	3022	418	977	315	32.3	9.7
Census Tract 13, Woodbury County, Iowa	1343	212	520	166	38.7	10.4
Census Tract 15, Woodbury County, Iowa	2213	361	834	265	37.7	12.7
Census Tract 36, Woodbury County, Iowa	2823	418	1012	335	35.8	11.4

By Indian Reservation, tribal land or native Alaskan village:

No Indian Reservation, tribal land or Native Alaskan village exceeds 30% poverty in Iowa.

(See by Census tract.)

By County:

No County exceeds 30% poverty in Iowa. (See by Census tract.)

4. **Action:** Please distribute to WIOA Directors, Youth provider staff, Regional Workforce Development Board members, IWD Operations Managers, business services teams and other individuals with Youth program oversight and responsibility to ensure the guidance given regarding WIOA high poverty areas is utilized as applicable for WIOA youth eligibility.
5. **Effective Date:** Immediately.
6. **Contact:** Direct any questions to Wendy Greenman at: wendy.greenman@iwd.iowa.gov, Michaela Malloy Rotert at Michaela.Malloy-Rotert@iwd.iowa.gov or Kristi Judkins at: kristi.judkins@iwd.iowa.gov.



Beth Townsend, Director
Iowa Workforce Development

Using US Census Tract Data

How to use Census Tract Data & to Locate Census Tract by (Participant) ADDRESS

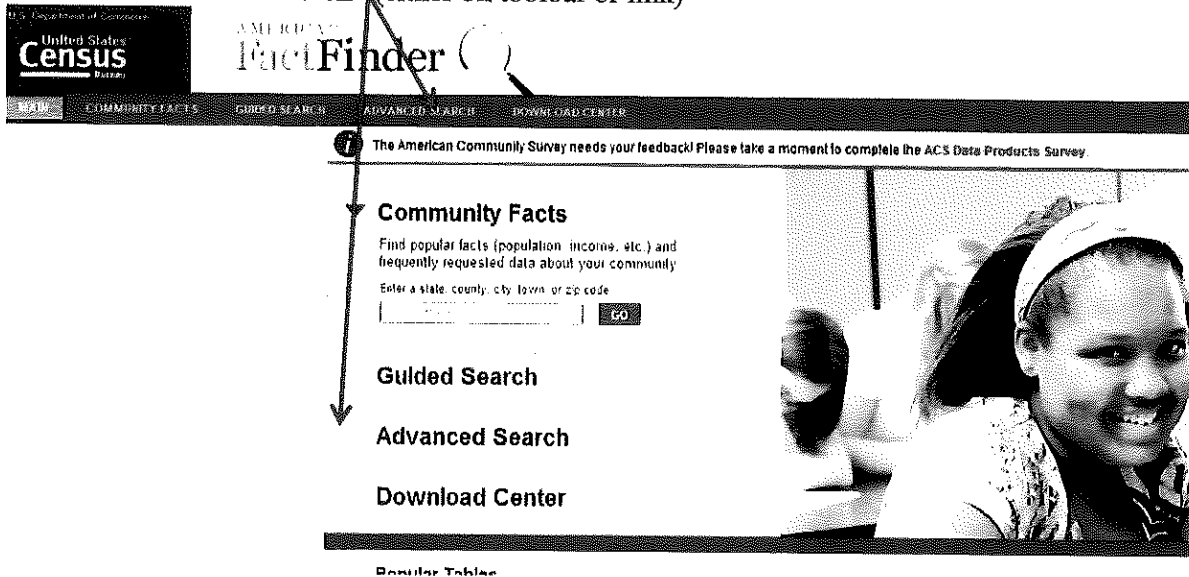
-Go the US Census Bureau's American Fact Finder website at:

<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> or

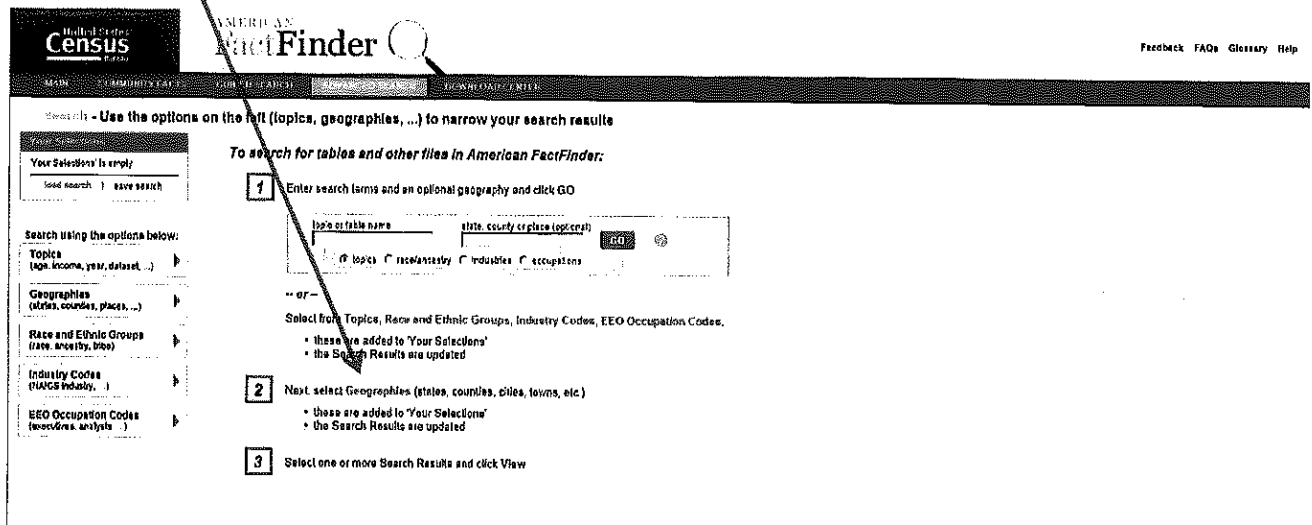
<http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

See Screenshots following:

1. Click "Advanced Search" (either on toolbar or link)



2. Click "Geographies" (to display <List>, <Name>, <Address>, <Map> tab options)



3. After clicking “Geographies” a menu will appear; Click “Address” tab.

Search - Use the options on the left (topics, geographies, ...) to narrow your search results

Your Selections

Search using...
Congressional District
Congressional District 12 (111th Congress), New Jersey

clear all selections and start a new search

load search | save search

Search using the options below:

Topics
(age, income, year, dataset, ...)

Geographies
(states, counties, places, ...)

Search Results: 1-25 of 7,489 tables and other products match "Your Selections"

Select Geographies

List | Name | **Address** | Map

Select geographies to add to Your Selections

Select from: most requested geographic types all geographic types

Select a geographic type:
-- select a geographic type --

Didn't find your geographic type? Click the 'all geographic types' radio button above, or try the Name, Address or

4. Enter the youth’s address under “Street Address,”(city..state..zip) then click “GO.” The results will appear in the lower portion of the screen, including the census tract number and county for the address entered. See example (circled) in geography results that follows. If that corresponding **census tract number and county combination** appears on the list provided in this Field Memo with an overall poverty rate of 30% or higher, it is a high poverty area. Note that census tract numbers are not unique-i.e there may be a Census Tract 62 in more than one county.

U.S. Department of Commerce
United States Census Bureau

AMERICAN **FactFinder**

MAIN | COMMUNITY FACTS | GUIDED SEARCH | **ADVANCED SEARCH** | DOWNLOAD CENTER

Search - Use the options on the left (topics, geographies, ...) to narrow your search results

Your Selections
Your Selections're empty
load search | save search

Search using the options below:

Topics
(age, income, year, dataset, ...)

Geographies
(states, counties, places, ...)

Race and Ethnic Groups
(race, ancestry, hispa)

Industry Codes
(NAICS Industry, ...)

EEO Occupation Codes
(executives, analysis, ...)

To search for tables and other files in American FactFinder:

Select Geographies

List | Name | Address | Map

Enter a street address, city and state, or a street address and ZIP code. Click 'Go'.

Note: address search will use the latest available address data beginning with 2014 and working backwards, based on the contents of Your Selections.

street address | city | state | zip | **GO**

1000 East Grand | Des Moines | Iowa | 50310

Geographies containing 1000 E Grand Ave, DES MOINES, IA, 50300:
Select geographies to add to Your Selections

Geography Results:

Geography Name	Geography Type	Geography Code	About
Iowa	State	040	?
Polk County, Iowa	County	050	?
Lee township, Polk County, Iowa	County Subdivision	080	?
Block 1032, Block Group 1, Census Tract 51, Polk County, Iowa	Block	100	?
Census Tract 51, Polk County, Iowa	Census Tract	140	?
Block Group 1, Census Tract 51, Polk County, Iowa	Block Group within Census Tract	150	?
Des Moines city, Iowa	Place within State	180	?
Des Moines-West Des Moines, IA Metro Area	Metro/Micro Statistical Area	310	?

Using US Census Tract Data – MAP (To see a map of census tracts; geographically)

Step 1: On the census track site: complete a search on census tract 2010

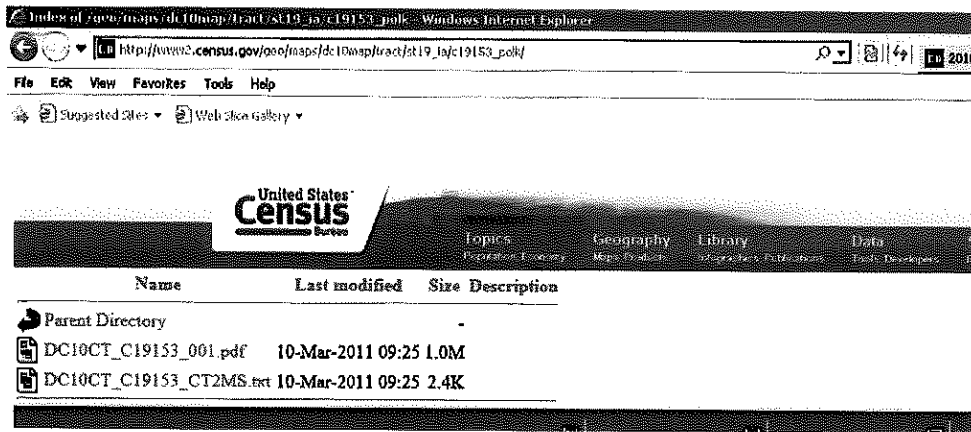
You may be able to begin this process at Step 2.

Step 2: From 2010 census-census tract reference map: enter **Iowa** in download maps dropbox
(<http://www.census.gov/geo/maps-data/maps/2010tract.html>)

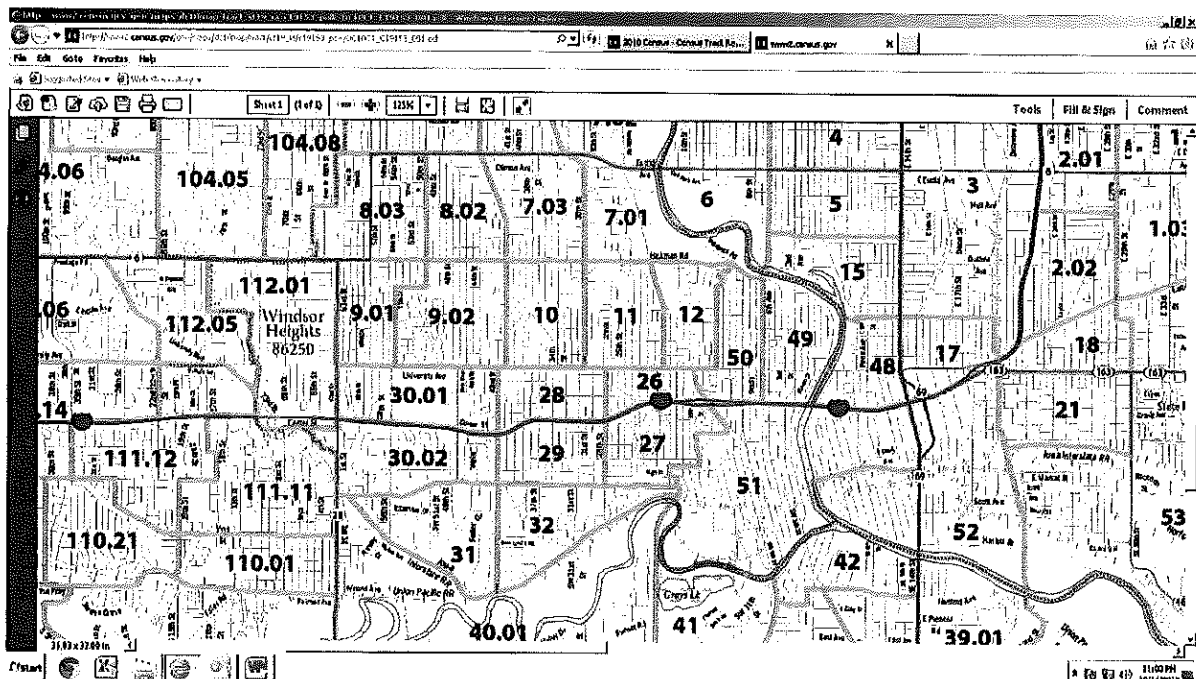
Step 3: Choose applicable **county**

(http://www.census.gov/geo/maps-data/maps/2010ref/st19_tract.html)

Step 4: Choose **parent directory** (first option/.pdf file-see screen shot[some Parent Directories may contain multiple files to choose from providing different views.]



Example of Census County Tract (partial screen print) Polk County, Iowa



WIOA Youth and Young Adults and Living in High Poverty areas
Page 7

For State Staff Use:

To identify Iowa high poverty areas: Contact LMI/State of Iowa, and/or *State Data Center Program Iowa Library Services/State Library* for a listing of poverty by census tract or for determining by Census tract:

How to use Census Tract Data-Go the US Census Bureau's American Fact Finder website at:
<http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

In Step 1; In topic: Poverty In state: choose Iowa In geography (in step 2) choose: census tract 140
DO NOT click <Go>

1 Enter search terms and an optional geography and click GO

topic or table name state, county or place (optional)

Topics Race/Ancestry Industries Occupations

-- OR --

Select from Topics, Race and Ethnic Groups, Industry Codes, EEO Occupation Codes.

- these are added to 'Your Selections'
- the Search Results are updated

2 Next, select Geographies (states, counties, cities, towns, etc.)

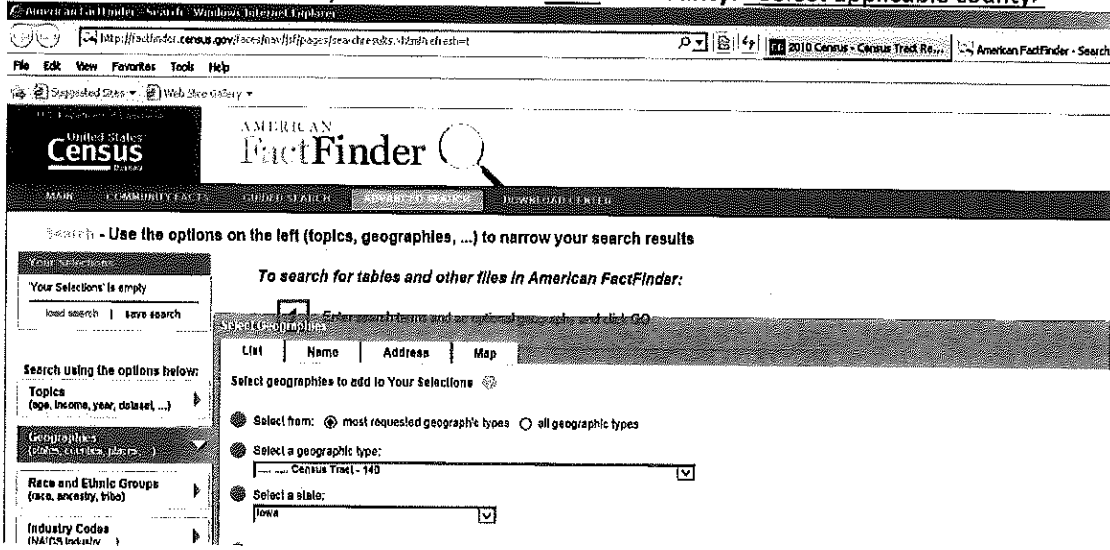
- these are added to 'Your Selections'
- the Search Results are updated

3 Select one or more Search Results and click View

Geographies

LIST	Name	Address	Map
<input checked="" type="radio"/>	United States - 010		
<input type="radio"/>	Region - 020		
<input type="radio"/>	Division - 030		
<input type="radio"/>	State - 100		
<input checked="" type="radio"/>	County Subdivision - 040		
<input checked="" type="radio"/>	Census Tract - 140		
<input type="radio"/>	EEO Occupation Codes		
<input type="radio"/>	Equal Employment Opportunity County Set - 002		
<input type="radio"/>	Place - 100		
<input type="radio"/>	Equal Employment Opportunity Place - 102		
<input type="radio"/>	Economic Place - E60		
<input type="radio"/>	County (or part) - E45		
<input type="radio"/>	Consolidated City - 170		
<input type="radio"/>	Place within Consolidated City (or part) - 172		
<input type="radio"/>	Congressional District - 500		
<input type="radio"/>	School District (Elementary) Remainder - 950		
<input type="radio"/>	School District (Secondary) Remainder - 960		
<input type="radio"/>	School District (Unified) Remainder - 970		
<input type="radio"/>	Metropolitan Statistical Area/Metropolitan Statistical Area (or part) - 320		
<input type="radio"/>	Principal City (or part) - 311		
<input type="radio"/>	Area Outside of Metropolitan Statistical Area/Metropolitan Statistical Area (or part) - E32		
<input type="radio"/>	Combined Statistical Area (or part) - 340		
<input type="radio"/>	New England City and Town Area (or part) - 300		
<input type="radio"/>	ED 99 ZIP Code Tabulation Area - 840		
<input type="radio"/>	ED 99 ZIP Code - 841		
<input type="radio"/>	Commodity Flow Survey Area/Remainder - E33		
<input type="radio"/>	American Indian Area/Alaska Native Area/Alaska Native Area (or part) - 250		
<input type="radio"/>	Metropolitan Statistical Area/Population Statistical Area - 310		

Select from State and County criteria: State: Iowa County: <Select applicable county>



In geographic areas: choose applicable census tract

- When chosen, click <Add to Your Selections> button
- Select <X> to close out search criteria when all areas are chosen, to close window

Choose Poverty status in last 12 months (data set should be ACS 5 year estimate listed on right)

- Results in right column entitled, "Percent Below Poverty Level" Sub-column heading: "Estimate". If results are higher than 30% poverty the census tract/area are considered having met the definition of "high poverty" outlined in this Field memo.

Versions of this table are available for the following years:	1 48 of 48	Subject	United States					
			Total		Below poverty level		Percent below poverty level	
			Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
2013		Population for whom poverty status is determined	303,692,076	+/-13,885	46,663,453	+/-279,630	15.4%	+/-0.1
2012		AGE						
2011		Under 18 years	72,748,607	+/-11,812	15,701,789	+/-140,597	21.6%	+/-0.2
2010		Related children under 18 years	72,422,408	+/-13,980	15,399,215	+/-138,601	21.3%	+/-0.2
2009		18 to 64 years	180,398,831	+/-6,822	27,168,057	+/-143,138	14.3%	+/-0.1
		65 years and over	40,544,838	+/-4,808	3,793,577	+/-13,956	9.4%	+/-0.1
		SEX						
		Male	148,566,742	+/-12,718	20,955,837	+/-134,403	14.1%	+/-0.1
		Female	155,123,334	+/-11,010	25,707,616	+/-147,962	16.8%	+/-0.1
		RACE AND HISPANIC OR LATINO ORIGIN						
		One race	295,235,137	+/-67,974	44,988,549	+/-280,610	15.2%	+/-0.1
		White	225,411,371	+/-56,112	28,254,647	+/-201,093	12.5%	+/-0.1
		Black or African American	37,475,482	+/-23,152	10,185,935	+/-49,787	27.1%	+/-0.1
		American Indian and Alaska Native	2,455,715	+/-13,043	701,439	+/-8,202	28.6%	+/-0.3
		Asian	14,942,927	+/-17,843	1,872,394	+/-20,181	12.5%	+/-0.1
		Native Hawaiian and Other Pacific Islander	510,398	+/-5,153	89,943	+/-3,880	18.6%	+/-0.7
		Some other race	14,439,276	+/-64,145	3,872,191	+/-39,137	26.8%	+/-0.2
		Two or more races	8,458,039	+/-75,492	1,696,884	+/-13,643	20.1%	+/-0.2
		Hispanic or Latino origin (of any race)	58,724,885	+/-7,928	12,507,888	+/-78,042	24.7%	+/-0.2
		White alone, not Hispanic or Latino	182,513,451	+/-18,681	20,474,304	+/-157,395	10.8%	+/-0.1
		EDUCATIONAL ATTAINMENT						
		Population 25 years and over	203,046,170	+/-17,201	23,892,176	+/-113,588	11.8%	+/-0.1
		Less than high school graduate	27,723,135	+/-14,680	7,524,780	+/-45,725	27.1%	+/-0.1
		High school graduate (includes equivalency)	56,748,049	+/-161,217	7,794,128	+/-45,633	13.7%	+/-0.1
		Some college, associate's degree	39,270,177	+/-52,271	6,002,180	+/-28,063	10.1%	+/-0.1
		Bachelor's degree or higher	59,304,809	+/-261,015	2,571,080	+/-15,453	4.3%	+/-0.1

Tip: When this search is completed, "Clear all selections" upper left of "Your Selections" or this may impact subsequent searches.

TRAINING AND EMPLOYMENT NOTICE	NO. 13-15
	DATE October 15, 2015

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE INVESTMENT ACT LIAISONS
STATE AND LOCAL WORKFORCE INVESTMENT BOARDS
STATE DIRECTORS OF VETERANS EMPLOYMENT AND TRAINING
STATE WORKFORCE AGENCY VETERANS COORDINATORS
AMERICAN JOB CENTER DIRECTORS
DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING
ADMINISTRATION REGIONAL ADMINISTRATORS
DEPARTMENT OF LABOR VETERANS' ADMINISTRATION
REGIONAL ADMINISTRATORS
STATE VETERANS AFFAIRS AGENCY DIRECTORS
INDIAN AND NATIVE AMERICAN GRANTEEES
STATE WORKFORCE ADMINISTRATORS WORKFORCE INVESTMENT
ACT

FROM: PORTIA WU /s/
Assistant Secretary

SUBJECT: Update on the Workforce Investment Act Adult and Dislocated Worker Programs
Gold Standard Evaluation and Announcement of the Availability of a New
Research Report: *Providing Services to Veterans through the Public Workforce
System: Findings from the WIA Gold Standard Evaluation, Volume I and II*

1. **Purpose.** Since June 2008, the Employment and Training Administration (ETA) has overseen the development and execution of a rigorous random assignment evaluation of the Workforce Investment Act (WIA) Adult and Dislocated Worker programs called the WIA Gold Standard Evaluation. This Training and Employment Notice (TEN) provides an update on the status of that evaluation and announces the release and availability of the first report from this evaluation: *Providing Services to Veterans through the Public Workforce System: Findings from the WIA Gold Standard Evaluation, Volume I and II.*
2. **References.**
 - Section 172 of the Workforce Investment Act of 1998
 - TEN 37-09, The Workforce Investment Act Gold Standard Evaluation, released on April 6, 2010
 - Section 169 of the Workforce Innovation and Opportunity Act
3. **Background.** As explained in TEN 37-09 the WIA Gold Standard Evaluation will inform the general public, program administrators, the Office of Management and Budget, and Congress about the impact of WIA-funded intensive and training services relative to more

**EMPLOYMENT AND TRAINING ADMINISTRATION
U.S. DEPARTMENT OF LABOR
WASHINGTON, D.C. 20210**

limited services. Further, it will provide substantial detail about what contributed to the impact of WIA-funded intensive and training services on participants' post-program employment and earnings and the services' cost effectiveness. The evaluation will provide details about what works, for whom and under what conditions.

In addition to the reports mentioned below, the evaluation has produced a series of briefing papers that will help ETA and the workforce community better understand how the public workforce system is working and where changes may be needed to conform to the recently-enacted Workforce Innovation and Opportunity Act (WIOA). Furthermore, findings from the WIA Gold Standard Evaluation will be used to inform future system guidance under the new statute.

ETA has long recognized the importance and value of credible, transparent evaluation of employment, training, and economic development activities. As is the case under WIA, WIOA, in Section 169, incorporates requirements for ongoing evaluation of programs and activities authorized under the Act, and includes the prescription for rigorous, independent evaluations. The WIA Gold Standard Evaluation uses an experimental research design that is recognized as the most rigorous approach for assessing the effectiveness of the WIA Adult and Dislocated Worker programs. It provides for clear transparency of both the process and the evaluation's results. Going forward, the outcomes documented by the evaluation team will provide value to the public workforce system as the WIOA is implemented nation-wide.

Mathematica Policy Research, Inc. is conducting the evaluation, working with subcontractors Social Policy Research Associates, MDRC, and the Corporation for a Skilled Workforce. The evaluation team will examine net impacts by subgroups defined by age, gender, race/ethnicity, and prior employment history.

4. Summary of Evaluation Components.

a) **Enrollment into the Evaluation.** Across the continental United States, 28 Local Workforce Investment Areas (LWIAs) were randomly selected and agreed to participate in the WIA Gold Standard evaluation. The random selection of LWIAs ensures that the customers in the study were representative of all the workforce investment system customers across the continental United States and not just those in LWIAs that agreed to participate in the study. As a result of the LWIAs' participation, the evaluation's results will be generalizable to the entire workforce investment system and indicative of the impacts that intensive and training services offered through the Adult and Dislocated Worker programs have across the nation.

Within those LWIAs, over 34,000 individual WIA adult and dislocated worker program customers were randomly assigned into one of the following service groups: 1) those eligible to receive core services only, 2) those eligible to receive core and intensive services, but not training, and 3) those eligible to receive core, intensive and training services. In the participating LWIAs, only a small percentage of clients was randomly assigned to a limited services group, with approximately 90 percent assigned to the third group, eligible to receive

any WIA service available in the LWIA. Of particular importance, although WIA services are not an entitlement, no customers were denied all WIA services as everyone was able to receive core services.

Random assignment of clients began in November 2011 and ended in April 2013. An embargo of 15 months precluded those clients in the core-only and core-and-intensive-only groups from receiving services not available to those in their assigned service group. The purpose of the embargo period was to ensure that outcomes of clients eligible to receive certain services are compared to the outcomes of similar clients who were not eligible to receive the same WIA-funded services. Thus, the evaluation will be able to attribute any difference in outcomes to either intensive or training services. The embargo period for all study participants in all LWIAs in the study ended in July 2014.

Given the importance of providing priority of service to veterans, and the potential conflict this presented with the limitation of services for those randomly enrolled into certain treatment groups under this evaluation, veterans were not included in the random assignment component of the evaluation. Instead, services to veterans have been examined separately, through a supplemental component to the evaluation.

b) **Data Collection.** Both qualitative and quantitative data are being collected for the evaluation, including state-level administrative data. Site visits to each LWIA to collect qualitative data about program operations and partnerships, including data for this Veterans Supplemental Study (VSS), concluded in September 2013. Collection of WIA Standardized Record Data and Individual Training Account data from the states with LWIAs participating in the evaluation was completed in summer 2015. Unemployment Insurance data from the National Directory of New Hires will be collected periodically for inclusion in the evaluation's two impact reports. Administration of a follow-up survey to a sample of study participants 15 months after enrollment into the study concluded in summer 2015, while administration of a 30-month follow-up survey will conclude in spring 2016.

c) **Reports.** In addition to this VSS report on veterans' services, experiences and outcomes, briefing papers and three additional reports will be forthcoming from the evaluation: 1) an implementation report, describing the operations, partnerships and approaches for providing services, and local context in the LWIAs; 2) an interim report, providing impacts of intensive and training services 15 months after enrollment into the evaluation; and 3) a final report that will document the impacts of intensive and training services 30 months after enrollment into the study, both overall and according to the subgroups described above.

5. **Publication Description.** The VSS report provides information about the different ways in which the public workforce investment system provides services to veterans, in particular through American Job Centers (AJC). In addition, it describes the characteristics of veterans receiving services through the AJC system, the services they receive, and their outcomes. Among other things, the evaluation team found that veterans were not always aware of the services to which they were entitled or their right to priority of services when they entered an AJC. In addition, AJC staff, including WIA staff and veterans' representatives funded by

Jobs for Veterans State Grants, reported that a key activity was translating veterans' military experience to civilian job opportunities. The report also includes an in-depth analysis of administrative data from two states which allowed the evaluation team to correlate service receipt with veterans' average post-program quarterly earnings.

6. **Evaluation Report Timeline.** The VSS Report has just been released; briefing papers from the study will be released in late-2015; the evaluation's Implementation Report is scheduled to be released in late 2015; the Interim Impact Report is scheduled to be released in late 2016; and the Final Impact Report is scheduled to be released in early 2018.
7. **Inquiries.** For more information about this study, contact Eileen Pederson, Contract Officer's Representative, Office of Policy Development and Research, ETA at (202) 693-3647 or Pederson.eileen@dol.gov. To view an abstract of the VSS Report as well as to download the full report, visit <http://wdr.doleta.gov/research/keyword.cfm>.

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Unemployment Insurance
	CORRESPONDENCE SYMBOL OUI
	DATE October 1, 2015

ADVISORY: UNEMPLOYMENT INSURANCE PROGRAM LETTER NO. 2-16

TO: STATE WORKFORCE AGENCIES
STATE AND LOCAL EQUAL OPPORTUNITY OFFICERS
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS
EMPLOYMENT AND TRAINING ADMINISTRATION REGIONAL
ADMINISTRATORS

FROM: PORTIA WU /s/
Assistant Secretary
Employment and Training Administration

NAOMI BARRY-PEREZ /s/
Director
Civil Rights Center

SUBJECT: State Responsibilities for Ensuring Access to Unemployment Insurance Benefits

1. **Purpose.** To help states comply with statutory and regulatory obligations to ensure access to the Unemployment Insurance (UI) program and its benefits, services, and information.

2. **References.**

- Section 303(a) of the Social Security Act (SSA), 42 U.S.C. § 503(a);
- Section 3304(a)(4) of the Federal Unemployment Tax Act (FUTA), 26 U.S.C. § 3304;
- Section 188 of the Workforce Investment Act of 1998 (WIA), as amended, 29 U.S.C. § 2938¹;
- Section 188 of the Workforce Innovation and Opportunity Act (WIOA), 29 U.S.C. § 3248;

¹ The Workforce Innovation and Opportunity Act (WIOA) supersedes Titles I and II of the Workforce Investment Act of 1998 and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. Most provisions of WIOA took effect on July 1, 2015 and will fully take effect on July 1, 2016. Section 188 of WIOA took effect on July 1, 2015. WIA funds received and obligated by the States before July 1, 2015 are subject to the requirements of WIA. WIA funds that the States received before July 1, 2015, but which were unobligated as of July 1, 2015, are subject to WIOA's requirements.

RESCISSIONS None	EXPIRATION DATE Continuing
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- Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq.;
- Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794;
- Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq.;
- Title II of the Americans with Disabilities Act (ADA), as amended, 42 U.S.C. § 12132 et seq.;
- 29 CFR Parts 31, 32, 35, 36, 37, and 38²;
- 28 CFR Part 35;
- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000);
- Unemployment Insurance Program Letter (UIPL) No. 30-11, *State Responsibilities Regarding Limited English Proficient Individuals*;
- Training and Employment Guidance Letter (TEGL) No. 26-02, *Publication of Revised Guidance Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient (LEP) Persons*; and
- Policy Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 68 FR 32290, 32295 (May 29, 2003).

3. **Background.** Nationally, the UI program has evolved from in-person and by-mail claims-filing systems to primarily telephone and web-based claims-filing systems. At the inception of the program (in the mid-1930s), the processes for claims-filing generally consisted of an individual filing an application for UI in person. UI claimants also initially filed their weekly continued claim certifications mostly in person. In the early 1980s, states began providing the option for claimants to file continued claims by mail. With budget challenges and reduced staff in the 1990s, many state UI agencies began implementing voice-activated systems to allow claimants to access information about the program and apply for benefits by telephone. In the late 1990s, state UI agencies also began implementing telephone-based initial and continued claims-taking systems. Many states began serving limited English proficient (LEP) callers by, for example, outsourcing language line services that were integrated into the telephone claims-taking process.

More recently, state UI agencies have developed websites where information about the UI program is available, including webpages where individuals may file an initial claim and submit continued claim certifications. Some states have moved to or are considering exclusively web-based claims-taking and processing systems with very limited exceptions. Technology has enabled states to provide almost round-the-clock UI program information

² On July 23, 2015, the Civil Rights Center of the Department of Labor promulgated nondiscrimination and equal opportunity regulations to implement section 188 of WIOA. The final rule created a new part in the CFR, 29 CFR Part 38, which mirrors the regulations implementing Section 188 of WIA. (29 CFR part 37) 29 CFR Part 38 adopted the language of 29 CFR Part 37 verbatim, with technical revisions to conform to WIOA. Specifically, the Department has: Replaced references to the “Workforce Investment Act of 1998” or “WIA” with “Workforce Innovation and Opportunity Act” or “WIOA” to reflect the proper statutory authority; and updated section numbers in the text of the regulation to reflect its new location. 80 Fed.Reg. 43,872 (July 23, 2015). Consistent with Footnote 1, WIA funds obligated before July 1, 2015 are subject to the requirements of 29 CFR part 37, and funds which were unobligated as of July 1, 2015 are subject to 29 CFR Part 38.

and claim filing resources on their websites, which has also helped to reduce administrative costs and paperwork.

While web-based claims filing systems offer many individuals the convenience of filing UI claims remotely at almost any time, ineffectually designed or implemented websites can create barriers that prevent or limit access for some individuals in violation of applicable Federal equal opportunity or nondiscrimination laws. Information and claims-filing systems that have the effect of limiting access for individuals with disabilities, LEP, older or members of other protected groups may violate Federal nondiscrimination laws. They may also violate UI law. UI benefits are by law an individual entitlement and states have an obligation to make sure that eligible individuals can access them. In addition, as described in more detail below, states participating in the federal-state unemployment compensation program must, as a condition of the federal UI administrative grant, have “methods of administration” that are “reasonably calculated” to ensure full payment of unemployment benefits “when due” in order to receive a UI administrative grant. Those methods of administration must provide that eligible individuals can effectively access the programs benefits and services.

Acknowledging the changes in methods of communication and operation of the UI program in today’s service environment, this guidance is a broad reminder of the requirements for states to provide UI program access to all individuals who file for benefits and related services as required by state law.

4. **Applicable Statutes, Regulations and Guidance.** There are two sources of Federal authority that provide guidance for the operation of the UI system: Federal statutes, regulations, and guidance that address UI program requirements and those that address the state UI agencies’ obligation to prohibit discrimination and ensure equal opportunity in the operation of their programs.
 - A. **UI Program Requirements.** Under Section 303(a)(1) of the SSA, a state’s laws must provide for “methods of administration” that are “reasonably calculated” to ensure full payment of unemployment benefits “when due” in order to receive a UI administrative grant. “When due” is the basis for Federal requirements concerning timeliness of benefit payments and eligibility determinations. The requirement is broad and includes ensuring that individuals have sufficient access to the program so that eligibility can be determined, and benefit payments can be made promptly. Therefore, state UI agencies must ensure that use of new technologies and systems for administering UI programs and providing services do not create barriers (e.g., procedural, technological, or informational) that may prevent individuals from accessing UI benefits, such as by denying them a reasonable opportunity to establish their eligibility. The U.S. Department of Labor (Department) has determined that “access” for purposes of conforming to Section 303(a)(1) of the SSA means individuals’ ability to complete, submit, and obtain information about their initial and continued claims, appeals, reemployment services, and any other information, program functions, or services available for all claimants. To meet the requirement that unemployment benefits be paid “when due,” all individuals must have the opportunity to be informed of and take appropriate action(s) to apply for

UI, maintain their entitlement to UI, and access services without undue burdens or barriers.

Furthermore, while states have broad authority to use a variety of methods to communicate with claimants and employers, states must provide individuals with a written determination and an opportunity to appeal when benefits are denied. In the Standard for Claim Determination, the Department interprets the Federal UI requirements for providing claimants notice. Section 6013.C.1.c. of the Standard for Claim Determination (see Employment Security Manual, Part V; Section 6010-6015) provides that the state agency must give each claimant a written notice of any determination that adversely affects his or her rights to benefits. Section 6013.C.2 provides that this written notice of determination(s) to claimants must furnish “sufficient information to enable them to understand the determinations, the reasons therefor, and their rights to protest, request reconsideration, or appeal.” The information that must be provided to the claimant in the notice of determination includes an explanation of the disqualification or ineligibility, the source of information about the reason for disqualification, and a statement of appeal rights. Thus, while states may offer claimants a variety of methods to receive information, the content of a written determination, whether it is a letter mailed to the claimant or provided in an electronic medium, must comply with the requirements in the Standard for Claim Determination specified above.

B. Nondiscrimination Requirements. The nondiscrimination laws that apply to state UI agencies prohibit discrimination based on both disparate treatment – intentionally treating members of protected groups differently based on their protected status – and disparate impact – the use of policies or practices that are neutral on their face, but have a disproportionate impact on members of some protected groups.³ In addition, as detailed below, regulations implementing these laws prohibit states from establishing policies or procedures that, while not directly barring access to benefits or services for individuals who have disabilities and/or are LEP, indirectly prevent or limit access. The use of a website and web-based technology as the sole or primary way for individuals to obtain information about UI benefits or to file UI claims may have the effect of denying or limiting access to members of protected groups in violation of Federal nondiscrimination law, as described below. The legal standards governing the required level of accessibility under nondiscrimination laws vary according to the particular protected group. Therefore, the specific access requirements are provided below in the section focused on each of those groups.

³ If a policy appears to result in a disproportionate impact on a protected class, the policy or practice could be considered discriminatory, depending on whether the grant recipient can articulate a “substantial legitimate justification” for the challenged practice. To prove a “substantial legitimate justification,” the recipient must show that the challenged policy was “necessary to meeting a goal that was legitimate, important, and integral to the [recipient’s] institutional mission.” *Elston v. Talladega County Bd. of Educ.*, 997 F.2d 1394, 1413 (11th Cir. 1993). If the recipient can make such a showing, the next question would be whether there are any effective alternative practices that would result in less disproportionality or whether the justification proffered by the recipient is actually a pretext for discrimination. See Department of Justice Title VI legal manual at <http://www.usdoj.gov/crt/title-vi-legal-manual>.

The following guidance about legal obligations regarding specific activities engaged in by state UI agencies for program operations is provided to enhance compliance with Federal UI and nondiscrimination laws. States must ensure that information about each component of the program, as well as the processes used to administer the program, are accessible to individuals regardless of their disability, LEP, age, race, or membership in other protected groups. For purposes of nondiscrimination law, "access" has the same meaning in nondiscrimination requirements as in UI program requirements, stated above.

States may offer individuals the option of receiving the information, services, etc., discussed in this guidance via electronic methods, but may not require that individuals communicate only through electronic means. Such policies unduly restrict program access, as not all individuals have the ability or capacity to communicate electronically. Additionally, any electronic communications containing personally-identifiable information may not be sent via email unless that email is encrypted or access is otherwise limited to the individual whose claim is the subject of the communication to ensure confidentiality of the data in accordance with 20 CFR part 603. States must also assess whether encryption hinders the ability of individuals to obtain communications as discussed below, and provide assistance and/or guidance to overcome any barriers it presents to effective communications with UI applicants or claimants.

5. Access for Individuals with Disabilities.

A. Legal Requirements. States must ensure equal access for people with disabilities by making reasonable accommodations and modifications, and ensuring effective communications. Section 188 of WIA and section 188 of WIOA prohibit discrimination based on disability (among other bases) in programs operated, and activities provided, by recipients of WIA and WIOA Title I financial assistance, or by "one-stop" partners.⁴ 29 CFR 37.2(a)(2) or 29 CFR 38.2(a)(2), as applicable. Section 121(b)(1)(B)(xii) of WIA and section 121(b)(1)(B)(xi) of WIOA define state UI programs as required one-stop partners. WIA and WIOA nondiscrimination regulations provide, in pertinent part, that covered entities "must not, directly or through contractual, licensing, or other arrangements, use *standards, procedures, criteria or administrative methods . . . [t]hat have the purpose or effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability.*" 29 CFR 37.7(e)(1) or 29 CFR 38.7(e)(1), as applicable.

The regulations promulgated pursuant to WIA as amended, 29 CFR 37.8, and WIOA, 29 CFR 38.8, require that a state UI agency make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity. The regulations also require state UI programs and other covered entities to "take appropriate steps to ensure that communication with beneficiaries, registrants, applicants, eligible applicants/registrants, participants, applicants for employment, employees, and members of the public who are individuals

⁴ Under WIOA, this citation is Section 121(b)(1)(B)(xi).

with disabilities are as effective as communications with others.” 29 CFR 37.9 or 29 CFR 38.9, as applicable.

In addition, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities in any program or activity receiving Federal financial assistance, which includes state UI programs. 29 U.S.C. § 794. Finally, Title II of the Americans with Disabilities Act of 1990, as amended, prohibits public entities from discriminating against qualified individuals with disabilities or from excluding such individuals from participating in or denying benefits of their services, programs or activities. 42 U.S.C. § 12132.

Technology and online applications in particular can expand access for people with disabilities if used correctly, but can also restrict access for individuals who do not have access to the technology, do not have the capacity to use the technology, or if the technology does not fully utilize accessibility options. Therefore, state UI agencies that develop web-based systems must carefully design them to ensure that information about services and benefits presented in those systems, and the claims-filing processes implemented through those systems, are as accessible to people with disabilities as other individuals. If these systems are not accessible, states must provide reasonable accommodations and modifications including communication options that render the services, etc., as effective as those offered to others.

B. Methods of Providing Access. When designing, building, and implementing new websites, webpages, graphic user interfaces, phone systems, etc., to carry out state UI program functions and to deliver services, state UI agencies must ensure accessibility and provide accessible notice and information about alternative means of receiving services for individuals who need them. Appendix A of this guidance provides a list of resources states may use during development and maintenance of web-based processing or service delivery systems to help maximize accessibility for people with disabilities in compliance with regulations promulgated pursuant to WIA, as amended, and WIOA, Section 504 of the Rehabilitation Act, and other nondiscrimination laws. For persons unable to access or use a web-based system, the state must offer an alternative option for accessing information and benefits, such as by telephone and/or in person, in a manner that ensures equal access. Further, states must broadly and conspicuously disseminate information about alternative access options in ways that ensure that individuals who may need to use such options are aware of the options. To ensure access for individuals with disabilities, state UI agencies should, for example:

- Make websites “Section 508 compliant.” While Section 508 of the Rehabilitation Act applies only to Federal agencies, the standards provided for Section 508 compliance set the bar broadly for ensuring that websites are accessible to individuals with disabilities. To be “Section 508 compliant” means that the development, procurement, maintenance, and use of electronic and information technology provide individuals with disabilities access that is comparable to access available to others.

- Provide alternative methods of gaining equal access to information in places other than the website for individuals with disabilities who may not be able to access web-based information, and provide accessible notice and information about the availability of such alternative methods. Telephone, mail, or in-person options may be viable alternatives for individuals with disabilities for whom access to computer- or web-based technology is either unavailable or inadequate. Methods to communicate the availability of alternative access must be such that the individual with a barrier to accessing the program can easily learn how to gain access. It is not sufficient to have a phone number that individuals may call. The state agency must advertise the number widely and in multiple formats and state staff and staff in One-Stop Centers must be thoroughly trained in how to effectively connect individuals to that telephone line and any other alternative access options. Some persons with a disability may need in person options to obtain services and information. Consider providing increased in-person assistance in rural or digitally-isolated areas.
- Furnish appropriate auxiliary aids or services where necessary to afford individuals with disabilities equal access to UI services and benefits:
 - When a state UI agency has a telephone-based system, it must use telecommunication devices for individuals with hearing impairments that provide equally effective communications systems such as telephone relay services; and
 - A notice must be posted on inaccessible websites and must be provided on any telephone-based services that indicates how an individual with a disability can access services.
- UI agency staff must be trained (including ongoing periodic training) to identify barriers and assist persons with disabilities. Staff must also be trained to connect those individuals to alternative access points pursuant to the state's standard operating procedures.

6. Access for Individuals with Limited English Proficiency.

- A. Legal Requirements.** Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin, under any program or activity receiving Federal financial assistance. 42 U.S.C. §2000d. Section 188 of WIA and section 188 of WIOA contain a similar prohibition. Relevant case law has interpreted "national origin" to include ensuring that individuals with LEP have meaningful access to programs and activities.⁵ The regulations giving effect to this Title provide in part that recipients, such as state UI agencies, "may not ... utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of race, color or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national

⁵ See *Pabon v. Levine*, 70 F.R.D 674, 677 (S.D.N.Y. 1976) citing *Lau v. Nichols*, 414 U.S. 563, (denied summary judgment for defendants in case alleging that State officials failed to provide unemployment insurance information in Spanish, in violation of Title VI).

origin.” 29 CFR 31.3(b)(2). Under Title VI, oral interpretation or in-language services “should be provided at the time and place that avoids the effective denial or the imposition of an undue burden on or delay in important rights, benefits, or services to the LEP person.” 68 Fed. Reg. 32296.

The WIA and WIOA nondiscrimination regulations place different levels of obligation on covered recipients, including state UI agencies, with respect to services and information in languages other than English. With respect to persons who communicate in the language (or languages) used by a “significant number or proportion” of the population served, the recipient must take reasonable steps to provide services and information in appropriate languages.” With respect to LEP individuals who communicate in less-widely-used languages, the recipient “should make reasonable efforts to meet the particularized language needs” of such persons. 29 CFR 37.35(a)(2) and (b) or 29 CFR 38.35(a)(2) and (b), as applicable.

State UI agencies engage in two main ways of providing language services: oral interpretation, either in person⁶ or via telephone interpretation service, and written translation, on a website or in hard copy. State UI agencies should provide adequate notice to LEP individuals of the existence of interpretation and translation services and that they are available free of charge.

Although technology-based service delivery models may make access for some LEP individuals easier, web-based UI information and claims-filing systems may have the effect of limiting access for LEP individuals in violation of Title VI and regulations promulgated by WIA, as amended, and WIOA especially if such information and systems are not effectively translated into appropriate language(s). Therefore, state UI agencies that develop web-based systems should carefully design them to ensure that information about services and benefits presented in those systems, and the claims-filing processes implemented through those systems, contain meaningful translations of vital information into appropriate languages and are otherwise accessible to LEP individuals.

- B. Methods of Providing Access.** For languages spoken by a significant number or proportion of the eligible service population, individuals should be able to learn about, apply for, and maintain eligibility in the relevant language(s) for every program delivery avenue (i.e., online, in person, and/or phone). The state agency should also ensure it has reasonable methods in place for identifying and reaching other LEP individuals who speak a language that is not spoken by a significant number or proportion of the eligible service population. As state UI agencies move to almost exclusively website-driven services, there is an increased likelihood that LEP individuals will face barriers to accessing information and claims-related access in violation of Title VI and regulations promulgated by WIA, as amended, and WIOA, and as described above. Appendix B

⁶ State UI agencies may employ bilingual staff who speak directly in-language to LEP individuals, “When particular languages are encountered often, hiring bilingual staff offers one of the best, and often most economical, options . . . Recipients can, for example, fill public contact positions . . . or UI claims examiners, with staff who are bilingual and competent to communicate directly with LEP persons in the appropriate language.” 68 Fed. Reg. 32296.

contains resources for states and state UI agencies to use in developing an LEP policy and procedures to ensure meaningful access to programs for LEP individuals.

Examples of actions that state UI agencies should take to ensure access for LEP individuals include:

- When a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program/activity, needs services or information in a language other than English to participate effectively, vital documents and/or vital information must be translated. A document and/or information will be considered vital if it contains instructions or guidance that are critical for obtaining services and/or benefits, or is required by law. Vital documents and/or information must be available in both hard copy upon request and in electronic text on a website. For example, if a certain form is necessary in order to file a claim with an agency, that form would be vital. Other vital documents and/or information include: applications, consent and complaint forms; notices of rights and responsibilities; notices advising LEP persons of the availability of free language assistance; rulebooks; written tests that do not assess English language competency, but rather competency for a particular license, job, or skill for which English proficiency is not required; and letters or notices that require a response from the beneficiary or client.

Non-vital information includes instructions and/or guidance that are not critical to access benefits and services. For many larger documents, translation of vital information contained within the document will suffice and the documents need not be translated in their entirety. It may sometimes be difficult to draw a distinction between vital and non-vital documents and/or information, particularly when considering outreach or other documents designed to raise awareness of rights or services.

Though meaningful access to a program requires an awareness of the program's existence, we recognize that it would be impossible, from a practical and cost-based perspective, to translate every piece of outreach material into every language. Title VI does not require this of recipients of Federal financial assistance, and Executive Order 13166 does not require it of Federal agencies. Nevertheless, because in some circumstances lack of awareness of the existence of a particular program may effectively deny LEP individuals meaningful access, it is important for agencies to regularly survey/assess the needs of eligible service populations in order to determine whether other materials should be translated into other languages.

Note: Use of free, web-based translation services (also known as machine translation software) is not sufficient to ensure that the translation is appropriate and conveys the same meaning as the English version. Information about effective translation resources may be found at: <http://www.digitalgov.gov/2012/10/01/automated-translation-good-solution-or-not/>

- Even where there is not a “significant” number or proportion of LEP persons, state UI agencies should inform program users and other members of the public about the LEP services offered orally and in writing. This includes incorporating a “Babel notice”⁷ into all vital communications, such as hard-copy letters or decisions or those communications posted on websites and via telephone-based technology, regarding eligibility requirements, benefits rights, intake procedures, claims processes, eligibility determinations and appeal rights in appropriate language(s).
- UI agency staff should be trained to identify language access barriers and provide affected claimants alternative access options (including ongoing periodic training to ensure that the state’s standard operating procedures are known and adhered to by staff).
- State UI agencies should ensure that individuals with known language needs are identified and that future vital program communications occur in the appropriate language for that individual (including claimant decisions/determinations, notices of right to appeal, and appeal decisions).
- State UI agencies should incorporate, into LEP plans, policies and procedures, methods for ensuring the quality of translations and interpretations. This may include, but is not limited to, using competent bilingual staff to ensure the accuracy of in-house or vendor-provided translations and interpretations.
- State UI agencies should notify the public, through methods that will reach LEP communities, of LEP policies and procedures, and LEP access-related developments. Methods for publicizing language assistance include:
 - Using a telephone voicemail menu to provide information about available language assistance services and how to access them;
 - Posting signs in intake areas in American Job Centers (formerly One-Stop Centers) and other entry points;
 - Stating in vital written program materials, including hard-copy and electronic general program website information, that language assistance services are available from the agency; and
 - Working with community-based organizations and other stakeholders to inform LEP individuals of language assistance services.
- State UI agencies should also ensure that web-based claims filing systems also maintain a system for receiving and addressing complaints from limited English proficient persons and persons with a disability. This includes, but is not limited to, providing in-language notice regarding how to file an online complaint about delayed or denied service resulting from language barriers.

⁷ A Babel notice is similar to a tag line that appears in multiple languages on vital documents or on web pages containing vital information available in English only that explains that the document or webpage contains important information, and how to access language services to have the contents of the document provided in other languages. Examples are contained in Unemployment Insurance Program Letter No. 30-11, *State Responsibilities Regarding Limited English Proficient Individuals*.

7. Access for Older Individuals.

- A. Legal Requirements.** The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs and activities receiving Federal assistance. Section 188 of WIA and section 188 WIOA also prohibit discrimination on the basis of age, among other bases, in programs operated by, and activities provided by recipients of WIA and WIOA Title I financial assistance, or by one-stop partners. Research suggests that a larger percentage of older individuals may not possess sufficient knowledge and understanding of computers and web-based programs to be able to access information about the UI program via a website or file for benefits through an on-line system.⁸ As a result, if a state UI agency develops a web-based system as its sole or primary method for individuals to access information and services, including filing for benefits, it may deny older individuals equal access in violation of the Age Discrimination Act, WIA, and WIOA. It is critical to ensure that alternative methods for accessing each aspect of the program are available to older individuals and that notice about these alternatives is disseminated to this population.
- B. Methods of Providing Access.** As with persons with disabilities or those with LEP, states must offer an alternative option for accessing information and benefits, such as by telephone and/or in person, in a manner that ensures equal access for persons unable to access or use a web-based system in order to avoid disparate impact on other protected groups. Further, states must broadly and conspicuously disseminate information about alternative access options in ways that ensure that people who may need to use such options are aware of the options. Therefore, as previously mentioned, state UI agencies must ensure that use of new technologies and systems for administering UI programs and providing services do not create barriers (e.g., procedural, technological, or informational) that may prevent individuals from accessing UI benefits, such as by denying them a reasonable opportunity to establish their eligibility.

8. Access for Individuals who Experience Challenges with Technology.

- A. Legal Requirements.** As discussed in section 4 of this UIPL, under Section 303(a)(1) of the SSA, a state's laws must provide for "methods of administration" that are "reasonably calculated" to ensure full payment of unemployment benefits "when due" in order to receive a UI administrative grant. "When due" is the basis for Federal requirements concerning timeliness of benefit payments and eligibility determinations.

Also, as discussed in section 7 of this UIPL, national statistics suggest that high rates of older individuals and members of certain protected groups do not use the Internet. While state/local statistics may differ (and may change with time and developments in technology), web-based UI information and claims-filing systems may have the effect of

⁸ *Digital differences: While increased Internet adoption and the rise of mobile connectivity have reduced many gaps in technology access over the past decade, for some groups, digital disparities still remain*, Pew Internet & American Life Project, Pew Research Center (April 2013) available at http://pewinternet.org/~media/Files/Reports/2012/PIP_Digital_differences_041312.pdf.

limiting access for certain individuals who are older or members of other protected groups in violation of the Age Discrimination Act, Title VI, WIA or WIOA, as applicable. While there is no specific legal protection for individuals who have little or no computer literacy or who may have no access to computers as a formally protected class, individuals who have these access barriers may be members of one or more protected classes. Failure to address these access issues by a state UI agency may result in illegal disparate impact discrimination against those individuals. The equal opportunity or nondiscrimination laws that apply to state UI agencies prohibit discrimination based on both disparate treatment and disparate impact. In a disparate impact case, the focus is on the consequences of the grant recipient's (in this case, the state UI agency) practices, rather than the grant recipient's intent.

B. Methods of Providing Access. States may promote on-line filing as a primary method of filing UI claims, but they may not have policies and operational practices that make on-line filing the exclusive method of filing and certifying UI claims. As with persons with disabilities or those with LEP, or older individuals, states must offer an alternative option for accessing information and benefits, such as by telephone and/or in person, in a manner that ensures equal access for persons unable to access or use a web-based system in order to avoid disparate impact on other protected groups. Further, states must broadly and conspicuously disseminate information about alternative access options in ways that ensure that people who may need to use such options are aware of the options. State UI agencies must ensure that use of new technologies and systems for administering UI programs and providing services do not create barriers (e.g., procedural, technological, or informational) that may prevent individuals from accessing UI benefits, such as by denying them a reasonable opportunity to establish their eligibility.

9. Access for Individuals who Experience Challenges with Literacy.

A. Legal Requirements. As noted above, Section 303(a)(1) of the SSA requires that states have “methods of administration” that are “reasonably calculated” to ensure full payment of benefits “when due.” States are required to provide appropriate assistance to individuals who have challenges accessing the UI program and its benefits, even if they are not necessarily in a protected class, including, for example, individuals with low literacy levels (specifically in reading comprehension).

B. Methods of Providing Access. When developing web-based UI claims systems and when developing any materials communicating critical information to applicants or claimants, states must ensure the materials are written in a clear, concise and organized manner. States may consider guidance provided by the Plain Writing Act of 2010 (Pub. L. 111-274). Such information, as well as guidance can be found at: <http://www.plainlanguage.gov/index.cfm>. In addition, states should ensure that all communications are written to accommodate different literacy levels. According to the Department of Education, the average American adult reads at the 7th to 8th grade level.⁹

⁹ Kirsch IS, Jungeblut A, Jenkins L, Kolstad A. Adult Literacy in America. National Center for Education Statistics, U. S. Department of Education, September, 1993, Washington, D.C. (<http://nces.ed.gov/pubs2001/2001534.pdf>)

States are strongly encouraged to ensure vital documents are written at the 8th grade reading level.

As with persons with disabilities or those with LEP, states must offer an alternative option for accessing information and benefits, such as by telephone and/or in person, in a manner that ensures equal access for persons unable to read/comprehend written information or use technology based systems in order to avoid disparate impact on other protected groups. Further, states must broadly and conspicuously disseminate information about alternative access options in ways that ensure that people who may need to use such options are aware of the options.

States should take reasonable steps to provide services to individuals who self-identify as not possessing basic literacy skills or who have been identified by the state as requiring assistance to understand information and instructions from the state UI agency. For example, states may use audio or video to provide information and instructions related to claims filing, certification, and claimant rights and responsibilities. These steps could encompass something as simple as training agency staff to be sensitive to literacy issues and providing reasonable and appropriate services to assist individuals in overcoming these barriers, as appropriate.

- 10. Technology Impacts on Accessibility.** Reasonable steps to test new technology before deployment will help to ensure that all individuals have the opportunity to effectively access programs and services. Steps should include testing in UI central offices, call centers, American Job Centers and other appropriate remote locations.

State UI agencies must also take reasonable steps to ensure that, if technology or other issues discussed in this UIPL interfere with claimants' access, they have established alternative methods of access, such as telephonic and/or in-person options. The alternative access points must be communicated clearly in a manner that reaches the population that may need to use them. The processes the state UI agency uses to offer alternative methods of access must be documented in the agency's policy documents and operating procedures. In addition, a state must train UI and American Job Center staff on the alternative methods of access to ensure that claimants and others who experience challenges are properly directed to alternative access options so that they may be served in a timely manner. Excessive delays experienced by potential claimants as they are referred to alternative access methods can result in a denial of access to services, in conflict with Federal UI law and nondiscrimination law requirements.

- 11. Communications Regarding Access Alternatives.** As previously stated, in addition to providing appropriate accessibility to UI benefits, the state must also ensure it informs claimants about available access alternatives, using methods that ensure the communication is most likely to be successful for the specific population.

For example, states should use a wide array of media to ensure effective communication to individuals with access barriers that may include recorded messages on call center phone lines, hard copy brochures, posters and mailers, and website messages that are strategically

placed. Tailored public service announcements can also be produced and disseminated in local broadcasting stations.

- 12. Role of State Equal Opportunity Officers.** States and State agencies managing UI programs must designate an Equal Opportunity Officer (EO Officer). 29 CFR 37.23 or 29 CFR 38.23, as applicable. The EO Officer should be a senior-level employee in the agency that manages the UI program. The EO Officer is responsible for coordinating the UI program's nondiscrimination and equal opportunity obligations. 29 CFR 37.25 or 29 CFR 38.25, as applicable. The EO Officer should be included in pertinent discussions regarding plans to upgrade or modernize web-based or other systems to ensure compliance with Federal nondiscrimination and equal opportunity obligations. For example, the EO Officer should be a part of the group planning and testing the design and structure of a website through which potential applicants and beneficiaries will be expected to learn about how to apply for UI benefits to ensure accessibility and equal opportunity for everyone including individuals with disabilities, LEP individuals, older individuals, and members of other protected groups. The EO Officer should also work with state UI program staff to develop policies and procedures on how individuals with disabilities, LEP individuals, older individuals, and members of other protected groups can file discrimination complaints related to their inability to effectively apply for and receive benefits if eligible.
- 13. Technical Assistance.** The Department's Employment and Training Administration (ETA) and Civil Rights Center (CRC) provide technical assistance to states regarding the issues addressed in this guidance and will continue to identify and disseminate best practices. The technical assistance is provided in multiple forms including webinars, information on tools and products that support accessibility and one-on-one technical assistance with states, as appropriate. Resources are available at: <http://www.dol.gov/oasam/programs/crc/external-compliance-assistance.htm>. In addition, program staff may contact the CRC (<http://www.dol.gov/oasam/programs/crc/index.htm>) by calling (202) 693-6500, by fax (202) 693-6505, by relay (800) 877-8339, or by e-mailing CivilRightsCenter@dol.gov.
- 14. Action Required.** State Administrators must:

 1. Ensure that processes exist or are implemented to provide all claimants access to UI benefits as discussed in this UIPL;
 2. Disseminate this guidance to appropriate state agency staff, including the state's EO Officer;
 3. Ensure that state EO Officers are involved early in all appropriate information technology modernization and business process reengineering plans to promote the full integration of equal opportunity requirements into agency technology plans; and
 4. Work with state EO Officers to evaluate the avenues available to the public to participate in the UI process to help ensure access to everyone including individuals with disabilities and LEP individuals.
- 15. Inquiries.** Inquiries should be directed to the appropriate ETA Regional Office.

16. Attachments:

- Appendix A: Resources Regarding Technology for Individuals with Disabilities.
- Appendix B: Resources to Improve Language Access.

APPENDIX A

Resources Regarding Technology for Individuals with Disabilities

Section 508 of the Rehabilitation Act was enacted to eliminate barriers in information technology, open new opportunities for people with disabilities, and encourage development of technologies that will help achieve these goals. While the law applies only to Federal agencies when they develop, procure, maintain, or use electronic and information technology, the resources developed to help Federal agencies give employees and members of the public with disabilities access to information are extensive, publicly available and potentially useful to state UI agencies seeking to provide comparable access.

Section 508 Standards address the full range of electronic and information technologies in the Federal sector, including those used for communication, duplication, computing, storage, presentation, control, transport, and production. Specifically, the information in the Section 508 Standards about software applications and operating systems, web-based Intranet and Internet information and systems, telecommunication products, and video and multimedia products may be helpful to state UI agencies in assessing whether their technology is accessible for individuals with disabilities. These two websites contain a wealth of information regarding the Section 508 Standards:

- <http://www.access-board.gov/>
- www.section508.gov

For example, the General Services Administration (GSA) hosts an online course for web developers interested in accessible web design that can be found at www.section508.gov. This program was developed in conjunction with the Access Board, the Department of Justice (DOJ), and the Department of Education and provides an interactive demonstration of how to build accessible web pages.

DOJ also included information about accessible web page design in an April 2000 report to the President. This report is available and may be located at <http://www.justice.gov/crt/508/report/content.php>.

Another comprehensive resource is the Web Content Accessibility Guidelines developed by the Web Accessibility Initiative. These guidelines help designers make web pages as accessible as possible to the widest range of users, including users with disabilities. The Web Accessibility Initiative is a subgroup of the World Wide Web Consortium — the same organization that standardizes the programming language followed by all web developers. Information for web developers, including the current version of the Web Content Accessibility Guidelines (and associated checklists), may be found at <http://www.w3.org/TR/2006/WD-WCAG20-20060427/appendixB.html>, and information about the Web Accessibility Initiative can be found at <http://www.w3.org/WAI/>.

The Department of Labor's Office of Disability Employment Policy (ODEP) has developed extensive resources to assist in ensuring meaningful access to employment and employment-related services for people with disabilities. Its website is <http://www.dol.gov/odep/index.htm>. Moreover, general information on providing reasonable accommodations for people with disabilities may also be found at: <http://www.dol.gov/odep/topics/Accommodations.htm>. For

specific information, the Job Assistance Network, a service provided by ODEP that provides free, confidential technical assistance about job accommodations and the Americans with Disabilities Act may be accessed at: <http://askian.org/topics/univdes.htm>. Information on universal design and assistive technology models for individuals with disabilities may also be found on ODEP's website.

APPENDIX B

Resources to Improve Language Access

The Department of Labor guidance on ensuring meaningful access to UI programs by Limited English Proficient (LEP) individuals may be found on its website at:
<http://www.dol.gov/oasam/regs/fedreg/notices/2003013125.htm>.

The following conveys the basic framework that that recipients are required to apply to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons served or encountered in the eligible service population;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the recipient; and
4. The resources available to the recipient and costs. After applying the above four-factor analysis, a recipient may conclude that different language assistance measures are sufficient for the different types of programs or activities in which it engages.

The Department's Civil Rights Center (CRC) has developed training and compliance assistance tools for WIA and WIOA-funded programs that may be found at:
<http://www.dol.gov/oasam/programs/crc/external-compliance-assistance.htm>.

Specifically, CRC offers presentation materials, titled *Language Access: Unemployment Insurance Programs and LEP Individuals*. This material can be accessed at:
http://www.dol.gov/oasam/programs/crc/062013_DOL_UI_Webinar.pdf.

In addition, CRC has an LEP toolkit, <http://www.dol.gov/oasam/programs/crc/lepnt.htm>.

The Department of Justice has developed www.LEP.gov to provide extensive resources to Federal government agencies and programs receiving Federal assistance, including state UI agencies, to ensure compliance with Title VI of the Civil Rights Act and Executive Order 13166. Resources on this website include videos and other materials designed to assist in development of LEP policies and plans such as, under the Frequently Asked Questions category:

- Common Language Access Questions, Technical Assistance, and Guidance for Federally Conducted and Federally Assisted Programs,
http://www.lep.gov/resources/081511_Language_Access_CAO_TA_Guidance.pdf
- Frequently Asked Questions about the Protection of Limited English Proficient (LEP) Individuals under Title VI of the Civil Rights Act of 1964 and Title VI Regulations
http://www.justice.gov/crt/about/cor/FAQ_About_LEP_Title_VI_and_Title_VI_Regs.pdf



IN A FOUR MONTH DEBT COLLECTION CAMPAIGN COMPLETED

TYSON TRANSITION CENTER OPENS

IowaWORKS EXPANDS SERVICES IN MANCHESTER, OELWEIN

REGIONAL PARTNERSHIP WORKFORCE NEWS

OCTOBER 2015 • ISSUE 7

Regional Partners and Managers WIOA Training Conference

Registration is now open for the October 29, 2015 Regional Partners and Managers Workforce Innovation and Opportunity Act (WIOA) Training Conference.

This conference will feature specific training opportunities, including breakout sessions for board members, in the areas necessary to meet WIOA implementation deadlines.

Workforce Development State Board members, one-stop managers/directors and core partner agencies who are involved in WIOA implementation are encouraged to attend.

Click here to register:

<http://events.r20.constantcontact.com/register/event?hlr=pn8un|vab&oei=dlc-a07ebm62ozbf213c9cb>

For questions about the conference, please email Diana Sisler at diana.sisler@iwd.iowa.gov.

WIOA DRAFT UNIFIED STATE PLAN POSTED

The first draft of the Workforce Innovation and Opportunity Act (WIOA) Unified State Plan (USP) has been posted to the Iowa Workforce Development (IWD) website for review and public comment. The plan can be found at www.iowaworkforcedevelopment.gov/workforce-innovation-and-opportunity-act.

At the website, you will also find a link that allows for comments and feedback. The deadline for core partners and members of the public to submit comments is November 6th, 2015. The IWD State Board will meet on November 19th, 2015, to approve the USP draft.

A timeline of the WIOA USP process is provided below. It is an overview of important WIOA dates, from now through July 1, 2016, when the WIOA USP will be implemented.

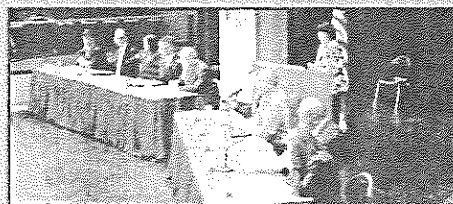
WIOA USP PROCESS TIMELINE

October, 2015		November, 2015				December, 2015	
Additional WIOA Unified Plan Guidelines Released							
1-Oct	5-Oct	7-Oct	6-Nov	12-Nov	19-Nov	20-Nov	18-Dec
Initial Draft Unified State Plan to Core Partners	Deadline for Core Partners to Provide Input to Initial Draft USP	1st Draft USP Posted on Website and Open for Public Comment	Deadline for Core Partners and Public to Submit Comments on USP	Draft with Comments to State Board for Review	State Board Meeting, Approval of 2nd Draft USP	2nd Draft USP Posted on Website and Open for Public Comment	Deadline for Core Partners and Public to Submit Comments on 2nd Draft USP

January, 2016		February, 2016		March, 2016	May, 2016	June, 2016		
Final Regulations Published and Incorporated into USP					Iowa Prepares for Full-Scale WIOA Implementation			
January	10-Jan	19-Feb	22-Feb	1-Mar	19-May	1-Jun	20-Jun	30-Jun
Workgroups Finalize Work & Final Revisions Made to USP	Final Draft with Comments to State Board for Review	State Board Meeting, Approves Final USP for DOL Submission	Final USP Posted on Website	Unified State Plan submitted to DOL (Deadline is 3/3/16)	State Board Meeting	Unified State Plans Approved by DOL	Unified State Plan Amendments, Revisions Submitted to DOL	DOL/ED Publish Final Employer Engagement Measures

FUTURE READY IOWA ROUNDTABLE

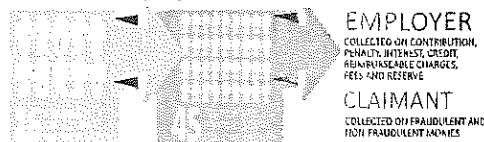
A new report was released last week by the Economic Stimulus Administration in collaboration with the Governor's Unemployment Council and the Workforce Development Center. Projects that from 2010 to 2015, Iowa will add 62,048 jobs due to economic stimulus. The report lists Education and Workforce Training through 2025, also reports that 58 percent of all jobs are expected to require postsecondary education and training beyond high school. This data is based on the study by the Center for Labor Market Studies, the national average. As the report indicates, Iowa's workforce is aging. Key findings are calling for to provide a pathway to the workforce to high school or trained postsecondary education. The report also calls for more training, investment, career opportunities and employers lead the way in workforce development.



Only 10 percent of State Board Chair candidates to the board are women. The board is currently composed of 10 members. IowaWORKS is currently working on a plan to increase the number of women on the board. The plan includes a goal to have 50 percent women on the board by 2018. The plan also includes a goal to have 50 percent women on the board by 2018. The plan also includes a goal to have 50 percent women on the board by 2018.

IWD Four-Month Debt Collection Campaign Completed

The Unemployment Insurance Division of Iowa Workforce Development recently ended a four-month campaign aimed at collecting debt from both employers and claimants.



32,625
COLD CALLS

27,967
LETTERS SENT

CAMPAIGN RESULTS

- \$ TOTAL COST OF CAMPAIGN
406,342.09
Funded by State Unemployment Insurance Trust
- \$ GRAND TOTAL COLLECTED
4,425,128.72
357 PAYMENT PLANS
- % RETURN ON INVESTMENT
1,089.02

TYSON TRANSITION CENTER OPENS IN DENISON

As a result of the Tyson plant closing on August 14, 2015, the Tyson Transition Center opened Monday, September 21, 2015, in Denison. The transition center will be open Monday through Friday from 8:30 a.m. to 4:30 p.m. (9:00 a.m. to 4:30 p.m. on Wednesday). In partnership with Western Iowa Technical Community College (WITCC), an English Language Learners workshop will be offered Monday through Thursday every week.



A new customer orientation will be held every month to ensure customers are studying at the right level. Higher learners are referred to classes (at no cost) held at the WITCC campus in Denison. Two workshops are also offered Monday through Thursday every week. The Basic English and Literacy workshop is offered from 9:00 a.m. to 11:00 a.m. and the Basic Computers workshop is available from 11:00 a.m. to 1:30 p.m.

IowaWORKS Expands Services in Manchester, Oelwein

On October 6, 2015, IowaWORKS Northeast Iowa announced expanded services in Manchester and Oelwein. Staff will provide additional employment resources for Iowans. Assistance will be available for Spanish speaking customers.

MANCHESTER

Hours: 4th Friday of each month,
8:30 a.m. to 4:30 p.m.

Location: Manchester Regional Education Partnership, P.O. Box 278,
1200 1/2 W. Main Street, Manchester, IA 52057

OELWEIN

Hours: 2nd Thursday of each month,
8:30 a.m. to 4:30 p.m.

Location: Northeast Iowa Community College, RAMS Center,
1400 Technology Drive, Oelwein, IA 50662

Services will be offered by appointment only. Appointments can be made by calling IowaWORKS Northeast Iowa Dubuque office at 563-556-5800 or the IowaWORKS Cedar Valley Waterloo office at 319-235-2123.

DATES TO REMEMBER:

- October 20, 2015 – September Unemployment Numbers Released
- October 29, 2015 – WIOA Regional Training Conference, Johnston, IA
- November 6, 2015 – Deadline for Core Partners and Public to Submit Comments on USP
- November 19, 2015 – State Board Meeting
- January 10, 2016 – Final State Plan Draft with comments to IWD State Board for Review
- February 19, 2016 – IWD State Board Meeting
- March 1, 2016 – WIOA USP Due
- May 19, 2016 – IWD State Board Meeting
- June 1, 2016 – WIOA USPs approved by DOI
- June 30, 2016 – Publish final WIOA Employer Engagement measures
- July 1, 2016 – One-Stop WIOA Infrastructure Arrangements in Effect