

WIA Reauthorization: Summary of Public Comments Submitted in Writing

INTRODUCTION

Background on Public Comment Process

On February 28, 2002, the U.S. Department of Labor, Employment and Training Administration (ETA) published a *Federal Register* notice to solicit public comments on two major issues:

- What changes the Administration should propose to Titles I, III, and V of WIA
- How linkages between Title I of WIA and the Temporary Assistance for Needy Families (TANF) Program can be improved

As part of the process of gathering public comments on WIA Reauthorization, the Department of Labor, Employment and Training Administration (ETA) sponsored a series of public forums around the country to help gather input from the public. In addition, ETA encouraged stakeholders to submit written comments. This report summarizes the more than 350 comments submitted to ETA via email, fax, or mail by June 30, 2002.

Other Documents Related to Public Comments on WIA Reauthorization

The following documents related to public comments on WIA Reauthorization are also available:

- Summary Report: WIA Reauthorization Forums
- Forum summaries for individual forums
- Summary Report: WIA Reauthorization Forum on One-Stop Services to Persons with Disabilities

These documents can be accessed via the Internet at:

<http://www.doleta.gov/usworkforce/reauthorization>

In addition to the WIA Reauthorization comments summarized in this report and the other documents listed above, an executive summary and full report will be made available by early 2003 of comments made during two WIA Reauthorization Forums on Native and Indian American Programs held on October 8 and November 6, 2002, as well as written comments submitted to ETA's Division of Native American and Indian Programs by November 15, 2002.

Main Categories of Public Comments

This summary of the written public comments is categorized by the six principles ETA is using to guide its efforts related to the reauthorization of WIA:

- More customer-focused and effective One-Stop services

- Greater responsiveness to employers
- Clarified roles for federal, state, and local levels
- Improved program performance
- Individualized opportunities for training
- Improved youth programs

Summaries of comments on these six topics are followed by comments on additional topics.

COMMENTS

1. More Customer-Focused and Effective One-Stop Services

The area of One-Stop services received the largest number of comments and suggestions in this process. The comments are divided into the following five sections and ordered by decreasing numbers of comments:

- The relationship between WIA and TANF
- The WIA partnership system
- Serving targeted populations
- Traditional One-Stop services
- Other One-Stop service issues

The Relationship between WIA and TANF

Comments on the relationship between WIA and TANF included a wide range of suggestions about how the legislation reauthorizing the Workforce Investment Act (WIA) and Temporary Assistance for Needy Families (TANF) should define the relationship between the two programs. There was near unanimity in advocating a stronger relationship between the two programs. However, the means to achieving that goal differed considerably.

Some comments stated that TANF should be a mandatory partner in the WIA One-Stop system. This would require TANF services to be offered at One-Stop career centers, encourage cost sharing and coordination across the two programs, and give TANF interests a voice in the One-Stop through required membership on the Local Workforce Investment Board (LWIB).

Several comments advocated the integration of TANF employment activities into WIA with the LWIB having authority over the program. This would leave the local human services provider to administer the direct assistance portion of TANF and the One-Stop to handle job placement services, thereby reducing duplication of effort.

This proposal, however, was specifically discouraged by some comments that stated that the TANF and WIA missions were different and separate and required separate administration to ensure that the differing goals were achieved. Specifically, some comments generally viewed

WIA as a work-first program and felt that many TANF participants require more than employment services before they are ready to reenter the workforce.

Additionally, several of the comments on the relationship between WIA and TANF expressed the need for the two programs to coordinate rather than compete, with One-Stops as the focal point. Comments in this area also expressed frustration with TANF's process-oriented approach to performance, which conflicts with WIA's emphasis on outcomes.

Other comments encouraged closer cooperation and integration between TANF and WIA in the following ways:

- Establish a common purpose (e.g., reducing poverty, building a strong workforce)
- Align performance measures
- Broaden activities that states can count toward participation rates
- Establish a common in-take system
- Ease the restrictions governing information sharing regarding TANF participants
- Prioritize the service of TANF participants at One-Stop career centers
- Establish common definitions for appropriate terms and measures

The WIA Partnership System

The majority of the comments received concerning the WIA partner programs centered on two issues: strengthening the coordination between programs and establishing a compulsory cost-sharing program.

Increased coordination between programs operating at One-Stop career centers was viewed as crucial to establishing a seamless system of services that responds to job-seeker and employer customers in an efficient and timely manner. The Employment Service, Adult and Vocational Education, and Vocational Rehabilitation were the programs most often mentioned as needing to be better integrated into One-Stop operations. In addition to advocating greater coordination and integration, individuals offered the following specific policy recommendations:

- All partner programs should be reauthorized under the same Act and Title to statutorily connect the programs and give them common definitions, goals, performance measures, and planning periods.
- Employment Service functions should be integrated completely into the local One-Stop system including giving authority over the program and staff to the LWIB.
- Common definitions should be established for intake and measurement purposes and to foster a common understanding across program staff.
- Workforce investment programs run at the national level (e.g., Job Corps, INA, MSFW) should not be operated outside of the One-Stop system framework. Instead, LWIBs should be given authority to integrate them into the local service strategy.

- Incentives should be given to local areas that demonstrate exceptional levels of service integration and coordination across partners.
- The entire concept of mandatory partners should be eliminated. It has caused resentment between partners and ultimately been counter-productive. Instead, local areas should be given maximum flexibility to partner with organizations and programs as they see fit and incentives like the ones described in the previous bullet should be offered.

The other major topic of interest to individuals was the sharing of costs for One-Stop operations across all partner programs. This issue was approached in several ways:

- Reauthorizing legislation for partner programs should make explicit the requirement of contributing staff, resources, and funds to the operation of the local One-Stop system. The current system is dysfunctional and needs stronger language to ensure compliance with the intent of the original Workforce Investment Act provisions to share costs across partner programs.
- The entire cost-sharing concept should be discarded. It led to animosity between partners and the Title I agency and was still not implemented. Other options for increasing the partners' stake in the One-Stop system should be explored.
- The One-Stop provisions in the Act should be removed from the Title I area and given distinct treatment, including a separate funding stream for system costs.
- Authority over partner funds that are specifically designated for workforce investment activities should be given to the LWIB. This would establish LWIB control over all local workforce investment activities to complement the responsibility for those programs already delegated to the LWIB.

Not everyone agreed that greater integration should occur. The following comments advocated a cautious approach to aligning WIA Title I activities with other partner programs.

- The partner programs should maintain their separation to ensure that dedicated services are preserved for those target populations.
- Employment Service functions should remain as a separate program with merit staffing requirements and state and federal oversight.
- Migrant and Seasonal Farmworker Programs should continue as distinct entities.

Finally, there were several comments that stressed the need for the federal agencies overseeing the partner programs to better coordinate at the federal level. A team representing each of the federal partners was proposed to review regulations and definitions, and align them with each other to remove some of the obstacles to partnership.

Serving Targeted Populations

There were a substantial number of comments that called for the One-Stop system to offer more and better services to the following population groups:

- Persons with disabilities including individuals who are blind, hard-of-hearing, or wheelchair bound
- Persons with limited English proficiency, or other language barriers including illiteracy
- Older workers
- Domestic violence victims

Specific recommendations included:

- Increased investment in assistive technology and sign language interpreters to serve persons with disabilities
- A greater number of One-Stop system staff proficient in Spanish and other languages as necessary in local communities
- Increased availability of printed materials in alternative languages
- Less rigid sequence of service for persons with barriers to employment
- Skills and education upgrade requirements for persons with limited literacy
- Increased availability of support services such as transportation
- Increased priority on the hardest-to-serve rather than a universal service approach
- Better integration of Vocational Rehabilitation programs into One-Stop career centers
- Stronger commitment to serving older workers

Several comments also advocated greater integration with the Social Security Administration's Ticket to Work program. Some comments proposed that Ticket to Work providers be included as mandatory partners in the One-Stop system while others promoted coordination and cooperation without the statutory partnership.

Traditional One-Stop Services

The majority of the comments received on basic One-Stop services focused on the need for local areas to have flexibility around how services are delivered and to whom services may be delivered.

Several comments advocated a change from the prescribed tiers of service as currently designed. There were two distinct proposals offered. First, core and intensive services should be integrated into a single group of services universally available to the public. These services would include the basic job search functions, individual assessments, and short-term classroom instruction. Training services would continue similar to the present model with priority of service to ensure that those most in need of training are able to receive it. The other model proposed an array of services with no prescribed sequence or eligibility requirement. This proposal would allow maximum flexibility to the local areas and individual case managers to design a set of services best suited to meet a customer's needs.

Several other comments proposed easing the definition of dislocated worker to allow long-term dislocated workers, short-term furloughed workers, and persons in other similar situations to access training services through dislocated worker funds rather than strictly adult funds.

Other comments proposed much greater flexibility in shifting resources between funding streams. They advocated a much more fluid system where Adult, Youth, and Dislocated Worker funds could be blended together to maximize efficiency and offer services to a greater number of people, particularly as the end of the program year approaches and individual funding streams are approaching their limit.

Continuing with the flexibility theme, several comments endorsed a greater focus on training services. These comments stated that the work-first approach was not consistent with moving customers towards self-sufficiency. Instead, it encouraged finding a job over starting or resuming a career. Specific proposals included designating a specified percentage of funds to be used exclusively for training while easing the sequence of service requirements to allow quick movement into training services.

While the above topics received several comments each, the following individual comments pertaining to traditional One-Stop services should also be noted:

- There should be a greater focus on On-the-Job Training opportunities within local areas
- Eligibility in other programs (e.g., school lunches) should be sufficient for establishing eligibility in WIA, particularly when serving youth who require cumbersome eligibility guidelines
- Competition for One-Stop operator and service provider contracts should be required
- Improved and timely labor market information on jobs providing self-sufficiency is required for LWIBs and One-Stop staff to effectively serve customers and manage programs
- Make One-Stop core and intensive services available to younger youth
- There should be no work-first or training-first, instead it should be customer-first
- Better turnaround on National Emergency Grants is required for it to be of real assistance in serving dislocated workers affected by mass layoffs.

Other One-Stop Service Issues

The following comments do not readily fit into the above categories but are still pertinent to One-Stop services and operations.

- The goal of each of the workforce investment programs and partners should be to assist individuals in obtaining employment that leads to self-sufficiency
- Greater access to support services is required to overcome barriers (transportation, child care) facing many of the system's job-seeking customers
- UI benefits should be extended to cover individuals enrolled in WIA training

- Private education institutions should be better connected to the system
- Community colleges should be better integrated into the system
- Additional outreach should occur to community and faith-based organizations
- There should be a stream-lined approach to foreign labor certification
- Remove all federal requirements and send workforce investment funds to states as block grants
- Focus less on physical One-Stop centers and more on a no wrong-door policy with multiple points of entry
- Promote the use of skill standards
- Establish an easier and more responsive grievance process
- Increase services to ex-offenders
- Expand focus to non-traditional occupations
- Establish stronger certification standards for One-Stop Centers
- Increase the role of organized labor in the workforce investment system
- Promote services to non-custodial parents

2. Greater Responsiveness to Employers

Of the seven major topics in this summary, responsiveness to employers generated the fewest comments. The comments on this topic can be clustered as follows:

- Training needs of employers
- Making the workforce system employer driven
- Barriers to employer involvement
- Marketing and outreach on WIA
- Showing tangible results
- Other topics

Training Needs of Employers

Training was by far the area of responsiveness to employers that generated the most comments.

Incumbent worker training was the training-related topic mentioned in the greatest number of comments. Benefits of incumbent worker training touted in the comments included layoff prevention, business engagement, and worker retention. Needs in this area were identified as specific WIA language, guidance from local areas, and flexible funding.

Several other comments were received on sectoral initiatives. This industry-specific training assists both the economic development of employers and the advancement of low-wage workers. Recommendations on sectoral training include:

- More WIA funding, as demonstration projects or with WIA formula funds
- Making sectoral training projects full One-Stop partners
- Promoting linkages between low-income communities and industry

The other comments on employers' training needs were more general. Topics included the importance of greater access to and resources for quality training in order to benefit both employers and workers. In addition, a number of comments cited problems with "work-first" policies and pointed to a need for more access to training to produce job-seekers who are work-ready. Recommendations include:

- Government sharing more costs of training
- Coordination between employers, government, and training providers
- Integrating skills training with adult education and job placement
- Letting employers identify training needs and choose providers so that training matches real job requirements

Making the Workforce System Employer-Driven

A fairly large number of comments endorsed business leadership of the workforce investment system. Aspects of an employer-driven system include business involvement and leadership from the federal level to local One-Stop operations. Comments also described responsiveness to employers as identifying and meeting business and industry needs, as well as listening to and implementing policy recommendations from business.

Some of the reasons for giving business a leadership role in the workforce investment system include making the system demand-driven and in tune with labor market changes and keeping employers motivated to participate substantially in the system.

The comments suggested ways to have business lead the system including having employers identify training needs, such as through industry skill panels, providing flexible funding and incentives, and empowering LWIBs to align funding with policy priorities.

Barriers to Employer Involvement

Some comments described barriers to employer involvement in the workforce system, mainly bureaucratic or regulatory obstacles and LWIB composition.

Bureaucratic barriers mentioned in the comments included excessive paperwork and complexity, politics and inter-agency turf battles, and cumbersome, rigid requirements (e.g. funding stream

restrictions, performance reporting) that limit employers' ability to respond to a rapidly changing business environment.

The most common complaints about WIB composition were about its unwieldy size. Some comments recommended more representation from business and less from the public sector, while a few said that organized labor had too little representation compared to business and public sector groups.

WIA Marketing and Outreach

There was a fairly high number of comments addressing marketing and outreach about the benefits of WIA, mainly to the business community but also to the general public. Reasons given for needing this type of education about the system included strengthening LWIB membership and counteracting negative perceptions about workforce investment program effectiveness in improving worker quality and its image as mainly a "second chance" system for disadvantaged people. The comments recommended marketing WIA and related services such as transportation and child care as economic development tools. Several comments cited the need for more outreach and services specifically for small businesses, since they employ the greatest proportion of workers but often have the least knowledge about or involvement with WIA.

Showing Tangible Results

A few comments stated the need to produce and show tangible results and benefits resulting from the time and resources invested in workforce development. Specific kinds of results needed by business include real-time outcomes data, information on best practices, and reliable, appropriately skilled employees.

Other Employer-Related Topics

Comments also clustered around other areas of employer concern, including who should be the system's primary customers, coordination with TANF, One-Stop services to employers, foreign labor certification, performance measures, and labor market information.

A moderate number of comments disputed the notion of business as the primary customer of the workforce system, saying that the focus should remain on workers.

Recommendations to improve One-Stop services for employers emphasized the need for a clear point of entry. Other needs identified in this area are coordination of funding streams, adequate staffing, competition to encourage quality, and close relationships with employers.

Increased flexibility on the issue of foreign labor certification was advocated in several comments.

Comments on performance measures agreed with the need for accountability but said that reporting systems need to be simplified and unified.

Comments on labor market information emphasized the need for more timely data.

3. Clarified Roles for Federal, State, and Local Levels

The large majority of the comments related to federal, state, and local roles were focused on the ability of states and local areas to have the flexibility and authority to design services and systems as they saw fit. The remaining comments cover an array of topics and are not easily classifiable. Thus, this section is arranged as follows:

- Local Authority and Flexibility
- State Authority and Flexibility
- The Federal Role
- Other Comments on Clarifying Roles

Local Authority and Flexibility

There were a fair number of comments that stressed the need for greater flexibility across all programs at all levels, but most comments were directed at a specific program and advocated which level of governance should have authority. The greatest number of these focused on local areas and how to increase local authority and remove federal and state rules governing local activities. The following recommendations were made concerning local authority and flexibility:

- The LWIBs should have greater authority over partner programs and funds to design integrated services
- There should be greater overall flexibility and more waiver authority
- The system should be completely locally driven with the state and SWIB only acting as a pass through for federal funds to local areas where the LWIB directs all activities
- Super-waivers should not be granted. This sacrifices local control for state control
- If the responsibility rests with the LWIBs for program performance, then funds should be available for oversight and monitoring
- Allow greater recourse for local areas when in conflict with the state
- Locals should have flexibility in moving funds between funding streams to better serve customers
- The LWIB should be removed from program authority and focus instead on employers and overall strategy. State agencies should focus on program oversight
- The system should maintain support of the locally-driven, business-led WIBs.
- All funding for workforce investment activities in local areas should go through the LWIB
- State agencies should get more advice from the LWIBs.

- The LWIB should have the authority to eliminate partners that are not performing their functions
- The system should be state-based but locally managed
- The system should retain strong authority for Chief Elected Officials and LWIBs
- The LWIB needs greater flexibility in determining its composition
- There should be an expanded employer outreach and brokering role for the LWIB

State Authority and Flexibility

While not garnering as many comments as the local section, there were still many recommendations on how state authority should be designed:

- States should have greater overall flexibility and more waiver authority
- States should not have the authority to impose rules stricter than those articulated in the Act or the WIA regulations
- The SWIB should get input from LWIBs and then be accountable for local innovation
- Do not allow states to make all the decisions; locals are supposed to be primary
- Allow states to designate themselves as single workforce investment areas
- Additional state requirements should be justified in the State Plan
- State agency funds should go to LWIBs for their operation
- States must give strong administrative guidelines to local areas
- The SWIB should have flexibility in determining its membership
- States should have greater authority to coordinate services with TANF programs
- States should be required to align their structures with local areas
- States should have flexibility in determining the allocation formula for distribution to local areas and the ability to reallocate funds from low-spending areas to high-spending areas
- State Adult Education should determine who represents Adult Education on LWIBs

The Federal Role

The number of comments concerning the federal role in the workforce investment system was not nearly as plentiful as those concerning state and local authority. The following is a list of some of the recommendations submitted:

- There should be universal federal standards to ensure data integrity
- The federal government should audit field staff, not just administrative staff

- The federal government should play a greater role in determining One-Stop allocation formulas
- Greater streamlining of partner programs at the federal level is needed
- A single federal agency should be charged with the coordination effort
- Remove federal barriers to successful local implementation
- Fewer federal restraints should be placed on program funds
- A strong federal policy on electronic linkages would improve seamless services

Other Comments on Clarifying Roles

The remaining comments in this section, while not categorized into any of the above topics, do pertain to some of the principles established under this section. The comments are as follows:

- Require more Education representatives on the LWIB
- Additional funds should be available for economic development activities and linkages
- The grandfather provision of the Workforce Investment Act should be maintained
- The language authorizing SWIBs and LWIBs should be moved from Title I and supported by specific funds
- The role of states and local areas concerning the Eligible Training Provider list needs to be clarified
- The 5% discretion monies should be linked to successful local strategies
- Organized labor should be more involved in Rapid Response activities

4. Improved Program Performance

Issues related to the system for performance measurement and accountability under WIA elicited a fairly large amount of feedback. The comments on this topic can be clustered as follows:

- Integrating performance accountability across One-Stop partners
- Simplifying performance measurement
- Data collection
- Addressing specific client populations
- Recommended changes to existing measures
- Proposed new measures
- Other performance topics

Integrating Performance Accountability Across One-Stop Partners

The performance topic that drew the most comments is the need to integrate performance accountability systems across all One-Stop partners.

The majority of these comments expressed the need for such integration. Aspects of performance accountability related to this need include goals, data collection methods and reporting requirements, performance measures and data elements and definitions, and calculation of performance formulas.

The comments stated that WIA currently suffers from inconsistency in the above factors among One-Stop partners, including mandatory partners, and even among different WIA-funded programs (adults, youth, and dislocated workers). This lack of uniformity was cited as a barrier to cooperation and service coordination and a cause of excess administrative burden. Causes of this lack of integration include incompatible computer systems and conflicting reporting requirements of different funding sources.

Most comments on this topic felt that the integration of performance systems should include all federal departments involved in workforce investment, especially DOL, HHS, and Education. Some comments recommended consistency within the system, specifically between the following:

- NAFTA/TAA and WIA Title I Dislocated Workers
- Migrant and Seasonal Farmworker programs in Titles I and III
- Employment Service and WIBs
- WIA Youth and Carl Perkins

By far the most comments about a specific WIA partner's performance measures focused on the relation or comparisons between the measures in WIA versus TANF.

Most of these comments were negative evaluations of TANF performance measures. The comments faulted the TANF emphasis on caseload reduction and work participation rates for impeding TANF recipients' WIA training opportunities, job advancement, and self-sufficiency and driving a wedge between them and other One-Stop customers. In addition, the TANF measures were said to frustrate WIB members from the business community because they are at odds with the more business-like focus of WIA performance goals. These comments said the TANF performance measure should adopt the WIA focus on outcomes such as employment, retention, and earnings.

Other comments stated the need to align the performance goals, measures, definitions, and requirements of WIA and TANF. Some of these comments noted that due to the significant overlap between TANF and WIA customers, continuing differences in performance goals and measurement are a barrier to effective systems integration and coordinated service delivery.

A few comments found fault with DOL-funded WIA programs for inadequately considering TANF programs' performance and data requirements and TANF recipients' unique needs.

Recommendations for how to better integrate performance across the One-Stop system include providing funds and establishing pilots for this purpose.

Simplifying Performance Measurement

A large number of comments emphasized the need to simplify and streamline the system for measuring WIA performance. They emphasized that there are too many different, sometime conflicting performance measures as well as differences between programs of how these measures are counted. In addition, the large number and complexity of the measures make them confusing, difficult, and time-consuming for most stakeholders—including Board members, front-line staff, state administrative staff, employers, and customers—to use and understand. Other comments faulted the current performance measures for being too process-oriented and insufficiently business-oriented, and for focusing only on individual customer outcomes.

Specific suggestions on how to simplify performance measurement mostly involved reducing the number of measures from the current 17 to between four and eight. Recommendations for focusing the remaining measures included:

- Employment/education status at program exit and 3 months after exit
- Customer satisfaction
- Standards that coincide with other programs such as Employment Service
- System-wide measures as opposed to individual program measures

Other recommendations for simplifying performance measurement included requiring a business-oriented “report card” and including standards relating only to mandated services.

Data Collection

A large number of comments raised concerns with the current system for collecting WIA performance data. Most of these comments referred to the administrative burden imposed by WIA data collection, with many singling out the administrative burden for the collection of data for Eligible Training Providers (ETPs). The other comments mostly focused on problems with reliance on Unemployment Insurance (UI) wage data.

1. Administrative Burden

WIA data collection was described in many comments as being administratively burdensome, even to the point of impeding efficient service delivery. One comment named the data collection burden as the primary deterrent to participation in the One-Stop system.

The main factors in administrative burden, according to the responses, are the time-consuming, staff-intensive requirements for participant tracking and follow-up. As noted below, many participants are not included in UI wage records. Programs must telephone these customers individually to ask their employment status. Respondents noted that these customers are difficult

to reach and have little motivation to cooperate once they have exited the program; many move out of the area or work out of state.

Other contributors to administrative burden cited in the comments are complex and confusing data collection procedures that make it difficult to understand whom to include, when to collect the data, and how to calculate it; and varying intervals for measuring different outcomes.

Recommendations to relieve the administrative burden of performance data collection and tracking included:

- Making the time period for measuring performance the same as the program year
- Developing a public system to track data across federal programs to relieve individual training providers of this burden
- Making the Bureau of Labor Statistics responsible for long-term performance tracking
- Making ETA responsible for preparing annual performance reports for all states, based on the individual participant records the states already submit annually to ETA

Many comments on the administrative burden of WIA data collection targeted the Eligible Training Provider / Individual Training Account (ETP/ITA) performance tracking requirements. WIA currently requires ETPs to collect data on all their training participants, not just those funded by WIA. Many comments stated that the current WIA regulations discourage most training providers from becoming ETPs, thus limiting customer choice. Several comments noted that for colleges and universities, the ETP data requirements duplicate those of accreditation boards and higher education agencies and are not worth the extra effort since so few of their students are WIA-funded. Other comments stated that many training providers lack the systems or staff to collect data on all participants. The most popular recommendation among respondents was to limit the ETP tracking requirements to WIA-funded participants only. One commenter suggested eliminating the requirement to measure training graduates' rates of licensure, certification, or degree attainment.

2. Reliance on UI Wage Data

A number of comments pointed out problems with WIA's reliance on UI wage data to measure performance.

The most frequently cited problem with UI wage data is the lack of timeliness. Since UI wage record information is at least nine months old, it is not useful for planning, program management, or system improvement. Some comments pointed out that due to the lag time, states or local areas can fail the same performance measures two years in a row and be sanctioned before they have time to discover and address the failure.

Other comments noted the incomplete coverage of the UI wage record database, which excludes military service, public employees, or self-employed workers. The absence of so many WIA program completers from the database contributes to administrative burden, as described previously, and tends to understate positive outcomes. Some comments also cited data sharing

limitations and noted problems with tracking customers who leave the state after training to find employment. A recommendation to address these problems is mandatory interstate sharing of wage record information, or basing certain measures on participant status at exit instead of UI wage records.

Addressing Specific Client Populations

A fairly large number of comments cited the need to better address the impact of WIA performance measures on certain categories of job seekers. These comments noted that the current measures discourage serving certain kinds of job seekers and recommended adjusting the performance accountability system for these under-served customers.

Some respondents said the current performance measures encourage One-Stop operators to “cream” (i.e., serve only the most job-ready individuals) and discriminate against job seekers who have multiple or substantial barriers to employment. The specific groups described in the comments as being under-served due to the current measures are mainly persons with disabilities and TANF recipients, as well as out-of-school youth, older workers, dislocated workers, and incumbent (currently employed) workers. According to these comments, many “hard-to-serve” customers may not be capable of achieving the same level of training completion, employment and earnings as other customers, and for this reason, One-Stops who serve them take a performance “hit.”

Recommendations to reduce the performance-driven disincentives to serving certain job seekers included:

- Modifying performance measurement for individuals in under-served groups:
 - Establishing, or allowing states to establish, separate measures for them, such as alternative indicators such as barrier reduction or other job readiness achievements
 - Establishing a separate category for them when measuring outcomes under current measures
 - Exempting them from (not counting them in) performance measures
 - Modifying or adjusting measures for them
 - Lowering performance standards for them under current measures
- Explicitly forbidding performance measures from being used as a rationale for not serving more “risky” job seekers
- Rewarding instead of financially penalizing One-Stops for recognizing and working to overcome multiple employment barriers
- Better accountability of One-Stops, especially those operated by for-profit contractors, to prevent “creaming.”
- Giving states the flexibility to create separate performance measures for particular populations
- Adjusting for customer population characteristics when determining performance targets

Recommended Changes to Current Measures

Many comments included recommendations to change a wide range of current WIA performance measures for adults, dislocated workers, and youth and for customer satisfaction.

1. Adults and Dislocated Workers

Several comments said the *Credential Attainment Rate* penalizes programs for customers who leave training to take a job out of economic necessity or for dislocated workers who leave training when they are recalled to their previous job. They recommended not counting customers in these situations, or making the rate strictly a measure of enrollees and completers without reference to employment and earnings. Another recommendation is to base this measure on status at exit, not on UI wage data. One comment advocated removing the measure for dislocated workers because many cannot complete a 2-year degree program or need only a few courses to upgrade their skills.

The *Earnings Gain* measure drew criticism from several respondents for discouraging service to incumbent workers or those who had high-wage jobs, because they will always show smaller gains than unemployed workers. Other comments noted that this measure may exaggerate the success of previously unemployed customers, who may still not earn enough to be self-sufficient. One comment said this measure should factor in the value of employer-provided benefits.

Several comments noted the *Entered Employment Rate* should exclude customers who are still in training or education at program exit. Some said the current measure discourages enrollment in degree programs and unfairly penalizes programs for a participant's decision to continue education instead of seeking employment.

The *Replacement Wage Standard* for dislocated workers was cited in a few comments as discouraging services to high-wage workers, particularly when the high wages were due mainly to the worker's longevity within a company. The comments recommended either eliminating this measure or adjusting it under certain circumstances, such as mass layoffs.

One comment said the *Retention Rate* should exclude participants who are still in training or education at the time of measurement (6 months after exit).

2. Youth

Some comments noted that it would be more appropriate to divide the measures by in-school versus out-of-school youth, rather than the current division between younger versus older youth.

Other comments said the *Older Youth Credential Rate* should only include older youth who are enrolled in a credential-issuing activity; as many already have a diploma or GED with no interest in further education.

One comment said the Youth *Retention Rate* is very staff-intensive and difficult to measure because it requires contacting the youths directly.

The *Younger Youth Diploma/GED* standard discourages serving younger out-of-school youth, according to some comments. Many younger dropouts want immediate employment and have no interest in education; some with significant disabilities might never earn a diploma. One comment requested clarification on whether there are alternative ways to meet this requirement, such as an occupational diploma.

Some comments recommended making the *Younger Youth Skill Attainment* requirement for basic skills optional. They said the current requirement, that younger youth with basic skills deficiencies set at least one goal for improving these skills, forces services on youth who do not want them.

According to one comment, reporting *Youth Skill Attainment* is hampered by mixed messages. The goals must be readily attainable by all participants, but the extensive, complex criteria for measuring attainment depress the results.

3. Customer Satisfaction

Several comments noted that the required 70% population response rate is unrealistic and recommended changing the response rate requirement to 50% of the population or 70% of customers contacted. Other comments found the data gathering requirements burdensome, particularly the requirement to contact customers by phone. One comment said the customer satisfaction measure is not cost-effective or useful for continuous improvement, while another said it is useful for management but should not be tied to incentive funds.

Proposed New Measures

Universal/core services. A sizeable share of comments proposing new performance measures were for the “universal” core services provided by the Employment Service under the Wagner-Peyser Act. These core services do not require registration. Respondents noted that the lack of core service measures causes the volume and benefits of One-Stop system activity to be grossly underestimated; one said that over 90% of One-Stop customers receive core services only. Proposed reporting elements include the number of individuals served, the types of services received, and use of self-service and information activities such as resource rooms. This data could be used to measure performance and determine funding levels and allocations.

Systems outcomes. Some comments proposed new performance measures for One-Stop activities outside of direct service delivery, such as planning, infrastructure development, governance, intermediary functions, capacity building, partnerships, leveraging resources, and partner referrals.

Service data. New state and local reporting requirements suggested in some comments include the number of different types of job-seekers accessing each One-Stop service level, which services or training they use, and how much is being spent on each type of service.

Alternative customer outcomes. A few comments advocated measuring skill development and other interim progress towards employment, to encourage One-Stops to enroll more “hard-to-serve” customers.

Job quality. A few comments suggested adding measures of job quality, such as the number of placements in jobs that provide benefits such as health coverage, leave time, and retirement; pay 150% of state minimum wage; and have quality child care available.

Youth. Some comments called for the development of new performance measures aligned with WIA’s youth development principles, such as leadership, teamwork, planning skills, money management, and mentoring.

One comment proposed adding new *business services* measures, developed by business.

Other Performance Topics

Smaller numbers of comments clustered around a few other topics related to performance, including performance levels and incentives, the issue of who should develop performance measures, fiscal reporting, and performance definitions.

1. Performance Levels and Incentives

Numerous comments were received about negotiated performance levels. Several comments said there should be ways, such as a DOL-developed regression model, to adjust performance levels based on local economic conditions. According to some comments, due to wide variation across the country in the negotiated performance levels and data collected, comparing different local areas or states is questionable. A few comments objected to the current requirement to meet 100% of the target on every measure, saying this encourages setting low targets. They recommended requiring a lower threshold, such as 75% of the measures, or calculating average performance across all programs.

There were also some suggestions to use performance incentives to encourage program innovation. A few comments proposed exempting pilot and demonstration projects from performance measures. Other suggested uses for program incentives include system-building, program integration, creating comprehensive Eligible Training Provider lists, and developing promising practices.

2. Who Should Develop Measures

A number of people raised the issues of which stakeholders in the workforce development system should develop or revise WIA performance measures and standards. A plurality of these comments favored letting states develop and use their own measures and standards in place of the federal indicators. Those who favored national measures favored broader input from states and localities and from other federal partner agencies. Some other comments favored more

thorough and rigorous reporting requirements to learn the distribution of fund use among WIA programs and service levels and to prevent fraud and abuse.

3. Fiscal Reporting

The system for tracking and reporting the use of WIA funds generated a number of comments. Most of these comments described the current system as too complex, given the various federal agencies' different audit and reporting requirements and fiscal years. Several of these comments recommended creating uniform reporting for the mandated partners' funding streams.

4. Performance Definitions

A number of comments were about definitions of terms used in performance measurement and their impact on service delivery.

Customers are counted in performance measures only if they receive "*significant staff assistance*," but this term is not clearly defined. Some comments noted that many "self-serve" customers often require significant staff assistance but there is no way to compensate operators for providing such assistance.

Enrollment/registration of customers also causes confusion and negative service impact noted in some comments. Customers are usually referred at orientation for intensive services. Commenters noted that this discourages One-Stops from moving customers beyond core services, or penalizes them for customers who fail to follow through after orientation. One comment advocated applying the full range of performance measures only to training service.

Exit. Several people noted that the lack of consistency in determining when a customer exits a program makes staff overly concerned with when to exit a customer to boost performance statistics, instead of focusing on providing quality services.

A few comments called for stricter definitions of *employment*: including only full-time jobs unless the customer wanted part-time work, and verifying that jobs counted towards performance were obtained as a result of services provided.

5. Individualized Opportunities for Training

The comments submitted on this subject can be categorized under:

- Eligible Training Providers
- Individual Training Accounts
- Mandatory Sequencing of Core and Basic Services
- Access to Training
- Work-First Philosophy
- Non-Traditional and/or Technology Supported Training

Eligible Training Providers

The highest number of comments on training opportunities focused on the Eligible Training Provider List (ETPL). All of these comments recommended that the list either be eliminated and left to the discretion of the State and or Local WIBs to administer (which was the preference), or that the procedures by which training providers are chosen and report their performance should be revised.

Comments, which were often impassioned, centered primarily on the requirement that institutions provide performance data on all participants in a class, whether they are WIA funded or not. An eligible training program may provide services for hundreds of students, the smallest number of which may be WIA. The administrative expense for trying to capture information that is difficult and unrealistic to obtain is not offset by the payment received. When faced with these circumstances, eligible training providers are limiting their course offerings or totally disqualifying themselves from serving the WIA customer.

Representative comments and recommendations included:

- This is a classic case of counter-intuitive results, where what was intended – good information promoting informed customer choice among multiple options – is having exactly the opposite impact: the ETPL has the unintended effect of limiting choices
- There is no incentive for a major educational and training institution to provide the performance data necessary to be on the ETPL
- The requirement that the providers use performance information gathered from UI wage data, which is incomplete and untimely, only exacerbates the problem
- Eliminate the ETPL
- Remove the requirement for training providers to report data on non-WIA training participants
- Revise the ETPL performance data requirements while preserving the essential goals of informed customer choice by reporting consumer satisfaction information
- States and/or localities should be given flexibility to design their own systems for determining which entities and programs may be allowed to offer training
- Allow employers to choose their education and training providers in a free and open market environment based on which providers can best meet the needs of that particular company

Individual Training Accounts

The majority of the remarks concerning Individual Training Accounts were suggestions for how to improve and expand the delivery of the service, mostly by increasing resources and accommodating innovative, flexible funding arrangements.

Several organizations and individuals requested that the reauthorization should remove the prohibition of using ITAs for youth training. Youth ITAs would alleviate the need for training providers to meet the competitive procurement requirement, and would open up the adult approved provider list to youth.

Many comments included criticism of the ability and desire of One-Stop staff to help guide customers in choosing an individual training option. The comments stated that what was supposed to be the new WIA-ITA system remains the same as the staff-directed referral system used under Job Training Partnership Act (JTPA), i.e., participant decisions are, for the most part, non-existent.

Some comments asserted that ITAs, especially those that do not train for a demand occupation, are a waste of money and should be discontinued.

Representative comments and recommendations included the following:

- ITAs do not cover the full cost of training at a public provider such as a community or technical college. However, even if ITAs were enriched to cover full costs, it is difficult to predict how many students will show up with an ITA and therefore how much additional capacity the college needs to provide.
- An individual with an ITA may not be able to enter the program of study he or she wants because all the local providers' classes may already be full. This limits consumer choice.
- Multi-year ITAs are subject to annual allocations/budgets. Sometimes funds are insufficient in the subsequent year to support a second year of training.
- WIA should clearly offer Local WIBs the ability to contract to expand capacity in a training program, or otherwise tailor funding arrangements, including using contracts instead of ITAs.
- Amend the law to expressly permit scholarship escrow accounts to constitute "accrued expenditures" for purposes of federal cash management requirements.
- Clarify the order that Pell Grants and ITAs are to be used to support the cost of training.
- There is cause for skepticism on whether WIA staff, many of whom ran JTPA programs, are comfortable relinquishing close control over participant decisions.
- The ability of a One-Stop to offer its participants skill training in a public educational setting without having to spend increasingly scarce WIA funds is incredibly inviting.
- With consumer report information readily available through other sources, states and local areas can establish appropriate guidelines for approving training programs to be funded under ITAs.
- Require One-Stops to give every customer up-front application and notification of the requirements to obtain an ITA.
- To overcome staff members dragging out the ITA assessment process, require that all customers and the One-Stop Center Director receive a status report and information on the right to grieve and/or seek assistance from a state appointed ombudsman.

- Include a provision that allows youth to use ITAs. Extra case management support should be required to ensure that youth make informed decisions.
- Clarify whether WIA's goal is to increase training opportunities for the customer or provide a worthwhile service to the customer. Programmatically it makes sense to only train in demand occupations. However, WIA still emphasizes customer choice and customer satisfaction.
- WIA specifies the use of ITAs for training, except in limited situations. This has proven to be entirely counter-productive, as it severely limits training options and the ability to provide the proper mix of skills training and soft skills requested by employers.

Mandatory Sequencing of Core and Basic Services

The comments received on service sequencing were very critical of maintaining the present sequence of services. Despite the fact that DOL advises that movement from one service to another does not require set time intervals, most local areas have implemented timed succession patterns, which has caused a range of problems, most seriously that of impeding a participant's entry into training.

The following comments represent only those specifically devoted to core services. Comments related to sequencing involving training services are covered in the next topic.

Representative comments and recommendations related to sequencing of core services included:

- Training is important to providing a continuum of skill development. WIA purports to facilitate an efficient transition through core, intensive, and training services. However, enrollment training is continually blocked by a rigid application of eligibility for intensive services and training, even when a One-Stop partner has already properly determined the need for training.
- There is lack of customer choice when individuals seeking training must first complete an employment-search activity in order to access training.
- For customers to access training through ITAs, the core and intensive service barriers must be removed.
- Eliminate sequential access to services and encourage local innovation aimed at building needed skills.
- Amend WIA to allow for expedited determination of need for training services based on documentation from referring program, or from other needs assessments.
- Rather than a mandated sequence of services, allow states/local areas to treat core, intensive training services as an array from which they can choose in any order to meet the needs of particular job seekers.
- Loosen legislative requirements so that individuals can be served on a case-by-case basis with the goal of participants getting training in a reasonable amount of time in response to local labor opportunities.

Access to Training

Many of these comments are easily applicable to and interchangeable with those regarding ITAs and sequencing of core and basic services. However, this section goes further in addressing other legislative issues such as the perceived need for enhanced and coordinated funding streams and the misdirection of funding.

Several comments suggested that WIA gives administrators and staff, used to working with hard-to-serve participants as was required under JTPA, the opportunity to shift emphasis and allocate most of their funds away from skills training to areas such as economic development and soft-skill workshops.

Some individuals stated that the shift in the level of training from JTPA to WIA has hindered the ability to provide services to the most-in-need, and that this program design, which limits access, is intentional.

A number of comments discussed issues related to eligibility, wage subsidies, dislocated workers, and incumbent workers, specifically how the shift in program focus affects access to services. Comments and recommendations regarding access to services included the following:

- Conflicting priorities regarding sequence in using WIA funds and Pell Grants/Perkins produces confusion and conflict between workforce and education partners, resulting in reduced services to low-income customers needing skills upgrade training.
- Currently very few customers are being trained for anything because we have created so many rules and regulations it is impossible to get someone into training.
- The limits on types of training and the training providers' desires restrict the ability of caseworkers to access individuals' needs. Clients' desires and skills training requirements are set aside to meet standards.
- Expand training options by encouraging local areas to spend more WIA funds on training. They should reserve the maximum amount allowable for skills training services and ensure that all partner agencies contribute to the training infrastructure.
- Eliminate the sequencing of training funding and allow that various resources can be used simultaneously, but unduplicated.
- Set aside more funds that must be used for training, including basic skills and ESL.
- Make training programs as easy to access as possible, so that working or non-working adults can participate at their convenience.

Eligibility

- The eligibility verification process should be simplified for clients attempting to qualify for training.
- Eligibility for training should be income based as under JTPA.

- Youth eligibility for training should be based on the National School Lunch Program criteria rather than the processes that are used now.

Wage Subsidy

- One-Stop participants acquiesce and take any job offered because they cannot afford training and must support themselves and their families.
- Although wages are preferable, provision of at least some stipend that accommodates the basic needs of low-income individuals and families should be explicitly authorized in reauthorization language, clarifying any ambiguities in the current statute.
- WIA provides for stipends for individuals while they participate in training but local areas have not taken advantage of this option, due to limited funding and to the way the operators have chosen to allocate resources.

Dislocated Workers

- It is crucial for the dislocated worker to make a rapid transition through occupational skills training and get back into the workforce quickly.
- Customer choice is limited by layoff dates and the One-Stop system's reluctance to adjust its services to allow for a rapid transition to training.
- States and localities should be given flexibility to apply eligibility criteria to permit rapid passage through the initial services when there is a ready presumption that other work is not available.
- Expand the ability of local areas to be reimbursed for the cost of training from sources other than Pell Grants, such as Employer Sponsored Training/Tuition Reimbursement Programs, and Private Grants.
- A dislocated worker who has exhausted UI and is participating in WIA funded training should be able to work to access other grants that would enable that person to remain in training.

Incumbent Workers

- One-Stop training programs are unreasonably difficult to access for the "typical" One-Stop client and there are additional barriers for those who are employed but in low-wage jobs with little opportunity for advancement, and for incumbent workers in need of additional training within the industry in which they are employed. WIBs should develop new and creative programs that create a pool of qualified *trained* workers, from this population, for industry specific sectors.
- Disincentives to incumbent worker training could be eliminated by removing that population from the calculation of existing WIA performance measures and by revising how the self-sufficiency standard is applied.

- More resources, specifically funding, and flexibility should be applied to address incumbent worker training, including adding specialized training components to each Local area that is developed with local employers.

Work-First Philosophy

Comments reflected the fact that, when WIA was enacted, there was considerable confusion as to whether it was a “work-first” system, with the perception expressed that state and federal officials have often given LWIBs contradictory signals. The consequence, according to submitted comments, was that job seekers in many workforce investment areas have denied access to training services.

The comments submitted on this topic propose that the reauthorizing legislation clearly establish that *workforce investment* is different from *welfare-to-work*. Welfare reform was enacted to decrease welfare dependency, while WIA had the much broader objective of increasing employment, retention, and earnings, and increasing occupational skill attainment to improve the quality of the workforce.

The current WIA language has been interpreted by WIBs and One-Stop administrators as requiring work-first with training only as a last resort. Consequently, participants utilizing the career centers must fail at getting a job before they can receive training. They must prove a negative before accessing a positive. Representative comments and recommendations include the following:

- Since the enactment of WIA, training opportunities have decreased more than 58% compared to training under JTPA. Much of this is due to the interpretation that WIA is a “work-first” initiative. WIA’s tier structure demonstrates that WIA views training as a last resort.
- Skill development is essential for meeting the demands of employers and emerging jobs in the market. WIA cannot be a work-first program if One-Stop partners are to respond to the current and future needs of employers and job demands throughout the country.
- Work-First is not the only strategy for long lasting change. The strategy for long lasting change is to utilize the strengths of each program in the workforce investment system to achieve workforce goals for each state and ultimately the country.
- Improve access to training and increase the number of job seekers receiving training by eliminating the work-first requirement and using the initial assessment to determine placement in the system.
- The mandated sequence of services that individuals must go through, prior to consideration for training, only strengthens a “work-first” agenda and should be removed.
- If you want to improve access to training opportunities then do away with the work-first requirement.

Non-Traditional and/or Technology Supported Training

A small number of comments were submitted regarding these topics. The majority of those that were submitted related to training being a lifelong learning opportunity, i.e., job training and education programs should be available to the community as a part of a continuum of lifelong learning. The majority of these comments also specifically referenced the application of e-learning.

Representative comments and recommendations include the following:

- E-learning holds the potential for contributing to significant gains in worker skills, productivity and performance. It can deliver significant cost savings when compared to traditional types of workforce training. Equally important, e-learning can provide access to high-quality training content from countless sources throughout the world.
- The most advance technology-supported networked training situations need to be supplemental to the human elements such as understanding and encouragement. Even in this brave new e-learning world, skills training and career development should be guided in a traditional partner relationship.
- Workforce partners should pursue such strategies as modularization of curriculum, portable credentials for students, increasing access to e-learning opportunities and an innovative entrepreneurship training program.
- More flexibility should be given to all local areas to use program models that have been proven effect in the local context, such as the Community-Business Partnership.
- Greater emphasis and requirements for providing an array of flexible training options, including non-traditional training such as post-placement supports.

6. Improved Youth Programs

Youth Services is one of the two topics receiving the fewest number of comments. The comments received can be clustered under the following subtopics:

- Youth Eligibility Requirements
- Procurement of Youth Contractors
- Funding
- Performance Measures
- Youth Councils

Youth Eligibility Requirements

By far, the largest number of comments regarding youth related to the eligibility requirements. The definition of low-income youth and the paperwork required to verify income eligibility were the areas receiving the greatest attention from most of the respondents. The most frequently mentioned recommendation was that the school free or reduced lunch program be used as the

factor to identify eligible youth for WIA. It was suggested that the use of this criterion would automatically reduce the paperwork requirements. In the same vein, youth living in public housing was offered as another possible criterion for establishing low-income eligibility and reducing paperwork.

A significant number of comments suggested that the low-income individual definition be increased to between 125 percent and 185 percent of the lower living standard. This would bring WIA eligibility requirements more in line with other programs such as the free/reduced lunch program.

A moderate number of comments recommended that youth eligibility should be defined the same as adults. Respondents cited universal access to all services for all youth as the desired goal of the youth legislation as with adults. The differing eligibility requirements often force the program to choose between parent and child.

A small number of others recommended that WIA eliminate eligibility requirements for youth altogether, particularly for out-of-school youth. These comments contend that all youth are at-risk.

The regulations regarding out-of-school received a large number of comments. The primary concern was that the regulations allow local areas to serve more out-of-school youth. The specific comments in order of frequency are:

- The 30 percent requirement for serving out-of-school youth should be eliminated.
- The 30 percent requirement should be based on individuals rather than funding.
- The “dropout” definition should include youth in alternative schools.
- The income eligibility for out-of-school youth should be eliminated.
- Eliminate the bias against 2 parents families.
- Out-of-school youth are defined as “out-of-secondary school” youth.

Other suggestions mentioned by a small number of respondents are:

- Younger youth should be defined as 14-17 years of age rather than 14-18 years of age.
- Eliminate the requirement that in-school youth exit the program in order to reenter the out-of-school program. The requirement negatively affects performance outcomes.
- The 5 percent discretionary funds are increased to 10 percent to allow service to a larger number of youth who do not meet the eligibility requirement.

Procurement of Youth Contractors

Most of the comments in this area cited the requirement to contract out youth services as an impediment to delivering quality services to youth. The procurement process was particularly problematic for the rural areas. The most frequently mentioned recommendation was that the

Individual Training Account (ITA) process for accessing eligible providers be used for delivering youth services as is required for adults. In addition to minimizing the cumbersome contracting process, respondents believe older youth in particular would benefit from using the ITA process and enjoy greater choice, which they understand to be the cornerstone of WIA.

A moderate number of comments recommended that the requirement to contract out youth services be eliminated. The suggestion was to give the local areas flexibility to determine who and how to deliver the services to youth.

Funding for Youth Services

With respect to funding, the most significant number of comments requested funding for a stand-alone summer program for youth. According to the comments, the existing funds do not permit local areas to operate a year-round program and serve the number of youth needing summer employment or work experience. More and separate funds are needed to operate a very beneficial summer youth program. The requested summer program funds should include services to 14 and 15 years olds as well as older youth.

A smaller number of comments suggested that WIA provide more funds to provide stipends for training and that Job Corps funding be incorporated into WIA.

Performance Measures

A modest number of the comments suggested that performance measures were too stringent and inflexible. The current performance measures are too narrow and inappropriate for youth development programs. They suggested that program operators are forced to “cream” in order to meet performance measures. The comments also suggested that measures related to leadership development, money management, and teamwork be developed and implemented for youth.

Other specific recommendations are:

- The time frame for performance measures should be the same as the program year.
- “Older Youth” and “Younger Youth” classifications for performance measures should be consistent with “In-School” and “Out-of-School” youth expenditure definitions.
- Youth who move from the area or reside in a group home or correctional facility should be exempted from performance measures. They are too difficult to track.

Other suggestions were that the reduction of teen pregnancy be considered a performance measure and that older youth enrolled in an employment activity should not count in the older youth credential rate.

Youth Councils

There were several comments regarding Youth Councils. The modest majority suggested that Youth Councils be eliminated. Instead, a Youth Committee should be formed as a part of the Local Workforce Investment Board. The prevailing opinion was that many of the youth

representatives are already serving on the WIB and a separate board sends the message that youth services are separate from the rest of the programs.

Another suggestion was that education agencies are mandated to be a part of the Youth Councils.

7. Miscellaneous Comments

In addition to the comments reviewed in the previous six sections, USDOL received a number of comments and suggestions that did not specifically fit into the above categories. This section presents these comments under the following categories

- Funding
- Labor Market Information
- Procurement
- Organized Labor
- Staffing Industry
- Worker Self-Sufficiency
- Section 188, Equal Opportunity
- Older Workers
- Dislocated Workers
- Title II Reauthorization
- Unemployment Insurance (UI)
- Unemployment Insurance / Employment Services (UI/ES) Reform
- Serving Persons With Disabilities
- Federal Coordination of WIA
- National Farmworker Jobs Program (NFJP)

Funding

The issue of funding is applicable to all the categories discussed above. For purposes of clarity, however, all funding related comments are presented in this section. These comments include:

- One-Stops need continued, adequate, timely, and stable funding. Partners do not have funds.
- Common standards and practices need to be established for accounting and reporting WIA spending.
- Stable funding and cost allocation methods are needed for core services.
- WIA Title IB funds need to be available to extend to all federal training programs.
- Different funding streams needs to be consolidated or more local flexibility is needed to use various funding sources.

- Funding should continue to be directed to the agency most capable of serving the needs of customers.
- More funds should be allocated to core, intensive, and training services, particularly for incumbent workers.
- Administrative funds should be mixed and shared and program costs picked up by the appropriate fund source, but available to anyone needing the service.
- Funding for special target groups must be continued.
- Add dislocated coal miners to the targeted populations for demonstration and pilot projects.
- Funding for dislocated worker formula grant should be restored; a hold harmless provision should be added.
- WIA needs time to spend funds before they are cut.
- Youth funding should be increased, particularly summer youth.
- The tracking of funds allocated to the local level is unnecessary.
- TANF funding should support career coaching and case management services.
- Welfare-to-Work funds should be restored.
- WIA Title II, Sec. 167 funds should be restored in the Administration's budget.
- Funds are needed for capacity building.
- Set One-Stop cost sharing criteria at the federal level for required partners.
- Build One-Stop satellites on campuses for adult education.
- Support post-placement education for all low-income workers.
- WIA should include funding for Offices for Aging.
- Too much money is spent on the Board executives.
- Greater role for community colleges in determining the distribution of WIA funds.
- Funding should be made available for marketing One-Stop services.
- Supplemental funds should be allocated to states that have spent 85% of their formula allocation.
- More money should be available for creating transitional jobs.

Labor Market Information

- The existing LMI systems, at the federal and state levels, are not current, user friendly, nor effective in providing quality data and analysis to make good business and career decisions. Incentives should be provided to encourage states to improve these systems.
- There is a need for additional funding for the LMI system for state of the art, robust technical infrastructures, and to respond to the increase demand for local data, which has not been addressed by federal budget requests.

Procurement

- The WIA reauthorization should require WIBs to utilize a threshold bidding process to facilitate the selection of providers of One-Stop services. Private sector bidders in the career management consulting business should be limited to those who contract only with organizations and companies and exclude those marketing their services to individual consumers.
- Contractors, especially those in rural areas where it is difficult to find even one provider for most services, should be free to subcontract for the best services, which do not necessarily come from the least expensive bid.

Organized Labor

- The labor movement will continue to oppose the privatization of the One-Stop Career Center system. WIA resources should be concentrated on services to the worker, not profits for private business.
- Unions should encourage employers to invest more in training and education.
- Organized labor must be fully represented on state and local WIBs so that the worker representation is equal to that of employers.
- Unions that represent workers having skills in which training is proposed should be consulted so that their knowledge of the local labor market and their expertise in training design can be utilized.

Staffing Industry

- DOL should rescind its current merit staff policy that bars private-sector entities from delivering Wagner-Peyser Act services.
- State job service funds should be used to provide job placement services only to those in need of assistance, not to private employers or individuals with highly marketable skills.
- DOL should provide opportunities for the staffing industry to engage with WIBs to demythologize the staffing industry and consider them to be members of the Board.
- Change One-Stop performance evaluation criteria to eliminate any bias against temporary work and require WIBs to ensure that services already available to the public through private-sector employment services are not duplicated by WIA.

Worker Self-Sufficiency

- Include as primary goal, helping workers continue to develop the skills necessary to advance within the labor market to a certain level of economic self-sufficiency. The new definition of 'self-sufficiency' should specify a new measure, beyond the usage of the Lower Living Standard. One model for such a measure, the Family Economic Self-Sufficiency Standard, takes into account: local labor market conditions, costs-of-living,

and the full range of family needs that would have to be met by a combination of employment income and public benefits.

- Provide incentives for states to focus on improving progress towards self-sufficiency, particularly for low-income clients.
- The WIB has the privilege of setting a self-sufficiency wage for adults and displaced workers. JTPA's 'free lunch' eligibility criteria should be applied for at-risk youth.

Section 188, Equal Opportunity

- Any attempts, via the WIA reauthorization, to dilute the requirements of Section 188 should not be allowed.
- Reauthorizing language, or an amendment, should be inserted that reinforces the Non-Discrimination and Equal Opportunity aspects of WIA.
- The requirements for DOL to enforce the equal opportunity legislation should be more clearly delineated in the reauthorization.
- The legislation should explicitly state that people with disabilities have the right to the full range of services under WIA and should not be exclusively served by Vocational Rehabilitation.
- Congress should require DOL to investigate recorded instances of WIA service and training access disparities that are based on race.

Older Workers

- Even though, all reliable labor market information, including DOL's, indicates that mature workers are a growing segment of the labor force, they are currently being underserved through the One-Stop system. It is documented that in several instances, this lack of service is intentional.
- WIA's insensitivity to the older worker is reflected in WIA-related documentation. The WIA discussion guide at usworkforce.org does not even mention Title V.
- The reauthorization should identify older workers as a group whose needs must be met by the entire WIA system. All state and local plans must identify how older workers will be served.
- Performance data should be collected indicating the number and percentages of workers over 50, over 55, and over 65 served at One-Stops, and a description of the service(s) should be provided.
- While the National Sponsors of the Senior Community Service Employment Programs (SCSEP), under Title V of the Older Americans Act is a WIA partner, co-locating SCSEPs in the One-Stops where they can provide specialized core and intensive services would truly establish and strengthen the linkage.
- Provide funding for and require WIA and One-Stop staff development and training in how to effectively provide services to older workers, including those from ethnic minorities, whose first language is not English and/or who lack basic skills.

- Reauthorization should create a new class of workers who identify themselves as having a personal goal of part-time work.

Dislocated Workers

- DOL has been cutting programs that provide direct services to dislocated workers and this must stop. The funding of programs that assist dislocated workers must be continued.
- Include explicit reauthorization language that expands the definition of a displaced worker so that individuals with disabilities who have limited work experience, and those who have spent time in sheltered work settings, could be served with displaced workers funds.
- Implement a “hold harmless” procedure for dislocated workers funding to eliminate drastic funding swings and minimize the uncertainty of funding allotments to LWIAs.

Title II Reauthorization

- The Adult Education and Family Literacy Act (AEFLA) should be kept basically intact.
- Governance provisions should remain unchanged and should not be undercut by proposed broad purpose waivers.
- Stronger links are needed between AEFLA and related federal laws, including the Perkins and Rehabilitation Acts (WIA Title IV) and statutes that deal with cultural institutions such as libraries and public broadcasting.
- Adequate funding should be provided. Congress should raise the annual appropriation to \$1 billion over the next four years.
- One-Stop cost allocation expectations, and the benefits to be derived for students, should be more clearly defined.
- Incentives and state planning requirements should ensure coordination and linkage to workforce development systems created under WIA.
- There should be a major investment in technology to support distance learning, computers, learning labs, Internet instruction, and the use of digital public broadcasting in creating a modern adult education and family literacy system.
- Adult education representation should be required on all youth councils.
- The reauthorizations should connect TANF and WIA work-based education programs with those funded by AEFLA.
- The National Reporting System should be the performance measure instrument used for all work-based education programs.
- In order to achieve the high performance adult education service delivery system envisioned by WIA, it is essential that the reauthorization include a more thoughtful, staged and better resource plan for implementing the performance accountability system.

Unemployment Insurance (UI)

- WIA should restore the JTPA provision that participation in WIA intensive and training services should be allowed to satisfy the work search requirements for UI recipients.
- The WIA provision that allows access to UI wage records only applies to Title 1B programs and providers. It excludes other workforce programs, such as TANF, which have similar performance measure requirements.
- It is difficult to require certain workforce programs to make resources and services through a One-Stop system, without allowing these programs to share information, reauthorization language should allow for sharing of wage records with other One-Stop partners. Also, ensure that wage records from other states are made available.

Unemployment Insurance / Employment Services (UI/ES) Reform

- The demand from the business community to reduce the level of taxes must be carefully weighed against the critical need to fund UI/ES programs at a level that will ensure the financial security of the workforce.
- Reduce employer's federal employment taxes.
- Workers seeking part-time work, regardless of the reason, are monetarily eligible and should not be denied benefits.
- Continue to fully fund the Wage Record Interchange System.
- Develop ways for states to share promising approaches in the use of supplemental data sources in closing the data gaps for covered and uncovered employment in UI.
- Help states address the timeliness and accuracy of UI benefit payments and prevent overpayments.
- Allow states to control administrative funding.
- Domestic and sexual violence needs to be a "good cause" reason for voluntary leave, involuntary termination, and failure to comply with work search and 'able and available' UI eligibility requirements.
- The Alternate Base Period (ABP) should be adopted so that more recent wages are included in the calculation of monetary eligibility.

Serving Persons With Disabilities

- Vocational Rehabilitation should continue to be a mandated One-Stop partner.
- As a component of the workforce system, vocational rehabilitation needs to continue to be authorized under a separate title to assure that dedicated services continue.
- A representative of RSA should serve on the State and all Local WIBs.
- Even though VR is a mandatory One-Stop partner, many of their local projects operate under an Order of Selection, which gives service priority to the person who is deemed the

most severely disabled. This is contrary to WIA's universal access policy. The provision of additional funding for VR programs would help to address this inadequacy.

- The relationship of training and other services offered under VR with similar services under WIA should be clarified, so that the former is fully recognized as a key contributor in the workforce system.
- Persons with disabilities are the groups with highest unemployment rate in the country, yet they are also the group with the most firewalling in terms of information sharing.
- Personnel in both the One-Stop centers and in the VR programs require to be better trained on how to sensitively provide effective services to persons with disabilities.
- A working partnership between a disability rights organization, and VR, would improve One-Stop services to the disabled.
- Neither WIA nor Ticket to Work has been successful at serving people with disabilities using new service strategies.
- The vast majority of One-Stops are not set up to serve nor are they marketing to people with disabilities.
- Include non-VR agencies, such as organizations that focus on mental health and developmental disabilities/mental retardation as mandated One-Stop partners.

Federal Coordination of WIA

- Enhancing partnerships at the federal level, in statute, regulation, and practice is a necessary prerequisite to a truly unified and effective workforce development system. Immediately, MOUs should be developed at the highest levels in the federal agencies.
- Current WIA waivers should not be expanded nor should the Administration or Congress seek broad waiver authority for other federal programs.

National Farmworker Jobs Program (NFJP)

- The NFJP, as currently structured under Section 167 of WIA, must be retained, legislatively strengthened, and adequately funded. Without these services both the farmworker and the farmers for whom they provide a much needed workforce will suffer.
- A national program, such as NFJP, is needed because most farmworkers find it difficult to access state programs and generally shy away from state programs and agencies.
- The current WIA system cannot absorb the cost of delivering the specialized services currently provided by NFJP
- Because farmworkers enter the WIA picture at much lower levels educationally, occupationally and linguistically, they are statutorily unprotected against unemployment in all but a few states and they fall well below minimum customer criteria set by many One-Stops for receipt of training services.
- How will states absorb the \$91 million in NFJP program responsibility without additional funding?

- NFJP is a workforce service model to be replicated not eradicated.
- A careful analysis of the annual roll-ups of PY 1999 and PY 2000 will show that the NFJP Entered Employment Rate, Average Weekly Wage, and Retention rates meet the mainlined Adult WIA outcomes, and in some cases exceed them. There is something convoluted in OMB's suggestion that NFJP is ineffective.
- A high percentage of migrants who travel from state to state are not eligible for local services. The delivery of employment stabilization Related Assistance to in-stream migrants is a critical service that is expertly managed through NFJP.
- NFJP is needed to meet the new training demands for the workers in regards to the Home Land Security's main goal: "securing the nations food supply."
- As an Adult & Dislocated Worker subgrantee, I cannot absorb NFJP services without additional funding, nor perform the outreach functions. Due to the nature of their work, farmworkers cannot visit One-Stops during "office hours."
- How will One-Stops provide stabilization services (Related Assistance)?
- Statutory and regulatory provisions extend WIA section 167 services to dependents of eligible farmworkers – will One-Stop operations accommodate these requirements.
- WIBs may be willing to spend funds to provide services to farmworkers, however, their service providers may have little, or no incentive to do so.