| TRAINING AND EMPLOYMENT NOTICE | NO. 31-14 |
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| | DATE April 30, 2015 |

**TO:** STATE WORKFORCE AGENCIES
STATE WORKFORCE LIAISONS
AFFLIATE AMERICAN JOB CENTER MANAGERS
COMPREHENSIVE AMERICAN JOB CENTER MANAGERS
DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING
ADMINISTRATION REGIONAL ADMINISTRATORS
WORKFORCE INVESTMENT BOARD LOCAL CHAIRS
WORKFORCE INVESTMENT BOARD STATE CHAIRS
WORKFORCE INVESTMENT BOARD STATE EXECUTIVE DIRECTORS
WORKFORCE INVESTMENT BOARD LOCAL EXECUTIVE DIRECTORS

**FROM:** PORTIA WU
Assistant Secretary

**SUBJECT:** Early Operating Guidance for Implementation of the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act)

1. **Purpose.** The purpose of this notice is to inform state and local workforce system leaders and other stakeholders comprising the nation's employment and training system and One Stop Centers of the Employment and Training Administration's (ETA) plans to issue operating guidance on the implementation of WIOA and to continue to provide technical assistance.

2. **References.**
   - Workforce Innovation and Opportunity Act

3. **Background.** WIOA was signed into law on July 22, 2014. The Opportunity Act is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. 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. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.

   The Department of Labor (DOL) and Department of Education (ED) are working to publish a set of regulations for implementation of WIOA. The Notice of Proposed Rulemaking was published in April 2015, and provides the public an opportunity to comment on the proposed regulations for the administration and governance of the program. DOL and ED will analyze these public comments, and anticipate issuing Final Regulations in early 2016.

4. **WIOA Operating Guidance.**

In order to facilitate implementation of WIOA by states and localities prior to the publication of the final rule, the Department will publish a series of WIOA Operational Guidance documents in the form of Training and Employment Guidance Letters (TEGLs). These TEGLs are the vehicle that ETA normally uses for communicating policy and program guidance to the American Job Center system. ETA's WIOA Operating Guidance TEGLs will provide the system with instructions for implementation, aligned with ETA's current thinking about how to begin the important planning and restructuring necessary to comply with new WIOA statutory requirements for the upcoming Program Year 2015 (beginning July 1, 2015) and beyond. The Operating Guidance TEGLs will provide a framework for program activities until the regulations are finalized.

ETA is working collaboratively with the ED and other Federal partners, as appropriate, to develop this guidance. Further, the WIOA Operating Guidance will be informed by the questions, comments, and recommendations received through continued outreach to stakeholders.

Anticipated Topics for Operating Guidance

ETA is working to develop this guidance and issue it to system stakeholders as quickly as possible. The first WIOA TEGL 12-14 was issued on October 28, 2014, on the "Allowable Uses and Funding Limits of Workforce Investment Act (WIA) Program Year (PY) 2014 funds for Workforce Innovation and Opportunity Act (WIOA) Transitional Activities" and TEGL 19-14 was issued on February 19, 2015, by Assistant Secretary Wu and discussed the "Vision for the Workforce System and Initial Implementation of WIOA." Several additional TEGLs have been released in the past several weeks.

Additional topics of interest to the system are being addressed according to priority for the dates of required implementation. A representative sample of the topics to be covered in these TEGLs includes, but is not limited to:

- Fiscal Reporting on WIOA, including reporting partner program contributions
- Youth Formula activities in PY 2015, including reporting expenditures on out of school youth
- Governance Provisions under WIOA: state and local board appointments, and the important roles for partner agencies participating on local boards, and the designation of local areas, One-Stop Services and operations, including comprehensive vs affiliate One-Stops, access to services for those with physical disabilities, key definitions, business services, One Stop certification criteria, and development of Memorandums of Understanding and infrastructure cost allocation among programs
- Competitive Procurement of One Stop operators under WIOA

- Guidance to National Grantees under Sections 166 and 167 of WIOA
- Performance Indicators and Participant Reporting under WIOA including data collection, validation, and the use of wage records
- Leveraging Registered Apprenticeship Programs with the Workforce Development System
- Information Relevant to the Unemployment Insurance program
- Eligible Training Provider provisions

Additional topics will be determined and all ETA guidance will be issued and sent to a broad list of stakeholders and will also be available at http://wdr.doleta.gov/directives/ and the ETA WIA Resource page at http://www.doleta.gov/wioa/.

5. **WIOA Technical Assistance**. As a follow-up to guidance referenced above, ETA is providing a series of specifically designed resources of training and technical assistance tools and resources to support implementation of WIOA. ETA is coordinating with the Departments of Education and Health and Human Services, as well as other Federal partners and intergovernmental organizations, as appropriate, in the development and delivery of technical assistance. Specific technical assistance is being planned for most of the guidance topics noted above and below is a sampling of technical assistance activities that are currently underway:

   - WIOA 101 Series – This narrated presentation provides an introduction to key provisions in the Workforce Innovation and Opportunity Act, Titles I and III was made available in December 2014.
   - Quick Start Action Planners (QSAP) – This series of flexible tools are designed to support state and local leadership as they convene their partners to engage in strategic planning to support implementation of WIOA, both now and into the future. They provide a framework for assessing and prioritizing the areas that require new partnerships, new strategies, and innovation to support the transformational WIOA vision into reality and help state and local boards carry out the new and very complex roles they are required to play under WIOA. QSAP topics include Partnerships, State Leadership and Governance, One Stop Center Service Design, Youth Services Strategies, and Local Leadership and Governance.
   - WIOA Topic Specific Webinars – ETA will host Webinars focused on key implementation topics. Topics include but are not limited to: A Vision for WIOA and Initial Implementation, Strategic Boards, Customer-Centered One-Stop Service Design, and Serving Out-of-School Youth.
   - Voices of Experience – This series of brief videos, podcasts, and vignettes will capture testimonies and promising practices from state and local workforce, education, and human services leaders and practitioners on key implementation topics. Topics include but are not limited to: Planning Effectively for Implementation, Customer-Centered One-Stop Design, Regional Partnerships, Career Pathways, Sector Strategies, Serving Out-of-School Youth.

- Fact Sheets – These fact sheets can help state and local board members and other partners and stakeholders better understand the WIOA provisions and opportunities for key implementation topics such as: Leadership and Governance, One-Stop Services, and the Youth Formula Program. Fact Sheets can be accessed at http://www.doleta.gov/wioa/.
- The WIOA Collection Page (www.wioa.workforce3one.org) – This site provides links to WIOA technical assistance tools and resources and offers more information to support implementation.
- Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide - This reference guide provides promising practices that correlate with specific nondiscrimination requirements in Section 188 of WIOA.

6. **Action Requested.** This notice is sent for information purposes. Each TEGL of Operating Guidance will come out with a similar notification, and all technical assistance activities will be posted on our Web Sites. Please see http://www.doleta.gov/wioa/ for a listing of current guidance on WIOA implementation and other resources related to WIOA. Information regarding ETA's technical assistance Webinars, tools, and resources are available at the WIOA Collection Page (www.wioa.workforce3one.org).

7. **Inquiries.** Questions on WIOA implementation should be directed to your Regional Office.