

National Disability Institute's LEAD Center



LEAD CENTER

*Leadership for the Employment and Economic Advancement
of People with Disabilities*

Centers for Independent Living Guide to American Job Centers: Improving Services for Job Seekers with Disabilities

The **National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD)** is a collaborative of disability, workforce and economic empowerment organizations led by **National Disability Institute** with funding from the **U.S. Department of Labor's Office of Disability Employment Policy**, Grant No. #OD-23863-12-75-4-11. **This document does not necessarily reflect the views or policies of the Office of Disability Employment Policy, U.S. Department of Labor, nor does the mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.**



Centers for Independent Living Guide to American Job Centers: Improving Services for Job Seekers with Disabilities

Prepared by the LEAD Center, in Partnership with the
National Council on Independent Living
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On July 22, 2014, President Obama signed into law the Workforce Innovation and Opportunity Act (WIOA), which replaces the Workforce Investment Act of 1998 (WIA) and amends the Rehabilitation Act of 1973 (Rehabilitation Act). It is aimed at increasing opportunities, particularly for those individuals with disabilities who face barriers to employment, and invests in the important connection between education and career preparation. The WIOA restructures the Career One-Stops (American Job Centers (AJCs)) and reorganizes their services. AJCs will continue operations as described here, but will be making changes in their operations during the coming year. Addendums to this document will be prepared to reflect the new AJC operating model as current draft rules become final and new guidance from the Employment and Training Administration becomes available.

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(NOTE: The information in this document is based on proposed regulations published in the Federal Register by the Employment and Training Administration (ETA) on April 16, 2015. The workforce system will be implementing provisions based on the proposed regulations and guidance from ETA, including changes to the Rehabilitation Act as amended by Title IV of WIOA. This guide will be updated when final regulations are published.)

INTRODUCTION

This guide was created to provide Centers for Independent Living (CILs) a basic understanding of the Workforce Innovation and Opportunity Act (WIOA) and American Job Center (AJC) services to encourage partnership and referrals to AJCs as a free community-based support for individuals with employment goals. The information in this guide is based on WIOA *Title I—Workforce Development Activities, Title III—Amendments to the Wagner-Peyser Act, and Title IV, which amends the Rehabilitation Act*. The comprehensive nature of CILs, to advocate for and address the independence of individuals with disabilities, is a perfect match with the nature of the public workforce system to improve the employment and economic advancement of all job seekers, including individuals with disabilities, with an emphasis on serving out-of-school youth. Leveraging the knowledge and skills of CILs on disability issues and community resources, and the training and employment services accessed through AJCs, maximizes the opportunities available through both partners and creates a *win-win-win* for CILs, for AJCs, and for job seekers with disabilities.

This guide provides CIL staff the information necessary to educate job seekers with disabilities about (1) the range of services available at their local AJC, (2) changes to AJCs under the new WIOA, (3) how to access AJC services, and (4) points in the process where self-advocacy may be necessary. CILs are experts at providing a range of self-advocacy tools. The guide notes reasons why self-advocacy may be a more effective strategy for job seekers with disabilities seeking AJC services than CIL staff advocating on the job seeker's behalf.

Embedded throughout this guide, and highlighted at the end, are suggested opportunities for CIL and AJC collaboration. CILs and AJCs share a mission to improve the lives of job seekers with disabilities, and often serve the same individuals. Both have finite resources and each has deep, successful experience partnering with other organizations. Collaboration between CILs and AJCs will leverage each entity's expertise toward improved opportunities for access to



training and education resulting in improved employment and economic self-sufficiency outcomes for job seekers with disabilities.

SECTION I: THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

This section provides information on the fundamentals and basic components of the Workforce Innovation and Opportunity Act (WIOA) of 2014. WIOA replaces the Workforce Investment Act (WIA) of 1998. A basic understanding of the implementation of WIOA within AJCs is important to understanding how community organizations can best utilize AJCs to serve all job seekers, including those with disabilities. WIOA ensures that employment and training services provided by core programs are coordinated and complementary so that jobseekers acquire skills and credentials that meet employer needs.

Primary Components of WIOA

This section describes the primary components of WIOA and how WIOA implementation will guide service delivery through the public workforce system. AJCs, also known as One-Stop Career Centers, are part of the nationwide workforce development system (also called the public workforce system) established under the Workforce Investment Act of 1998. WIOA was enacted to consolidate, coordinate, and improve multiple employment, training, and education programs through a “one-stop” delivery system that is universally accessible. Importantly, WIOA significantly improves services to individuals with disabilities.

The complete text of the Workforce Innovation and Opportunity Act of 2014 is located at: <http://www.doleta.gov/wioa/docs/BILLS-113hr803enr.pdf> and includes the following five titles:

- Title I – Workforce Development Activities;
- Title II – Adult Education and Literacy;
- Title III – Amendments to the Wagner-Peyser Act;
- Title IV – Amendments to the Rehabilitation Act of 1973; and
- Title V – General Provisions.

The U.S. Department of Labor’s (DOL) Employment and Training Administration (ETA) is responsible for the overall administration of WIOA, and specifically administers programs authorized under Titles I and III. WIOA emphasizes the importance of aligning services provided by AJCs and those provided by the other core programs, including vocational rehabilitation services under the Title I of the Rehabilitation Act as amended by Title IV of WIOA.

WIOA has six main purposes (see [WIOA Sec. 2. Purposes](#)):

- Increasing access to and opportunities for the employment, education, training, and support services that individuals, particularly those with barriers to employment, need to succeed in the labor market;
- Supporting the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system;
- Improving the quality and labor market relevance of workforce investment, education, and economic development efforts; to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy;
- Promoting improvement in the structure and delivery of services;
- Increasing the prosperity of workers and employers; and
- Providing workforce investment activities, through workforce development systems, that increase employment, retention, and earnings of participants and that increase post-secondary credential attainment and, as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet skill requirements of employers, and enhance productivity and competitiveness of the nation.

A comprehensive WIOA 101 tutorial is provided at ETA's Workforce3One website. It is directed to both new and experienced workforce staff, as well as Workforce Development Board members. The multiples modules of WIOA 101 may be of interest to CILs and are provided at: <https://www.workforce3one.org/view/3001432333369774359>.

The Department of Labor (DOL), in coordination with the U.S. Departments of Education (ED) and Health and Human Services (HHS), is working diligently to ensure that states, local areas, other grantees, and stakeholders are prepared for the implementation of WIOA. The WIOA Resource Page provides information and resources for states, local areas, nonprofits and other grantees, and other stakeholders to assist with implementation of the Act. This page is updated regularly to reflect newly developed materials, including responses to frequently asked questions, and can be found at: <https://www.doleta.gov/wioa/>.

Basic Eligibility Requirements

WIOA establishes basic eligibility requirements for job seekers to receive AJC services that include 1) U.S. citizenship or noncitizen authorized to work in the U.S., 2) meeting Military Selective Service registration requirements (males only), 3) attaining 18 years of age or older for adult programs, and 4) meeting dislocated-worker definitions for dislocated-worker programs. (See Appendix III: Program Eligibility Criteria)

Youth must be between 14 to 21 years of age and low-income for in-school youth programs or between 16 and 24 for out-of-school programs. Job seekers may also qualify for entry into



select programs based on eligibility for other public assistance, income level, or specific barriers to employment (e.g., disability).

See Appendix III: Program Eligibility Criteria for additional eligibility requirements for certain programs.

Definition of Individual with a Disability

WIOA Title I defines “individual with a disability” in accordance with Section 3 of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12102). Under the ADA, “an individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities, or has a record of such an impairment, or is regarded as having such an impairment.” The ADA defines a physical impairment as “any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.” Neither the ADA nor the regulations that implement it list all the diseases or conditions that are covered, as it would be impossible to provide a comprehensive list, given the variety of possible impairments.

Section 188: Nondiscrimination and Equal Opportunity

The Civil Rights Center (CRC) of the Department of Labor is charged with enforcing Section 188 of WIOA, which ensures nondiscrimination, equal opportunity and full integration for various categories of persons, including persons with disabilities, who apply for and participate in programs and activities operated by recipients of WIOA funds. WIOA contains the identical provisions of Section 188 as appeared in WIA, and these provisions took effect on July 1, 2015 (See [WIOA Sec. 188 Nondiscrimination](#)). In addition to Section 188, a subsequent [**Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide**](#) was jointly created by DOL’s Employment and Training Administration, CRC and Office of Disability Employment Policy (ODEP). Released in July, 2015, the 188 Reference Guide provides examples that states and local areas can consider to ensure meaningful and equal participation of people with disabilities in programs and activities funded under WIOA, including other required partner programs in the public workforce system. Section 188 and the Section 188 Disability Reference Guide are intended to make the AJC system accessible to persons with disabilities, particularly as it relates to physical, programmatic, and communication accessibility.

Over the years, DOL has designed and funded numerous grant programs, such as the Disability Employment Initiative (DEI), to continue to improve the programmatic access of AJCs. DEI aims to improve education, training, and employment opportunities and outcomes for youth and adults with disabilities who are unemployed, underemployed or receiving Social



Security disability benefits. The Office of Disability Employment Policy (ODEP) jointly funds and administers the DEI with ETA.

Workforce Development System

WIOA establishes a workforce development system structure with three administrative components.

- State Workforce Development Board: Each state is required to establish a State Workforce Development Board to establish statewide policies and supervise the implementation of WIOA employment and training programs and services in the state, including designation of workforce areas within the state.
- Local Workforce Development Board: Each local workforce area is managed by a Local Workforce Development Board. The local board develops and implements a plan for delivery of workforce development programs and services in the local area, including the operation of one or more AJCs.
- American Job Centers: American Job Centers (AJCs) deliver the employment and training programs and services described in the plan developed by the local workforce development board.

State Workforce Development Board

State Governors establish a State Workforce Development Board to coordinate and align workforce programs within the state and develop strategies to meet worker and employer needs. The state workforce development board is responsible for developing and supporting the state's workforce development system, including support and guidance for local workforce development boards and AJCs.

Under WIOA, states govern the core programs as one system, assessing strategic needs and aligning them with service strategies to ensure that the workforce system can meet the employment and skill needs of all workers and employers. Core programs include 1) Adult, Dislocated and Youth programs, 2) Adult Literacy and Education programs, 3) Wagner-Peyser Employment Service, and 4) vocational rehabilitation programs under Title I of the Rehabilitation Act.

State boards must review statewide policies, programs, and recommendations on actions that must be taken by the state to align workforce development programs to support a comprehensive and streamlined workforce development system. The board must prepare a plan for continuous improvement of the workforce system by realigning programs and activities, developing career pathways, identifying economic regions and local service areas, and developing strategies for training and informing staff. After consulting with local boards and chief elected officials (CEOs), the state board establishes criteria for certifying the effectiveness, programmatic and physical access, and continuous improvement of each AJC.



State board members are appointed by the Governor. A majority of the members of each state board must be representatives of business, including small businesses, or organizations representing businesses. At least 20 percent of the board must be representatives of the workforce, including unions and apprenticeship programs. The remainder of the membership can be state and local government officials and other organizations, including representatives of community-based organizations (such as CILs) that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment. This includes organizations that serve veterans or that provide or support competitive integrated employment and economic advancement for youth and adults with disabilities.

Local Workforce Development Boards

The State Governor establishes a local workforce board for each local area identified in the Unified State Plan or Combined State Plan. (See below.) Local areas identified by the State Workforce Development Board serve as a jurisdiction for the administration of workforce development activities and execution of adult, dislocated worker, and youth funds allocated by the State. The local board must work to develop a comprehensive and high-quality workforce development system by collaborating with its workforce and education partners to improve and align employment, training, and education programs under WIOA.

The local board and CEO will develop and submit to the Governor a local plan to conduct research, data collection, and analysis related to the workforce needs of the regional economy, engage employers to ensure that workforce investment activities meet the needs of employers, and support economic growth in the region, and lead efforts in the local area to develop and implement career pathways.

Local boards are authorized, but not required, to establish standing committees to provide information and assist with operational and other issues (e.g., committees related to the one-stop delivery system, provision of services to youth, and provision of services to individuals with disabilities). The standing committee for individuals with disabilities will also address issues regarding compliance with WIOA Section 188 and the Americans with Disabilities Act regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports or accommodations, and finding employment opportunities for individuals with disabilities.

Local boards designate and oversee an operator for the AJCs and affiliate job centers, identify local eligible training providers, develop local plans and budgets, and search for innovative service models to incorporate into the AJCs. As part of development of AJCs, local boards shall negotiate MOUs with each of the required and optional partners, as required by WIOA.



Local boards certify AJC centers every three years, using criteria written by the state board on effectiveness, physical and programmatic accessibility, and continuous improvement.

The Governor and State Workforce Board shall establish criteria for appointment of members of Local Workforce Development Boards by the local CEO. The membership of local boards is similar to the state board with a majority of businesses and business-related groups, at least 20 percent workforce representatives and representatives of the following programs and agencies:

- Adult Education/Literacy Providers
- Higher Education (including community colleges)
- Economic and Community Development
- Wagner-Peyser Employment Services
- Vocational Rehabilitation
- Others determined appropriate by chief elected officials

Business members of the board must provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area.

At the discretion of the chief elected official in the local area, membership of local boards may also include representatives of:

- Community-based organizations addressing the employment needs of individuals with barriers to employment (such as CILs)
- Organizations serving veterans
- Organizations providing or supporting competitive integrated employment for individuals with disabilities
- Higher education institutions providing workforce investment activities, including community colleges
- Philanthropic organizations
- Organizations addressing the employment, training, or education needs of eligible youth, including those serving out-of-school youth

Recommendation: WIOA requires state and local workforce development boards to solicit input from the public when developing their plans. WIOA also gives the Governor and the local chief elected officials who appoint members of the state and local boards the option to appoint representatives of community-based organizations, including those representing people with disabilities, to the boards. CILs could contact the boards and appointing officials about (1) providing input into the plan's development; (2) involvement on subcommittees; (3) suggesting possible people to be appointed as members of state and local boards; and/or (4) providing ongoing technical assistance



and information to the state and local boards and subcommittees in areas such as physical and program accessibility. In addition, CIL staff and members can attend local and state board meetings, which are open to the public.

Regions

WIOA requires states to establish planning regions when appropriate in order to ensure that training and employment services support economic growth and related employment opportunities and are meeting the skill competency requirements of the region's employers. The Governor designates regional economic areas based on defined criteria that may differ between states. Local areas may be assigned to an economic region together with at least one other area to form a planning region. A region may consist of a single local area, two or more contiguous local areas within a state, or two or more contiguous local areas in two or more states. Local areas in identified regions will have coordinated planning and service delivery strategies. WIOA requires local boards and chief elected officials in each planning region to engage in a planning process resulting in a regional plan that:

- Incorporates local plans for each workforce area in the planning region;
- Establishes a regional service strategy;
- Addresses the development of sector initiatives for in-demand sectors or occupations in the region;
- Coordinates supportive services and regional economic development services.

If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and chief elected officials from such other local areas in the preparation and submission of a regional plan. The local plan for each local area shall be included in the regional plan.

Unified State Plan

WIOA requires that states create a four-year Unified State Plan (USP) or Combined State Plan (CSP) covering the four WIOA core programs and containing strategic and operational planning elements, a description of the state operating systems and policies, and program-specific requirements. The state plan describes the State's strategic vision and goals for preparing an educated and skilled workforce and must describe a state's comprehensive high-quality workforce development system that aligns workforce investment, education, and economic development. The goals of the Unified or Combined State Plans are to align and integrate Federal education, employment, and training programs; guide investments to ensure that training and services are meeting the needs of employers and job seekers; apply consistent job-driven training strategies across all relevant Federal programs; and engage economic, education, and workforce partners in improving the workforce development system ([See WIOA Sec.102. Unified State Plan](#) and [Sec. 103. Combined State Plan](#))



Strategic planning elements include analyses of the state's economy, employment needs of employers, current workforce, employment, and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with disabilities, and workforce development activities.

Operational planning elements include a description of how the state board will implement its strategy, including the state operating systems and policies that support implementation of the state strategy.

Program-specific requirement elements include a description of how the state board will distribute funds under the core programs, and how the state will align and integrate available workforce and education data on core programs, unemployment insurance programs, and education through postsecondary education. The USP or CSP must describe a process for identifying local areas and planning regions. It must disclose how a state will comply with Section 188 provisions to protect job seekers with disabilities against discrimination and provide equal access to all WIOA programs and services. States are required to solicit input from several sources, including the general public, which includes disability service entities.

States have the option to submit a Combined State Plan that covers the four core programs plus one or more other workforce programs:

- **Department of Education:** Perkins Career and Technical Education Programs
- **Department of Health and Human Services:** Temporary Assistance for Needy Families (TANF), Community Services Block Grant
- **Department of Agriculture:** SNAP Employment and Training Programs
- **Department of Housing and Urban Development:** Employment and Training Activities
- **Department of Labor:** Trade Adjustment Assistance, Veterans State Grant Program, Unemployment Insurance, Senior Community Service Employment Program, Reintegration of Offenders Programs

Recommendation: CILs and State Independent Living Councils (SILC) could offer to participate at the state planning level to assure that program access and design will best meet the diverse needs of job seekers with disabilities.

For more detailed information about the Unified or Combined State Plans:

<http://www.leadcenter.org/webinars/wioa-and-unified-state-planning-process-part-2-4-part-series-wioa>



US Department of Labor, Employment & Training Administration WIOA:
<https://www.doleta.gov/wioa/>

SECTION II: AMERICAN JOB CENTERS

This section provides information on AJC services and customers. Services provided and the service delivery process may vary among AJCs, so visiting your local AJC is the best way to fully understand what to expect in your local area.

AJCs are the primary entity for delivery of WIOA-funded services to job seekers, workers, and businesses. DOL's 2014 Annual Report notes that AJCs served 7,336,800 WIA customers in 2014. AJCs provide and will continue to provide programs to a range of job seekers. There are 1,646 Comprehensive AJCs and 813 Affiliate AJCs (as of July, 2015) located across the country. ETA maintains a CareerOneStop website, <http://www.careeronestop.org/>, with links to local AJCs. This site provides access to online job search and career development tools, as well as self-service tools for job seekers and the organizations that may be assisting them.

AJC Basics

Each workforce development area must have at least one comprehensive AJC that provides on-site or remote access to all core programs and required partner programs. Satellite AJCs and off-site partner access points may also be available. AJC operators are designated by and report to the local workforce development board and manage the functioning and delivery of services through the AJC. AJC operators may be selected through a competitive process and can include community colleges, community-based organizations, for-profit entities, or other government agencies, as the designated AJC operator. For example, community organizations (e.g., Goodwill) are AJC operators in a number of workforce areas.

AJCs provide a variety of employment services and provide connections to training and education for job seekers. Each AJC provides access to the four core programs identified in the WIOA. Comprehensive AJCs are required to provide two levels of service: career services and training services. Career services were created by combining the former WIA core and intensive services. Unlike WIA, there is no requirement for a sequence of services. Job seekers must, however meet certain eligibility criteria to access certain programs.

Priority of Services: WIOA directs that certain individuals have a priority for receiving services from AJCs:

- Veterans and eligible spouses have a priority of service for WIOA and other designated job training programs funded in whole or in part by the U.S. Department of Labor; and
- Individualized career services and training services must be given on a priority basis, regardless of funding levels, to public assistance recipients and low-income adults, and individuals who are basic skills deficient.



Career Services

Career services for adults and dislocated workers must be available in at least one job center in each local workforce development area. Career services are divided into three types in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule.

Basic career services: Basic Career Services include many of the administrative activities such as intake, registration, eligibility determinations, initial assessment of skills levels, orientation to information and other services available through the local workforce system, job search and placement assistance, career counseling, the availability of support services or assistance, and referrals to other workforce system programs and services. A complete list of basic career services can be found in Appendix IV- Career and Training Services toward the end of this document.

Individualized career services: Individualized career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. Individualized services are more comprehensive and personalized. Job seekers with disabilities may qualify for individualized career services. These services are similar to the former WIA Intensive Services. Some individualized career services are comprehensive and specialized assessments of the job seeker's skill levels and service needs, development of an individual employment plan, individual counseling and career planning, financial literacy services, and internships and work experiences that are linked to careers. A complete list of individualized career services can be found in Appendix IV- Career and Training Services toward the end of this document.

Follow-up services: Follow-up services must be made available, as appropriate—including counseling regarding the workplace and supportive services—for participants in adult or dislocated worker activities who are placed in unsubsidized employment for a minimum of 12 months after the first day of employment. Follow-up services may be especially useful for job seekers with significant disabilities.

Training Services

Training services are provided to equip individuals to enter the workforce and retain employment. Examples of training services include on-the-job training (OJT), including registered apprenticeship, entrepreneurial training, skills upgrading and retraining, and occupational skills training, including training for nontraditional employment. A complete list of training services can be found in Appendix IV- Career and Training Services toward the end of this document. Information on eligibility and training services is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule.



Eligibility for Training Services: Training services may be made available to employed and unemployed adults and dislocated workers who, after a determination of need is made using an employment plan:

- are unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
- are in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment;
- have the skills and qualifications to participate successfully in training services;
- have selected a program of training services that is directly linked to:
 - occupations that have been targeted by the Board, or are targeted occupations for another local workforce development area to which an adult or dislocated worker is willing to commute or relocate; or
 - occupations that have been determined on a case-by-case basis to have a high potential for sustained demand and growth in the workforce area, and
- are unable to obtain grant assistance from other sources to pay the costs of such training and related support services, including such sources as state-funded training funds, Trade Adjustment Assistance (TAA), and Federal Pell Grants, or require WIOA assistance in addition to other sources of grant assistance, including Federal Pell Grants.

Training providers: A job seeker found eligible for training services who wishes to use AJC funding to pay for training needed to achieve their career goal must select an approved training provider from the Eligible Provider List. The list is maintained by the Governor, who determines the criteria for eligibility and the application process to be followed by a service provider wishing to be added to the list. The list is publically available; the job seeker can get a copy of the list from their AJC.

For further information regarding services described above and delivered by the Adult and Dislocated Workers Program under WIOA, see [ETA's Operating Guidance to the WIOA TEGL 3-15](#).

Recommendation: CILs could obtain the list of Eligible Training Providers from their AJC and review it to determine if local service providers are on the list. If not, contact the provider, especially those providers that provide disability-related employment services, and suggest that they apply to be added to the list.

Youth Programs

WIOA affirms the Department's commitment to providing high quality services for youth and young adults beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries and



occupations, and culminating with a good job along a career pathway or enrollment in postsecondary education. WIOA maintains WIA's focus on out-of-school youth in Job Corps and YouthBuild, while greatly increasing the focus on out-of-school youth in the WIOA youth formula-funded programs. WIOA requires 75 percent of state and local Youth funding be used for out-of-school youth. ([See WIOA Section 126-129 Youth Workforce Investment Activities.](#)) This information is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule.

In addition, WIOA includes a major focus on providing youth with work experience opportunities, with work experience as the most important of the youth program elements. At least **20%** of local Youth formula funds must be used for work activities such as:

- Summer and year-round jobs
- Pre-apprenticeship
- On-the-job training
- Internships
- Job shadowing

The design framework of local youth programs must provide for an objective assessment of each youth participant, including a review of the academic and occupational skill levels and service needs, for the purpose of identifying appropriate services and career pathways for participants and informing the individual service strategy, developed, and updated as needed. The individual service strategy for each youth participant:

- identifies appropriate career pathways that include education and employment goals;
- considers career planning and the results of the objective assessment; and
- prescribes achievement objectives and services for the participant.

Youth programs must also provide case management of youth participants, including follow-up services.

Youth program elements: Workforce development boards must ensure that the following 14 services are available to youth participants:

1. Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;
2. Alternative secondary school services, or dropout recovery services, as appropriate;
3. Paid and unpaid work experiences that have academic and occupational education as a component of the work experiences;



4. Occupational skills training, which includes priority consideration for training programs that lead to recognized postsecondary credentials that align with in-demand industry sectors or occupations in the workforce area involved;
5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
6. Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors;
7. Support services which enable an individual to participate in the WIOA program;
8. Adult mentoring for a duration of at least 12 months that may occur both during and after program participation;
9. Follow-up services for not fewer than 12 months after the completion of participation;
10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth;
11. Financial literacy education;
12. Entrepreneurial skills training;
13. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the workforce area, such as career awareness, career counseling, and career exploration services; and
14. Activities that help youth prepare for and transition to postsecondary education and training.

For further information regarding WIOA's Youth Program Transition services, see [ETA's Operating Guidance to the WIOA TEGL 23-14](#).

Employer-Related Services

AJCs provide a host of services to local area employers to support their understanding of current workforce trends and their own workforce needs. This information is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule. The scope of AJC services available to local employers will vary by AJCs and may include:

- Listing job openings;
- Locating job-ready, skilled workers who meet their needs;
- Hosting job fairs;
- Developing and providing training for incumbent workers;
- On-the-job training stipends;
- Connections to other partners and programs, when necessary;
- Assisting with employment retention including the use of accommodations and assistive technology, as appropriate.



- Customized screening and referral of qualified participants in career and training services to employers;
- Customized employment-related services to employers, employer associations, or other such organizations on a fee-for-service basis that are in addition to labor exchange of services available to employers under Wagner-Peyser; and
- Activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the Local Board and consistent with the local plan.

Employer Training: Training and Services for Employers allows a state to educate and provide services to employers who have hired, or are interested in hiring, individuals with disabilities under programs carried out by the AJC, including:

- providing training and technical assistance to employers regarding the employment of individuals with disabilities, including disability awareness, and the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and other employment-related laws;
- working with employers to provide opportunities for work-based learning experiences (including internships, short-term employment, apprenticeships, and fellowships), and opportunities for pre-employment transition services;
- recruiting qualified applicants who are individuals with disabilities;
- training employees who are individuals with disabilities;
- promoting awareness of disability-related obstacles to continued employment;
- providing consultation, technical assistance, and support to employers on workplace accommodations, assistive technology, and facilities and workplace access through collaboration with community partners and employers, across States and nationally, to enable the employers to recruit, job match, hire, and retain qualified individuals with disabilities who are recipients of vocational rehabilitation services under this title, or who are applicants for such services; and
- assisting employers with utilizing available financial support for hiring or accommodating individuals with disabilities.

For further information regarding employer-related services described above and delivered by the Adult and Dislocated Workers Program under WIOA, see [ETA's Operating Guidance to the WIOA TEGL 3-15](#).

Career Pathways: WIOA contributes to economic growth and business expansion by ensuring the workforce system is job-driven, matching employers with skilled workers. WIOA emphasizes career pathways and sector partnerships to promote employment in in-demand occupations and industries. Many states have implemented career pathways initiatives, a system of support that will make it easier for job seekers to complete their postsecondary training and education and earn the credentials that will improve their employability, increase



their security, and boost their earning power. Career pathways create an alignment of programs and services across the workforce, education, human service, and economic development systems to support unemployed adults, particularly individuals with barriers to employment, and equip them with in-demand skills and credentials.

Career pathways systems depend on the development of strategies for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment, including individuals with disabilities, with workforce investment activities, education, and supportive services to enter or retain employment.

For more information regarding WIOA's Career Pathway Initiative, a new version of [*The Career Pathways Toolkit: A Guide for System Development*](#) has been released. The Toolkit provides the workforce system with a framework, resources and tools for states and local partners to develop and implement career pathways systems and programs. The Toolkit incorporates the latest relevant innovations, creative approaches and best practices that have emerged since the original publication.

The primary audience for the Toolkit is staff at the state level representing one of the core partners required to develop a Workforce Innovation and Opportunity Act Unified or Combined State Plan. In addition to the core partners, other important partners at the state and local level will find the Toolkit helpful in implementing a comprehensive career pathways system and programs.

American Job Center Partners and their Responsibilities

WIOA envisions a workforce development system that delivers quality, comprehensive employment and training services through a network of AJCs and strong, committed strategic local partners. In addition to the required partners, local officials are encouraged to add other partners unique to their local workforce area to ensure that the employment and training services needed to support positive employment outcomes for their job seekers are available. By positioning the AJCs in the center of the partnerships, it will be possible to coordinate the combination of partner programs and services and AJC programs and services in a way that is transparent to their customers. Partners can provide access to their services through one physical full-service AJC and often through virtual access. The job seeker might be receiving coordinated services from two or more agencies either concurrently or sequentially.

Local development boards will negotiate a Memorandum of Understanding (MOU) with each partner, including provisions describing the services to be provided through the one-stop delivery system, including the manner in which the services will be coordinated and delivered through such system; methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities; methods to ensure the needs of



workers and youth; and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one-stop delivery system to ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas.

Recommendation: In order to provide accurate information to job seekers with disabilities, CIL staff could visit their local AJC to ask about which state and local agencies partner with the AJC and what programs and services can be accessed through the AJC.

SECTION III: WIOA and Individuals with Disabilities

WIOA increases the quality, integration, and accessibility of One-Stop Services for job seekers with disabilities. WIOA increases individuals with disabilities' access to high-quality workforce services to prepare them for competitive integrated employment. It requires better employer engagement and promotes physical and programmatic accessibility to employment and training services for individuals with disabilities. Youth with disabilities receive extensive pre-employment transition services to obtain and retain competitive integrated employment.

WIOA offers new opportunities to fortify the public workforce system's capacity to ensure the full inclusion of job seekers with disabilities in services and supports offered through AJCs and mandated partners. CILs are well-positioned to support multiple aspects of WIOA implementation at the state and local level by sharing expertise and experience in serving the broad spectrum people of with disabilities.

There are unlimited formal and informal ways in which a CIL may collaborate with an AJC. This might include, for example, providing targeted or ongoing training to AJC staff, or negotiating a memorandum of understanding (MOU) that specifies support and ongoing assistance by a CIL to an AJC to enhance physical and program accessibility to promote employment outcomes. Although not mandated under WIOA, this level of partnership could certainly boost the employment of individuals with disabilities in the community.

Special Provision - Youth with Disabilities

The youth provisions in WIOA may be of particular interest to CILs and AJCs given the increased focus on youth. The vast majority of local area funding for youth must be directed to programming for disadvantaged youth, which includes individuals who are:

- school dropouts;
- basic skills deficient;
- achieved an educational attainment that is one or more grade levels below the grade level appropriate to the age of the individuals;



- pregnant or parenting;
- individuals with disabilities, including learning disabilities;
- homeless or runaway youth;
- ex-offenders;
- other eligible youth who face serious barriers to employment.

Disability Disclosure

Job seekers may or may not choose to disclose that they have a disability.

AJC staff members may inquire as to whether or not a job seeker can perform the essential functions of a job. If the job seeker discloses a disability, AJC staff must inform the youth or adult job seeker that:

- Providing information about one's disability is voluntary;
- The information will be kept confidential as provided by law;
- Refusal to provide the information will not subject the youth or adult job seeker to adverse treatment; and
- The information will only be used in accordance with the law.
- If a youth or adult job seeker wishes to disclose a disability, it is only necessary for AJC staff to document that the individual has a disability. Additional detailed information, including the type of disability or documentation about the disability, is not necessary. The youth or adult job seeker does not have to document a disability to register at an AJC.

Further information for AJC staff can be found in [The 411 on Disability Disclosure: A Workbook for Youth with Disabilities](#) and [Cyber Disclosure for Youth with Disabilities](#). These youth documents have useful information for adult job seekers as well.

Low Income Eligibility and Job Seekers with Disabilities

A job seeker with a disability is considered a family unit of one when determining eligibility under low-income provisions. Therefore, the income of the job seeker with the disability is the basis for eligibility not the income of the family. This provision applies to both adult and youth seeking services.

Physical and Programmatic Accessibility

WIOA includes several key provisions that enhance access and service to job seekers with disabilities. Highlights of these provisions include:

- Increased physical and programmatic accessibility to employment and training services through American Job Centers (AJCs);
- A set aside of at least 15 percent funding to provide pre-employment transition services to youth with disabilities;



- Clarification that competitive, integrated employment includes self-employment, supported employment, and customized employment strategies;
- Creation of a single set of common measures for adults across all career service programs and a similar set of common measures across all youth serving programs.

Customized Employment

Customized Employment (CE) was developed as a multi-strategy approach to match the unique skills and contributions of a job seeker with a significant disability to an employer who has an immediate need for those skills and contributions. The strategies of CE have been used with job seekers with disabilities and other significant challenges to employment, offering them the chance to work in areas of interest to them, in environments conducive to their individual needs for success, at or above the minimum wage, and with opportunities for advancement. CE includes strategies such as job carving, self-employment, job restructuring, and negotiated job descriptions crafted to highlight a job seeker's contributions and meet the specific needs of an employer.

A definition of CE is now included in WIOA, and is defined as: “Competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and carried out through flexible strategies...” ([See WIOA Sec. 113](#))

Between 2001 and 2006, a total of 26 CE demonstration project grants were funded by the U.S. Department of Labor. The grant initiative aimed to increase the capacity of AJCs to provide seamless, quality employment services for people with significant disabilities, a population often not considered “appropriate” for the generic workforce system.

Reflecting this universal strategy, ODEP has worked for many years to strengthen the capacity of the nation's workforce development system to improve employment outcomes for people with disabilities through Customized Employment. ODEP has evidence-based research data showing that Customized Employment leads to positive employment outcomes for individuals with disabilities, including those with the most significant disabilities who have in the past been considered “unemployable” by some systems.

You can find more information about CE through The LEAD Center's [FREQUENTLY ASKED QUESTIONS: Using Customized Employment's Discovery and Group Discovery Models to Promote Job Seeker Success in American Job Centers](#).



Financial Literacy

For the first time, WIOA provides guidance on the use of state funds to provide services that build customer's financial education and financial capability. As a program element for youth and allowable service for adults, efforts to support financial literacy may include an individual's ability to:

- Create household budgets, initiate savings plans, and make informed financial decisions about education, retirement, home ownership, wealth building, or other savings goals;
- Manage spending, credit, and debt, including credit card debt, effectively;
- Understand the availability and significance of credit reports and credit scores in obtaining credit, including determining their accuracy (and how to correct inaccuracies in the reports and scores), and their effect on credit terms;
- Understand, evaluate, and compare financial products, services, and opportunities; and
- Particular financial literacy needs due to their status as a non-English speaker.

AJCs are uniquely positioned to extend the promise of financial stability to prospective job seekers and workers with disabilities by serving as a bridge to accessing accurate informational resources and successful strategies to assist in improving one's financial capability. Through collaborative efforts with other Federal agencies, WIOA mandated partners, community-based organizations, local asset building programs, and the financial services sector, America's workforce development system can leverage the power of partnerships to facilitate access to financial capability services for their customers within AJCs and in the broader community.

To learn more about the replicable models for financial education and counseling that AJCs can adopt to promote financial literacy education in the workforce development system, download [Integrating Financial Capability and Asset Building Strategies into the Public Workforce Development System](#).

SECTION IV: KEY CONSIDERATIONS FOR CILS

This section discusses possible solutions to individual or system challenges to receipts of AJC services for job seekers with barriers to employment, including job seekers with disabilities, and how CILs can help respond to these challenges. The challenges noted do not exist at every AJC, but may be encountered when seeking services from an AJC with less experience or expertise in serving individuals with disabilities. These potential barriers are intended to serve as a point of conversation to equip job seekers with disabilities with the appropriate information to advocate for the services they need and are entitled to receive from the AJC. These considerations also identify points of potential partnership between CILs and AJCs. Positive relationships, built on a shared mission and mutual trust will increase dialogue



between the AJC and CIL and improve the AJCs ability to provide inclusive services to all customers, including job seekers with disabilities.

The DOL Workforce3One website includes a Disability and Employment Community of Practice with information, resources, videos, and toolkits that CILs can utilize in facilitating training and employment goals of youth and adults with disabilities. It is provided at: <https://disability.workforce3one.org>.

AJC Service to Individuals with Disabilities

AJCs must be in compliance with physical, programmatic, and communication accessibility requirements established in the non-discrimination regulations related to Section 188 of the WIOA, Section 504 of the Rehabilitation Act, and Title II of the ADA. The majority of AJCs across the country are accessible. Reviewing and upgrading access to the public workforce system is part of AJC ongoing administration and compliance responsibilities ([See WIOA Sec 188 Nondiscrimination](#)). ETA-funded projects, such as the Work Incentive Grants, the Disability Program Navigator grants, and the current Disability Employment Initiative, have experienced tremendous success in improving physical, programmatic, and communication access to AJCs, as well as the ability of AJCs to effectively serve customers with disabilities.

Although the majority of AJCs are accessible, there are some AJCs that continue to struggle in their ability to effectively serve job seekers with disabilities. When job seekers with disabilities encounter these select AJCs, they may encounter attitudinal barriers or lack of experience on the part of some staff. AJC staff vary in their levels of experience serving job seekers with disabilities and may lack training or knowledge on how to effectively interact with individuals with disabilities, how to assess individual capabilities and subsequent need for services, how to leverage those services and supports across multiple systems for which the individual job seeker may be eligible, or how to provide the necessary accommodations.

Lack of experience serving job seekers with disabilities may result in immediate referrals to a vocational rehabilitation agency or to other partner disability organizations. Vocational rehabilitation agencies or partner disability organizations may be excellent supports to the job seeker, but it is important that the job seeker know that such referrals do not disqualify the individual from utilizing AJC services. Being prepared for the possibility of such challenges may enable the individual job seeker to be more assertive in requesting the services they are entitled to receive. The job seeker can receive services concurrently or sequentially from more than one service provider.

In addition to Section 188 Nondiscrimination rules, a [Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide](#) was jointly created by DOL's Employment and Training Administration, CRC and Office of Disability

Employment Policy (ODEP). Released in July, 2015, the 188 Reference Guide provides examples that states and local areas can consider to ensure meaningful and equal participation of people with disabilities in programs and activities funded under WIOA, including other required partner programs in the public workforce system. Section 188 and the Section 188 Disability Reference Guide are intended to assist in making the AJC system accessible to persons with disabilities, particularly as it relates to physical, programmatic, and communication access.

Opportunities for CILs

CILs have deep experience providing training on disability awareness, disability etiquette, the basics of the ADA, accessibility and how to secure and provide accommodations, including assistive technology. As such, CILs play an important role in countering the myths and misperceptions that may exist in the community. Many CILs have tools they use to educate community partners, including AJC staff, the WDB, and community partners about the ADA, providing accommodations, and serving individuals with disabilities.

The LEAD Center, a technical assistance center funded by ODEP, developed *Effective Communication: Disability Awareness & Etiquette Guide* for CILs to use with AJCs as part of this toolkit. Other tools in the toolkit are designed to help CILs improve their ability to effectively communicate with and serve job seekers with disabilities. In addition, LEAD provides [frequently asked questions](#) and [other resources](#) on Group Discovery and Customized Employment for CILs to introduce to AJC staff. These strategic resources can greatly improve AJC staff's awareness of best practices in providing effective career services for persons with disabilities. Additional resources on understanding and providing accommodations for AJCs and employers are available through regional [ADA Centers](#) and the [Job Accommodation Network \(JAN\)](#).

With these tools and resources, CILs can reduce any fears or resistance on the part of AJC staff by enlisting the support of the AJC's chief administrative officials (Executive Director, Director of One-Stop Operations, or similar). CILs can provide support to AJC management staff for the inclusion of job seekers with disabilities, including youth with disabilities, and support for AJC staff so they can provide modifications and accommodations that enable job seekers with disabilities to fully benefit from AJC services and achieve positive employment outcomes.

In addition, CILs can also be a great asset to AJCs in understanding, procuring, and utilizing assistive technology. Assistive technology can boost employment opportunities for job seekers with disabilities. CILs may also educate AJC business services staff, who work with employers, to demystify these tools and their use. CILS may suggest show casing assistive technologies



at AJC-sponsored job fairs to expand employer views and perspectives, educate staff, and inform individuals with disabilities of the many benefits of these tools.

WIOA Performance Measures

Understanding the performance goals for the state and local area can be an effective strategy for increasing access to AJC services. Performance goals related to entering unsubsidized employment, retention in unsubsidized employment, and average earnings after entry into unsubsidized employment are not different for the AJC's participants with disabilities than for those without. State and local workforce boards are required to publish and make public their performance results. CILs need to be informed about the applicable performance goals and outcomes in their state and local areas as an advocacy tool on behalf of their job seekers with disabilities. Understanding the AJC's performance goals prepares CIL staff and job seekers with disabilities with the information that guides admission to career development and training services.

WIOA prescribes performance indicators for the core adult programs and youth programs. When states file their required Unified or Combined State Plans by April 1, 2016, they will include their expected levels of performance for each of the primary indicators for the first two program years covered by the plan. States and local WDBs can negotiate performance goals based on appropriate rationales, such as high prevalence of individuals with disabilities in their service areas, higher-than-average unemployment levels, and other factors that influence employment outcomes. CIL participation on the local Workforce Development Board and attending board meetings increases the likelihood of influencing the programmatic strategies and performance goals true to the community's need.

At times, job seekers with disabilities need services from multiple programs to achieve their employment goals. Performance outcomes can be counted in more than one WIOA partner program when the job seeker is enrolled across a several programs. Collaboration across separate programs to coordinate service delivery is a significant, but probably underutilized, strategy that can maximize the likelihood of appropriate and adequate assistance that will more likely result in successful employment. For example, if an individual becomes employed and was a VR customer, was provided AJC job search career services, and registered in training services at the AJC, both VR and the AJC can count the successful placement as a shared outcome. If applicable and relevant for a CIL's performance outcomes, the CIL can also identify successful outcomes achieved in coordination with an AJC.

Opportunities for CILs

CILs can help AJCs achieve their performance goals by connecting them with valuable resources and supports available to customers with disabilities. For example, some CILs are vendors of VR services and may support job seekers who also may participate in an on-the-job



training program through the AJC. CILs also can link job seekers with assistive technology, Employment Network services through Social Security's Ticket to Work program and/or SSI/SSDI work incentives counseling, and/or financial literacy programs and services to reach employment goals.

Medicaid eligible job seekers may have costs covered for a range of employment supports (varying by State) such as supported employment, job coaching, vocational future planning, transportation, and assistive technology. For AJCs that are Employment Networks, they have the opportunity for additional funding from SSA based on achievement by the job seeker of employment milestones at increasing levels. The job seeker and the AJC may need guidance from CILs regarding the availability of these resources, as neither may be immediately aware of the availability of such resources.

In recent years, DOL has awarded grants to local area workforce boards and community colleges to enhance services to targeted populations. These include funds under the Career Pathways Initiative, Adult Learning/Literacy Initiatives, Veterans Initiatives, and Re-employment Initiatives, among others. AJCs can also provide access to apprenticeship opportunities and provide training leading to credentials often now required in the workplace. CILs can help facilitate increased collaboration between the AJC and varied organizations to boost co-enrollment of services and the leveraging/braiding of funds/resources to achieve greater shared outcomes.

In addition to these resources, a job seeker with a disability can access funds or services that are available under the Adult or Dislocated Worker programs. WIOA requires states and workforce development boards to report the number of individuals with barriers to employment served by each program, with specific breakdowns by subpopulation. Boards must also report on the number of individuals with barriers to employment that are served by the Adult and Dislocated Worker program, with specific breakdowns by subpopulation, race, ethnicity, sex, and age.

SECTION V: JOB SEEKER SELF-ADVOCACY

This section promotes using the information discussed in previous sections to guide self-advocacy strategies by job seekers with disabilities. These options consider a focus for CILs to provide guidance to job seekers with disabilities that may help them more effectively utilize career services and training. Preparing the job seekers on what to expect at the AJC, and what their own goals and objectives may be, is one step toward ensuring individuals are prepared for their visit to their local AJC. The information herein is a supplement to self-advocacy tools that CILs currently utilize with consumers to increase their success in securing the services they need relative to independent living, healthcare, education, training, and employment, including the *Accessing American Job Center Services Checklist* contained in the toolkit.



Know the American Job Center

Knowing as much as possible about the local AJC(s), their staff, where they are located relative to public transportation, what partner programs are co-located at the facility, etc., is critical to providing education and advocacy tools to the job seeker with a disability. CIL staff should take the time to learn about their local AJCs by attending orientations, workshops, computer classes, and familiarizing themselves with the resource room computers. Additionally, connect with AJC staff to better understand the assistive technology that is available, when on-site recruitments with employers typically occur, and what happens when someone asks for an accommodation. By experiencing the AJC firsthand, CILs may better understand the customer flow and process so that they can help individuals with disabilities to self-advocate for services within this busy and often complex system. Taking time to navigate the AJC will ultimately help CIL staff to identify areas of need for more effective collaboration, specific areas for disability awareness, assistive technology, and other varied services that a CIL can offer such as travel training, benefits counseling or other support services.

The following are some aspects of visiting an AJC that CIL staff should review prior to guiding job seekers with disabilities:

- Does the AJC present any physical barriers to accessing or navigating the AJC?
- What is the level of physical, communication, and programmatic access in the local AJC(s)?
- What other mandated or non-mandated partners are co-located at the AJC?
- Does the workforce area serve many job seekers with disabilities and what outcomes did the individuals achieve?
- What are the performance goals expected and past outcomes for the local workforce area?
- What is the availability of Individual Training Accounts (ITAs)?
- Does the AJC host job clubs?
- Does the AJC provide group orientation?
- Are there special services for individuals with disabilities?
- Is the State or the AJC or CIL an EN that can protect a Ticket To Work participant from continuing medical review while making timely progress?
- What organizations or groups are providers of youth services?
- Is there a summer youth program scheduled for the coming summer?

A more complete list of AJC aspects to learn about is found in the *Accessing American Job Center Services Checklist* in the toolkit.



As noted previously, the majority of AJCs are fully accessible and equipped with assistive technology. AJC staff should be knowledgeable about assistive technology and how to assist persons learning how to use it. Nonetheless, a visit to the AJC will inform CILs as to additional guidance the job seeker will need to ensure their initial visit to the AJC is successful. Relating a comprehensive understanding of what to expect at the AJC will better inform the job seeker with a disability of both potential barriers and opportunities related to AJC services and addressing the individual's needs toward obtaining career guidance, training services, and employment.

Know the Job Seeker

Understanding the individual job seeker is an important element in a CIL's ability to equip job seekers with disabilities with effective self-advocacy tools for accessing their local AJC and requesting and receiving the services necessary to meet their individual employment and training goals. CILs may adjust their guidance to job seekers planning to access the AJC depending upon each individual's needs and abilities. The following information will help the CIL advise the job seeker about accessing and using an AJC:

- Is the job seeker an SSA beneficiary now or in the past? If so, does he or she have a Ticket?
- What are the job seeker's interests in accessing the AJC?
- What is the job seeker's education and employment history?
- Will the job seeker require accommodations or assistance to participate in services? If so, what accommodations or assistance will the job seeker need?
- What education or training services has the job seeker previously received through the AJC, VR, or other program?
- Is the job seeker a VR customer?
- Does the job seeker have or qualify for transportation vouchers?
- Is the job seeker able to access and navigate the AJC independently?
- Is the job seeker 14-24 years of age? If so, would they benefit from one of the WIOA youth services?
- Will the job seeker bring resources to the AJC that can facilitate their job search or be of benefit to the AJC (e.g., a Ticket)?
- Has the job seeker received benefits counseling?
- Is the job seeker pursuing part-time or full-time employment?
- Is the job seeker in need of education or training to achieve their employment goal?

Encourage job seekers to request information on specific services or initiatives of interest and to share information about themselves that aligns with those efforts, such as having a Ticket, as a self-advocacy strategy for obtaining services and marketing themselves. If job seekers have minimal or no work experience or other significant challenges, the CIL should consider, and offer, the possibility of attending the initial meeting at the AJC and pro-actively follow-up



with the job seeker. Doing so is clearly dependent upon CIL resources and the job seeker's interest in the CIL's participation at the AJC.

Job seekers with disabilities who generally require accommodations or assistance should be equipped with the same self-advocacy skills needed in any education or employment setting. As occurs in other settings, AJCs differ in the extent to which they are able to offer one-on-one support for walk-ins. Job seekers that generally need accommodations or one-on-one assistance would benefit from scheduling their first visit to the AJC and requesting the necessary accommodations. CIL staff who visited the AJC may determine that accompanying the job seeker with a disability on his or her first visit to the AJC or conducting a conference call with the job seeker and an AJC supervisor may be best to ensure the job seeker will have the accommodations and assistance needed during the first visit. For example, it may be best to contact the AJC in advance of the first visit if interpreter services, on-site or via video, are needed.

In addition to self-advocacy skills, job seekers will benefit from understanding the pros and cons of disclosing their disability. Disclosing disability is a personal choice, and for many, it can be a difficult decision. If an accommodation(s) is needed to successfully participate in AJC services or secure employment, disclosing disability is necessary. For others, whether to disclose and when to disclose is not as black and white. It is important that the job seeker knows their rights under the ADA, which is further articulated in WIOA Section 188 legislative and regulatory language, and has good information to guide this decision. The [Job Accommodation Network](#) (JAN) funded by the ODEP, offers free materials on disclosing disability for youth and adults. CILs and job seekers can email, call or do an online chat with [JAN](#) for individual assistance.

SECTION VI: OPPORTUNITIES FOR COLLABORATION

Centers for Independent Living are located across the United States and are community-based, consumer-driven, non-residential, nonprofit organizations that provide four core services: 1) Advocacy Services, 2) Information and Referral, 3) Independent Living Skills, and 4) Peer Mentoring. CILs may also provide other services that may include sign language referral services, Internet and Web page information, as well as alternate format services, to name a few. The mission and objectives of CILs are complementary to the mission and objectives of AJCs. Follow-up on opportunities for collaboration as indicated below will improve access to training and education that can assist in increasing employment outcomes for job seekers with disabilities.

While the Rehabilitation Act requires CILs to provide each of the four IL core services, WIOA has added a new fifth core service that includes three subparts: transition out of institutions, diversion from institutions and postsecondary youth transition. Many CILs are already



providing these transition services that are required in WIOA. CILs will now be the only organizations mandated to perform such services as transitioning persons from institutions to community life or assisting persons with disabilities to avoid nursing home or institutional placement.

Establish effective collaborative partnerships with AJCs by developing relationships with AJC administrators and staff. The development of successful working relationships will provide for joint collaboration that combines areas of expertise held by CILs and AJCs, improving service delivery and promoting the independence of job seekers with disabilities who wish to become employed.

Training and Technical Assistance

CILs often have extensive knowledge on Social Security work incentives and have benefits planning expertise. This knowledge and experience that CILs have in working with job seekers with disabilities can assist in facilitating the coordination of information transfer to the job seeker, AJC counselor, and to the potential employer. More importantly, beneficiaries can make better plans for utilizing options that retain employment that leads to increased income, less reliance on Social Security and public benefits and facilitates asset development and financial stability.

Community Connections

CILs are located in both urban and rural areas of the United States and are frequently at the epicenter of activities directed to people with disabilities who live in their communities. CILs can partner with AJCs to facilitate access to public services which may be critical to the success of individual job seekers. As such, CILs can support and make connections that provide for collaboration between AJCs and other disability partners, organizations and employers.

The co-location or online availability of a CIL at an AJC can benefit job seekers with disabilities, as well as the AJC when utilized effectively. CILs have greater knowledge of available community resources and can facilitate the involvement of these resources in addressing and developing a more coordinated approach to the needs of job seekers with disabilities. CILs' knowledge of VR eligibility requirements, "order-of-selection" status, availability of assistive technology resources, and other information can increase job seekers' chances of participating in applicable training.

Ticket to Work Partnership

The Social Security Administration's Ticket to Work Program is designed to present Social Security beneficiaries (recipients of Supplemental Security Income, Social Security Disability Insurance) with disabilities greater choices and opportunities for obtaining employment,



vocational rehabilitation, and other support services. Participants may receive services from their state vocational rehabilitation agency, and upon completion of VR services, can assign their Ticket to an Employment Network (EN) to receive continued support including career counseling, job placement, and ongoing employment support services. Other services, such as transportation and workplace accommodation assistance may be available depending on the offerings of individual providers and the needs of beneficiaries. A national emerging trend is AJCs operating as Employment Networks. CILs can partner with AJCs in the EN business plan, either as a direct provider (sharing Ticket payments with the AJC) or as a pipeline to refer Ticket holders to local AJCs operating as an EN. As of March 31, 2015, 140 workforce entities were approved ENs and had 6,673 Tickets assigned. Workforce ENs provide services that demonstrate successful employment outcomes for job seekers with disabilities and have generated approximately \$11.8 million in payments back into the public workforce system. For more information on the Ticket to Work Program, visit <http://choosework.net/about/index.html>.

SECTION VII: RESOURCES

The following resources are a compilation of sites and tools for increasing your understanding of AJCs and your ability to support job seekers with disabilities in accessing and navigating AJC services.

1. WIOA Resource Page - <http://www.doleta.gov/wioa/>
2. CareerOneStop Suite of Tools (AJC Directory) - <http://www.careeronestop.org>
3. DisAbility Online (DOL Employment & Training Administration's Disabilities Programs) - <http://www.doleta.gov/disability/>
4. Disability Program Navigator (archived trainings) - <http://www.dpnavigator.net/main.html>
5. Disclosing Disability - <http://askjan.org/topics/discl.htm>
6. DOL Office of Disability Employment Policy Resources on The Workforce System - <http://www.dol.gov/odep/topics/WorkforceSystem.htm>
7. WIOA Section 188 Resources
 - WIOA Section 188 Disability Reference Guide - <http://www.dol.gov/oasam/programs/crc/188Guide.htm>
 - LEAD Webinar - Creating an Inclusive Workforce System: Implementing WIOA Section 188's Equal Opportunity Provisions - <http://www.leadcenter.org/webinars/creating-inclusive-workforce-system-implementing-wioa-section-188-s-equal-opportunity-provisions>
 - Summary Review of the DOL Notice of Proposed Rulemaking, from a Disability Perspective - <http://www.leadcenter.org/resource-center/publication/section-188-workforce-innovation-and-opportunity-act-summary-review-dol-notice-proposed-rulemaking-disability-perspective>
8. WIOA Web Course – Customer Service Course for One-Stops to Serve People with Disabilities - <http://www.wiawebcourse.org>



9. Workforce3One Disability and Employment Community of Practice - <https://disability.workforce3one.org>
10. Workforce Innovation and Opportunity Act 101 - <https://www.workforce3one.org/view/3001432333369774359>
11. Integrating Financial Capability and Asset Building Strategies into the Public Workforce Development System - http://www.leadcenter.org/system/files/resource/downloadable_version/integrating_fin_cap_asset_dev.pdf
12. National Collaborative on Workforce and Disability for Youth (NCWD/Youth) - <http://www.ncwd-youth.info/>
13. Job Accommodation Network (JAN) - <https://askjan.org/>
14. Knowledge Translation Consortium - The (KT) Consortium brings together Federally-funded Training and Technical Assistance Centers, each with their own unique mission addressing different aspects of employment, career readiness and development, transition and accessibility for youth and adults with disabilities. <http://www.leadcenter.org/about-us/knowledge-translation-consortium>
15. The LEAD Center, funded by the U.S. Department of Labor's Office of Disability Policy, hosted a four-part webinar series titled "WIOA from a Disability Perspective" –
 - WIOA from a Disability Perspective: An Overview <http://www.leadcenter.org/webinars/wioa-disability-perspective-overview-part-1-4>
 - WIOA and the Unified State Planning Process <http://www.leadcenter.org/webinars/wioa-and-unified-state-planning-process-part-2-4-part-series-wioa>
 - Understanding Changes Regarding Youth Services <http://www.leadcenter.org/webinars/understanding-changes-regarding-youth-services-part-3-4-part-series-wioa>
 - Section 188, the Nondiscrimination Provisions of WIOA <http://www.leadcenter.org/webinars/section-188-nondiscrimination-provisions-wioa-part-4-4-part-series-wioa>
16. Workforce Innovation Technical Assistance Center (WINTAC) provides training and technical assistance to State Vocational Rehabilitation Agencies, and service providers to help them develop the skills and processes needed to meet the requirements of WIOA. - <http://www.wintac.org/>
17. Vocational Rehabilitation Youth Technical Assistance Center (VR Y-TAC) provides state vocational rehabilitation programs and related rehabilitation professionals with technical assistance and training to help more effectively serve youth with disabilities. - <http://iel.org/vryouth-tac>



APPENDIX I: One-Stop (American Job Center) Required and Optional Partners

This information is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule. The Final Rule, when published, will provide definitive direction.

The AJC provides access to the following required partner programs and resources in the local area:

- Adult, Dislocated Workers, and Youth Employment;
- Job Corps;
- Youth Build;
- Postsecondary Education and Certification Training;
- Vocational Rehabilitation;
- Offender Programs;
- Wagner-Peyser Employment Services;
- Temporary Assistance to Needy Families & Welfare-to-Work;
- Adult Education and Literacy;
- Title V of the Older Americans Act – Senior Community Service Employment Program (SCSEP);
- Trade Adjustment Assistance;
- North American Free Trade Agreement Implementation Act of 1993-Trade Adjustment Assistance (NAFTA-TAA);
- Veterans' Employment and Training Programs (managed by DOL's Veterans' Employment and Training Services [VETS]);
- Migrant and Seasonal Farmworker;
- Community Services Block Grants;
- Indian and Native American;
- U.S. Department of Housing and Urban Development – Administered Employment and Training Programs; and
- Unemployment Insurance.

Other Federal, state, or local programs providing workforce development services and other human resource programs may be designated as partners in the AJC, including: 1) employment, training, and work programs under the Food Stamp Act, 2) National and Community Service Act programs, 3) Affordable Care Act health insurance enrollers, 4) Social Security employment and training programs, 5) Small Business Administration



employment and training programs, and 6) other appropriate transportation and housing programs.

Local boards can include additional optional partners in One-Stop Centers, including but not limited to the following:

- National and Community Service Act programs
- Social Security employment and training programs, e.g., Ticket to Work
- Small Business Administration employment and training programs
- Supplemental Nutrition Assistance Program (SNAP) employment and training programs
- Vocational Rehabilitation Client Assistance Program
- Other appropriate Federal, state, or local employment, education, or training programs, including those provided by libraries or in the public sector



APPENDIX II: One-Stop (American Job Center) Priority Customers

This information is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule. The Final Rule, when published, will provide definitive direction.

WIOA establishes priority customer groups for receipt of AJC services including:

- **Veterans, including veterans with disabilities:**
Veterans and spouses have priority of service over all other job seekers. In addition, AJCs offer special veteran employment and training services that include Disabled Veterans' Outreach and Placement specialists and Local Veterans' Employment Representatives.
- **Adults (general population) and Dislocated Workers:**
WIOA clarifies that priority access to higher-intensity career services and training be given to public assistance recipients, other low-income individuals, and individuals who are skills deficient.



APPENDIX III: Program Eligibility Criteria

This information is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule. The Final Rule, when published, will provide definitive direction.

WIOA Adult Eligibility

To be eligible to receive WIOA services as an adult in the adult and dislocated worker programs, an individual must:

- be 18 years of age or older;
- be a citizen or noncitizen authorized to work in the US; and
- meet Military Selective Service registration requirements (males only).

Dislocated Worker Program

In addition to meeting the basic eligibility criteria for Adult and Dislocated Worker programs, the individual must meet the following criteria:

1. The individual:
 - has been terminated or laid off, or has received a notice of termination or layoff, from employment;
 - is eligible for or has exhausted entitlement to unemployment compensation, or has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state's Unemployment Insurance law; and
 - Is unlikely to return to a previous industry or occupation.
2. The individual:
 - has been terminated or laid off, or has received a notice of termination or layoff from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
 - is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
 - for purposes of eligibility to receive services other than training services, career services, or support services, is employed at a facility at which the employer has made a general announcement that such facility will close.
3. The individual was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters. This includes



individuals working as independent contractors or consultants, but not technically employees of a firm.

4. The individual is a displaced homemaker.

5. Is the spouse of a member of the Armed Forces on active duty, and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such members; or is the spouse of a member of the Armed Forces on active duty and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

6. A separated service member with a discharge other than dishonorable, who has received a notice of separation from the Department of Defense and is unlikely to return to a previous industry or occupation.

- UI-Eligible for or Exhausted
- Not UI Eligible, but Sufficient Employment Duration

Youth Programs

- **Out-of-School Youth:**

WIOA defines Out-of-School Youth as an individual who is not attending any school (as defined (under state law); not younger than age 16 or older than age 24; and one or more of the following:

- School dropout;
- Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
- Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
- Subject to the juvenile or adult justice system;
- A homeless individual, a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477, Social Security Act, or in an out-of-home placement;
- Pregnant or parenting;
- An individual with a disability; and
- Low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

- **In-School-Youth:**

WIOA provides services for In-School Youth who meet the following criteria:

- Youth with disabilities attending school, up to the age of 21 and;
- Low income. For most young people, the family's income is used to determine eligibility. Youth with a disability are considered a "family of one" (i.e., only the youth's income, not their family's income, is considered in determining whether the



youth meets income criteria). The definition and use of the term “family of one” used here applies only to the use of WIOA youth funds; youth receiving or eligible to receive a free or reduced price school lunch are considered “low-income” under WIOA. In-School Youth must also meet one or more of the following conditions:

- Basic skills deficient;
- English language learner;
- An offender;
- Homeless, a runaway, in foster care or has aged out of the foster care system;
- Pregnant or parenting;
- Disabled; and
- Requires additional assistance to enter or complete an educational program or to secure or hold employment.

Eligibility for Training Services

Training services may be made available to employed and unemployed adults and dislocated workers who:

- a Board determines, after a determination of need is made using an employment plan:
- are unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
 - are in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - have the skills and qualifications to participate successfully in training services.
- have selected a program of training services that is directly linked to:
 - occupations that have been targeted by the Board, or are targeted occupations for another local workforce development area to which an adult or dislocated worker is willing to commute or relocate; or
 - occupations that have been determined on a case-by-case basis to have a high potential for sustained demand and growth in the workforce area, based on sufficient and verifiable documentation, in accordance with the Board’s procedures.
- are unable to obtain grant assistance from other sources to pay the costs of such training and related support services, including such sources as state-funded training funds, Trade Adjustment Assistance (TAA), and Federal Pell Grants or require WIOA assistance in addition to other sources of grant assistance, including Federal Pell Grants.



APPENDIX IV: Career and Training Services

This information is in the proposed rule (i.e., in the Notice of Proposed Rulemaking (NPRM)). Note that the wording may change in the Final Rule. The Final Rule, when published, will provide definitive direction.

Career Services

Career services for adults and dislocated workers must be available in at least one American Job Center in each local workforce development area. There are three types of career services, as identified in §678.430 of the NPRMs:

- Basic career services;
- Individualized career services; and
- Follow-up services.

Basic Career Services

Basic career services must be made available and, at a minimum, must include the following services:

- Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
- Outreach, intake (including worker profiling), and orientation to information and other services available through the local workforce system;
- Initial assessment of skills levels, including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and support service needs;
- Labor exchange services, including:
 - job search and placement assistance, and, when needed by an individual, career counseling, including the provision of information on nontraditional employment and in-demand industry sectors and occupations; and
 - appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services not traditionally offered through the local workforce system.
- Provision of referrals to and coordination of activities with other programs and services, including programs and services within the local workforce system and, when appropriate, other workforce development programs;
- Provision of workforce and labor market employment statistics information, including information relating to local, regional, and national labor market areas;
- Provision of performance information and program cost information on eligible providers of training services by program and provider type;
- Provision of information, in usable and understandable formats and languages, about how the Board is performing on local performance accountability measures, as well as any additional performance information relating to the local workforce system;



- Provision of information, in usable and understandable formats and languages, relating to the availability of support services or assistance, and appropriate referrals to those services and assistance;
- Provision of information and assistance regarding filing claims for unemployment compensation, by which the Board must provide assistance to individuals seeking such assistance; and
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.

Individualized Career Services

Individualized career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These include the following services:

- Comprehensive and specialized assessments of the skills levels and service needs of adults and dislocated workers; Section 134(c)(2) and (c)(3) list the required local employment and training activities. To satisfy some of these requirements, the use of assessments is necessary. Ostensibly to avoid duplication of services, WIOA contains a clause that allows the use of previous assessments from another education or training program. The previous assessments must be determined to be appropriate by the One-Stop Operator (OSO) or the One-Stop Partner (OSP) and must have been completed within the previous six months;
- Development of an individual employment plan to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information regarding, eligible training providers;
- Group counseling;
- Individual counseling;
- Career planning;
- Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training; • Internships and work experience that are linked to careers;
- Workforce preparation activities;
- Financial literacy services as described in WIOA §129(b)(2)(D);
- Out-of-area job search and relocation assistance; and
- English language acquisition and integrated education and training programs.

Follow-Up Services

Follow-up services must be made available, as appropriate—including counseling regarding the workplace—for participants in adult or dislocated worker activities who are placed in unsubsidized employment for a minimum of 12 months after the first day of employment.

Training Services



WIOA is designed to increase participant access to training services. Training services are provided to equip individuals to enter the workforce and retain employment. Examples of training services include:

- occupational skills training, including training for nontraditional employment;
- on-the-job training (OJT), including registered apprenticeship;
- incumbent worker training in accordance with WIOA §134(d)(4);
- workplace training and cooperative education programs;
- private sector training programs;
- skills upgrading and retraining;
- entrepreneurial training;
- transitional jobs in accordance with WIOA §134(d)(5);
- job readiness training provided in combination with other training described above;
- adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, in combination with training; and
- customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

