

WIOA Contracts for Training Services Policy

According to the Workforce Innovation and Opportunity Act (WIOA) and noted in its Final Rule at 20 CF 680.320, the following are the circumstances under which training services can be provided, at the discretion of the NWPA Workforce Development Board (WDB), other than through an Individual Training Account (ITA). Contracts for services may be used instead of ITAs only when one or more of the following five exceptions apply and the local area has fulfilled the consumer choice requirements under 20 CFR 680.340:

- 1) When the services provided are on-the-job training (OJT), customized training, incumbent worker training, or transitional jobs.
- 2) When the local WDB determines that there are an insufficient number of eligible training providers in the local area to accomplish the purpose of a system of ITAs. The determination process must include a public comment period for interested providers of at least 30 days, and be described in the Local Plan
- 3) When the local WDB determines that there is a training services program of demonstrated effectiveness offered in the area by a community-based organization or another private organization to serve individuals with barriers to employment. The local WDB must develop criteria to be used in determining demonstrated effectiveness, particularly as it applies to the individuals with barriers to employment to be served. The criteria may include:
 - a) Financial stability of the organization
 - b) Demonstrated performance in the delivery of services to individuals with barriers to employment through such means as program completion rate; attainment of the skills, certificates or degrees the program is designed to provide; placement after training in unsubsidized employment; and
 - c) How the specific program relates to the workforce development needs identified in the Local Plan
- 4) When the local WDB determines that it would be most appropriate to contract with an institution of higher education or other provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations, provided that the contract does not limit consumer choice
- 5) When the local WDB is considering entering into a Pay-for-Performance contract, and the local WDB ensures that the contract is consistent with 20 CFR 683.510

The Local Plan must describe the process to be used in selecting the providers under a contract for services.

Individuals with barriers to employment include those individuals in one or more of the following categories as prescribed by WIOA:

- 1) Displaced homemakers
- 2) Low-income individuals
- 3) Indians, Alaska Natives, and Native Hawaiians
- 4) Individuals with disabilities
- 5) Older individuals (i.e. those aged 55 or over)
- 6) Ex-offenders
- 7) Homeless individuals
- 8) Youth who are in or have aged out of the foster care system
- 9) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers
- 10) Eligible migrant and seasonal farmworkers
- 11) Individuals within 2 years of exhausting lifetime eligibility under TANF (part A of the title IV of the Social Security Act)
- 12) Single parents (including single pregnant women)
- 13) Long-term unemployed individuals
- 14) Other groups determined by the Governor to have barriers to employment

Additionally, a local WDB may determine that providing training through a combination of ITAs and contracts is the most effective approach. This approach could be used to support placing participants in programs such as registered apprenticeships and other similar types of training.

REFERENCE

WIOA Section 134(c)(3)(G)(ii)
20 CFR 680.320

HISTORY

Name	Date	Rev. Level	Description of Change	Effective Date
Debra O’Neil	04/27/2017	A	New Policy as Assurance for Local Plans	08/11/2017