

The Workforce Innovation and
Opportunity Act

&

Notices of Proposed Rulemaking

Open Comment Period on WIOA NPRMs

April 16 – June 15, 2015

WIOA Background

- o Workforce Innovation and Opportunity Act signed by President, July 2014
- o Reaffirms ongoing role of American Job Centers.
- o Promotes program coordination and alignment of key employment, education, and training programs at the Federal, State, local, and regional levels.
- o Builds on proven practices such as sector strategies, career pathways, regional economic approaches, work-based training.

American Job Center (AJC) Network

- Services are delivered via a national network of one-stop centers (AJCs).
- States designate local workforce areas.
- Each local area must have one comprehensive one-stop that provides access to required partners' services.
- Local areas may have affiliate one-stop centers with any subset of partners.
- State and Local Workforce Development Boards, appointed by chief elected officials, set policy and implement the AJC network.

Required Partners

- o Title I Adult, Dislocated Worker, Youth
- o Wagner-Peyser Employment Services
- o Adult Education and Literacy
- o Vocational Rehabilitation
- o Career and Technical Education (Perkins Act)
- o Community Services Block Grant
- o Indian and Native American Programs
- o HUD Employment and Training Programs
- o Job Corps
- o Local Veterans' Employment Representative, and Disabled Veterans' Outreach Programs

Required Partners, cont.

- o National Farmworker Jobs Program
- o Second Chance Act (re-integration of ex-offenders)
- o Senior Community Service Employment Program
- o Temporary Assistance for Needy Families
- o Trade Adjustment Assistance Programs
- o Unemployment Compensation Programs
- o YouthBuild

Optional Partners

- o Social Security employment and training programs, e.g. Ticket to Work
- o National and Community Service Act programs
- o Small Business Administration employment and training programs
- o Supplemental Nutrition Assistance Program (SNAP) Employment and Training programs
- o Vocational Rehabilitation Client Assistance Program
- o Other federal, state, local employment, education, training programs

American Job Center Network, cont.

- o Through MOUs, partners coordinate service delivery and funding
- o Local Boards certify American Job Centers every three years
- o State Boards set criteria on effectiveness, accessibility, continuous improvement

WIOA Provisions Related to Disability

- o Unified state plan includes core programs: Adult, Dislocated Worker, Youth, Employment Service, Vocational Rehabilitation, and Adult Education.
- o Core programs report common performance indicators providing key employment information.
- o Local workforce boards may designate standing committees on accessibility
- o Youth with disabilities will receive extensive pre-employment transition services to successfully obtain competitive integrated employment.

WIOA Provisions Related to Disability, cont.

- o State VR agencies are to set aside at least 15% of funds for transition services to youth with disabilities.
- o Title I Youth program focuses on disconnected youth, including youth with disabilities; by:
 - Increasing the percentage of local youth funds used to serve out of-school youth to 75% versus 30% under WIA.
 - Requiring local areas to spend at least 20% of youth funds on work experience activities.
 - Adding new activities including financial literacy education and entrepreneurial training.

Developing Proposed Rules

- Departments of Labor and Education engaged in public consultation process to obtain stakeholder input, including:
 - Webinars
 - Public Meetings
- Departments developed and recently published proposed rules as part of the public notice and comment process

The Comment Period

- o April 16, 2015: Proposed Rules published
- o June 15, 2015: Public comment period closes
- o Total of 60 days for public comments
- o Departments analyze all comments and reconcile revisions, as appropriate
- o Upon completion of Federal agency clearance procedures, the Departments will publish final rules

During the Comment Period

- When an NPRM has been issued and public comment period is open, Federal staff must protect the integrity of the rulemaking record.
- Federal staff can listen to public reaction, however, all interested individuals or groups are directed to submit comments to www.regulations.gov, officially, as stipulated in the NPRM.
- Only comments received through the formal process can be considered by the agencies in the Notice of Final Rulemaking.

Understanding the Proposed Rules

- o Use the Table of Contents
- o Read the Preamble
- o The proposed regulatory text comes after the Preamble.
- o This is the text we propose to put in the Code of Federal Regulations (CFR) when the rule is published in final form, unless changed due to comment received.

Five Notices of Proposed Rulemaking

- o **WIOA – Joint DOL-ED Rule**

Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions

- o **WIOA NPRM - DOL Only**

Unemployment compensation, Statewide and local governance, Adult and dislocated worker, Youth activities, Statewide activities, Administrative provisions, Indian and Native American programs, National Farmworker Jobs program, Job Corps, National dislocated worker grants, YouthBuild, Wagner-Peyser employment services

Five Notices of Proposed Rulemaking, cont.

- o **State Supported Employment Vocational Rehabilitation Services Program (ED only)-**

State Vocational Rehabilitation Services program and the State Supported Employment Services program, as well as provisions in new Section 511 (Limitations on the Use of Subminimum Wages)

- o **Miscellaneous Program Changes (ED only) -**

All other programs authorized under the *Rehabilitation Act* of 1973 administered by ED—Client Assistance, American Indian Vocational Rehabilitation Services, Protection and Advocacy of Individual Rights, Independent Living Services for Older Individuals Who Are Blind programs, and the discretionary grant programs authorized under title III of the *Rehabilitation Act*

- o **Programs and Activities Authorized by the Adult Education and Family Literacy Act (ED only) -** Title II of the Workforce Innovation and Opportunity Act

Publication of the NPRMs

- o The NPRMs are available on-line at <http://www.regulations.gov>, with instructions on how to submit your comments.

To search for NPRMs, you can use:

- o Regulatory Identification Numbers:
 - RIN 1205-AB74 for the 'Joint' NPRM
 - RIN 1205-AB73 FOR 'DOL Only'
 - RIN 1820-AB70 for 'ED Only' State Vocational Rehabilitation Services program; State Supported Employment Services program; Limitations on Use of Subminimum Wage
 - RIN 1820-AB71 for 'ED Only' Miscellaneous Program Changes
 - RIN 1830-AA22 for 'ED Only' Programs and Activities Authorized by the Adult Education and Family Literacy Act

Publication of the NPRMs, cont.

o Docket IDs

- ETA-2015-0001 (DOL Only)
- ETA-2015-0002 (Joint Rule)
- ED-2015-OSERS-0001 ('ED Only' State Supported Employment Services Program)
- ED-2015-OSERS-0002 ('ED Only' Miscellaneous Program Changes)
- ED-2015-OCTAE-0003 ('ED Only' Programs and Activities Authorized by the Adult Education and Family Literacy Act)

o Title of the NPRMs

Submitting a Formal Comment

- o The NPRMs are available on-line at <http://www.regulations.gov>, with instructions on how to submit your comments.

- o Submit in one of two ways:
 1. Federal e-Rulemaking Portal:
www.regulations.gov

 2. Certified US Mail/Hand Delivery/Courier as instructed in the NPRMs.

Participate Today!

Submit your comments on proposed regulations and related documents published by the U.S. Federal government. You can also use this site to search and review original regulatory documents as well as comments submitted by others.

Help improve Federal regulations by **submitting your comments**.



Are you new to the site?

Click the links below to get started.

- [What can I find on this site?](#)
- [How do I find a rule?](#)
- [How do I submit a comment?](#)
- [How do I find my comment?](#)
- [Do my comments make a difference?](#)

SEARCH for: Rules, Comments, Adjudications or Supporting Documents:

Search

» Advanced Search

What's Trending 📊

Operation and Certification of Small Unmanned Aircraft Systems
Closing on Apr 24, 2015

Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act
Closing on Apr 15, 2015

Homeopathic Product Regulation: Evaluating the Food and Drug Administration's Regulatory Framework After a Quarter...
Closing on Jun 22, 2015

Meetings: U.S. Department of Agriculture Stakeholder Workshop on Coexistence

Comments Due Soon

- Today (24)
- Next 3 Days (25)
- Next 7 Days (190)
- Next 15 Days (426)
- Next 30 Days (795)
- Next 90 Days (1,180)

Newly Posted

- Today (127)
- Last 3 Days (274)
- Last 7 Days (477)
- Last 15 Days (1,136)
- Last 30 Days (2,245)

Unmanned Aircraft Systems



New Commenting API

[DOS Regulations Twitter Page](#)

[Site Enhancements](#)

[Developers](#)

Click Comment Now!

The screenshot displays the regulations.gov website interface. At the top, the browser address bar shows the URL: <http://www.regulations.gov/#searchResultsrpp=25;po=0;cs=3;dc=N%2528FR%2528BPR>. The website header includes the logo "regulations.gov" with the tagline "Your Voice in Federal Decision-Making" and navigation links for Home, Help, Resources, and Feedback and Questions. A search bar is located on the right side of the header.

The main content area shows search results for "75 results". On the left, there are filter options under "Filter Results By...":

- Comment Period:** Open (0), Closed (0)
- Document Type:** Clear Filter
 - Notice
 - Proposed Rule
 - Rule
 - Supporting & Related Material (0)
 - Other (0)
 - Public Submission (2,569)
- Posted:** Search All
- Comments Due:** Next 3 Days

The search results list includes:

- Petition for Exemption; Summaries: Gama Charters, Inc.**
Notice by FAA on 03/25/2015 ID: FAA-2015-0267-0002
Due Apr 14, 2015 11:59 PM ET
[Comment Now!](#)
[Open Docket Folder](#)
- Self-Regulatory Organizations; Proposed Rule Changes: NASDAQ OMX PHLX LLC**
Notice by SEC on 03/26/2015 ID: SEC-2015-0516-0001
Due Apr 16, 2015 11:59 PM ET
[Comment Now!](#)
- Self-Regulatory Organizations; Proposed Rule Changes: NYSE MKT LLC**
Notice by SEC on 03/25/2015 ID: SEC-2015-0505-0001
Due Apr 15, 2015 11:59 PM ET
[Comment Now!](#)
- Natural Disaster Procedures: Emergency Employment of Army and Other Resources**
Proposed Rule by COE on 02/13/2015 ID: COE-2015-0004-0001
Due Apr 14, 2015 11:59 PM ET
[Comment Now!](#)
[Open Docket Folder](#)
RIN: Not Assigned
- Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act**
Proposed Rule by FNS on 01/15/2015 ID: FNS-2011-0029-0001
Due Apr 15, 2015 11:59 PM ET
[Comment Now!](#)

The bottom of the screenshot shows the Windows taskbar with various application icons and a system tray displaying the time as 9:27 AM on 4/14/2015.

Tips for Commenting

- o Identify the section from the regulatory text of the proposed rule on which you are commenting (e.g., 20 CFR 676.100).
- o If there are paragraph designations in the text, identify the section and paragraph (for example, 20 CFR 676.100(a)(1)).
- o Remember that the preamble language explains why we are proposing something in the regulatory text.

Tips for Commenting, cont.

- o If you like something we proposed, tell us what it is and why you like it. Please be specific.
- o If you don't like a proposal, please identify by section and paragraph, state what you don't like in the regulatory text and why you don't like it, (for example, 20 CFR 676.100(a)(1)). Again, please be specific.
- o Please provide a recommendation if you are suggesting a change. Explain why you are making the recommendation and how to make it work.

Tips for Commenting, cont.

- o If you are commenting on several sections of the rule at once, please try to organize your comments by section or paragraph so that we clearly understand each of your comments.
- o For example, 20 CFR 676.100(a)(1)).

What Happens Next

- o Once you submit your comments, we will begin reviewing and analyzing them. We will consider your proposals and make changes to the final rule as appropriate.
- o The Departments of Labor and Education encourage you to comment early. This provides an opportunity for others to review your ideas and provide comments in support of your idea or provide a new idea that was sparked by your idea.

Other resources about the NPRMs

- o Department of Labor's WIOA Resource Page: <http://www.doleta.gov/wioa/>
- o The Department of Education's Rehabilitation Services Administration - WIOA Resource Page: <http://www.ed.gov/about/offices/list/osers/rsa/wioa-reauthorization.html>
- o The Department of Education's Office of Career, Technical, and Adult Education - WIOA Resource Page: www2.ed.gov/ae/fla