



SPECIFIC POLICY RECOMMENDATIONS FOR CORE PRINCIPLES OF WIA REAUTHORIZATION

As Congress prepares to develop its WIA reauthorization bill, we respectfully request that the following issues receive priority attention within the context of the nine guiding principles outlined below:

RECOMMENDATION #1

Workforce Development Structure Must be Business-Driven and Defined by Employer Needs

A successful business driven workforce development structure ensures a talent pipeline exists that is made up of properly educated, skilled, and prepared individuals available to meet employer needs in support of competitive local and regional economies.

As cities and regions focus on the link between economic and workforce development, it is clear that training must be defined by employer needs. Accordingly, WIA reauthorization should:

- Ensure a continued strong, locally- and regionally-based business-led workforce investment system through the appointment of **local Boards by local elected officials**.
- In keeping with the emphasis of a demand-driven workforce system, the majority of the Board membership should be business members that a) use the local workforce development system and/or b) represent a high growth, demand sector for the local and/or regional area.
- Clarify the essential, pivotal role that local Boards are intended to play as conveners of key stakeholders for development and alignment of local and regional workforce and economic strategies; and as brokers of training and related services so that local boards are authorized to:
 - Collect local and regional data
 - Determine target industry sectors for special programming
 - Set standards for measurement of successful impacts and outcomes
 - Identify workforce needs in the broad community that will result in more effective programming of limited resources and service delivery methods
 - Prioritize key strategies and population segments
- Incorporate **business-focused metrics** into macro-level common measures (ones we recommend for the national level) as the system serves business customers in order to measure this impact. (See section on ‘Driven by Appropriate Measures’)
- Provide special attention and funding on the once-in-a-generation opportunity to prepare workers to power our country’s move to a **greener economy**; ensuring that training is aligned with employment demand.

- Allow for **more training flexibility** that can reflect customization for business needs, such as:
 - Increases in allowable length of training
 - Sliding scale of business contributions to funding (based on company size, etc.)
 - E.g. 30 or 40% for small businesses instead of the currently required 50%
 - Ensure that wages can be included as part of in-kind training match from employers towards the total cost of the training

RECOMMENDATION #2

Workforce System Should Be Guided by Local Control

With an overall business-driven focus to workforce development, **a system that is guided by local institutions will allow for the development of programs that are informed by in-depth knowledge of the local business community**, hiring and training needs of local and regional businesses, and the promotion of greater accountability as policies are designed to reflect local and regional trends and sectors. As such, WIA reauthorization should:

- Continue to allow local Boards to set local measures.
- Provide customized training services to suit individual needs and allow for Board discretion to determine the right services and paths to training for each local area.
- Allot a portion of formula funds to be spent at local discretion (e.g. 15%) to support local workforce initiatives for target populations or innovative strategies.
- Continue to provide Governors with the flexibility to determine the best delivery system for the provision of Trade Adjustment Assistance (TAA) services to ensure that jobseekers receive WIA wrap-around services, including more comprehensive and in-depth assessment, vocational/career counseling, case management and post-training assistance in addition to traditional TAA services.
- Provide local elected officials and Boards the ability to jointly determine the roles and responsibilities for each as well as maintain local governance over the following:
 - Structure and service delivery
 - Budget and priorities
 - Strategic and operational planning
 - Board representation and size
- Encourage regional planning, partnerships and actions where they make sense for regional economies and provide flexibility that will allow local Boards to partner with other Boards on regional activities within states and across state lines.

As Congress considers the importance of local control, and the issues associated with it, two key questions always arise surrounding approaches to regional programming and sector work.

I. Regional Approach

It is no use to any stakeholder, community, or business to replace one set of static constructs (e.g. “locals”) with another set of static constructs (e.g. “regions”).

At the same time, we recognize that local workforce areas need to be defined in such a way that they have the funds necessary – either through an appropriation, or leveraged resources – to effectively function and fulfill their charge. To the extent that there are cases around the country where this is an issue, the reauthorized *Workforce Investment Act* ought to encourage those locals and their states to collaborate on solutions, as in current legislation.

Beyond this, there are several compelling reasons to not legislate around regions per se: (1) the vast majority of workforce boards already are regional, with the rare exception of some of the country's largest cities where significant local dollars are leveraged against federal workforce funds and would be lost in a required regional construct; (2) there are myriad examples of successful regional workforce efforts that are organized entirely voluntarily and far fewer examples of healthy regional collaboratives that have been forced by mandate; (3) industries and issues have different regional footprints, making a static regional structure far less dynamic than the current local one; and, finally and perhaps most significantly, (4) regions do not align to any political structure and, therefore, while good for cross-jurisdictional planning they are unwieldy from a governance perspective.

This said we also recognize through the experience of the members of the USCM Workforce Development Council that planning regionally – and in some cases even coordinating region wide service delivery – is a strategic and effective way to align workforce services to meet the needs of certain industries and populations. To this end, we recommend the following:

- Encourage and support region-level research and planning on key workforce issues through a targeted appropriation accessible by competition.
- For discretionary funds issued by competition through the US Department of Labor, award extra points for projects that are regional in scope, where applicable.

II. Sector Work:

Over the last decade, targeted sector-based practices have been shown to result in strong workforce outcomes. At the heart of these efforts are collaborations among employers, education, organized labor, economic development and workforce intermediaries for the purpose of developing customized workforce solutions in strategic industry sectors, matched with the delivery of those solutions. The USCM recognizes the impact of sector work, and urges the Administration and Congress to include sector-based efforts as a formally recognized strategy for the public workforce delivery system. One way to do this would be passage of the *Strengthening Employment Clusters to Organize Regional Success* (SECTORS) Act which, as introduced, supports the planning and implementation of sector-based programs.

At the same time, the USCM urges that a sector approach be only one of a range of service delivery strategies encouraged at the local level for three reasons: (1) many of the customers who enter the public workforce system require more general interventions and education (e.g. reading, writing, technology, math, language) before they can make an informed choice about a career path; (2) the public workforce system should continue to work with *all* employers who have vacancies to help match them with job seekers, regardless of whether or not that employer falls into a sector targeted for more intensive organizing; and (3) if the marketplace is already being responsive (e.g. there are defined industry competencies that are being taught in existing programs), there may be no need to organize a distinct sector program even though dollars may be necessary to support the education and training of customers in that industry.

The Great Recession of 2008-09 has produced something not seen in a generation – double-digit unemployment rates in states as diverse as Michigan, Oregon, Rhode Island and Kentucky. For the first time in almost as long, the American Recovery and Reinvestment Act (ARRA) made a substantial, one-time increase to the nation’s investment in workforce development.

While the Great Recession has temporarily reduced the demand for skilled workers, the long-term trends are clear: business demand for skilled workers in the U.S. economy is expected to outpace the supply within local labor markets throughout the country. This is negatively impacting our international economic competitiveness. In order for the U.S. to successfully address the shortage of skilled workers to meet business demands, **Congress must not only substantially increase its investment in workforce funding**, but it must ensure that funding supports programming that is designed to successfully prepare and train existing and new workers.

Additionally, Congress should ensure that public workforce development resources are accessible to all workers in need of assistance – including the adults and youth who have been subject to decreasing investments by the Department of Labor, as well as low-income workers. Accordingly, WIA reauthorization should:

- Be funded at an appropriate level of \$8.35 billion for FY10. This funding level is consistent with maintaining current funding levels for WIA programs at 2000 levels (adjusted for inflation), sustaining the levels included in the American Reinvestment and Recovery Act (ARRA), and ensuring a continued strong Summer Youth program to address the crisis in youth employment. Consistent with this formula we strongly advocate for WIA investment to reach \$10 billion by 2012.
 - This added investment will support programming directed to address:
 - The 6.5 million workers who have lost their jobs since the Great Recession began in December 2007
 - The 76 million workers who will enter retirement in 2010 (baby boomers)¹
 - The 12.3% of individuals living in poverty²
 - The 1.23 million students who will drop out of high school in 2008³
- Provide the flexibility to move funds between Adult, Dislocated Worker and Youth funding streams.
- Allow for flexibility to fund customized training in areas such as basic skills/soft skills/job readiness.
- Support the current definition for administrative costs in WIA which is consistent with accounting practices used by business. The current definition is:
 - Built upon generally accepted accounting principles
 - Based on function vs. independent activities
 - Carefully negotiated and tested in a multi-state/local demonstration
 - Supported by DOL’s Inspector General

¹ Jobs Revolution: Changing How America Works. Steve Gunderson, Roberts Jones and Kathryn Scanland. Greystone Global, Inc. Chicago, Illinois. 2005.

² U.S. Census Bureau, Current Population Survey, 2006 and 2007 Annual and Economic Supplements < <http://www.census.gov/hhes/www/poverty/poverty06/table3.pdf>>.

³ Editorial Projects in Education [EPE]. 2008 Diplomas Count: School to College- Can State P-16 Councils Ease the Transition? Special Issue, Education Week, page 3.

To ensure that local workforce strategies are successfully implemented, **appropriate measures and data systems must be developed** to accurately reflect local and regional service strategies, economies, and business metrics. By allowing for locally- and/or regionally-set measures and systems, workforce activities and services in each service area can be tailored to quality of life measurements for each community. As such, WIA reauthorization should:

- Require on-going studies and evaluation to measure success, such as the large-scale JTPA studies that helped form WIA. These studies would compare yearly outcomes, strategies, etc.
- Allow for local and regional areas to establish some of their own measures but require national common measures that include the greater flexibility allowed through ARRA such as cohort-based training models and long-term training, measures that reflect both individual and aggregate data points, measure ROI, as well as metrics that reflect business engagement. Additional examples of common measures could include:

Performance metrics for jobseekers

- Promotion/advancement:
 - Ensuring that local areas do not solely focus on initial placement; enabling jobseeker customers to pursue career ladders and employer customers to benefit from key cost-saving measures associated with internal promotion and advancement
 - Promotions should be measured through increase in wages, increase in hours worked and formal promotions
- Retention:
 - Coupled with the metric of turnover, below, this metric would provide a key platform towards focusing on long-term employment goals, not simply initial placement
 - Retention of a job should be measured at six months and one year
- Training:
 - Modify metrics to encourage longer training. With placement/completion outcomes as the current key metric of success, local WIBs are drawn to shorter-term training and preparation that leads to more immediate outcomes. Articulating the ability to train, educate and prepare customers, measuring their incremental successes over fiscal years will better prepare local jobseekers

Performance metrics for business growth

- Turnover:
 - Coupled with the metric of retention, above, this metric would provide an understanding of key savings to employer customers. This metric should only be included if state WIBs are required to provide access to wage record data to local WIBs
 - Turnover should be measured by the rate of change within existing job positions in the local area. Like job creation, this data can be accessed by local labor market data and investments by local areas in this research, such as the NYC Labor Market Information Service

- New Business Creation:
 - Provide financial incentives for those local areas that work to grow new businesses in the local areas, a measure of new business creation/entrepreneurs should be included in the system's measurements
 - Businesses should be generated at a rate consistent with local economy growth and other local indicators. This data can be accessed by local labor market data and investments by local areas in this research, such as the NYC Labor Market Information Service

Performance metrics for youth

- Flexibility for long-term engagement:
 - Providing flexibility to local WIBs to provide long-term engagement to Out-of-School youth who are functioning at the lowest educational attainment levels; recognizing that these youth will not achieve traditional outcomes in the short-term. This flexibility could be measured through incremental attainment of educational milestones
- Separate Summer Youth Employment Program metrics:
 - Utilizing WIA metrics for summer programs does not allow for a nimble, economically responsive summer program. Metrics for summer programming should reflect a more expansive approach to eligibility and capture private sector business engagement

RECOMMENDATION #5	Focus on Youth Career Development
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By 2010, the largest segment of the nation's labor force will be teens and young adults as 41 million new workers enter the workforce beginning to replace 76 million retiring workers. Only a significant reinvestment in all youth, but most especially those young people with low educational attainment and poor connections to work, will generate enough skilled, technologically savvy, and educated, U.S. workers to keep our nation competitive in the global economy. WIA Reauthorization should include:

- **An Enhanced Summer Jobs Initiative:** Well-organized summer jobs programs bring immediate and long-term benefits to teen workers, their communities and the business sector. Developing skills to be productive workers, learning about careers and the path to those jobs, and participating in the adult world of work are all important aspects of cultivating the next generation of effective workers. The Congressional investment in the Summer Youth Employment Program through ARRA provided a significant experience to youth during summer of 2009. This investment should be sustained formally through WIA reauthorization.

- **A First-Class, Second Chance Academic System – Multiple Pathways to Academic Success:** Only 68% of U.S. high school students are graduating, and for Hispanics it is 53% and African-Americans it is 50%. In math, science, and technology, we are far behind other industrialized nations in these career “must have” subject area proficiencies. At a time when U.S. employers are requiring post-secondary education and/or training for entry-level jobs, we must develop more academic options which enable students to achieve a high-school credential coupled with solid career competence for training in a high-demand career field. The system must reach out to our disconnected youth and offer them a variety of non-traditional pathways for academic credentialing and multiple opportunities to attain applied skills and career preparation in industries of continued or emerging growth.
- **Career Development & Education Partnerships:** By implementing multiple pathways during high school to the world of work and careers we provide opportunities for all students to earn portable credentials; prepare students for first jobs in high-skill, high-wage careers; and increase students' opportunities for further education, including education in a two- or four-year college or university.
- **Streamline the Ability to Reach and Engage Youth:** A re-authorized WIA should continue to focus services on those youth most in need---young people living in low-income families and youth who face significant barriers to employment. However, the legislation should ease the process of identifying and enrolling these youth by enabling the local workforce investment areas to use a variety of eligibility tools such as residing in geographic areas/census tracts deemed high poverty and communities designated as Empowerment and Enterprise Zones; attendance in schools with more than 70% of the population receiving free/reduced lunch; living in families that receive TANF or Food Stamps; foster care youth; being out of school and out of work. These options would increase the likelihood of engaging those youth who most need to be participating in workforce development activities.

RECOMMENDATION #6	Increase Training Capacity
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Training has become a key focus in WIA reauthorization and ARRA was meant to increase training capacity for the workforce system. This section will explore ways to increase training capacity in WIA reauthorization and make specific recommendations for codifying it into the law. It is hoped that an emphasis will be on low-wage, low-skilled workers, career pathways, green jobs, and Adults most in need.

A. Dedication of Funds

Currently there are a number of states which already require that a minimum amount of local workforce area formula funds be spent on training. The USCM agrees and recommends that a minimum of 50% of the formula grant funds received be spent on training with the below listed additional recommendations. For local areas receiving less than \$3,000,000 in their total allocation the 50% can be met by leveraged funds, such as PELL, the 50% of the wage contributed by employers for OJT, or the 50% match in employed worker training and customized training.

Rationale

1. *States with a 50% dedication of funds to training are doing this and also providing all other required services.*
2. *The threshold is set at \$3,000,0000 as that is a minimal amount which leaves sufficient funds for all other tasks after the set aside of 50% for training*
3. *To be effective there needs to be sufficient money for board support, monitoring, audit, planning, regional initiatives, MIS, core service activities, staff development, and management tasks such as procurement and contracting.*

B. Definition of Training Costs

Training should be defined as the cost of registration, tuition, and books, support costs necessary to participate in training, the cost of wages and benefits for the case managers, assessments, tutors, work experience combined with work such as work study and similar types of activities.

Rationale

1. *This is a definition adopted by various states and works*
2. *Other than the inclusion of support this has been a traditional definition of training adopted at the federal level for previous pieces of legislation*
3. *The costs include those elements which help a participant attain their goals*

C. Definitions of Training

The types of training activities which should be allowed under the 50% set aside include, literacy, ESOL, basic skills, literacy, training for the purpose of obtaining a degree or credential, training necessary to update or increase skills to increase the competitiveness of an individual in the Labor Market, even where a certificate, credential or degree is not the end result, on-the-job training, customized training, registered apprenticeship training, employed worker training, and incumbent worker training where the .

All training should be in demand occupations.

Rationale

1. *Basic skills, ESOL, and literacy are critical skills often taught at the community colleges after high school. Individuals without these skills cannot progress to degreed or certificate courses. If the emphasis is to be on economically disadvantaged and barriered individuals then these skills should be recognized as a training activity and not just an intensive service.*
2. *Many barriered and economically disadvantaged individuals as well as youth who do not choose to go to postsecondary school immediately following high school are not ready and may never engage in a program of study which will result in a degree or certification; but they are able to learn a skill on the job or through a work experience.*

Since the initial implementation of WIA, local systems have built leveraged partnerships with multiple stakeholders. These partnerships have allowed local areas to bring more to the workforce system than required, strengthening the workforce system and providing comprehensive, cohesive services to jobseekers. **Development and support of these partnerships should be an integral part of WIA reauthorization** as follows:

- A critical role of the local Board should be the alignment of partners for service delivery that delivers a mutual benefit to both the workforce system as well as the partner.
- The local Board should play a key role in partnership development by:
 - Aligning/leveraging resources
 - Convening partners
 - Translating partner feedback into program design
 - Sharing best practices and innovation
- The local Board should have flexibility to determine partners that are appropriate to each area's strategic plan and One-Stop System.
 - At a minimum, these partners should include:
 - Secondary and Higher Education systems in particular with community colleges that provide career pathway training in growth industry sectors
 - Adult Education to upgrade job seekers' basic skills in order for them to access and successfully complete training programs
 - Local/regional businesses and associations
 - Organized labor
 - Organizations/agencies that provide support services (but no mandate to partner with certain community-based organizations or government agencies)
- Ensure that funding is structured to allow areas to receive financial incentives to reward leveraged funds for operation (in-kind and financial).
- Align goals of workforce and adult education around economic competitiveness as a key outcome to provide a streamlined process of education and career preparation.
 - Adult Education, ESL, Pell Grants and Wagner-Peyser must be funded to reflect their importance as well (not just WIA)
 - Adult Education should be integrated with workforce programming
 - Contextualized learning should be integrated with career education
- Better align U.S. Small Business Administration (SBA) programs with WIA system.
 - Many cities, such as New York City, have developed a strong model of local Business Solutions Centers that provide assistance to small and mid-size businesses looking to operate and expand in the City. These Centers also provide assistance to local entrepreneurs looking to start a business. A more articulated role for these business-centered programs and a clear articulation of alignment with SBA programs is essential to a coordinated economic development effort with increased responsiveness to business needs, particularly small businesses

One-Stop Centers currently serve as the critical mechanism for workforce service delivery. These Centers are the successful, public service delivery arm of local workforce systems, providing direct job placement services to local jobseekers and engaging businesses to serve their hiring and training needs. Accordingly, **One-Stop Centers**, created through the original WIA legislation, **should remain as this service delivery mechanism** under new legislation. In addition, under WIA reauthorization, One-Stops should:

- Coordinate multiple resources
- Implement locally tailored systems
- Support local variation that could include:
 - More online capabilities
 - Affiliates at public access points such as libraries and community colleges

Unfortunately, these One-Stops also suffer from three core criticisms:

- I. They make customers jump through too many hoops before they can enter a training program;
- II. They spend too much money staffing the One-Stops and not enough on training; and
- III. They don't serve veterans or people with disabilities very well.

Each of these shortcomings should be addressed in a re-authorized Workforce Investment Act.

I. Easier Customer Access to Training

A new WIA should eliminate the “sequence of services” that makes customers go through a variety of steps before they can enroll in a WIA training opportunity. Instead, case managers ought to be allowed to work directly with the customer to meet their stated desire – and if this is to enter a WIA training program, the new law ought to allow this to happen quickly and efficiently.

II. Separate Funding Streams for One-Stops and Training

As the nation's investment in the workforce system has shrunk, Workforce Investment Boards have been placed in an impossible situation. They've been made to choose between providing One-Stop Career Centers in locations where customers can easily get to them and consequently spending less on training, or husbanding resources for training but making customers cover large distances to enter a One-Stop Career Center.

It is essential that Congress ensures stable funding for One-Stops (which could be similar to the original one-stop grants) that is set according to appropriate targets for spending on both system operations and training investments under a re-authorized WIA – one for One-Stop infrastructure (staff, rent, utilities) and another for training – and by funding both at a level that is sufficient to meet today's economic realities.

III. Recognize Limitations of One-Stop Model to Serve Targeted Populations

The federal government funds a substantial effort to help people with disabilities get jobs and skills; it is called the Vocational Rehabilitation system. Similarly, the federal government funds a substantial effort to help veterans get jobs and skills through the Veterans Administration.

The common criticism of One-Stops – that they do not serve customers with disabilities or veterans very well – can only be addressed in one of two ways. One is to dramatically expand the number of staff in each of the One-Stops trained to work with these populations – and to periodically refresh this training so that it can always be applied when customers enter a One-Stop and require it. Given today’s economic realities, this strategy does not appear financially feasible.

Alternatively, a re-authorized WIA ought to make clear that, while One-Stop Career Centers are open to all customers, some customers will be best served through categorical programs (like Voc Rehab or those for Veterans) that are available only in a limited number of One-Stops.

RECOMMENDATION #9

Address WIA Accounting and Reporting Structure to Accurately Reflect Spending

President Bush’s FY 08 budget requested a \$335 million rescission of WIA “carryover” funding. The House approved FY 08 Labor, HHS and Education spending bill (H.R. 3043), which rescinded \$335million from Training and Employment Service appropriations. The \$335 million rescission represented approximately an 11% cut to WIA.

WIA regulations (section 667.107 (a)), authorize local governments a total of three years to spend Title 1-B Adult and two years to spend Youth and Dislocated Worker funds.

GAO data provided to the House showed that states are spending WIA funding as intended under the law (60-70% in year 1, 95% in year 2 and 100% by year 3). Carryover was an intentional design feature of WIA funding to assure an amount be held in reserve to enable responsiveness to extraordinary economic events.

Despite data provided that showed otherwise, the USDOL, put forth the premise that the states were not spending all of their WIA allocated money and that the unspent funds must be characterized as “unspent carryover”. DOL used this argument to support the aforementioned rescission which removed funding from the system, much of which had already been legally obligated to provide services or training to the target populations for which it had been designed to assist. The rescission of these funds caused a situation whereby states had to use subsequent year funds to pay for obligations entered into in the prior years, which limited the services they could provide in those subsequent years.

Two main structural flaws set the stage for this troublesome scenario: the definitions and discipline involved in the reporting of spending and the reporting of obligations.

States are merely required to report spending on a cash basis. Generally Accepted Accounting Principles, (GAAP), require that businesses report their expenses on an accrual basis. This method of reporting ensures that expenses incurred in the period being reported are included

regardless of whether they have been paid for within that timeframe. Businesses are not legally allowed to use the cash basis of accounting since it leads to drastic underreporting of the costs incurred by an entity in the reporting timeframe. The tax requirement that states merely report on a cash basis causes a dramatic misrepresentation of the true spending trends of the WIA funds.

The broad definition and lax oversight on the reporting of obligations has led to a situation whereby these reported obligations are discounted by Congress and agencies looking at the commitment of the WIA funds. Obligations are broadly defined to include “the amount of orders placed, contracts and subgrants awarded, goods and services received, and similar transactions during a given period that will require payment by the grantee during the same or a future period”, (29 CFR 97.3). This broad definition allows areas to include the total value of contracts let for future periods. Examples of this would include the contracts with a one-stop operator for a subsequent year or the value of leases for the full lease period.

Recommendation:

We recommend that the federal government require that all states use the accrual method of accounting, as defined by GAAP, for costs in their reporting to the federal government. This will present a more realistic reporting of spending and highlight the costs as incurred within the timeframes that it occurs. We recommend that the monitoring of state and local agencies test for reasonable methodologies of implementing the accrual accounting methods to ensure reasonable, consistent, timely, and trustworthy expense reporting.

We recommend that the definition of reportable obligations be changed to include merely the legal financial commitment or exposure of contracts and purchases agreed to. This change should also allow for an estimate of the costs involved with other terminations such as staff and other service contracts. This definition change would reduce the value of the subsequent years leaseholds or one-stop operations reported obligations from the full contract value to merely the termination clause value.

Implementing the recommended changes will increase the accuracy and usefulness of the data being reported from local areas up to states and finally compiled at the federal level. Changing the reporting requirement from a cash basis to an accrual basis will afford a more realistic picture of spending trends as well as bring it up to basic business standards. Changing the obligation definition and requirement will reduce the level of stated obligations and generate a more useful realistic picture of what areas and states are legally obligated to pay if any reductions are implemented at the federal level. A final thought to keep in mind is that the funds are intended to be spent over a multi-year span, this allows the recipients to make plans and commitments beyond the truly short term while providing the services and assistance to our clients that we are designed to help.