



WIOA *Blueprint*



Workforce Innovation and Opportunity Act (WIOA)

Overview of the changes to title IV

March 18, 2016

We Are V. R.

The Division of Vocational Rehabilitation Services within the New Jersey Department of Labor and Workforce Development –

- Helps individuals with disabilities prepare for, obtain, and maintain competitive employment.
- Employs master level counselors that are highly trained in the field of vocational rehabilitation.
- Has 18 local offices located throughout the state, many co-located with the One-Stop offices.

Services to Individuals with Disabilities

Goals for presentation

- Vision and opportunities for New Jersey
- Major changes in the W.I.O.A.
- Major changes to the Rehabilitation Act of 1973
- Major impacts of the changes in title IV
- State Employment and Training Commission Policies
- Next Steps

Vision and Opportunities for NJ

LWD Priorities

Reemployment

Reducing the amount of time that people are unemployed

Opportunity

Increasing the number of individuals who are on a path to economic opportunity

Alignment

Increasing the number of individuals with an industry-valued post-secondary degree or credential

Accountability

Reemployment

Meeting Jobseekers
Where They Are

Opportunity

Equipping the
Workforce
for Employment

Alignment

Driving Investments
Based on
Industry Needs

Accountability

Increasing System
Accountability

Overview

All workforce development programs and services must be able to assist individuals with disabilities to achieve competitive, integrated employment.

Title IV is the Reauthorization of the Rehabilitation Act of 1973.

Timeline for NJ WIOA Title IV

WIOA signed into law July 22, 2014

Title IV authorized upon signature*

Preparing implementation of WIOA provisions taking effect immediately

*Limitation on use of subminimum wage effective July 2016

Preparing for full implementation of WIOA on July 1, 2016

Significant changes in WIOA Provisions

1. Emphasis on competitive integrated employment:
 - Greater coordination within the One-Stop system
 - Individuals with barriers to employment-target group
2. Local boards requirements:
 - Identify best practices
 - Provide technical assistance to One-Stops, partners, and service providers
 - Conduct an annual accessibility review of One-Stops

Significant changes in WIOA title IV

1. Employer engagement
2. Pre-employment transition strategies
3. Limitation on the use of subminimum wage

Significant changes in WIOA title IV Employer engagement

“increasing employment opportunities and employment outcomes for individuals with disabilities, including through encouraging meaningful input by employers and vocational rehabilitation services providers on successful and prospective employment and placement strategies.”

Significant changes in WIOA title IV

Employer engagement

- Recognition of dual customer in VR program
- Measured outcomes on business outreach
- Revises definition of competitive integrated employment
 - Work must be compensated at the same rate as for other similarly situated employees who do not have disabilities
 - Federal and state wage and hour laws must be followed
 - Individuals must have opportunities to interact with other employees who do not have disabilities

Significant changes in WIOA title IV Pre-employment transition services

Pre-employment transition services is a new section in title IV

- Designated coordinator in each office
- 15% of federal VR funds must be used for pre-employment transition services
- Services must be made available to every student with a disability

Significant changes in WIOA title IV Pre-employment transition services

Student with a disability defined in title IV

- Student between the ages of 14 and 21
 - Identified under the Individuals with Disabilities Education Act
 - Identified under Section 504 of the Rehabilitation Act

Provision of pre-employment transition services is not meant to supplant the entitlements in the Individuals with Disabilities Education Act

Significant changes in WIOA title IV Limitation on the use of subminimum wage

WIOA adds a new section to title 29 of the United States Code that governs labor law, amending section 791.

Criteria must be met before an individual with a disability may be employed through the use of a Fair Labor Standards Act Section 14(C) subminimum wage certificate.

Significant changes in WIOA title IV Limitation on the use of subminimum wage

Restrictions for school districts

- Prohibited from contracting with sheltered work providers for transition services for the purpose of engaging in subminimum wage activities
- Does not apply to individuals currently employed by sheltered workshop
- Applies to individuals 24 or younger

Significant changes in WIOA title IV Limitation on the use of subminimum wage

Restrictions for Entities

- May not employ an individual age 24 at a subminimum wage unless all criteria contained with the provision of 14(c) is met

AND

- At least one of the following conditions is met:
 - Individual currently employed by entity that holds valid 14(c) certificate

Significant changes in WIOA title IV Limitation on the use of subminimum wage

Restrictions for Entities

- Individual has completed, prior to beginning work at a subminimum wage, ALL of the following:
 - Receipt of pre-employment transition services
 - Application for vocational rehabilitation
 - Individual has received career counseling, understands and consents to work at subminimum wage, giving informed consent.

Services to Individuals with Disabilities

State Employment & Training Commission

Policies

1. Definition of Employment First:

Competitive integrated employment will be seen as the first and primary option for all individuals with disabilities, including individuals with the most significant intellectual and developmental disabilities (ID/DD), who apply through informed choice for workforce services.

SETC Review: 1/19/2016

Services to Individuals with Disabilities

State Employment & Training Commission

Policies

2. Career Pathways:

The State Employment and Training Commission undertakes a commitment to support the development of an *Employment First* Career Pathways Framework to improve competitive integrated employment for individuals with disabilities, including individuals with significant intellectual and developmental disabilities.

SETC Review: 1/19/2016

Services to Individuals with Disabilities

State Employment & Training Commission

Policies

3. Relationship between SETC and SRCs:

The State Employment and Training Commission hereby recognizes the DVRS and CBVI State Rehabilitation Councils as the entities which will provide disability expertise, policy recommendations and information to the SETC in order to improve New Jersey's public workforce system and its services to individuals with disabilities.

SETC Review: 1/19/2016

Services to Individuals with Disabilities

Next Steps

Employer Engagement

- DVRS is developing a business outreach unit. We are one of 11 VR programs receiving intense TA from the Job-Driven VR Technical Assistance Center (ICI, Boston)

Services to Individuals with Disabilities

Next Steps

Pre-employment transition services

Data identifying students in transition (students under I.D.E.A. or section 504 accommodation plans) be identified so all students participate in the required activities:

- Job exploration counseling,
- Work-based learning experiences,
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs,
- Workplace readiness training to develop social skills and independent living, and
- Instruction in self-advocacy.

Services to Individuals with Disabilities

Next Steps

Limitations on use of subminimum wage

- Develop procedures and processes that ensure youth with significant disabilities are referred to the appropriate VR agency and that several community work-based opportunities are tried to enable youth with significant disabilities to achieve successful employment in competitive integrated employment prior to placing them into sheltered work.

Services to Individuals with Disabilities

Next Steps

Limitations on use of subminimum wage

- Regional meetings with all sheltered workshop to discuss Career Pathways (invitation only)
 - February 29 – March 8
- Identify regional meetings with families (public)
- Engage other stakeholders as appropriate
 - Public forums

Services to Individuals with Disabilities

Next Steps

Accessibility of one-stops

- That all one-stops use an identified accessibility checklist and that minimum standards are developed to ensure a level of consistent application in the state.
- That a best practices manual be developed that recognizes the efforts of one-stop delivery areas that provide a higher level of access to individuals with barriers to employment, including individuals with disabilities.
- That the one-stops develop processes to ensure coordination and appropriate access to services, including DVRs/CBVI services, for individuals with disabilities.

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Summary

1. **Employer Engagement**
2. **Pre-employment transition services**
3. **Limitations on use of subminimum wage**
4. **Accessibility of one-stops**