

# ActionBrief

## Setting Priorities for Service Under the Workforce Investment Act

*Effective Delivery of Services and Defining Priority Employers*

### I. Background to the Issue

Why would a local Workforce Investment Board (WIB) want to establish priorities for who receives services (particularly intensive services) from the One-Stops in its area? Doesn't WIA (the Workforce Investment Act) promise "universal service"?

WIA promises "core" services to anyone who wants them. But Congress has appropriated the funds to serve only a fraction of the American workforce. Therefore states and local areas need to develop strategies to a) spread resources as far as possible and b) prioritize who receives services, particularly the more expensive "intensive" and "training" services. If these strategies are not developed services will be delivered on a "first come, first served" basis—which may well mean that those who really need services can not get them. *Labor representatives are critical players in getting local WIBs to develop these policies.*

#### **Is it legal to establish priorities?**

Yes, federal law and regulation permits priority setting as long as the strategy developed ensures that everyone can receive "core" services. But labor representatives, and local WIBs, need to check their state's policies which may establish a framework for local decisions.

#### **Are there priorities already established by federal law and regulation?**

WIA designates certain adult populations as having to be served by the One-Stops. These include: dislocated workers and the target pop-



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ulations of the required WIA partners including welfare recipients, veterans, the mentally and physically disabled, Native Americans, migrants and seasonal farm workers, older workers, and adults with low literacy skills. These are not exactly the same as priority populations because the law simply says that the One-Stops have to provide them service. It does not say that they should be given priority over other workers in receiving this service.

***However, WIA does have something to say about setting priorities for service. It mandates that:***

- Intensive and training services must be reserved for adults for whom core services are not sufficient to find new employment, and
- If WIA funds are limited, priority for intensive and training services must be given to recipients of public assistance and other low-income individuals in the local area. (This mandate applies only to the general funding for adults, not to the dislocated worker funding stream.)

## WIA Priorities for Service

- Those who need intensive and training services to find a good job.
- Low-income workers, if funds are limited.

## II. What Can the WIB do to Address this Issue? What Should Labor Representatives Consider?

### A. Defining the Priority Populations

Most states are leaving it to WIBs to define the priority populations for their area. The decisions WIBs could make include:

- Which dislocated workers will receive priority for service.
- Which other adult workers in the local area are “at risk” and therefore should receive priority for service.
- Whether funds are limited and, if they are, how to conform to WIA’s mandate that public assistance recipients and other low income adults must be given priority service.

#### ***1. Defining which dislocated workers will receive priority service.***

In terms of dislocated workers, there are two questions:

- ▶ Should dislocated workers who are referred to One-Stops by Rapid Response get priority for service, and
- ▶ Which dislocated workers should get intensive and training services?

This second question is the same for all customers of the One-Stop, so it will be discussed later. But the first question is unique to dislocated workers.

Why would a WIB give preference to dislocated workers referred by Rapid Response? There is a lot of evidence that the sooner a dislocated worker gets service, the more likely s/he is to get a new job with comparable pay. Obviously s/he is also going to lose less income (and

will use less UI funds). If the One-Stops put Rapid Response clients on a long waiting list, it undermines the value of Rapid Response.

**What should a WIB do?** There are at least two possible approaches: The WIB could establish an overall policy for how to prioritize service. As a part of this policy, dislocated workers served by Rapid Response could be given priority.

In conjunction with this policy or as an alternative to it, operational procedures could be put in place which would ensure that dislocated workers served by Rapid Response are quickly and effectively linked to the services provided by the One-Stop Centers. States have responsibility for rapid response although some states contract with local areas.

These operations procedures, which are the “hand-offs” of dislocated workers from Rapid Response services to the One-Stops, are particularly critical to establish in situations in which Rapid Response is being delivered by a labor program that must then link dislocated workers to non-labor One-Stops.

As a labor representative on a local WIB, you can advocate that whoever is responsible for rapid response be aware of the methods for connecting rapid response teams with One-Stops that are shown in box below.

## ***2. Defining which other adult workers are “at risk” and therefore should receive priority for service.***

What the WIB needs to know to establish priorities for service is: Who is having trouble finding (and/or keeping) a decent job? For dislocated workers, that means a job that pays wages comparable to the job they lost. For other workers, it means a job that meets some wage and quality standard established by the WIB.

### Getting Dislocated Workers to One-Stops: Some Methods for Establishing Effective Links Between One-Stops and Rapid Response Teams

- Rapid Response does the front end of the “intake” function—and that intake is not duplicated at the One-Stop.
- The Rapid Response Team is trained to do an initial screening of the dislocated workers they serve using a standardized protocol (also used by the One-Stops).  
*Workers do not have to do this assessment again at the One-Stop.*
- The Rapid Response Team’s referral function is formalized and automated. The initial screen is transmitted either to all One-Stops in the local area or to the One-Stop selected by the customer. When feasible, Rapid Response Teams could also have the capability of electronically scheduling appointments for customers.
- Ensure that the One-Stops conduct outreach to all dislocated workers that the Rapid Response Team identifies as needing intensive and/or training services.
- Ensure that the Rapid Response Teams inform the One-Stops if a particular layoff requires special capacity (such as special language skills on the part of the counseling staff).
- Formalize the agreement about how the handoff from the Rapid Response Team to the One-Stops will occur. This could be a Memorandum of Agreement, a contract, or a policy.

Typical barriers to employment include: limited education, limited occupational skills, outmoded occupational skills, limited English language proficiency, age.

*Attachment 2* of this Action Brief spells out where labor representatives and WIBs can get the information they need to determine who in their area is at risk.

It is important to remember that identifying “at risk” populations in a local area is not a one shot activity. Who is at risk changes as the demographic makeup of the area changes (when new kinds of workers move in and others move out) or because of changes in the economy (e.g. when old industries shrink or move away and other new industries move in). Sewing machine operators may not be an at-risk population until all the apparel makers leave town. The Board should have its WIB staff prepare an annual report identifying at-risk populations.

Local unions should inform labor representatives of the needs they see, so the labor representatives can bring these issues and information to the full Board. Labor councils and federations are now convening these discussions in some parts of the country.

## Prioritizing When Funds Are Limited

- Set a self-sufficiency standard.
- Determine *all* the resources available
- Prioritize those who fall below the self-sufficiency standard.

### ***3. Determining whether funds are limited and, if so, identifying how to prioritize low-income populations.***

In issuing its regulations for WIA, U.S. Department of Labor noted that adult funds are almost universally limited. Therefore each local WIB needs to establish a policy for how it intends to comply with the mandate that when funds are limited, public assistance recipients and other low income adults must be given priority service. This mandate does not apply to the dislocated worker funding stream but only the general funding for adults. In many states, governors and state plans are not dealing with the issues of limited funds, instead providing assurances that funds are not limited. This passes the issue to the local WIB for decision.

**What should a WIB do?** Except under extraordinary conditions, the WIB *should* determine funding to be limited and craft such a policy. What kind of policy makes sense? First, the WIB needs to establish low-income guidelines. The best strategy would seem to be to consider anyone who falls below the WIBs self-sufficiency guidelines to be “low income”. The advantage of this strategy is that it establishes a clear standard for what constitutes a living wage. Though related, this is a standard of *worker need*, not job quality.

Second, the WIB needs to consider what other resources some “low income” individuals might have. For example, WIA law says if funds are limited, public assistance recipients are among those who should receive priority. That makes sense only if those public assistance recipients do not have access to core, intensive and training services through TANF, Welfare-to-Work, or other programs. If they do, it makes sense to reserve the WIA funds for those who don’t have access to such resources.

Labor representatives should consider meeting with community leaders and community representatives to the WIB to develop a common understanding and strategy on these issues.

## **B. Developing strategies to target and serve priority populations once the WIB has identified them.**

Once the WIB has identified the at-risk populations in a local area, strategies to target services to them can be devised. This may sound quite different from identifying the priority populations, but actually the two need to go hand in glove.

Many different kinds of strategies can be pursued. Some are the province of the One-Stop operators; some are decisions that the WIB needs to make. In all cases, the WIB can establish benchmarks and provide oversight to ensure that its priorities are being met.

Labor representatives need to decide if as the representatives of all workers, they need to carry out some special monitoring to see if workers are getting the services they need.

One general method of implementing WIB priorities at the local level is for WIBs to establish a formal process of “chartering” the One-Stops in their area. The charter is then the “contract” between the WIB and the One-Stop operator(s) and can enforce the WIB’s priorities. The state may establish some minimum requirements for chartering or credentialing One-Stops also. This charter can establish and enforce the expectations and guidelines for performance.

Operators that do not meet the charter’s requirements can be required to implement corrective action, be put on probation, or ultimately have the charter revoked. Operators that outperform the standards in the Charter can receive awards, rewards, and reinforcement for effective service. *(Note: This charter is different in purpose from the Memorandum of Agreement (MOA) among the One-Stop partners contained in WIA. The MOA spells out roles and responsibilities for service delivery.)*

Specific strategies that WIBs might want to consider include:

### **1. Require that One-Stops have methods in place to efficiently assess who does and does not need more than core services.**

If One-Stops cannot quickly “triage” customers into those who need only core services and those who need intensive and training services, limited staff time will be wasted on those who need it the least. As a result, workers who need counseling, career planning, job development, and training services could be forced to wait weeks for an appointment and/or simply never receive the service.

***One general method of implementing WIB priorities is to establish a formal process of “chartering” One-Stops. The charter then is the contract between the WIB and the One-Stop partners.***

*(See Appendix C)*

## **Sample Assessment Policy**

One-Stop centers chartered by the WIB shall have effective assessment methods in place. The methods will:

- Identify workers who need help in accessing and making decisions about core services.
- Quickly and efficiently determine which workers need more than core services.
- Provide workers who need intensive and training services with in-depth informal and formal assessments to help them determine an appropriate career path.

## **A Suggestion**

The main problem most One-Stops face in developing an effective assessment strategy is staff capacity. If your One-Stop operator says they have time to do little more than let workers self-assess, suggest they spread the assessment process across the functions in the One-Stop, beginning with intake staff, (and in the case of dislocated workers, with Rapid Response). A simple assessment protocol could be developed for the first stage assessment. More complex assessments could be delivered in stages by different kinds of One-Stop staff.

## Ensuring Workers Receive the Services They Need in a Timely Fashion

- No worker should be forced to accept a job that falls below the WIB's self-sufficiency standard.
- One-Stop counselors should have responsibility for assessing a worker's barriers to employment.
- No worker with serious barriers to self-sustaining employment should be forced to conduct a job search.

## Sample Policy Mandating Tailored Services

"One-Stop Centers chartered by this WIB shall provide services tailored to the needs of the priority customer groups established by this WIB. This includes specialized outreach, staffing, workshops, job development and other programming—and linkages to organizations with experience in serving each customer group. One-Stops will be evaluated in terms of how well they meet the needs of their customers."

**What should a WIB do? What can a labor representative do?** Developing assessment methods is not the role of the WIB. WIBs can, however, require local operators to develop assessment methods as part of their charter and WIBs can review each One-Stop's effectiveness in this regard.

As One-Stops are implemented, labor representatives need to decide if a "worker-centered" monitoring of a One-Stop's success in identifying workers with needs is warranted. This could possibly be done in coordination with community organizations.

### ***2. Require that One-Stops reserve intensive and training services for the priority populations and ensure that these targeted workers receive services in a timely manner.***

WIA requires that intensive and training services be reserved for those workers who have barriers to employment.

At the same time, WIA's "Work First" language is being interpreted by some as "any job is a good job". Under this banner, dislocated workers could be forced to take a cut in pay and/or be required to conduct a lengthy job search before they will be allowed to enter intensive services or training. Low income workers and new entrants to the labor market could similarly be required to accept jobs that do not pay a family-sustaining wage.

**What should a WIB do?** The WIB could establish a policy about what constitutes an acceptable job.

This policy should state that no one should be forced to accept a job that falls below this standard; rather, they should be provided intensive and training services to assist them in finding a job with a decent wage. This policy should also make clear that a trained counselor has the authority to make the determination whether or not a worker is likely to be able to find a job meeting this standard. (USDOL regulations permit One-Stops to make this determination.) Workers with obvious barriers to employment should not be forced to waste time in a useless job search.

### ***3. Develop services appropriate to the target populations.***

If the services provided by the One-Stop are not appropriate for the target populations, they are unlikely to use the Center and—if they do—it is unlikely to meet their needs. For example, if the target population is Spanish-speaking, it is critical that One-Stop staff not only speak Spanish but are also sensitive to the cultural norms of its customers. If the target population is older workers, training programs need to be geared to individuals who do not have many years left in the labor market; outreach to employers needs to target those who will hire older workers.

**What should a WIB do?** WIBs should require local One-Stop operators to tailor services to the target population.

This requirement should be part of the charter as a policy statement. WIBs should also track the operations of the One-Stops as they develop to ensure that such targeting is occurring.

#### **4. Require that the location of the One-Stop(s) is convenient for the target populations**

This seems like an obvious point. Don't site the One-Stop miles from your target populations. If your target populations are dispersed, have several smaller centers instead of one large one. Take into account whether or not your target population is likely to have cars and how willing people are to travel.

#### **What should the WIB do? What should labor representatives consider?**

Labor representatives should consider the location of One-Stops and insist that WIBs require One-Stop locations be appropriate and build this into its local plan.

***Remember that transportation is a major barrier for many at-risk workers. One-Stops need to be located near their priority customers.***

### **Sample Questions A Labor Representatives Would Want a WIB to Ask In Reviewing Performance**

The questions a WIB would ask in reviewing the performance of a One-Stop in conforming with the policy vary depending on the kind of at-risk populations in the area. The following are sample questions:

#### **1. If older workers are a target population, questions could include:**

- Does the One-Stop employ an older worker specialist?
- Does the One-Stop have strong linkages to older worker programs?
- Does the One-Stop have workshops and other kinds of programs on-site (or through an effective referral) that address the issues of older workers?
- Has the One-Stop identified kinds of industries and job categories most likely to hire older workers at decent wages?
- Has the One-Stop identified kinds of training programs (probably relatively short term) that would be appropriate for older workers?
- Does the One-Stop do outreach to unions and employers to market older workers?

#### **2. If limited English-speaking workers are a target population:**

- Does the One-Stop have staff conversant in the language(s) of the target populations?
- Are the signs and written materials of the One-Stop translated in the language(s) of the target populations?
- Has the One-Stop identified unions that have formal or informal programs for the target populations?
- Does the One-Stop have linkages to community-based organizations that serve the target populations?
- Does the One-Stop have an effective outreach strategy to the target populations?
- Has the One-Stop created programming in the language of the target populations (that also takes their cultural concerns into account)?
- Has the One-Stop identified industries and job categories in which the target population is likely to be successful in finding jobs that pay decent wages?
- Has the One-Stop identified—or solicited the creation of—1English for speakers of other languages (ESL) programs that are geared to giving workers the skills they need on the job? 2Occupational skills training programs that combine ESL and skills training or are otherwise appropriate to the target populations?

#### **3. Bilingual skills training.**

***One strategy for customizing One-Stops is to develop a diversity of partners including unions and CBOs.***

## Sample Systemic Referral Process for Career Centers

### A Part of Indiana's Draft Memorandum of Understanding Framework

"It is agreed that the One-Stop Delivery System partners of this signed Memorandum of Understanding will conduct referral for services in the following manner. All customers referred will:

- Receive a written referral form with the date, time, and place of appointment.
- All appointments will be scheduled within three working days.
- The individual making the appointment will follow-up within two working days of the scheduled appointment date."

### ***5. Consider building One-Stops with a variety of partners (to reflect the target populations):***

One strategy for "customizing" programs to various target populations is to partner with a variety of organizations (including unions, and community-based organizations) to "tailor" programs to specific customer groups. In addition, WIBs can consider having operators employ peer counselors—that is, men and women from the targeted population—to work alongside workforce development professionals. Peer counselors and outreach workers can provide a bridge to the needs and concerns of each distinct population group. Union representatives often play this role.

**What should labor representatives consider?** Could a specialized One-Stop be a piece of a pro-worker, pro-community, union-building strategy in your region? Could a specialized One-Stop, in a specific industry, broaden and strengthen the role of unions in that industry? Could it contribute union knowledge of the industry, thereby leading to good, effective programs? Labor representatives need to reach out to union sisters and brothers who are already delivering these services to develop a common strategy for a union role in service delivery.

### ***6. Develop effective linkages to other programs (both for outreach and service):***

Another way to customize programs and reduce the pressure on the resources of the One-Stop is to develop close linkages with other organizations and programs. One-Stops are supposed to be the "front door" to the workforce development system. As such, they were not intended to provide all the services each worker needs but to set up an efficient system of referral. When referral works badly, customers feel bounced from bureaucrat to bureaucrat. When it works well, it is like having your doctor refer you to a specialist.

**What should a WIB do?** The WIB has special responsibility for ensuring effective linkages to other programs. All the required WIB partners sit on the WIB, and the linkages among them must be specified in the local plan. Given its mandate to guide workforce development at the local level, the WIB needs to be active in ensuring that all agencies and organizations that are important to building an effective system are at the table. Realistically, labor representatives need to decide which linkages are most important and press that these be in place.

The WIB should ask its staff to identify and report on all resources in the local area that can be used for workforce development. This should include the target population of each funding stream and the kinds of services it can provide. As a second step, staff should develop—for the WIB's review—a strategy for coordinating these resources. Labor representatives should request this information in

order to bring it to a broader group of local labor leaders for discussion of the opportunities different funding sources afford.

WIBs also can help shape the required Memorandum of Understanding (MOU) among the required One-Stop partners. U. S. Department of Labor and the states also have minimum standards for MOUs.

One standard WIBs can set that will have real influence on how customers are served is a standard for referrals. The purpose is to ensure that referral between programs is really in the interest of the worker and that the worker does not get lost in a bureaucratic black hole.

***7. Make sure that the performance measures established by the WIB reflect its priorities:***

Performance measures drive the behavior of the people who operate programs and deliver service. As such, it is important that they create incentives to serve properly the populations that have been targeted by labor representatives and by the WIB.

USDOL has established four performance measures for *adult programs*: employment, retention, wage change, and acquisition of an education or skill credential. These are probably the right areas to measure but how they are measured matters a lot. Let's take each in turn:

- a. Employment:** Employment seems straightforward. Either you are employed or you are not. But actually how programs define "employment" is important. USDOL has decided to call "employed" anyone who earns one dollar. Most of us would not consider that person employed. An alternative method might establish some baseline level of earnings one needs to make before he or she is considered employed.
- b. Retention:** The fact that USDOL has added retention as a measure is very positive. There was no retention measure in JTPA. It is unfortunate, however, that USDOL only looks at retention after six months. Given that states will be using Unemployment Insurance wage record data to track performance, it would be good to look at retention after at least a year and again at two years.
- c. Wage change:** Wage change (that is, comparing what a worker earned before he or she entered a program against the post-program wages) is a good measure. In fact, it tends to encourage programs to work with lower wage workers since it is easier to make marked improvements in their wages.
- d. Acquisition of an education or training credential:** USDOL has two different standards here. There is a standard for adults that allows a program to count only acquisition of a credential as a positive outcome *if the worker is employed at the time of termination from the program*. There is a second standard for older youth. This

standard also counts the acquisition of a credential as a positive outcome if the participant goes on for further education.

**What should a WIB do?** With the chief elected official and the Governor, WIBs have to establish performance standards for their area. In doing so, they will want to make sure the standards they set provide incentives to One-Stops to deliver the kinds of services their priority populations need. At the same time, local areas are subject to the standards set at the federal and state level.

Substituting a tougher standard for what it means to be employed probably needs to happen at the state level, rather than the local level. Therefore labor representatives should work with their state federation to see if they can win support for this position. Starting on high ground might mean proposing a standard that counts as employed only persons who are paid a family-sustaining hourly rate (for example, 150% of the Lower Living Standard Income Level for 40 or more hours per week.)

Changing the standard for credential acquisition would also be best done at a state level. Then states could include this measure in their formula for distributing incentive funds to local areas.

Local areas can fairly easily track retention on their own. Apart from formal performance measures, WIBs can and should also review reports from One-Stops regularly to evaluate whether or not they are serving the priority populations and whether they seem to be providing an appropriate mix of services. Labor representatives should request this information.

Finally, apart from the kind of performance measures used, WIBs need to be concerned about when the measurements are taken. Typically, programs measure their outcomes at placement. WIA is now saying outcomes also need to be measured at six months. However, most credible studies of JTPA have suggested that the payoff to intensive interventions, including longer term training, shows up in the longer run (say two years out). At this point, the payoff to short term interventions seem to fade away and it becomes clear that what really makes a difference in workers' earnings profile are the more in-depth programs.

Measuring outcomes over the longer term is made possible and relatively easy by the use of UI wage record data. Labor representatives should therefore encourage their local WIBs and state to make their final judgment of programs at the end of two years, instead of one. This will encourage One-Stops to put their customers in programs that really work.

A critical weakness in using UI wage records is that they do not show whether workers have benefits. No other readily accessible information has been identified. Labor representatives have to decide if they want to advocate some additional monitoring (such as phone sampling) on the issue of benefits.

## 8. *Ensure the effective use of information technologies.*

The only way the One-Stop system can both provide universal service and reserve limited funds for those most at risk is through the effective use of information technologies. The information workers need to find jobs must be easily accessible on the Internet. Then workers who are job-ready can, on their own or with the help of peers or trained professionals, access this information from their homes, schools, unions, libraries, community organizations, faith-based organizations, or the resource rooms of One-Stops. The counselors at the One-Stops would have the time to work with those who need intensive service.

**What should a WIB do?** The development of an effective statewide IT system is not a local task. WIBs can strongly lobby their state to develop such a system and provide technical support for it locally. State federations will need to coordinate with labor representatives on the WIBs in this regard.

WIBs can also work to make sure that their local One-Stops have on-site technical capacity so that they are capable of taking advantage of the computer-based resources available from federal, state, and private sources. They can also encourage their One-Stops to use technologies such as “swipe cards” that make it easy to track who is using the One-Stop, how frequently, and which services they are accessing.

## C. Defining Which Employers are Priority Customers

WIBs not only need to establish priorities among their job-seeker customers but they also need to decide which *employers* they prioritize. This is not only because resources are limited but, more importantly, because not all employers provide good employment opportunities, conditions, or wages. The employers that are served by WIB programs should be employers offering higher wages, good working conditions, and conditions of employment, and access to career ladders. Unionization is one of the key indicators of a good job. Even in a low wage industry, better employers can be prioritized. The availability of upgrade paths to higher paid jobs, benefits, and job permanence need to be considered as well as just the entry wage.

Union neutrality should also be a criteria. Employers who spend money on union-busting and union avoidance should not receive public support from workforce development funds—it is just public money replacing the private funds they have spent. Similarly, labor representatives can advocate for policies that prioritize unionized employers where workers have full rights and where worker voice and participation ensures more effective programs and services, as well as high wages and benefits.

Under WIA, employers must make up at least fifty percent of the Board. These employers will have the majority vote on priorities, poli-

## Ways Employers are Served

**Placements:** What employers are targeted for job placements?

**On-the-Job-Training:** Which employers have the wages of employees subsidized?

**Customized Training:** Which employers get funding for new employee training?

**Incumbent Worker Training:** Which employers get funding to train an existing workforce?

**Other Tailored Services for Employers:** Which employers receive services such as recruitment and screening of new hires?

**Governance:** Which employers are represented on the Board?

## Vehicles for Setting Policies that Prioritize Employers

- Local plan
- Wage placement goals
- Policies on OJTs, customized, and incumbent worker training
- One-Stop employer services

cies, funding, and access. It matters whether these private sector employers have a commitment to high quality jobs, sustainable wages, and access for those with the most barriers to employment. Unions often have the ear of the local Lead Elected Official who makes the local WIB appointments and the Governor who appoints the state Board. State and local labor officials can make recommendations on employer representatives and encourage employers they represent to participate.

The WIB can also set policies that prioritize which employers have access to One-Stop job seekers and training. This can occur through the placement wage and other goals set for the programs that the WIB oversees as well as the outreach for job orders and job development. Many One-Stops are developing employer services such as industry briefings. The WIB can direct that employer services target certain kinds of employers.

Labor representatives will also need to consult with the relevant unions to determine for which priorities in different industries they should advocate.

Additionally, the WIB policies can be proactive in establishing conditions that require certain wage and working conditions to qualify for employer-based training programs. The WIB can also establish policies that disqualify employers that have received funds but have not met performance expectations.

The future of an industry or employer also matters. The WIB needs to know which industries and occupations in their regions are growing and which are declining. This does not mean that services for employers would simply be based on growth or decline. A growing industry may offer lousy jobs; a declining industry may still contain high wages for stability for certain occupations and with certain employers.

Labor representatives are a critical source of real information about industries and specific employers. We can provide a reality check for the Board as a whole and help create an effective set of standards for prioritizing employers for services.

## Attachment A

### Sample Service Priority Policy

USDOL distinguishes among four categories of service<sup>1</sup>:

- core services (self-service and information),
- other core services (such as individual job development, job clubs, follow-up services),
- intensive services (such as comprehensive assessment, development of an individual employment plan, counseling, career planning, case management), and
- training services.

The last three require that the customer be registered at the One-Stop; the first does not.

The purpose of this policy is to set priorities for which customers will receive “other core services”, “intensive services” and “training”. The rationale for the policy is the recognition that resources, including staff resources at the One-Stops, are limited.

Both WIA and state law and regulation<sup>2</sup> permit WIBs to set such priorities. In fact, WIA law *requires* that if funds are limited, priority for intensive and training services be given to recipients of public assistance and other low-income individuals in the area.<sup>3</sup>

As such, the Workforce Investment Board has established the following priority categories of service based on its review of the local economy. The customers selected to receive priority service are those most at risk of substantial income loss and/or the inability to secure family-sustaining employment. Since who is at risk changes with changes in the economy, the WIB will review this list of priority customers each year and amend its charter with the One-Stops accordingly.

For FY2000, the priority customer list includes the following:<sup>4</sup>

1. Workers with incomes below the self-sufficiency standard established by the WIB.
2. Workers 45 and older that need to remain in the labor force.
3. Workers with an English language reading level or math level of less than 9th grade.
4. Dislocated workers unable to find jobs that pay at least 90% of their previous wage.
5. Workers with an English language speaking ability of SPL 4 or below.
6. Workers with physical, mental, or learning disabilities that constitute serious barriers to employment.

What the Workforce Investment Board means by “priority of service” is that intensive and training services will not be made available to customers other than those on this priority list unless the One-Stop can demonstrate the staff and other resource capacity to serve both sets of customers effectively. A formal letter of permission for a specific period of time from the WIB is required.

[1] Consultation Paper on Performance Accountability Measurement for the Workforce Investment System under Title I of the Workforce Investment Act.

[2] Each local area will have to check to ensure that there is nothing in their own state’s regulations that prevent local WIBs from establishing service priorities or provide guidelines for these priorities.

[3] Local WIBs will want to look very carefully at the funds available for welfare recipients in their local area, both the amount of those funds and what those funds can be spent on. If there is much TANF money available—and state law allows it to be used for “other core”, “intensive”, and “training” services—then welfare recipients should be priority customers at the One-Stop but be excluded from priority in terms of the use of WIA Title I funds.

[4] These specific examples are simply suggestions based on national data. They need to be tailored to the local area. In addition, depending on the agreements with the agencies that serve them, workers with mental and physical disabilities should be added to this list. Again, however, they would receive priority service but would not be prioritized for use of WIA Title I funds since other funds are available to serve them.

## Attachment B

### How Can a WIB Determine Which Workers are at Risk? Issues for Labor Leaders and Labor Representatives to Consider

As the economy of a local area changes, which workers are most at risk—at risk of suffering a serious loss of economy or being able to find a family-sustaining job—changes. Major plant closings may threaten workers who previously seemed secure; new waves of immigration may bring workers with new barriers to employment into an area.

How does a WIB identify those most at risk? There are not a great many good data sources that can tell you about the demographics of an area, particularly an area as small as an SDA. However, there are some sources and methods the WIBs can use to obtain this information or good proxies for it. Labor representatives need to decide what information to request.

The Decennial Census may have the most detail on demographic information but it is only collected every ten years. The federal Population Estimates Program provides annual estimates of population by age, sex, race, and Hispanic origin for all states and counties, and is easily accessible via the Web. It is based on the Census, which it “adjusts” annually using a variety of secondary data sources. The problem with this data source as well as others is that it does not contain all the information the WIB needs. For example, it can tell the WIB something about who lives in its area, but not what wages they make.

A few states do their own census every five years; WIBs should check to see if their state has such a census. Some states also have other special surveys they conduct—but in general it is hard to get good updated demographic information at the SDA level. Every state has a census data center and a state labor market information agency, both of which are an important resource for WIBs. Economic development agencies and universities are also important sources of information.

However, probably the best source of information to address the question of which workers in an SDA are most at risk is outcomes data from the various programs that serve them, e.g. JTPA, UI, TANF, Welfare to Work. These data are readily accessible to the WIB and—particularly by looking at trends across several years—provide important insight into what is happening in a local labor market.

Labor representatives will want to know what union-run programs have been carrying out services in the local area and understand the effectiveness of these programs. It would be expected that most, though not all, would be dislocated worker programs.

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The kinds of questions a labor representative would want to answer include:

- 1. Which dislocated workers seem to be returning to the labor market quickly at comparable pay?**
- 2. Which are having a hard time getting re-employed and, when they do, suffer serious wage loss?**

- 3. Has the dislocated worker program traditionally served a relatively large number of those dislocated workers who appear to be at-risk?**

For example, is the dislocated worker program serving many workers with a high school education or less? Workers with limited English proficiency being served? Are older dislocated workers and minority workers served?

If not, the WIB might want to look further into why. The WIB could look at data over the past 5 years to see whether or not there has been a change in who is being served. And the WIB should ask the program operators to explain the reasons why at-risk populations seem under-served. There may be good reasons. On the other hand, the program may be designed in such a way as to discourage participation by those who most need it.

- 4. What are the demographics of the population served by Title II-A? By the Welfare-to-Work program? By the TANF program?**

These data can give labor representatives and the WIB some sense of the at-risk populations in the area. A major problem is that increasingly, in many areas, Title II-A funds were used to serve TANF recipients. As such, it does not provide a good indicator of other at-risk groups, particularly among men. And it includes none of the working poor. Some working poor will be included in the dislocated worker population, but many of the poorest workers are in jobs (such as retail) that are rarely served by dislocated worker programs.

- 5. How does the population being served match the population needing services within the local region?**

By comparing who the program has been serving to the incidence of different groups within the local area can help the WIB determine if there is a need to target program outreach and services more effectively. For instance, the Boston Private Industry Council's analysis of participant information led them to conclude that Latino men and residents of the Boston Housing Authority were under-served. They then decided to prioritize individuals in these categories for receipt of training vouchers.

## Attachment C

### Elements of a One-Stop Charter

- Describe the WIBs workforce development vision.
- Clearly define the roles and responsibilities of the Workforce Investment Board, the WIB staff, the Chief Elected Official, and the One-Stop Operators.
- Define the measures and performance standards expected of the One-Stop Centers.
- Set qualitative, quantitative, and organizational development measures and standards for the One-Stops.
- Make a clear statement on treating participants with dignity.
- Make a clear statement about coordination with unions as worker representatives.
- Provide operators with a sufficient time commitment to allow successful implementation, development, and continuous improvement.
- Include expectations of a positive performance trend-line to recognize that One-Stops are new and need to be built over time.
- Articulate the process (remedies, sanctions, and appeals) for failing to meet the terms of the charter.



*The AFL-CIO Working for America Institute works with unions and their allies to create and retain good jobs and build strong communities through promoting high road economic strategies for individuals; employers and industrial sectors; and public economic and workforce development systems.*

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