







	A	B	C	D	E	F	G	H
44	pg 37		Criteria and Information Requirements		Local areas may establish additional criteria and information requirements, or may require higher levels of performance than required under state criteria.			
45								
46	pg 38-39		Criteria and Information Requirements to Establish Initial Eligibility		Providers who have not previously been eligible providers of training services (under this or prior WIA statute) may seek initial eligibility by providing verifiable program specific information to the governor and local board based on criteria establish by the state. Criteria must include: a factor relating to the primary indicators under section 131; a factor concerning whether the provider is in partnership with business; other factors that indicate high-quality training services; and a factor concerning alignment of training services with industries projected to have potential for employment opportunities.			
47								
48	pg 39-40		Procedures		The governor is required to establish an application process for providers to become eligible to receive funds for the provision of training services, including identifying the respective roles of the state and local areas in receiving and reviewing applications and making eligibility determinations, and appeals processes for providers. The governor must also establish procedures for biennial review and renewal of eligibility.			
49								
50	pg 40- 41		List and Information to Assist Participants in Choosing Providers		Requires governor to provide a list of eligible providers to the state one-stop delivery system, accompanied by appropriate information, and made available to participants and members of the public through the one-stop delivery system.			
51								
52	pg 43		OJT		Expands current on-the-job and customized training ETP exception to include incumbent worker training, internships, paid and unpaid work experience opportunities, and transitional employment.			
53								
54	pg 44- 45		Transition Period		Requires governor and local boards to implement new eligibility requirements and procedures within 12 months of enactment. Authorizes governor to establish transition procedures under which adult and dislocated worker training providers eligible under current law may continue to be eligible until December 31, 2013, or an earlier date determined by the governor.			
55								
56	<b>223 Eligible Providers of Youth Employment Activities</b>							
57								
58	pg 45		Eligible Providers		Requires local board to award grants and contracts to providers of youth workforce investment activities based on criteria set forth in the state plan, and to conduct oversight with respect to providers. Adds authorization for local boards to award grants or contracts on a sole-source basis if the local board determines there are insufficient providers to award grants or contracts on a competitive basis.	Current providers should be allowed to continue services as long as board determines they are meeting performance standards; changing services or service delivery abruptly would be detrimental to effective service delivery.		
59								
60	<b>226 General Authorization</b>							

	A	B	C	D	E	F	G	H
61								
62	pg 45-46				Requires the Secretary of Labor to make state allotment of [funds under 227(b)(1)(C) to eligible states and grants to eligible outlying areas, to assist states and local areas in providing workforce investment activities for eligible youth.			
63								
64	<b>227 State Allotments</b>							
65								
66	pg 46		Formula		For fiscal years in which appropriations for youth activities are equal to, or less than, the amount appropriated for youth activities in Fiscal Year 2010 funds are allotted as follows:	Eliminate this section. Money should be appropriated to programs to provide services to participants. As noted in the recent GAO Report, limited funding should be used to support existing programs rather than creating new federal programs.		
67	pg 47- 48				<ul style="list-style-type: none"> <li>o Not more than 1.5 percent is reserved by the Secretary for youth workforce investment activities for Native Americans under sec. 266.</li> <li>o Not more than 0.25 percent is reserved by the Secretary to award grants to outlying areas for youth activities.</li> </ul>			
68	pg 49-50		State Formula		<p>State Formula – Of the remainder, the Secretary must allot funds to states according to the following formula:</p> <ul style="list-style-type: none"> <li>o 1/3 on the basis of the relative number of individuals in the civilian labor force who are ages 16 to 21 in the state, relative to the total number of individuals ages 16 to 21 in the civilian labor force in all states;</li> <li>o 1/3 on the basis of the relative number of unemployed individuals in each state, compared to the total number of unemployed individuals in all states; and</li> <li>o 1/3 on the basis of the relative number of disadvantaged youth ages 16 to 21 in the state, compared to the total number of disadvantaged youth ages 16 to 21 in all states.</li> </ul>			

	A	B	C	D	E	F	G	H
69 70	pg 50o 51		Minimum and Maximum Percentages; Small State Minimum; Years in Which Appropriations		<p>Minimum and Maximum Percentages – As under current law, no state can receive an allotment that is less than 90 percent or more than 130 percent of their allotment percentage during the previous fiscal year. (pg. 50-51)</p> <p>o Small State Minimum – As under current law, no state may receive less than \$3 million and, in years in which the remainder (after the reservations for Native Americans and outlying areas) exceeds \$1 billion, 2/5 of 1 percent of that excess amount. (pg. 51)</p> <p>o Years in which Appropriations Exceed FY 2010 Levels – In years where youth appropriations exceed FY 2010 levels, the Secretary must (A) reserve the lesser of \$250 million, or 50 percent of the excess, for youth innovation and replication grants under sec. 143; (B) reserve the greater of \$10 million or 4 percent of the excess for youth workforce investment activities for migrant and seasonal farmworkers under section 267; and allot the remained according to states according to the general formula above.</p>			
71 72	pg 51		Small State Minimum		As under current law, no state may receive less than \$3 million and, in years in which the remainder (after the reservations for Native Americans and outlying areas) exceeds \$1 billion, 2/5 of 1 percent of that excess amount.			
73 74	pg 46- 47		Years In Which Appropriations Exceed FY 2010 Levels		In years where youth appropriations exceed FY 2010 levels, the Secretary must (A) reserve the lesser of \$250 million, or 50 percent of the excess, for youth innovation and replication grants under sec. 143; (B) reserve the greater of \$10 million or 4 percent of the excess for youth workforce investment activities for migrant and seasonal farmworkers under section 267; and allot the remained according to states according to the general formula above.	This provision should be eliminated. Any funds available should be spent on direct client services at the local level.		
75 76	pg 52		Definitions	current law refers to 'lower living standard income level'	Amends definition of 'disadvantaged youth' to mean an individual who is age 16 to 21 and who received an income, or is a member of a family with a total family income, that does not exceed 150 percent of poverty line (current law refers to 'lower living standard income level')			







	A	B	C	D	E	F	G	H
116 117	pg 72-74		Program Design		<ul style="list-style-type: none"> <li>o Program Design – Requires that funds allocated to local areas be used for youth programs that:</li> <li>o Provide an objective assessment of the academic levels, skill levels, and service needs of each participant;</li> <li>o Develop service strategies for each participant that are directly linked to 1 or more performance accountability measures (under Sec. 131), and that identify career pathways that include education and employment goals, appropriate achievement objectives, and appropriate services for the participant; and</li> <li>o Provide (i) activities leading to the attainment of a secondary school diploma or equivalent or a recognized postsecondary credential;</li> <li>(ii) preparation for postsecondary educational and training opportunities, if appropriate; (iii) strong linkages between academic instruction and occupational education that lead to the attainment of recognized postsecondary credential;</li> <li>(iv) preparation for unsubsidized employment opportunities, if appropriate; and</li> <li>(v) effective connections to employers, including small employers, in in-demand industry sectors and occupations.</li> </ul>	It would be helpful to have resources directed toward core youth activities. Some areas would like to do more to serve youth through school outreach and this is difficult to do with existing and proposed youth programs.		
118 119	pg 74-76		Program Elements		<p>Requires that programs provide a broad range of elements, including, among others: tutoring and other services that lead to the completion of a secondary school diploma or equivalent, or a recognized postsecondary credential; paid or unpaid work experiences; occupational skills training; supportive services; and follow-up services for not less than 12 months after program completion, as appropriate.</p> <ul style="list-style-type: none"> <li>o Providers must ensure that eligible applicants who do not meet enrollment requirements are referred to appropriate programs to meet their basic skills and training needs.</li> <li>o Providers are required to offer some but not all of the elements in their programs.</li> </ul>			
120 121	pg 77-78		Additional Requirements		Maintains current law requirements relating to information and referrals, and involvement of parents, participants, and community members in the design and implementation of programs			
122 123	pg 78		Priority		Priority –Requires that not less than 20 percent of youth funds allocated to a local area be used for paid and unpaid work experiences, including summer youth employment, pre-apprenticeship, internships, and on-the-job training opportunities.	Should be a separate summer youth program with funding provided. Local areas should decide within allocations made available to them.		







	A	B	C	D	E	F	G	H
156	pg 101		Transfer Authority	Currently 20% transferability	A local board may transfer up to 100 percent of funds between adult and dislocated worker funds, with approval of the governor.			
157								
158	pg 101-102		Allocation		Maintains current requirements that adult and dislocated worker funds be allocated to local areas for the purpose of providing a single system of employment and training activities, and that local areas use such funds to contribute to the costs of the one-stop delivery system and to pay for employment and training activities for adults and dislocated workers.			
159								
160	pg 103-106		Reallocation Among Local Areas		<ul style="list-style-type: none"> <li>o Amount – provides that the amount available for reallocation is the amount by which the balance that is unobligated and unencumbered for training services at the end of the program year prior to the program year for which the determination is made exceeds 10 percent of the total amount available to a local area for that prior program year.</li> <li>o Balance of Funds – Defines the balance that is unobligated and unencumbered as the difference between the total amount of funds available for adult and dislocated worker activities to a local area for a prior program year, and the amount of those funds that are obligated or encumbered for training services during that prior program year. Encumbered funds can make up no more than 10 percent of the latter amount.</li> <li>o Reallocation – Provides that reallocations are made to local areas based on the relative amount of the local allocation for the program year for which the determination is made, (current law is the prior program year).</li> <li>o Eligibility – Local areas are eligible to receive reallocations so long as they do not have funds available for reallocation for the program year for which the determination is made.</li> </ul>	Reallotment should be based on "20%-25% of accrued expenditures." The definition of obligation is so poorly defined and erratic due to the variety of service delivery models and accounting models used nationally. Accrued expenditures is the most well defined and applicable measure across the system; Accrued expenditures in excess of the set percentage should be available for reallotment. Would ensure that majority of funds are spent in current program year. Money not spent at the state level should be allocated to locals within the state rather than being returned to the federal level.		
161								
162	<b>Sect 234 Use of Funds for Employment and Training Activities</b>							
163								
164	pg 108		Required Statewide Employment and Training Activities		Requires that with funds reserved by a Governor a state:			
165								
166	pg 108-109		Use Unobligated Rapid Response Funds for Statewide Activities		Authorizes governor to use rapid response funds unobligated after the first program year for which the funds were allotted for general statewide activities.			
167								
168	pg 109-112		Provide Adult, DW and Youth Services		From youth, adult, and dislocated worker funds reserved under sec. 228(a) and sec. 233(a)(1), provide other statewide employment and training activities, which must include:			

	A	B	C	D	E	F	G	H
169					<ul style="list-style-type: none"> <li>o Building capacity by providing assistance to (I) state entities and agencies, local areas, and one-stop partners in carrying out activities under the state plan, including alignment of data; (II) local areas for regional planning and service delivery activities; and (III) local areas, one-stop operators and partners, and eligible providers through professional development and technical assistance;</li> <li>o Providing assistance to local areas relating to regional planning and program alignment;</li> <li>o Operating a fiscal and management accountability information system;</li> <li>o Carrying out monitoring and oversight of adult, dislocated worker, and youth activities;</li> <li>o Disseminating the state list of eligible providers; information on effective outreach to, partnerships with, and services for, businesses; and other information;</li> </ul>			
170					<ul style="list-style-type: none"> <li>o Conducting evaluations of adult, dislocated worker, and youth activities; and</li> <li>o Developing strategies for ensuring that adult and dislocated worker activities are leading to placements in jobs, training, and education that lead to comparable pay for men and women.</li> </ul>			
171								
172	pg 113-120		Allowable Statewide Employment and Training Activities		Provides that, from statewide funds not used for required activities, states may carry out additional statewide activities, which may include (but are not limited to):			
173					<ul style="list-style-type: none"> <li>o Implementing innovative programs and strategies to meet the needs of businesses in the state, including incumbent worker training, customized training, "industry sector strategies," career ladder and career pathway programs, microenterprise and entrepreneurial training, layoff aversion strategies, and other strategies;</li> <li>o Developing strategies for effectively serving individuals with barriers to employment and for coordinating programs and service among one-stop partners;</li> <li>o Implementing programs for displaced homemakers, including individuals within two years of exhausting lifetime TANF eligibility;</li> </ul>			





	A	B	C	D	E	F	G	H
194 195	pg 135-136		Qualifications		As under current law, provides that training services are limited to individuals who are unable to obtain other grant assistance for such services (including Pell Grants), or require assistance beyond the assistance provided under other programs. Training service may be funded for individuals with pending Pell Grant applications, with reimbursement provided to the local area if and when a Pell Grant is awarded. Adds new language authorizing one-stop operators to take into account the full cost of participating in training services (including dependent care and transportation) when determining whether individuals need assistance beyond that provided by other programs.			
196 197	pg 135-136		Accounting for Full Cost of Services	new language	Authorizes one-stop operators to take into account the full cost of participating in training services (including dependent care and transportation) when determining whether individuals need assistance beyond that provided by other programs.			
198 199	pg 136-137		Training Services	adds new language	Maintains training options under current law, but adds incumbent worker training and transitional jobs, subject to certain conditions; and expands current adult education and literacy option to include English language acquisition activities and integrated education and training programs.			
200 201	pg 138		Priority	Current law gives priority to recipients of public assistance and other low-income individuals only when funds are limited.	Requires that priority for intensive and training services in a local area be given to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient. Local boards and the governor must direct one-stop operators regarding priority determinations.	Should apply to adult formula only, not dislocated worker.		
202	pg 138-139		Consumer Choice Requirements	adds new language	Largely maintains current requirements relating to maximizing consumer choice in training services, referral to training providers, and arranging for payment for training services through individual training accounts (ITAs) where practicable. Adds language allowing local boards to coordinate funding for ITAs with funding from other federal, state, local, or private sources.			
203	pg 140-141		Use of ITAs	expands current list of exceptions	Maintains general requirement that training services be provided through ITAs. Expands current list of exceptions where training may be provided through contracts for services to include:			



	A	B	C	D	E	F	G	H
213 214	pg 153-154		Work Support Activities for Low Wage Workers		<ul style="list-style-type: none"> <li>o Work Support Activities for Low-Wage Workers – Allows local areas to provide work support activities to help low-wage workers retain and enhance employment, including activities that are provided during non-traditional hours and providing onsite child care while such activities are provided. (new provision)</li> <li>o Supportive Services – Maintains current language permitting local areas to provide supportive services to individuals participating in core, intensive, or training services and who are unable to obtain such services through other programs.</li> <li>o Needs-Related Payments – Maintains current language allowing local areas to provide needs-related payments to adults or dislocated workers who are unemployed and do not qualify for unemployment compensation. Dislocated workers may only qualify for needs-related payments if the individual was enrolled in training services: (1) by the end of the 13th week after the most recent layoff, of (2) if later, by the end of the 8th week after the individual is informed that a short-term layoff will exceed 6 months. (pg. 155-156)</li> </ul>			
215	pg 156-157		Incumbent Worker Training	new provision	<p>Authorizes local boards to reserve up to 15 percent of adult and dislocated worker funds for incumbent worker training (can be increased to 20 percent upon determination by local board that the use of such funds led to employee retention or job creation).</p> <ul style="list-style-type: none"> <li>o Employer eligibility – The local board must determine employer eligibility for incumbent worker training programs based on characteristics of participants, the relationship of the training to the competitiveness of the participant and the employer; and such other factors as the local board may determine are appropriate);</li> <li>o Training Activities – the training program must be carried out by the local board in conjunction with employers or groups of employers for the purposes of helping workers obtain the skills necessary to retain employment or avert layoffs</li> </ul>			
216 217	pg 159-160		Employer Payment of Non-Federal Share		Requires employers to pay the non-federal share of training costs as established by the local board. Cannot be less than 10 percent for employers with fifty employees or less; 25 percent for employers with 50-100 employees; and 50 percent for larger employers. Non-federal share may include wages.			
218 219	pg 160-161		Transitional Jobs	new provision	Authorizes local board to use not more than 10 percent of adult and dislocated worker funds to provide time-limited, subsidized work experiences for individuals with barriers to employment who are chronically unemployed or have inconsistent work histories.			
220	<b>Sec 236</b>		<b>Authorization of Appropriation</b>					
221								
222	pg 161o 162				Authorizes appropriations for youth workforce investment activities and adult and dislocated worker employment and training activities for each of Fiscal Years 2012-2016. Does not specify funding levels.			

	A	B	C	D	E	F	G	H
223								
224	<b>Sec 269</b>		<b>Technical Assistance</b>					
225								
226	pg 229-232			Largely retains current law with some exceptions:	Adds training of staff providing rapid response services, staff of other recipients of Title II funds, training of state and local board members, and peer review activities to list of technical assistance activities that may be provided by the Secretary			
227								
228					Adds requirement that the Secretary ensure the Department has sufficient capacity to provide technical assistance to states and certain national grantees.			
229								
230					Requires Secretary to reserve not more than 5 percent of funds reserved for dislocated worker national activities under sec. 232(a)(2)(A) to provide technical assistance to States that fail to meet the State performance accountability measures			
231								
232					Clarifies that dislocated worker technical assistance funds used for rapid response staff training must be administered through the Employment and Training Administration			
233								
234					Adds new requirement that the Secretary establish a system through which states can share information on promising and proven practices with regard to workforce investment activities; evaluate and disseminate information regarding promising and proven practices and identifying knowledge gaps; and commission research to address such knowledge gaps.			
235								
236	<b>Sec 272</b>		<b>National Dislocated Worker Grants (Formerly NEGs)</b>					
237								
238	pg 292			new	Defines "emergency or disaster" and "disaster area."			
239								
240	pg 293-294			Adds two new circumstances under which the Secretary may award grants:	o To provide additional assistance to state or local boards serving an area where higher-than-average demand for employment and training activities for dislocated members of the Armed Forces or spouses exceeds state and local resources for providing such activities, and activities will be carried out in partnership with transition assistance programs under the Department of Defense and Veterans Affairs.			
241					o To carry out activities relating to health insurance coverage assistance and interim health insurance coverage and other assistance.			
242								
243	pg 294-295			new	Requires that the Secretary issue a final decision on an application for a national dislocated worker grant within 45 days of receipt of the application, and issue a notice of obligation not later than 10 days after awarding the grant.	We support this provision.		