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Institute Brief: WIA and One-Stop Centers: Opportunities and Issues for the Disability Community

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WIA and One-Stop Centers: Opportunities and Issues for the Disability Community

by David Hoff

Introduction

Major changes in the employment and training systems across the country are currently taking place, changes that could have a significant impact on services for people with disabilities. These changes are a result of the Workforce Investment Act (WIA), a federal law, effective July 1, 2000, which governs how publicly-funded workforce investment and training services operate. The new federally-sponsored nationwide employment and training system established under WIA is called "America's Workforce Network." This publication provides a basic overview of WIA, and examines the impact of this law on the lives of people with disabilities, as well as the systems and organizations that assist them.

What are the basic principles of WIA?

There are six key principles of WIA:

- **Streamlining services:** Multiple employment and training programs are integrated into one system
- **Universal Access:** Every individual, including people with disabilities, has access to basic or "core" services
- **Increased accountability:** States, local service areas, and training providers are held accountable for performance results
- **Strong role for local boards:** WIA establishes Local Workforce Investment Boards (LWIBs) which play a strong role in the implementation of WIA
- **State and local flexibility:** States and local areas have a great deal of flexibility in how funding is used to customize services to meet the needs of the local community
- **Improved youth programs:** The act establishes a youth council in each area, and links youth programs more closely to local labor market needs.

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What does WIA replace? What is different about WIA compared to previous legislation?

WIA replaces the Job Training Partnership Act (JTPA). While some activities and services that occurred under JTPA continue under WIA, others change significantly.

Some of the major changes:

- ***No more prerequisites for receiving services.*** Under WIA, all adults age 18 and older are eligible for core services. Under JTPA, only economically disadvantaged adults, age 22 or older, received any services.
- ***WIA establishes a One-Stop delivery system for accessing employment and training services.*** Some of the services that have traditionally been available at state, county or local offices of employment and training (i.e., “job service” “unemployment offices”) will now be available via One-Stop Centers.
- ***Under WIA, Individual Training Accounts (ITAs) are established for purchasing training services;*** training was previously provided through contracts with training providers.
- ***Private Industry Councils (PICs) and Regional Employment Boards (REBs) are replaced by Local Workforce Investment Boards (LWIBs).*** Under JTPA, PICs could directly operate programs; under WIA, Local Workforce Investment Boards may not operate programs, unless this requirement is waived by the Governor.

How can people with disabilities benefit from WIA?

Job Seeker Assistance:

One of the goals of WIA is to establish a system so that all job seekers have easy access to services to help them find a job and advance their careers, and also meet employer workforce needs. Under WIA, the many different federally funded employment and training programs are brought together. The goal is a more simplified “user friendly” system for job seekers to easily access the services they need to find and maintain employment. People with disabilities will potentially benefit from this overall push for higher quality and easy access to services.

Full Inclusion:

WIA’s core principle of “universal access” allows people with disabilities to benefit by having access to the same services as everyone else. Receiving services side-by-side with other members of the general public, promotes the idea of people with disabilities being fully integrated into the mainstream community. Under WIA, services are to be “readily accessible” meaning that most people with disabilities should be able to use services without having to ask for accommodations. At the same time, when needed, people with disabilities are entitled to reasonable accommodations in order to access services under WIA.

WIA places a focus on the need for the employment and training services to meet the needs of people with disabilities.

Focus on People with Disabilities:

WIA places a focus on the need for the employment and training services to meet the needs of people with disabilities. In the past, people with significant disabilities have not usually benefited from these “generic” services. However, people with disabilities are mentioned throughout the WIA legislation and regulations, as among the groups and individuals that WIA is designed to serve. These are very specific mechanisms with the legislation to make sure that people with disabilities are well served by each state’s workforce development system.

Why is it important for people with disabilities and advocates to pay attention to WIA?

Significant resource and service delivery decisions are being made as part of WIA activities. Since WIA merges many different workforce programs, and establishes a system designed to meet the needs of all job seekers, there are competing priorities of populations and individuals to be served. Therefore, advocacy efforts are essential to ensure that the needs of individuals with disabilities are not overlooked, and that people with disabilities are well served under this new system.

The One-Stop System

What is the One-Stop system?

The One-Stop system operates through a network of centers in each state. These centers provide a variety of services to assist individuals to meet their employment and training needs, while also assisting local employers to meet their needs for qualified personnel. Each state is required to have at least one comprehensive center that is physically located in each local service delivery area.

What is a local service delivery area?

Service delivery areas are designated by the Governor of each state, and based on a variety of factors, such as population, local labor market areas, and the need to provide services within a reasonable travel distance for individuals. Some states have many local workforce investment areas, while others will only have a few or just one. Any unit of local government (such as a city or county) with a population of 500,000 or more, is automatically approved as a local workforce investment area.

One of the major ways to access services under WIA is through the "One-Stop system."

What about rural areas?

In addition to full service One-Stop Centers, local service delivery areas are permitted to have "satellite centers" which provide access to WIA services. In rural areas and in states with low population density, "satellite centers" and other alternative service delivery mechanisms (such as roving vans) are being used to deliver One-Stop services.

My state has had One-Stop Centers for several years. Why did they exist before this law?

One-Stop Centers were established as demonstration projects in most states, prior to the passage of WIA. WIA establishes One-Stops as a permanent part of the workforce development and training system, and the major mechanism for accessing services under this system. One-Stop Centers that opened prior to the implementation of the law on July 1, 2000 continue to exist, but with possible changes to conform to the new law.

There are three categories of One-Stop services: core, intensive, and training.

Core Services are provided at the Center and are available to anyone. Core services include: outreach, intake and orientation; initial assessment; determination of eligibility for additional services; job search and placement assistance; career counseling; labor market information.

Intensive Services are intended for eligible individuals who have not become successfully employed as a result of core services. Intensive services are provided either directly by the Center or through a contract with a service provider. Examples include: comprehensive assessments of skills and service needs; development of individual employment plans; group and individual counseling; case management.

Training Services are intended for eligible individuals who have not become successfully employed as a result of core and intensive services, and are not typically provided by the One-Stop Center. Types of training include: occupational skills training; on-the-job training; skills upgrading; job readiness training; adult education and literacy training; and customized training for employers. If funds for intensive and training services are limited, priority is given to individuals with low incomes, and individuals receiving public assistance; people with disabilities should be among those given priority under these criteria.

What are ITAs?

ITAs are Individual Training Accounts. With limited exceptions, training services under WIA are provided through ITAs. If a person is determined eligible for training services under WIA, the individual receives an ITA, which he or she then uses to obtain training services from any approved provider of training services. The specifics of how ITAs operate vary in each state and local area, but could include vouchers, draw-down accounts, etc. To help guide individuals in choosing a training provider, the One-Stop system must make information and data available on each provider's performance.

Partnerships and Collaboration under WIA

Vocational Rehabilitation: Where does it fit in?

The public Vocational Rehabilitation (VR) System is one of many mandated partners in the One-Stop system, with VR services available to at least some degree via the One-Stop system. Specifics on how these services are delivered by the One-Stop system vary from state to state system (this includes both general VR services, and services for the blind and visually impaired, which are part of the public VR system). For example, in some cases the entire local office of VR is located at the One-Stop Center, while in other cases, individual VR counselors are based at a One-Stop on a full-time or part-time basis. While under WIA each state's public VR System must be an integral component of the workforce investment system, VR continues to exist as a separate program, with its own federal funding source.

What does being a required partner mean?

Each partner must make available through the One-Stop system the "core services" that are applicable to the partner's programs. The WIA regulations outline a variety of core services, but specifics on what these "core services" mean for each partner, and how they are delivered, is determined at the state and local level. Additionally, each partner must provide funding to create and maintain the One-Stop system to the extent consistent with the legislation that governs that partner's programs; for example, funding provided by the VR system cannot violate the Rehabilitation Act. Each partner also participates in the operation of the One-Stop system, and serves on the Local Workforce Investment Board.

The public Vocational Rehabilitation (VR) system is the only disability focused agency that is a required partner in the One-Stop system under WIA.

Besides Vocational Rehabilitation, what are the other required partners?

Under WIA, the other required partners in the One-Stop system are:

1. Federally funded Adult, Dislocated Worker, & Youth Activities
2. Employment Service programs under the Wagner-Peyser Act
3. Federally Funded Adult Education & Literacy Programs
4. Federally funded Post-secondary Vocational Education
5. Federally funded Welfare-to Work programs
6. Federally funded Senior Community Service Employment Activities
7. Trade Adjustment Assistance & NAFTA Adjustment Assistance
8. Veterans Employment & Training Programs
9. Employment & Training Programs of the Federal Community Services Block Grant
10. Dept. of Housing and Urban Development Administered Employment & Training Programs
11. Programs under state unemployment insurance laws.

Unlike VR, none of these other required partners only funds services for people with disabilities. However, all provide services that can benefit people with disabilities, and people with disabilities should be among the individuals served by these other partners.

In examining WIA, should the focus on disability-related issues go beyond the role of VR in this system?

Yes. The role of public VR is only part of what people with disabilities and advocates should be concerned with in looking at WIA. There are a wide range of services beyond those available from VR that people with disabilities are entitled to and could benefit from in this new workforce investment system.

What is a MOU?

A MOU is a Memorandum of Understanding. A MOU is required between each partner (such as state VR) in the One-Stop system and the Local Workforce Investment Board. Included in this MOU must be a description of services that are provided by the partner via the One-Stop system, how the costs of these services are funded, and how the partner contributes to the operating costs of the One-Stop system. The MOU must also indicate how individuals will be referred between the One-Stop operator and One-Stop partners.

What about other disability agencies? How are they involved?

The public Vocational Rehabilitation system is the only disability focused agency that is a required partner in the One-Stop system under WIA. However, states and local areas can have additional partners in the One-Stop system, which could include public disability agencies such as state or county mental health agencies, state developmental disability/mental retardation agencies, and others. Additionally, there are a number of options for non-partner disability agencies (both public and private) to work in a collaborative fashion with the workforce investment system, and with One-Stop Centers, without being partners. Examples of such collaboration include: funding of services for specific individuals, acting as a resource and consultant to One-Stops on meeting the needs of the population served by that agency, assisting service providers under WIA to serve individuals served by the agency, etc.

How do partners deliver their services via the One-Stop system?

Partnership arrangements will vary, depending on the structure of the local One-Stop system and MOU's. The basic types of arrangements at full-service One-Stop Centers include:

- ***Simple Co-Location with Coordinated Delivery of Systems:*** Under this type of arrangement, several partner agencies share space and coordinate services, but each maintains their own separate identity and controls their own resources.
- ***Full Integration:*** All partner programs are coordinated under one management structure and accounting system. There is joint delivery of program services, and resources are combined.

Full Integration is ultimately what is envisioned under WIA. However, given the various funding streams, regulations, and management structures that various partners operate under, it is expected that it take time some time for the One-Stop system in many local areas to evolve towards a fully integrated system. Not only will it take some time to work out the operational details, but the various partners need time to learn about each other, and develop an understanding of how they can work in a collaborative fashion to each other's mutual benefit.

When a person goes to a One-Stop Center, how do they access the services of various One-Stop partners?

Ideally, a One-Stop system has intake and registration systems designed so that individuals can easily access the best combination of partner services, in a way which is seamless and user-friendly, and meets their individual needs. An individual should experience intake and orientation so that, in addition to being made aware of the universally accessible core services which all individuals can utilize, the One-Stop will be able to quickly determine the full array of additional services from various partners that the customer may be eligible for; the One-Stop then works in collaboration with the customer to determine which partner's services will best meet his or her individual needs. From the customer's perspective, the important thing should be that they are receiving the core, intensive, and training services they need to obtain employment and advance in their careers, and not be concerned about "who is paying for what". There should not be the need to apply for every partner's services separately, or the customer to engage in extensive negotiation and advocacy to receive the services of each partner. The details of how services are provided in an integrated, seamless way by the various partners should be worked out "behind the scenes."

Service Options under WIA

There are several options for people with disabilities. Here are some of them:

- **Directly accessing core, and non-disability intensive and training services:** Like anyone else, people with disabilities have the right to come into a One-Stop Center and use the core services that are available. Additionally, they could be determined eligible for intensive or training services not targeted specifically for people with disabilities. Individuals with disabilities have a right to be given full consideration for such non-disability services.
- **Accessing VR services:** If eligible, an individual can access and receive services from the state Vocational Rehabilitation (VR) agency via the One-Stop. However, not all individuals with disabilities are eligible for VR services, and there is no requirement that eligible individuals must use VR services. If an individual chooses not to use VR services, they are still entitled to use the full range of other One-Stop services which they are eligible for.
- **Accessing other disability services:** Via the One-Stop, an individual may be able to access special programs for people with disabilities, such as intensive services delivered by the One-Stop, or referral to a disability agency (such as an approved community rehabilitation provider) for intensive or training services.
- **Using the One-Stop in collaboration with a community agency:** If an individual is already being served by a community rehabilitation provider (CRP) or other community agency, the agency staff can assist the individual to use the core services of the One-Stop as part of their overall efforts to help the individual obtain employment. This option is available for any individual served by any community agency.

It is important that people with disabilities recognize the range of service options available to them under WIA, both disability and non-disability specific, and advocate for delivery of services in a way that meets their needs, and with which they are most comfortable. In many cases, a person with a disability may best be served by a combination of services from different One-Stop partners and collaborators (possibly including VR).

What about services for youth?

A significant focus of WIA is on services for youth ages 14-21. Many youth with disabilities are eligible for youth activities, and these activities can play a significant role as part of a successful transition from school to adult life. Each local workforce area has a Youth Council which helps coordinate youth activities. For information on youth activities in your area, contact your Local Workforce Investment Board.

*For additional information on youth activities, see also the RRTC Publication **Tools for Inclusion: WIA and One-Stop Centers: Opportunities for Youth With Disabilities**—available early 2001.*

It is important that people with disabilities recognize the range of service options available to them under WIA, and advocate for delivery of services in a way that meets their needs, and with which they are most comfortable.

Service Options Beyond WIA

Services that fall under WIA are just one of the options available for people with disabilities who need employment and training services. There continue to be a variety of employment services for people with disabilities, which do not require going to a One-Stop. These include services available or funded via:

- state departments of developmental disabilities/mental retardation
- state or county mental health systems
- the Social Security Administration
- school systems
- the Department of Veteran's Affairs
- other entities.

There also continues to be an extensive network of private provider agencies in every state.

These various service options are accessed as they have always been, by registering or applying directly to the agencies that are providing or funding these services. However, there may be some level of collaboration between these other service options and the workforce investment system. For example, some individuals receiving services from a community rehabilitation provider, are using the core services of a One-Stop to assist them in their job search. In some states and local areas, the mental health and developmental disability systems have agreements to work together with the workforce investment system. In many ways, One-Stops should be viewed as a complement to existing services, rather than a replacement. There are a wide variety of ways that services under WIA can fit into the overall service delivery structure for people with disabilities, and many of these are just beginning to be explored.

Governing Structure for WIA

- **At the national level**, the Employment and Training Administration of the United States Department of Labor (USDOL) coordinates WIA activities.
- **At the state level**, a State Workforce Investment Board, appointed by the Governor , provides monitoring and coordination of each state's workforce investment system. Among the responsibilities of this state board are submission of a five year state plan to USDOL, development of state performance measures, establishment of local workforce investment areas, development of allocation formulas for funds to local areas, and development of procedures for certifying training providers.
- **At the local level**, each service delivery area's workforce investment system is overseen by a Local Workforce Investment Board (LWIB). Among the activities of the LWIB, are choosing and overseeing the One-Stop operators, developing a five year Local Workforce Investment Plan, identifying eligible training providers, and developing agreements with all of the One-Stop partners. Members of this board include representatives of: education, labor organizations, economic development agencies, all One-Stop partners (including vocational rehabilitation), and community-based organizations. This board is appointed by the Chief Local Elected Official (often the mayor of the major city in the area or the head of the elected county board).
- **Board membership:** The chair as well as the majority of the members on the state and local boards must be representatives of business. There is no requirement that the membership of LWIBs include people with disabilities. However, the WIA legislation urges the inclusion on these boards of people with disabilities, and organizations representing people with disabilities.

Federal, state and local contact information is contained in the resource section at the end of this publication.

Monitoring and Influencing WIA

There are a variety of ways that people with disabilities and advocates can monitor and impact what's occurring under WIA. When it appears the needs of people with disabilities are not being properly met, it is usually best to assume that this is due to lack of awareness and mis-assumptions, rather than deliberate discrimination. In many cases, making those involved aware of the situation, and providing some education combined with gentle but firm advocacy, can often resolve issues. However, when issues have gone unresolved, if circumstances warrant it, people with disabilities should use the formal complaint procedures available, contact oversight bodies, and involve legal advocates.

Here are ways people with disabilities and advocates can monitor and influence what's occurring under WIA.

Become familiar with WIA requirements

Through publications such as this and others, become familiar with the opportunities and requirements under WIA for serving people with disabilities. In particular, become well-informed about the equal opportunity and non-discrimination regulations for WIA, so that you understand the rights of people with disabilities in using services under WIA and are able to monitor and advocate to ensure these regulations are enforced.

Monitor the local delivery of services under WIA

Visit your local One-Stop, and see how welcoming it is for people with disabilities.

- Examine both the physical accessibility, as well as the ability of people with disabilities to easily access services.
- Observe whether people with disabilities are being served together with other customers of the One-Stop and have access to all core services.
- Also note whether individuals with disabilities are considered potentially eligible for a range of intensive and training services, and not just those funded by Vocational Rehabilitation or services only for people with disabilities.

- If necessary, meet with the Center's Equal Opportunity Officer, Center Director, or contact the Local Workforce Board or other officials, if there are concerns about the delivery of services for people with disabilities at the One-Stop or under other WIA programs (such as services for youth).

Provide input into new centers

If there are plans to open a new One-Stop Center in your area, find out who is involved in the development of the center (centers are chartered by Local Workforce Investment Boards). Advocate and be a resource so that centers are designed to truly provide universal access for all people with disabilities both physically and in the delivery of services.

Stay informed about state or local board activities

Find out if the state or local board has a mailing list, and ask to be put on it. The State and Local Workforce Investment Boards are required to have regular open meetings at which they make information on board activities available to the public. Call your state or local board and find out the schedule and location of public meetings. Attend meetings, and get to know the board members. Provide feedback concerning how One-Stops and other services under WIA can best help people with disabilities achieve their employment and career goals. Local boards are required to make available minutes of formal meetings upon request.

Monitor the Annual Report to USDOL

Each state is required to report annually to USDOL on how well the state's workforce investment system is doing in helping people with disabilities find and maintain employment, and what steps are being taken to ensure ongoing improvement in this area. Obtain this report to ascertain the state's perception of progress in meeting the employment needs of people with disabilities. Provide feedback concerning what steps the state should be taking to improve outcomes. Monitor the state's follow-through in the commitments it makes to USDOL.

Provide input to the state board on local board performance

The state board provides oversight of the local boards, and will be re-certifying local boards when WIA has been in place for two years. Provide feedback to the state board on how your local board and service delivery area is performing in assisting people with disabilities to meet their employment and career goals.

Advocate for board membership

Find out who is on your state and local workforce investment boards. If it hasn't occurred already, advocate that people with disabilities be included in the membership of these boards.

Consider becoming a member of your Local Workforce Investment Board

Through membership on your Local Workforce Investment Board, you can have a significant voice in the implementation of the Local Plan and workforce investment activities. Local Boards are required to make information available to the public concerning how to become a member of the board; as noted earlier, the boards are appointed by the Chief Local Elected Official (usually the mayor of a major municipality, or elected head of a county board). Remember, that at least 50% of the membership of each board must be business. Human service agencies may find better success in becoming a member of a board as a business, rather than a community agency. As members of the local board, human service agencies can work to ensure that people with disabilities are fully included in the workforce development system. In addition, they can work with the local system to address their own, often significant workforce needs as employers.

In your advocacy efforts, continually keep disability issues in the forefront.

Get involved with a local board committee

Much of the work of local boards is accomplished through committees. You do not have to be a member of the local board to be on a committee, and committee membership can be an excellent opportunity to have input and build relationships. Ask your local board about opportunities for committee membership.

Monitor MOA Compliance

Each state is required to have a Methods of Administration (MOA) which details how the state will ensure compliance with the Nondiscrimination and Equal Opportunity Regulations for WIA, mentioned above. Monitor activities under WIA to ensure compliance with the commitments made in the MOA. If necessary, utilize the complaint procedures within these regulations, to ensure that the rights of people with disabilities to services are enforced.

Review and Update of MOA

The Governor of each state must review and update the MOA at least every two years. As you monitor compliance with the MOA, provide

feedback concerning modifications that should be made, to ensure equal opportunity for all individuals under WIA, including people with disabilities.

In your advocacy efforts, continually keep disability issues in the forefront. Remind the officials responsible about the core values of WIA, and how these core values are as applicable to people with disabilities, as to anyone else.

State and local contact information is in the resource section at the end of this publication.

Issues For People with Disabilities in the Implementation of WIA

Traditionally, government funded “generic” employment and training services have done a poor job in meeting the needs of people with significant disabilities. The implementation of WIA has the potential of changing that. The basic principles of WIA—universal access, empowering individuals through customer choice, streamlining services with integration of services offered, flexibility, accountability to the user—are concepts that people with disabilities have long encouraged and pushed to be part of service delivery systems. However, the actual application of these concepts will determine whether WIA truly delivers on its potential for people with significant disabilities.

Opportunities under WIA

If WIA delivers for people with disabilities in a positive way, people with disabilities receive the assistance they need to obtain quality jobs, side-by-side with non-disabled individuals. Under this positive scenario, people with disabilities, along with all other individuals served under WIA are not provided services with a conscious or subconscious “take it or leave it” attitude, but instead have choice and control over the services provided. It is also not left to the responsibility of the individual with a disability to negotiate the maze of funding mechanisms in order to obtain the employment services they need. From the perspective of the job seeker with a disability, funding is provided in a simple and seamless way.

Concerns about WIA

This optimistic scenario under WIA is in contrast to other possible alternatives. To successfully obtain employment, people with disabilities often require a more intensive level of assistance and level of resources than typical job seekers. There is also significant specific expertise that is often required to meet the needs of people with significant disabilities. In its efforts to meet the needs of all job seekers, there is concern that the

specific and often unique needs of people with disabilities will be overlooked under WIA, or not met in an effective fashion.

Also, what is exactly meant by the WIA principle of “accountability for results?” Are services provided and funded under WIA held accountable for meeting the needs of the entire workforce or potential workforce, including people with disabilities? Or are acceptable outcomes focused primarily on the rate of placements, number of placements, and job retention? If the latter is the case, then people with more significant disabilities are not going to be served well (if at all) under WIA, as there is often the perception (whether true or not) that such individuals require more time and are more risky to place. In essence, there is the potential for “creaming” of the individuals perceived to be the most “job ready,” with individuals with more significant needs left unserved.

Another issue is that placement of people with disabilities in sheltered work settings, and similar non-integrated work settings, is possibly considered an acceptable outcome under WIA. This is a concern to those who feel the expected outcome for people with disabilities should always be placement directly in integrated community settings, and not in segregated facilities.

Role of VR

Another issue for people with disabilities is the role of state vocational rehabilitation (VR) programs as a mandated partner in the One-Stop system. Does this mean that vocational rehabilitation will collaborate more effectively with other agencies in the workforce development arena, to better meet the needs of people with disabilities? Or, will it mean that the targeted resources for people with disabilities under vocational rehabilitation become diluted and less effective as they are combined with those of other agencies?

WIA holds forth the possibility of new and innovative services to assist with obtaining employment. But will the promises of WIA turn out to be an empty promise for people with disabilities?

A related concern is the need to make sure that the VR System is not considered the only option for service delivery under WIA for people with disabilities. In connection with the role of VR, it has been observed that the general workforce development system at times has the following misperceptions:

- a) *the public VR system serves all people with disabilities*
- b) *to obtain job placement assistance, all people with disabilities must be served through the VR system.*

Reality is that people with disabilities are served by a number of agencies, such as state mental health agencies, and state developmental disability/mental retardation agencies, which often serve many more people with disabilities than the public VR agency. There are also many people with disabilities not served by any disability funding agency, who simply want quality job placement services. Like any other member of the general public, people with disabilities are entitled to the full range of services available under WIA, and not those services only available or funded by VR.

Youth Services

A final issue is the ability to take full advantage of the major opportunities available for youth with disabilities under WIA. The youth activities under WIA can play a significant role in a successful

transition from school to adult life; as a result of fairly liberal eligibility criteria, many youth with disabilities qualify for these services. However, youth with disabilities must ensure that local officials are aware of and comply with these eligibility criteria, allowing for maximum access to youth activities. Also, advocacy needs to occur so youth with disabilities are fully integrated into activities, with their support and accommodation needs met.

Need for Advocacy

Despite the relatively low national unemployment rates, only about 30% of adults with significant disabilities are participating in the nation's workforce, as compared to 80% of the general population. Such a low rate of workforce participation begs for different approaches to meeting the employment needs of people with disabilities. WIA holds forth the possibility of new and innovative services to assist with obtaining employment. But will the promises of WIA turn out to be an empty promise for people with disabilities? Much is dependent on whether the needs of people with disabilities are considered as WIA is implemented, and that people with disabilities are advocating to ensure that WIA delivers on its promise of "universal accessibility" and quality service delivery.

What laws protect people with disabilities in the delivery of services under WIA?

In receiving services under WIA, people with disabilities are protected under the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973, both of which prohibit discrimination against people with disabilities. In addition there are specific regulations which are designed to ensure that states, local areas, and WIA service providers (such as One-Stop Centers) provide equal opportunity and do not discriminate against people with disabilities as well as other individuals and groups. Among the requirements of these regulations:

- facilities and services must be "readily accessible"
- staff must be trained to ensure equal opportunity and nondiscrimination
- all WIA service providers must have an Equal Opportunity Officer
- outreach must occur to specific groups including people with disabilities.

The regulations also contain specific complaint procedures if an individual feels they have been discriminated against in the delivery of services.

At the end of this publication are a list of resources for obtaining additional information on the Nondiscrimination and Equal Opportunity Provisions of WIA.

Issues for Community Organizations Serving People with Disabilities

For Community Rehabilitation Providers (CRPs), multicultural agencies, Independent Living Centers, and other community organizations serving people with disabilities, implementation of the Workforce Investment Act (WIA), provides opportunities for new and different collaborations and enhanced service delivery. Among the purposes of the One-Stop Centers established under this system, is to assist all job seekers in obtaining employment, while assisting employers to meet their human resource needs. This system can potentially benefit community organizations in a number of different ways. A few examples:

- The job listings, and other job search resources available via a One-Stop Center can enhance the existing job development resources of a community organization.
- Community organizations can provide training to the people they serve on using a One-Stop, thus not only assisting individuals to meet their immediate needs for employment, but also by teaching them how to use a resource that can assist them throughout their working career.
- Community agencies can work collaboratively with One-Stop Centers in providing services, such as Job Seeking Skills groups within One-Stop Centers, resume development classes, and mutual sharing of knowledge on finding employment for people with significant barriers.
- One-Stop Centers can serve as a possible source of referrals for community organizations, to provide the intensive level of job placement assistance that is not typically available through the relatively self-directed core services of One-Stop Centers.
- One-Stop Centers can also assist community organizations in meeting their own staffing needs, as a source of candidates for staff positions at the community agency.

Other Opportunities

Working with One-Stops, however, is not the only opportunity for community organizations under WIA. Under WIA, significant decisions are being made concerning the allocation of training and service dollars. This provides opportunities for community agencies for expansion of services, or provision of services in new and different ways. In particular, opportunities for community organizations may be available through the use of Individual Training Accounts (ITAs) which allow individuals to purchase training services from a vendor of their choice. A significant piece of WIA also focuses on the needs of youth, with the establishment of Youth Councils, providing potential opportunities for community organizations who are involved, or wish to be involved, in transition services for students with disabilities. Additionally, the U.S. Department of Labor regularly issues grant submission requests for special projects, which community agencies may wish to pursue, possibly in collaboration with other entities. Similar funding opportunities may also be available from state and local workforce boards. With these opportunities though comes a note of caution. Community organizations could potentially be left “out of the loop” when it comes to decisions around allocation of training and service dollars under WIA. The ability of community organizations to take advantage of the potential opportunities under WIA, is dependent on their ability to connect with the state and local boards and officials making such decisions.

Recommendations for community organizations under WIA include:

- Management staff of community organizations should find out where the One-Stop Centers are in their local area, and visit the centers. (There may be more than one center located in the area served by the community organization.) Make an appointment with the center director(s), and explore avenues for possible collaboration. Ensure that your community organization is recognized as an important member of the community who wishes to be involved in a collaborative way with the One-Stop Center.
- All staff of community agencies who are involved in assisting job seekers with disabilities to obtain employment should visit the local One-Stop Center(s) to develop an understanding of the services available, and how these services can be utilized as part of service delivery for the individuals they work with.
- Build connections with your Local Workforce Investment Board (LWIB) in order to ensure that your agency and the individuals you serve are given full consideration in decisions related to the allocation of training and service funds. Find out how to get involved in board activities, either through membership on the LWIB, or on a board committee. Ask about how the board is administering Individual Training Accounts (ITAs). Find out about the process for becoming an approved provider of Training Services using ITAs, and determine whether this is something you wish to pursue.
- Regularly monitor the funding opportunities from the US Department of Labor for special project opportunities (contact information is at the end of this publication).
- Talk to One-Stop Centers and LWIBs about assistance in meeting agency staff recruitment and training needs.

Issues for Public Vocational Rehabilitation

Each state's public vocational rehabilitation (VR) agency is a mandated partner in the One-Stop system. As a mandated partner, VR must make available via the One-Stop system, the core services applicable to VR. The exact nature of the VR and One-Stop partnership is going to vary significantly from state-to-state, and even within states, depending on the structure of services, statewide agreements, and content of the local Memorandums of Understanding (MOUs) between VR and the Local Workforce Investment Board. Here are issues for consideration by VR in partnering with One-Stops.

Not everyone with a disability qualifies for VR services

The definition of who qualifies for VR services is much narrower than the broader definition of disability under the ADA. Only people with a disability that interferes with their ability to get or hold a job are eligible for VR services. Therefore, there are many individuals with disabilities who will come into a One-Stop who do not qualify for VR services. While VR may not be able to assist every person with a disability who comes in contact with the One-Stop system, VR should be prepared to provide direction on service alternatives to VR.

A well developed partnership will allow the resources of VR and other partners to be used in a broader yet more efficient fashion, and allow VR to focus on its particular areas of expertise.

Order of selection issues

In states where VR caseloads are near full capacity, there may be an "order of selection" in place, whereby VR is able to accept only those individuals with the most significant disabilities who could benefit from VR services. If there are individuals who qualify for VR services, whom VR is currently unable to serve, other One-Stop services can play a key role in helping customers who might otherwise not be able to get services.

Qualified individuals do not have to accept VR services

The Workforce Investment Act (WIA) regulations are very clear - even if a One-Stop customer qualifies for VR services, they are not required to use VR services. Individuals who choose not to use VR services, have the absolute right to utilize One-Stop core services, and any other One-Stop services that they qualify for.

VR funds and staff may not be used for non-VR purposes

The partnership between the One-Stop and VR must abide by the requirements of the Rehabilitation Act. For example, VR staff at a One-Stop may do such things as determining eligibility for VR services, explaining VR services during an orientation session, conducting a workshop for VR clients, and providing direct assistance to VR clients. However, VR staff and funds cannot be used to meet the needs of non-VR clients. For example, VR staff cannot help a non-VR client with their resume or in finding a job. Therefore, no matter what level of integration is occurring between VR and the One-Stop system, there must be mechanisms in place to ensure that the resources of VR are utilized to serve only people with disabilities.

An interactive relationship

The WIA regulations state that the relationship between VR and the One-Stop system should be interactive in nature, with referring of individuals by VR to other components of the One-Stop system, and the One-Stop system similarly referring individuals to VR. Ideally, the One-Stop system can be designed in such a way that individuals will fully benefit from the potential of the One-Stop system, through blending of One-Stop partner services. An individual would utilize VR services as needed, but also benefit from the wide array of other services available as well. One of the major challenges of the One-Stop system will be to do this in a way that creates the

perception of seamless service delivery from the customer viewpoint, and also makes the individual fully aware of the options available to them.

Options for people with disabilities

The bottom line is that people with disabilities have a number of options in using One-Stop services. They can:

- 1) receive most or all of their services exclusively from VR
- 2) receive some services from VR, and other services from other One-Stop partners
- 3) only use non-VR One-Stop services

How people with disabilities use One-Stop services is going to be highly dependent on individual needs, choices, and eligibility.

A Mutually Beneficial Relationship

WIA offers an opportunity for VR to work in a much more collaborative way with other service systems. This could benefit VR twofold:

- VR will have the opportunity to share its expertise with a much wider audience, thus not only benefiting more individuals with disabilities, but also allowing other service systems to recognize the enormous expertise and importance of VR as part of the overall service delivery system.
- VR will also have the opportunity to utilize the resources of other partners and services, allowing the resources of VR to be stretched to serve more individuals and/or individuals with more significant needs.

How people with disabilities use One-Stop services is going to be highly dependent on individual needs, choices, and eligibility.

Ideally, VR and the rest of the One-Stop system can mutually benefit from each others' expertise. Here are just a few examples of how such a partnership can work:

- VR can assist One-Stop Centers in assuring that

the facility and services are fully accessible—both programmatically and physically.

- VR can assist One-Stop customers who are using other One-Stop services to find employment, with obtaining assistive technology, arranging for job accommodations, and developing post-employment supports, as long as they also qualify for VR services.
- If VR staff are assisting people to find employment, they can utilize the various job search services of the One-Stop, including job listings, on-site employer interviews and information sessions, as well as employer contacts of other One-Stop staff. VR staff can similarly share their employer contacts with other One-Stop staff.
- VR clients can avail themselves of the various workshops the One-Stop may offer, such as resume development, interviewing skills, etc.
- VR staff can assist clients in accessing other services available at the One-Stop Center, including other intensive services, as well as training services.
- Through creating understanding among other One-Stop staff concerning the services of VR, other One-Stop partners can utilize the expertise of VR to meet customer needs, and refer individuals to VR who qualify and could benefit from VR services.

A well developed partnership will allow the resources of VR and other partners to be used in a broader yet more efficient fashion, and allow VR to focus on its particular areas of expertise.

WIA will no doubt lead to VR working much more collaboratively with other service providers and funding agencies. Under WIA, it will be essential that VR make every effort to ensure that its vital role for people with disabilities is recognized and utilized.

Issues For Public Non-Partner Human Service Agencies

The federal legislation and regulations implementing the Workforce Investment Act (WIA) mandate a number of partners that are to be part of the Workforce Development system in each state. The only mandated partner that is specific to people with disabilities is the state Vocational Rehabilitation agency. However, WIA does not prohibit a state from including other state agencies and programs as partners. Other potential partners include state developmental disability agencies, state mental health agencies, Temporary Assistance to Needy Families (TANF), and others. Whether or not other partners should be included is being left to the discretion of individual states and local service delivery areas. The questions for those agencies that are not mandated WIA partners are:

- Are there opportunities in my state for non-mandated agencies and programs to become WIA partners?
- What are the requirements and process for becoming a partner?
- What does being a partner mean for our agency, and what will it require of our agency?
- What are the potential advantages and disadvantages to becoming a partner?
- What are the potential advantages and disadvantages to not becoming a partner?
- Besides being a WIA partner, are there other avenues and opportunities for our agency or program to become involved in WIA activities and services?

Agencies and programs that are not mandated WIA partners have three options:

- 1) They can ignore WIA under the presumption that it does not impact them and/or provides no opportunity to positively impact the services they provide.
- 2) They can learn about WIA, not necessarily

with the intent of becoming a partner, but to at least develop a core understanding of the issues involved, the impact WIA has in their state and possibly on their particular agency, and to look for avenues for collaboration with the workforce investment system.

- 3) They can actively advocate for their inclusion as a partner in WIA.

It behooves any agency which in one way or another is involved with assisting individuals to find employment to avoid the “head in the sand approach” of option # 1. It makes much more sense to at least develop an understanding of WIA, and possibly advocate to become a WIA partner. Significant workforce development and labor exchange services are provided under WIA, with many of these services offered via One-Stop Centers. Major decisions concerning allocation of workforce development

resources which fund training and placement services, are made by the state and local officials overseeing WIA. With such critical decisions being made concerning services and resource allocation, it is important that non-mandated agencies be aware of what is occurring, because:

- it potentially presents enormous opportunities for better meeting the needs of individuals served by the agency. Even if an agency is not a mandated partner, individuals served by that agency, are still entitled to receive services under WIA.
- in the implementation of WIA, it is important that the needs of the population served by the agency be considered.
- as decisions are made concerning shifting allocation of resources under WIA, non-mandated agencies need to be “at the table” to ensure that decisions are made that won’t result in a loss of resources to the agency.

One of the basic tenets of WIA is multi-agency partnerships, which in theory enable the sharing of expertise and resources in meeting the needs of individuals with significant barriers to employment, including people with disabilities.

For agencies whose focus is not specifically on people with disabilities (such as TANF), WIA offers the promise of collaboration with other agencies, which will assist such agencies in meeting the needs of their clients with disabilities. One of the basic tenets of WIA is multi-agency partnerships, which in theory enable the sharing of expertise and resources in meeting the needs of individuals with significant barriers to employment, including people with disabilities.

What does it mean to be a WIA partner?

This varies from state-to-state, since the federal requirements for being a WIA partner are general in nature, with each state figuring out what works best for them. Agencies should consider the following in deciding whether or not to become an optional partner under WIA.

- ***What can be gained as a partner?***

Does it enable the people served by the agency to receive better services? Does being a partner under WIA, allow the agency to focus more on its areas of expertise, allowing the agency to utilize the expertise of other agencies as part of service delivery? Does becoming a partner allow the agency to have more of the “inside track” in becoming involved in workforce investment activities? Does becoming a partner allow for expansion or more efficient use of resources?

- ***What are the possible concerns over becoming a partner?***

Will the agency have to give up control of some of its resources? Is the One-Stop system capable of meeting the needs of the individuals served by the agency in a quality way? Will the energy and effort that will have to go into coordination with other partners be worth the end result? Would the agency be better off working in a collaborative way with the workforce investment system, and One-Stop system, without becoming an official partner, being able to experiment with various types of involvement on a formal and informal basis?

The following are recommendations for agencies and programs which are not mandated WIA partners.

- Find out who is involved in the implementation of WIA in your state, and determine if there are ways for you to learn about and have input into the process of implementation (contact information is contained in the resource section at the end of this publication)
- Find out about the make-up of your state and local WIA boards. Who is on the board? Are there individuals who are able to represent the needs of your agency, and the people it serves?
- Learn what being a partner in the One-Stop system entails. Obtain information about the Memorandums of Understanding (MOUs) being developed and used in your state between local Workforce Investment Boards and One-Stop partners, which will provide information on specific parameters and requirements of being a partner. Talk to individuals from agencies that are One-Stop partners, particularly at the local level, and find out what their experience has been. Keep in mind that many of these partnerships are still in their early stages, so how these partnerships will operate over the long-term remains to be seen.
- Find out if your state and/or local WIA service delivery areas, are considering having WIA partners besides those that are federally mandated. If your agency is not currently being considered as an optional partner, and it is something you feel would be of benefit to your agency, advocate to become a WIA partner.
- Determine what other mechanisms and options are available, besides becoming a partner agency, for accessing the resources resulting from WIA in order to benefit the individuals served by your agency.
- Learn about the changes in services and resource allocation that are occurring within your state under WIA. Determine how your agency can position itself to respond effectively and to take advantage of these changes.

Resource and Contact Information

ONE-STOP AND WIA SERVICES

Information on services available under the Workforce Investment Act, including the locations of One-Stop Centers in your area can be obtained by contacting *America's Service Locator*:

On the Web
www.servicelocator.org

By phone (Toll-Free Helpline)
(877) US2-JOBS [877-872-5627]

You can also contact your state or county department of labor or employment listed in the government pages of your local phone book. Each state One-Stop system has their own web site.

These can be accessed at:
www.usworkforce.org/onestop/onestopmap.html

When searching for locations of One-Stops, keep in mind that the centers often do not have One-Stop as part of their name (e.g., centers in New Hampshire are called New Hampshire Works, and in Massachusetts the centers go by a variety of names).

GENERAL WIA INFORMATION

For additional information on One-Stop Centers and the Workforce Investment Act:

United States Department of Labor
 Employment and Training Administration
 Division of One-Stop Operations
 200 Constitution Avenue, NW, Room S4231
 Washington, DC 20210
 (202) 219-8395 (voice); (202) 219-0323 (fax)
wia98tf@doleta.gov (email)

The Employment and Training Administration (USDOL/ETA) is the federal agency overseeing the establishment of the One-Stop Career Center system nationwide. Contact this agency to obtain copies of various WIA regulations, and information on the implementation of WIA.

USDOL/ETA has One-Stop Disability Coordinators in each region of the country. A listing is available by contacting your regional USDOL office (listed in the federal government pages of the phone book) or on the Web at:

www.wdsc.org/disability/html/docs/onestop_coord.html

STATE AND LOCAL BOARDS AND PLANS

For contact information for State and Local Boards, for information on state and local WIA activities and copies of state and local plans:

www.usworkforce.org/asp/contacts.asp

The National Association of Counties (NACo) maintains an up-to-date listing of state and local workforce contacts which can be accessed at:

www.naco.org/programs/social/work/getstate.cfm

NACo can also be contacted at:
(202) 393-6226 (voice); (202) 393-2630 (fax)

Copies of state plans can be obtained at:
www.usworkforce.org/asp/planstatus.asp

Additionally, you can contact your state, county or local Department of Labor or Employment Services office, your Governor's office (who appoints the State Board), office of the Chief Elected Official (who appoints the Local Board) or your regional office of the United States Department of Labor. All of these are listed in the government pages of the phone directory. Many states have web sites for their workforce development systems. The State and Local Boards may also have their own web sites or web pages. If you are having difficulty finding the right contacts or obtaining the information you want, concerning WIA state and local plans and activities, you should feel free to contact your state and local elected representatives.

WIA REGULATIONS

Copies of the actual regulations for WIA, are available from the Federal Register

Workforce Investment Act, Final Rule; Part 652 of Title 20 of the Code of Federal Regulations [20 CFR Part 652]; Federal Register: August 11, 2000 (Volume 65, Number 156)]

available on-line: regular print:
www.usworkforce.org/finalrule.txt

large text:
www.usworkforce.org/finalrulelarge.htm

Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final Rule; Part 37 of Title 29 of the Code of Federal Regulations [29 CFR Part 37]; Federal Register, November 12, 1999 (Volume 64, Number 218)

available on-line at:
www.dol.gov/dol/_sec/public/regs/fedreg/final/99028202.htm

ADDITIONAL USEFUL WEB SITES

Dept. of Labor Employment and Training Administration
www.doleta.gov

WIA Information
www.usworkforce.org

ETA: disAbility Online
www.wdsc.org/disability

ETA: disAbility Online – One-Stop
www.wdsc.org/disability/htmldocs/onestop.html

Message Board on One-Stop Disability Issues

The ICI has a message board on One-Stops and WIA to answer questions, provide information and share ideas & experiences concerning One-Stop Centers and people with disabilities. Check out the message board at:

www.childrenshospital.org/ici/wiaforum

ADDITIONAL ICI/RRTC PUBLICATIONS ON WIA AND ONE-STOP CAREER CENTERS

Tools for Inclusion Series

People with Disabilities: Having A Voice In the Development and Implementation of the New Workforce Investment System (*March 2000, Vol. 8, No. 2*)

One-Stop Centers: A Guide for Job Seekers with Disabilities (*February 2000, Vol. 8, No. 1*)

One-Stop Centers: Your Rights as a Person with a Disability (*available early 2001*)

Disclosure of Disability at a One-Stop Center: Good Idea or Not? (*available early 2001*)

WIA and One-Stop Centers: Opportunities for Youth With Disabilities (*available early 2001*)

Policy Brief Series

Provisions in the Workforce Investment Act Relating to Nondiscrimination on the Basis of Disability and the Development by Governor of a Written Methods of Administration (*March 2000, Vol. 2, No. 3*)

Provisions in the Workforce Investment Act Describing the Interplay between Workforce Investment Systems and Vocational Rehabilitation Programs (*April 1999, Vol. 1 No. 1*)

Institute Brief Series

One-Stop Centers: Meeting the Needs of Customers with Disabilities (*available early 2001*)

These publications are available via the Institute for Community Inclusion web site at www.childrenshospital.org/ici, or by contacting the ICI at (617) 355-6506; (617) 355-6956 (TTY)

INFORMATION ON NON-DISCRIMINATION POLICIES AND ONE-STOP CENTERS

The Director, Civil Rights Center (CRC)
US Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, D.C. 20210
Phone: (202) 219-8927
e-mail: CRC-WIA@dol.gov

Institute for Community Inclusion/UAP
300 Longwood Avenue
Boston, Massachusetts 02115

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This publication will be made available in alternate formats upon request.