

Workforce, Immigrants, and How to Engage in the Regional/Local Workforce Planning Process



What is WIOA?

- The Workforce Innovation and Opportunity Act (WIOA) is the primary federal legislation pertaining to workforce development
- Combines and integrates core federal investments in skills development
- Enacted in 2014 with overwhelming bipartisan support in both the House (415-6) and the Senate (95-3)
- Reauthorizes and replaces the prior Workforce Investment Act (WIA)

Immigrants in California

- Immigrant workers comprise about 34% of California's labor force; approx 27% of foreign-born residents ages 16 or older lack work authorization
- MPI calculates that 62% of workers in California who have low levels of education also are LEP
- Yet only 4% of individuals who received adult workforce services in 2011-2012 were LEP and only 10% were basic skills deficient

WIOA by the numbers

Title I (workforce/job training)

- \$2.62 billion in funding
- About 100,000 individuals provided job training
- Several millions provided job search help

Title II (AEFLA/Adult Education)

- \$600 million in funding
- About 1.5 million served via classes

(Source: National Skills Coalition)

Immigrants and Title I

- Title I provides for workforce services for low-income individuals and others with barriers to employment, including those with limited skills, including Limited English Proficient (LEP) individuals
- Participants in Title I programs must have legal authorization to work in the U.S.
- TEGL 02-14 affirms that recipients of Deferred Action for Childhood Arrivals (DACA) are eligible for Title I services

Title I: A Lack of Data

- There is no national data on how many immigrants are served through Title I
- Data reflect that very few LEP individuals receive Title I job training services
 - Although 8% of the total U.S. population and 32% of low-educated adults ages 19 or older are LEP, only 1.5% of adult participants who received Title I training services in 2013 were LEP

Immigrants and Title II

- Title II provides for adult education to individuals (ages 16 and up) with limited skills
- Includes:
 - Adult Basic Education
 - Adult Secondary Education
 - Integrated English Literacy/Civics Education (IELCE)
- Title II is silent on immigration/work authorization status

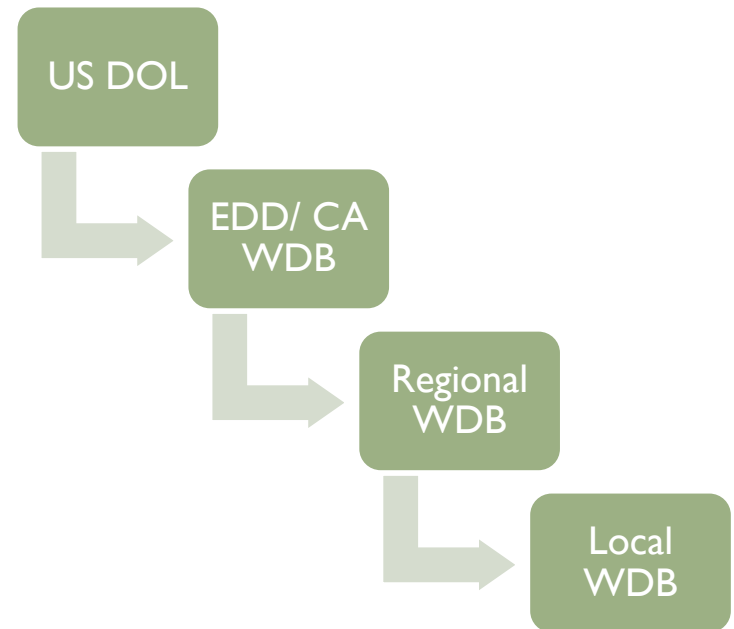
Title II: Limited Data

- There is no data on the nativity of participants in Title II programs
- Other data can provide some insight into the number of participants who may be immigrants:
 - About 700,000 Title II participants are enrolled in English language classes
 - About 640,000 Title II participants have education from abroad

(Source: National Skills Coalition)

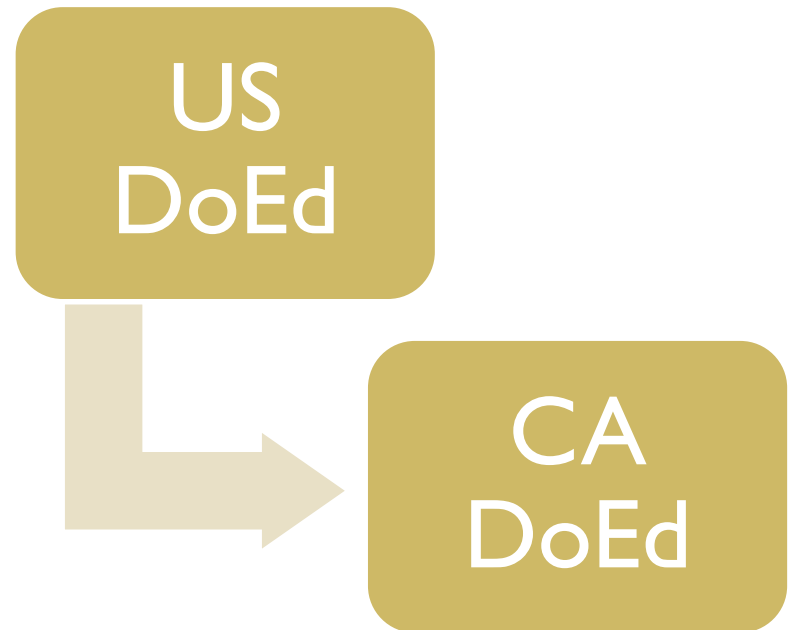
Who decides how California uses WIOA funds?

- Title I:
 - The US Department of Labor distributes Title I funds to EDD
 - The CA Workforce Development Board establishes a State Plan
 - Regional Workforce Boards establish Regional Plans
 - Local Workforce Boards are developing Local plans, to be submitted to the state by March 15th, 2017



Who decides how California uses WIOA Funds?

- Title II:
 - The US Department of Education distributes funds to the CA Department of Education
 - The CA Department of Education awards funds to school districts, libraries, CBOs, and other adult ed providers



Opportunities for immigrant workers under WIOA

- WIOA creates opportunities to make workforce development system more immigrant inclusive, but will require strong involvement of immigrant-serving organizations
- Will highlight some of the areas of WIOA that directly implicate immigrant workers and that could provide points of intervention for us

Opportunities for immigrant workers under WIOA: Priority of Service

- **Priority of Service (POS)**
 - Statute: in addition to vets, priority for Title I services should be given to public benefit recipients, low-income individuals, and individuals who are basic skills deficient (including LEPs)
 - Reg: requires states and local areas to establish criteria for One Stop to apply priority and include POS direction in local plans
 - More guidance (and oversight) is needed, though to ensure meaningful protocols established, especially since only 1.5% of individuals receiving Title I training services were LEP

Opportunities for immigrant workers under WIOA: Integrated Ed and Training

- WIOA increases emphasis in Title II adult education on workforce prep and training
- Promotes greater connection between Title I workforce services and Title II adult education
- Encourages programs that integrate basic ed and job training (e.g. I-BEST model)
- BUT:
 - Concern about differing immigrant eligibility requirements between Title I (requires work authorization) and Title II (silent on immigration status)
 - Need to advocate for integrated adult ed and training programs that ensure meaningful access for immigrants

Opportunities for immigrant workers under WIOA: Use of SSNs in Performance Reporting

- Regulations implement requirement in statute that state use quarterly wage records to measure state and local performance
- BUT: final regs afford some flexibility for participants who cannot be matched through state wage records (including workers in informal economy)
- Regs allow collection of non-unemployment insurance wage data if unavailable (such as for those without SSNs)

Opportunities for immigrant workers under WIOA: EEO Regs

- Section 188 WIOA Equal Employment and Opportunity regulations
 - Final regulations released on Dec. 1, 2016
 - Section 188 prohibits discrimination against individuals in any Title I program and by One Stop Centers, including discrimination based on national origin and because of citizenship (for certain categories of noncitizens)
 - Regs include a focus on discrimination based on national origin and language access

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