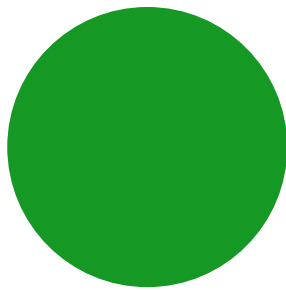
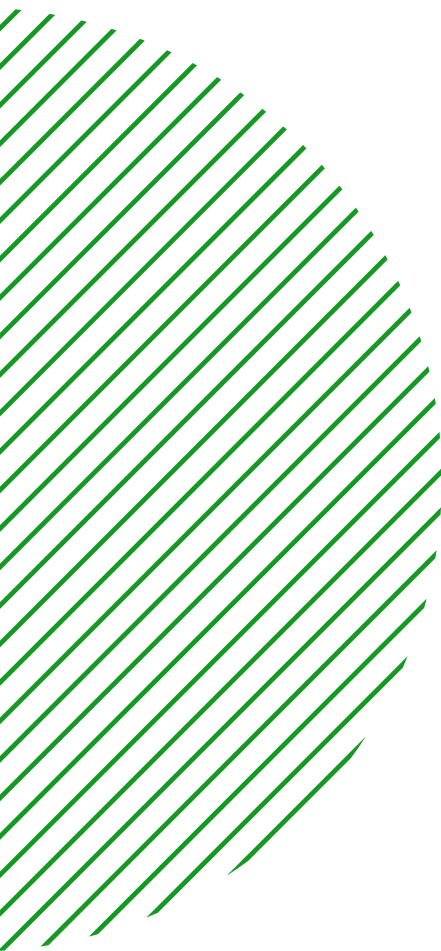


Opportunities for Survivors of Human Trafficking Through the Workforce Innovation and Opportunity Act (WIOA): A Primer

**Futures Without Violence
May 2019**



Workforce Innovation and Opportunity Act (WIOA)

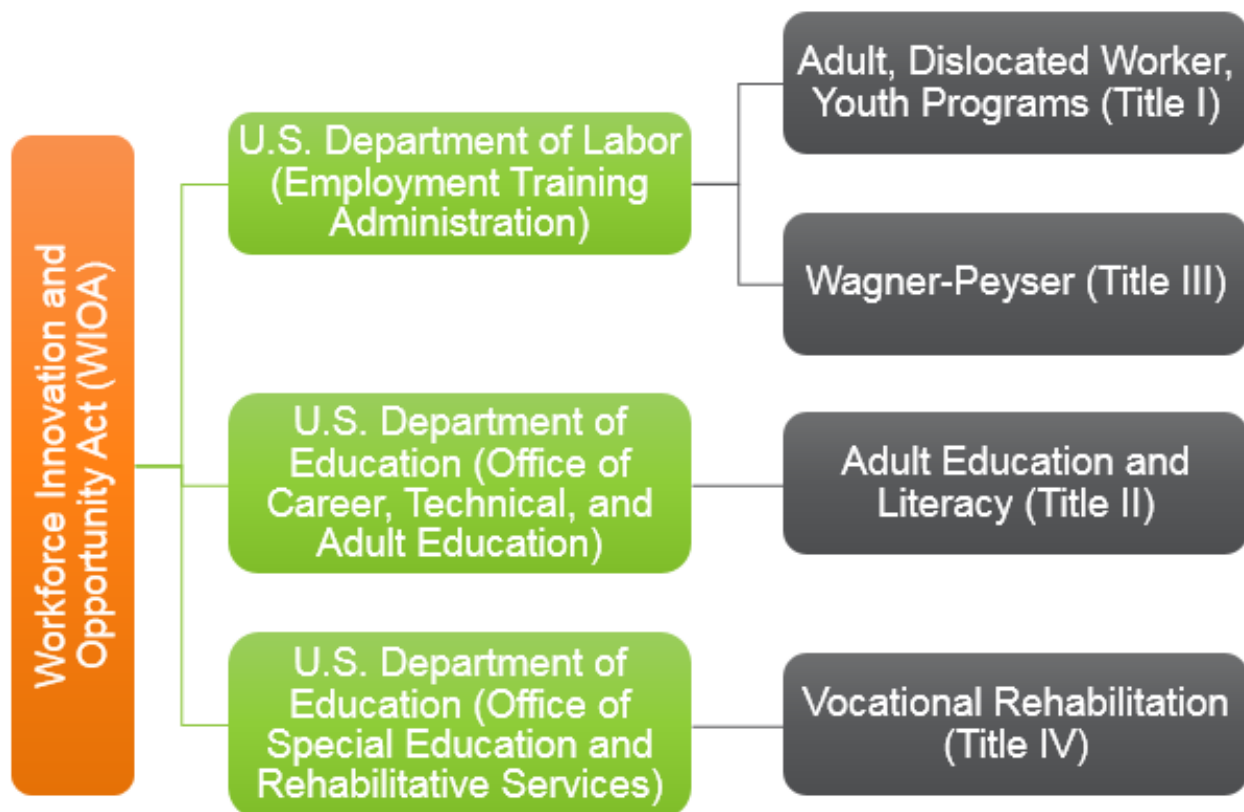
The **Workforce Innovation and Opportunity Act (WIOA)** is landmark legislation designed to strengthen and improve our nation's public workforce system and help workers – particularly adults and youth with significant barriers to employment, such as limited education or work experience, criminal records, or disabilities – get into quality occupations and careers. WIOA's programming includes a broad range of adult education, job training, and employment services which are available through a national network of **American Job Centers**, a one-stop shop career center for job seekers.

Human trafficking survivors who are U.S. citizens and lawful permanent residents, as well as survivors who have been granted non-immigrant “T” and “U” visas, refugees, asylees, and other immigrants authorized to work in the United States are eligible to receive services at federally-funded American Job Centers. Additional eligibility requirements vary by program.

Programs are organized through six core program areas: Adult, Dislocated Workers, and Youth (Title I); Adult Education and Literacy (Title II); Wagner-Peyser (Title III); and Vocational Rehabilitation (Title IV).

WIOA Program Overview

WIOA PROGRAM OVERVIEW



Title I: Adult, Dislocated Workers and Youth

Title I, which is administered by the U.S. Department of Labor's Employment Training Administration (ETA), focuses specifically on job training and employment support for youth and adults.

Title I programs include:

- ❑ Adult Services programs: individualized career and training services to help job seekers who are at least 18 years of age. Priority is given to low-income individuals, individuals with limited education and training, and recipients of public assistance.
- ❑ Dislocated Workers programs: training, job search and other assistance for workers who have been laid-off or are about to be laid-off, were self-employed but now unable to find work, are displaced homemakers who are no longer supported by another family member (including survivors of intimate partner violence), or are a spouse of a member of the Armed Forces.
- ❑ Youth Services program: education, training, and employment for eligible out-of-school youth, ages 14-24.

Foreign national survivors of human trafficking are eligible for Title I services if they: (1) are 18 years of age and have a Letter of Certification issued by the U.S. Department of Health and Human Services (HHS), or (2) are children under 18 years of age and have a Letter of Eligibility for Minor Victims issued by HHS.

Community colleges or other community-based organizations that offer WIOA funded Job Training and Education Programs may also offer federally-registered apprenticeships. Apprenticeships are paid hands-on job training with an educational or instructional component providing learners with a recognized credential and employment after completion.

Title II: Adult Education and Literacy

Title II focuses on developing the skills and competencies needed to function effectively in society.

To be eligible for Title II services, individuals must: (1) be 16 years of age or older, (2) not currently be enrolled or required to be enrolled in secondary school; and, (3) lack sufficient mastery of the basic educational skills needed to succeed in the workplace. Title II programs do not determine eligibility by immigration status.

The **U.S. Department of Education, Office of Career, Technical, and Adult Education (OCTAE)** administers WIOA programs related to adult education and literacy, career and technical education, and community colleges. Their **Division of Adult Education and Literacy** is responsible for helping adults acquire the basic skills necessary to complete their education, attain citizenship, and participate in job training and retraining programs.

The **Adult Education and Literacy programs** help adults learn basic skills needed to be successfully employed and productive workers, including reading, writing, math, English language proficiency, and problem-solving skills.

Title III: Wagner-Peyser

Title IV: Vocational Rehabilitation

Title III: Wagner-Peyser

The Wagner-Peyser program, administered at the U.S. Department of Labor's Employment Training Administration is a nationwide labor-exchange program that provides services to both job seekers and employers free of charge. Wagner-Peyser supports job search assistance, job referral, placement assistance, and recruitment services to employers. Wagner-Peyser is available to all individuals who are authorized to work in the U.S.

Title IV: Vocational Rehabilitation

The **U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS)** administers the Rehabilitation Services programs which are designed to assist individuals with physical or mental disabilities in obtaining employment and living more independently through the provision of counseling, medical and psychological services, and job training.

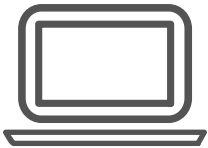
The American Indian Vocational Rehabilitation Services (AIVRS), Supported Employment State Grants, and Vocational Rehabilitation State Grants focus on: (1) improving transition from education to employment; (2) providing supported employment; and, (3) increasing competitive integrated employment for individuals with significant disabilities.

To be eligible for vocational rehabilitation services, an individual must qualify as an "individual with a disability" as defined under Section 7(20)(A) of the Rehabilitation Act: the individual: (1) has a physical or mental impairment which constitutes or results in a substantial impediment to employment for the individual; and (2) requires VR services to prepare for, secure, retain, advance in, or regain employment.

In addition, individuals who receive Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) are presumed eligible for services.

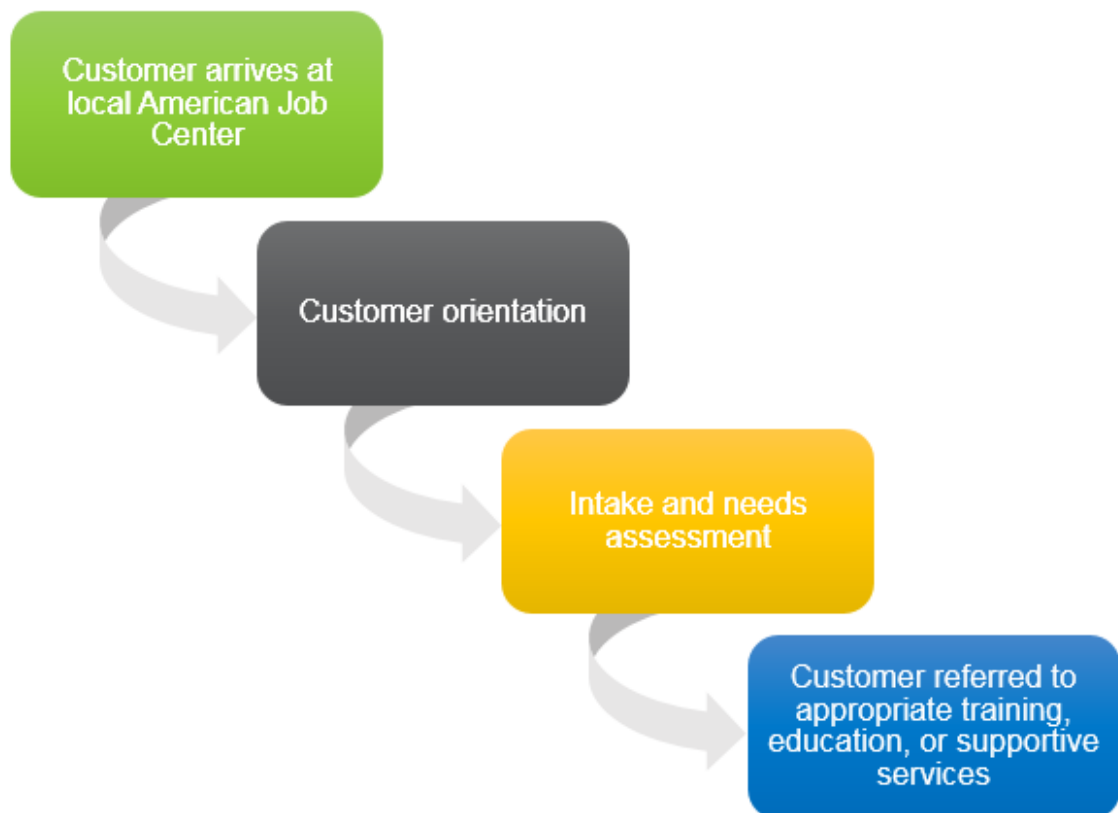
Accessing WIOA Funded Programs and Services

The primary access point for WIOA funded programs is through local American Job Centers (or One-Stop Centers). The American Job Center network offers a full spectrum of employment related services under one roof. Individuals can explore careers, find training, search for jobs, and find local help.



To find your nearest **American Job Center** visit: <https://www.careeronestop.org/localhelp/find-american-job-centers.aspx>.

While services offered at each center vary, clients can generally expect a similar integrated customer service delivery model as follows:



Accessing WIOA Funded Programs and Services

Upon arrival, customers are greeted by American Job Center staff and may be signed up to receive optional individual or group orientation on available programs and services, depending on needs. Greeters may also provide customers with intake forms to be completed.

Customers are then directed to appropriate services such as the resource room for self-directed services, or to relevant on-site partner programs such as employment training services through the Adult or Dislocated Worker programs, ESL or high school equivalency classes, or training through the Adult and Dislocated Worker programs or vocational rehabilitation.

Depending on the center, the length of this initial process could range from a single day to multiple days.

It is important to note that American Job Center staff are instructed to refer suspected or self-identified survivors of human trafficking to proper resources, including referrals to wraparound services.



Accessing WIOA Funded Programs and Services

BASIC CAREER SERVICES

- ✓ Eligibility determination for the Adult, Dislocated Worker, and Youth programs
- ✓ Outreach, intake, and orientation to services available from One-Stop partner programs
- ✓ Initial assessment of skill levels, aptitudes, abilities, and supportive service needs
- ✓ Labor exchange services
- ✓ Referrals to One-Stop partner and other workforce programs
- ✓ Labor market information and other workforce statistics
- ✓ Performance and cost information on the local area and workforce programs
- ✓ Information on supportive services
- ✓ Assistance with eligibility for financial aid for non-WIOA education and training programs

INDIVIDUALIZED CAREER SERVICES

- ✓ Comprehensive and specialized assessments of skill levels and service needs
- ✓ Development of an individual employment plan
- ✓ Group or individual counseling
- ✓ Career planning
- ✓ Short-term pre-vocational services
- ✓ Internships and work experiences
- ✓ Workforce preparation activities
- ✓ Financial literacy services
- ✓ Out-of-area job search and relocation assistance
- ✓ English language acquisition and integrated education and training programs

* Available services vary by center.

Accessing American Job Centers

American Job Centers are able to connect customers to other federal programs and services aligned with workforce development goals. Other required workforce partners accessible through comprehensive American Job Centers include:

Department of Labor (DOL): Job Corps, YouthBuild, Indian and Native American programs, National Farmworker Jobs Program (NFJP), Senior Community Services Employment Program (SCSEP), Trade Adjustment Assistance (TAA), Unemployment Insurance (UI), Jobs for Veterans State Grants (JVSG), and Reentry Employment Opportunities (REO)

Department of Education (DOE): Carl D. Perkins Career and Technical Education programs (CTE)

Department of Housing and Urban Development (HUD): Employment and training programs

Department of Health and Human Services (DHHS): Community Services Block Grant employment and training programs and Temporary Assistance for Needy Families (TANF)

Serving Customers with Complex Barriers

WIOA prohibits discrimination based on “race, color, religion, sex, national origin, age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only – citizenship status or because of an individual's participation in a program or activity that receives financial assistance under Title I of WIOA.” These protections were adopted to ensure access for vulnerable groups, particularly individuals with disabilities, those with limited English proficiency, and certain individuals who are not U.S. citizens.

Accessing American Job Centers

Language Access

Agencies must ensure that limited English proficiency individuals are aware of the translation and interpretation services available. These services must be provided free of charge and in a timely manner to ensure equal access. They must avoid the delay or denial of any aid, benefit, service, or training. Training and Employment Notice (TEN) # 28-16 seeks to increase services to individuals with limited English proficiency as well as those who have “limited cultural competency, prior trauma, low educational attainment in native countries, or the failure to have advanced degrees, credentials, and/or licenses attained abroad recognized in the United States.”

Survivors of Trauma

In addition to Training and Employment Guidance Letter No. 9-12 which states that survivors of labor and sex trafficking are eligible for Title I services, TEN #28-16 calls for access to supportive services via referrals to culturally-responsive mental health counseling, medical care, and legal services so that survivors of trafficking may successfully engage in employment services.

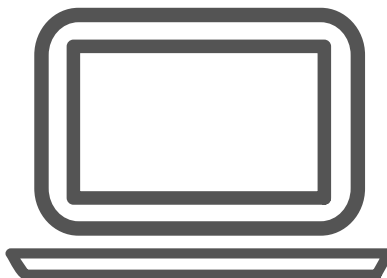
Individuals with Criminal Records

Sections 680.900 and 681.570 of the Workforce Innovation and Opportunity Act (WIOA) were modified under the 2016 Final Rule to include legal aid among the supportive services considered “necessary to enable an individual to participate” in workforce activities. This recognizes the importance of legal aid as a means to address certain barriers to employment, such as accessing driver’s license, expunging criminal records, and resolving issues with debt, credit, and housing.

Engagement and Partnership Opportunities

Human trafficking services programs are strongly encouraged to reach out to their local American Job Center prior to referring survivors to services to learn about location-specific operations and processes, available programs, and eligibility requirements. In addition, human trafficking services programs should identify what capacity the American Job Center network has to support individuals with limited English proficiency, those with criminal records, and other potential barriers to accessing services. Building relationships with the workforce system can help human trafficking service providers build capacity to assist the survivors they support with improving opportunities for employment.

Another opportunity to expand access to and improve employment services for survivors of human trafficking is to engage with the **local Workforce Development Boards (WDB)**. WDBs were established by WIOA to direct federal, state, and local funding to workforce development programs. Generally, every state has a WDB, along with boards at the county level or those that cover larger regions of a state, as well as cities. WDBs develop strategic plans that focus on local high-growth industries and set funding and training priorities for their area. They also help to facilitate partnerships between local businesses and training providers.

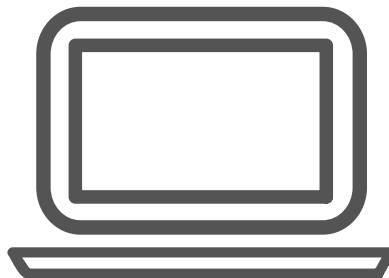


To locate the nearest **American Job Center** visit:
<https://www.careeronestop.org/localhelp/find-american-job-centers.aspx>.

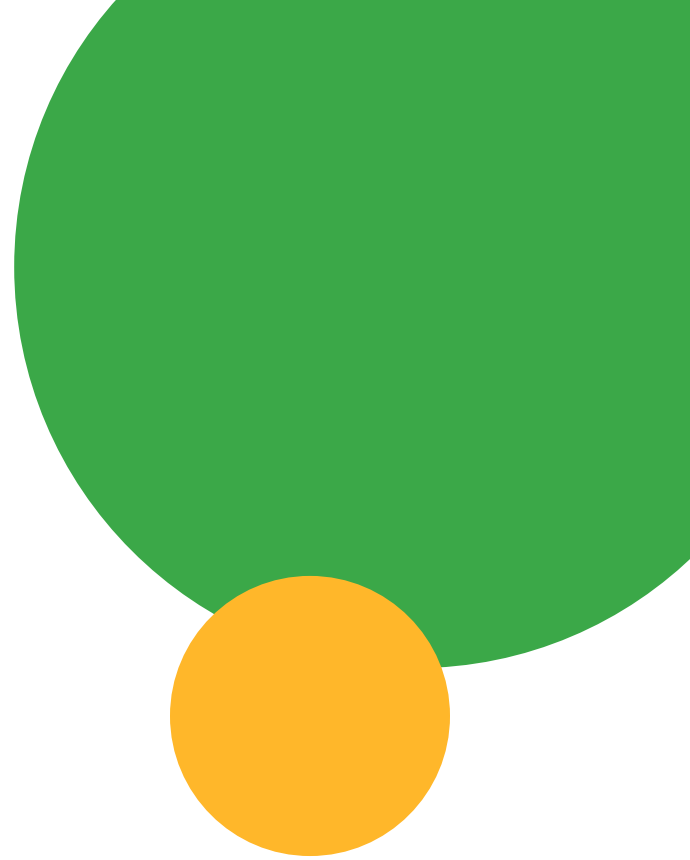
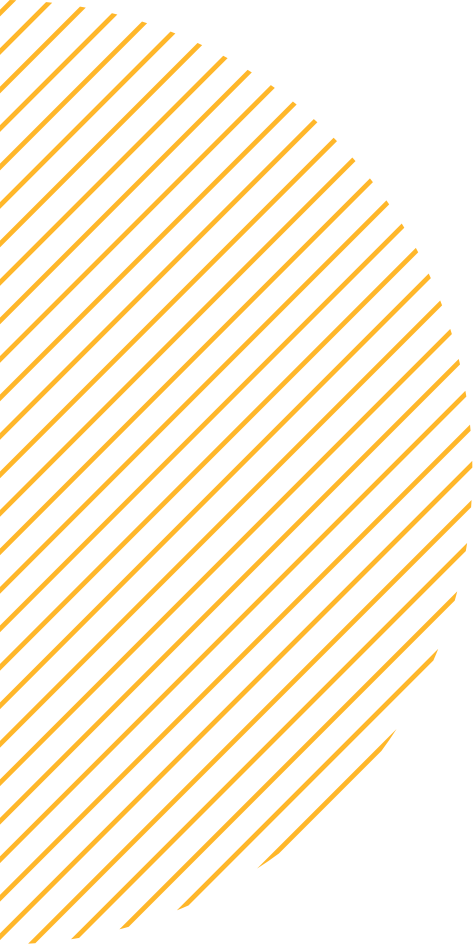
Engagement and Partnership Opportunities

Members of the WDBs are comprised of the business community (minimum of 51 percent), representatives from community colleges, vocational training providers, and other service providers. Meetings are open, and can provide opportunities to advocate for the specific workforce needs of survivors of human trafficking and to develop partnerships to promote greater employment opportunities for survivors of human trafficking.

Trafficking services programs should consider attending WDB meetings to learn more about programs, raise awareness of the needs and barriers facing survivors of human trafficking to accessing employment opportunities and workforce services, and to offer expertise in adopting trauma-informed practices throughout the workforce development system to remove barriers to survivors' access to these services.



To learn more about your **local WDB**, visit:
<https://www.careeronestop.org/LocalHelp/WorkforceDevelopment/find-workforce-development-boards.aspx>



For more information or to request technical assistance in developing partnerships with workforce development programs, please contact the Promoting Employment Opportunities for Survivors of Human Trafficking Project at peost@futureswithoutviolence.org.

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