

Comments and Responses for Chapters 8.4.1 and 8.4.2

8.4.1

1. A commenter suggested that because individualized career services are also available for Title III Wegner-Peyser, TAA and JVSG participants, those program names should be added to the following sentence: "Individualized career services are available for participants in the Adult Program and the Dislocated Worker Program; career planners tailor these services to best meet each participant's needs."

To avoid confusion, DWD-DET has edited the paragraph in question to mirror the federal register comment and response it was based on, the intent of which was merely to differentiate between the available-to-all-eligible nature of basic career services and the tailored-to-the-individual nature of individualized career services. Also, language has been added to the draft policy clarifying that the guidance in this chapter pertains to career services being provided with WIOA Title I funds.

8.4.2

2. Several commenters responded to the treatment of initial assessments in the draft policy—primarily voicing concern that the policy would require them to conduct formal assessments not currently used as part of the initial assessments service to gauge reading and math skills. DWD-DET understands the confusion the draft caused and has edited the policy accordingly—please see the final policy for these changes. Comments related to other aspects of initial assessments are included below.
3. A commenter questioned whether initial and comprehensive assessments are required each time an Individual Employment Plan (IEP) is "reviewed."

That was not the intent of the draft policy language. The policy has, therefore, been edited in the following manner:

As outlined in 8.3.1 Order of Services, DWD-DET requires career planners to provide an initial assessment service and a comprehensive assessment service to participants prior to developing a new Individual Employment Plan (IEP) (or updating an existing IEP for a participant coming from another program, such as the Trade Adjustment Assistance (TAA) program).

4. A commenter asked whether an initial assessment and a comprehensive assessment must be completed for all consumers or only those being enrolled into the WIOA Adult Program and/or the Dislocated Worker Program.

Once an individual is determined to be eligible for the WIOA Adult Program and/or the Dislocated Worker Program, an initial assessment should be completed. That is a participation-causing service. Prior to developing and agreeing upon an Individual Employment Plan (IEP), the initial assessment and also a comprehensive assessment must be conducted.

5. Several commenters asked that a column be added to the chart showing Basic Career Services in WIOA Regulations and Basic Career Services in ASSET, indicating whether each service is participation-causing or not.

We have added a column showing this. Thank you for the suggestion.

6. A commenter questioned the 6-month timeframe allowed for assessments used in the Initial Assessment service, and requested that training providers be allowed to use assessments going back farther in time.

DWD-DET believes that the 6-month timeframe is reasonable considering how skill levels can change over a period of several months. Also, the timeframe mirrors, as the policy draft points out, the federal TEGL 21-16, WIOA Title I Youth Formula Program Guidance. The clarification of what qualifies as an initial assessment should also ease concerns about the 6-month time-frame.

7. A commenter asked whether the Local WIOA Performance Information service needs to be provided to all enrolled individuals or only when requested, and questioned the value provided by such a service.

20 CFR 678.430(a)(8) requires that this information be available upon request. In addition to simply including in state policy what is required by the federal regulation, DWD-DET also sees value in ensuring transparency of local performance.

8. A commenter questioned the provision requiring career planners to complete Unemployment Insurance training as well as having access to a dedicated phone line as required by federal regulations.

20 CFR 678.430(a)(10) requires the provision of information and meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation. While career planners are required to complete *DET-UI Partner Certification Training: WIOA/WDB/Job Center*, they may and should work with their one-stop partners where appropriate and needed. For example, as an edit to the policy draft points out, Title III Job Service personnel have access to the required UI dedicated phone line. When needed, career planners can and should reach out to their Job Service counterparts to ensure the participant has access to that line.

9. A commenter recommended that DWD-DET "walk through the process" of this policy with the Workforce Development Boards prior to approving it.

Release of a policy draft for public comment is an important part of the policy development process, and a key opportunity for local WDB staff to learn of the coming guidance. Also, DWD-DET will note important changes or requirements in its distribution email that is sent to the local WDBs once the policy is finalized. As with all policy developments, DWD-DET will attempt to gauge whether additional training or communications are necessary, and we appreciate the suggestion from the commenter.

10. A commenter questioned the following provision in the draft policy:

This list of basic career services is not exhaustive; a local Workforce Development Board (WDB) may provide additional basic career services.⁷ If a local WDB intends to provide a service beyond those on this list, DWD-DET requires the WDB to contact its assigned Local Program Liaison to ensure that the service is allowable and to determine how to record the service in ASSET.

The commenter stated that the draft language was open-ended and created an unnecessary loophole and that DWD was likely to assign findings for unapproved services versus unallowable services.

After reviewing the draft and written comments, DWD-DET amended the draft language to the following:

This list of basic career services is not exhaustive; a local Workforce Development Board (WDB) may provide additional basic career services.² If a local WDB intends to provide a service beyond those on this list, those services must have been approved by the Board and be included in their local policy. In those cases, DWD-DET recommends that the local WDB consult with their Local Program Liaison for assistance in determining how the additional service should be recorded in ASSET.