



Workforce Investment Act Policy
WorkSource Standards & Integration Division

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, the WorkSource Standards & Integration Division sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information notices, and technical assistance.

Policy Number: 3680 Revision 1
To: Washington WorkSource System
Date of Publication: January 10, 2013
Subject: Performance Accountability and Technical Assistance

1. Purpose:

To clarify state and local responsibilities when a Workforce Development Area (WDA) fails to meet Workforce Investment Act (WIA) Title 1-B Federal Common Measures targets; formalizing the technical assistance and corrective action process per WIA 136(h).

2. Background:

As part of the state level performance accountability to US DOL, TEGL 38-11 disqualifies states from consideration for any federal incentive awards for failure to reach 90% of target for any single measure. This sanction applies at the state level only.

WIA 136(h) requires that the state provide technical assistance "if a local area fails to meet levels of performance for a program for any program year." The state may provide technical assistance to WDAs through online materials, teleconferences, or in-person technical assistance and training.

3. Policy:

- a. WDAs at risk of failing a target:

A WDA is considered to not meet local performance measures when its actual performance falls below 80% of the target, for any one of the Adult, Dislocated Worker or Youth federal common measures in a program year. A WDA is at risk of failing a target if actual performance for any quarter (1st, 2nd, or 3rd) is less than 80% of the program's target or if there is a significant decline in performance. The state will notify the WDC Executive Director and will schedule technical assistance with the appropriate local area staff.

b. Failure to meet a target - first year:

If an area actually fails to meet a target for a program year (based on results available after the 4th quarter), the state will notify the WDC Executive Director to provide additional technical assistance. In collaboration with the state, the WDC will be required to develop a performance improvement plan. The performance improvement plan must be submitted to the state within 75 days of the program year's conclusion. The State will provide technical assistance and may require other actions (as determined by the State) to assist with performance improvement (20 CFR 666.420(a)).

c. Corrective action plan - second year:

If the target failure continues for a second consecutive year, the state will notify the Chief Local Elected Official, the WDC chair, and the WDC Executive Director. The state will require the initiation of appropriate corrective action to prevent further failure of that target.

When all other corrective action efforts have been exhausted, the state will utilize incremental sanctions up to, and including, the steps described in 20 CFR 666.420(b)(1-3). WDCs may appeal any sanction according to the process described at 20 CFR 666.420(c).

4. References:

WIA Sec. 136(h)
20 CFR 666.420(a-c)
20 CFR 665.200(f)
20 CFR 665.210(b)
TEGL 38-11

5. Supersedes:

WIA Policy 3680, Technical Assistance for Program Performance Improvement

6. Website:

<http://www.wa.gov/esd/1stop/policies/title1b.htm>

7. Action:

WDCs and their contractors, as well as Employment Security Area Directors, should distribute this policy broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

Direct Inquiries To:

WorkSource Standards & Integration Division
Employment Security Department
PO Box 9046
Olympia, WA 98507
(360) 725-9500
WSIDpolicy@esd.wa.gov

Approved:

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Amy Smith, Deputy Assistant Commissioner