

COMMONWEALTH OF VIRGINIA
WORKFORCE INVESTMENT ACT
VIRGINIA EMPLOYMENT COMMISSION

FIELD GUIDANCE MEMORANDUM #05-02

TO: LOCAL WORKFORCE INVESTMENT BOARDS

FROM: WIA DIVISION

SUBJECT: COMMUNICATION OF CERTAIN FINDINGS MADE BY THE UNITED STATES DEPARTMENT OF LABOR DURING A WIA COMPLIANCE REVIEW OF CERTAIN LOCAL WORKFORCE INVESTMENT AREAS IN THE COMMONWEALTH

DATE: FEBRUARY 14, 2005

During a period of time between November 2003 and April of 2004, the USDOL Regional Office staff from Philadelphia visited 7 local workforce areas for WIA compliance reviews. In response to the findings identified in those local reviews, the Commonwealth and USDOL negotiated a Corrective Action Plan. An element of the Corrective Action Plan is for the Commonwealth to communicate certain findings Statewide so that all areas could benefit from the information. Those findings are as follows:

Finding #1:

WIA staff assisted core services are being provided without customers being registered and determined eligible for WIA services. In addition, WIA Case managers are working with customers months before they are registered for WIA.

Please refer to Section 663.105 of the WIA Final Rules (20 CFR Part 652) or contact your local WIA consultant if additional clarification on this item is needed.

Finding #2:

Half the dislocated worker files reviewed at ... One Stop did not provide evidence that the training being provided was linked to demand occupations.

Section 663.310 (c) of the WIA Final Rules requires that training be directly linked to employment opportunities in the local area. In addition, the Virginia General Assembly in its 2003 session adopted language that requires each local workforce area to annually prepare a demand plan that identifies these occupations that are in demand to ensure that the local system is meeting employer needs. Each area should have an annual demand plan that identifies the occupation in demand, and case files should include documentation that the training is linked to those demand occupations.

Finding #3:

Required services are not being provided in manner consistent with this section, therefore this local area does not have a comprehensive One Stop.

Sec. 134 (c) (2) of the WIA Act outlines minimum services that must be provided in a One Stop. 663.150 of the WIA Final Rules outlines core services that must be provided to adults and dislocated workers and 662.230 outlines the responsibilities of the One Stop partners in delivering the required services. In addition to the statutory requirements, please be reminded that each local workforce investment board signed a Statement of Adherence in June of 2004 indicating in part that comprehensive one stop centers would provide at a minimum the core services as required by WIA law.

Finding #4:

The VWNIS registration date and the date the youth applications are signed reflects discrepancies of several months.

*Section 664.215 (A) of the WIA Final Rules requires all youth participants must be registered to participate in the youth program. In addition, please be reminded that Virginia WIA Field Guidance Memorandum #03-05 includes the following language regarding timely data entry: "All transactions must be entered within **five** (5) working days from completion. For example, once the customer has been registered and eligibility has been determined, the data must be entered within five working days".*