

# WORKFORCE SERVICES INFORMATION NOTICE

Number: WSIN15-3

Date: July 16, 2015

Expiration Date: 08/16/17

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TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIA TO WIOA TRANSITION GUIDANCE

The Employment Development Department is providing guidance on the transition of funds and participants under Title I of the *Workforce Investment Act* (WIA) to Title I of the *Workforce Innovation and Opportunity Act* (WIOA).

Per the Training and Employment Guidance Letter (TEGL) 38-14 dated June 8, 2015, the Department of Labor (DOL) is providing this guidance to clarify the following:

- Use of carry-in funds from WIA to WIOA
- Requirements for transitioning participants enrolled under WIA to WIOA
- Requirements for carry-forward service provider contracts under WIOA

### **Transition of WIA Carry-In Funds to WIOA**

**Expiration of Program Year (PY) Funds** – PY 2012-13 funds expired on June 30, 2015, and are not subject to WIOA provisions. The expiration dates of the PY 2013-14 and PY 2014-15 funds do not change. PY 2013-14 and PY 2014-15 funds are scheduled to expire on June 30, 2016, and June 30, 2017, respectively.

**Obligated Program Year Funds** – PY 2013-14 and PY 2014-15 “carry-in” funds that are obligated as of June 30, 2015, may be liquidated in compliance with WIA requirements. The reporting of obligations must be consistent with TEGL 28-10, Federal Financial Management and Reporting Definitions. Also, Local Workforce Development Areas (Local Areas) must maintain documentation for those funds to demonstrate compliance with WIA for audit, monitoring and oversight purposes.

**Unobligated PY Funds** – PY 2013-14 and PY 2014-15 “carry-in” funds that have not been obligated in PY 2014-15 will become subject to WIOA, effective July 1, 2015. This means that the funds will assume the requirements of those portions of WIOA that are effective July 1, 2015. As of July 1, 2015, the unobligated PY 2013-14 and PY 2014-15 WIA funds carried into PY 2015-16 can only support allowable WIOA activities and must conform to WIOA requirements

*The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.*

effective July 1, 2015, with the exception of funds used to pay for WIA services for WIA participants who are transitioning to WIOA.

**PY 2015-16 Funds** – All PY 2015-16 funds will be awarded under the authority of and subject to the requirements of WIOA. While PY 2015-16 WIOA youth funds are available beginning in April 2015, the early release of these funds is for the Local Areas to use to prepare for WIOA youth implementation on July 1, 2015. WIOA youth funds available in April 2015 can be used for direct services to WIA participants as well as transition planning to implement the WIOA youth program starting on July 1, 2015.

**Transition of WIA Participants** – On July 1, 2015, all WIA Title I participants (Adult, Dislocated Worker, and Youth) who were enrolled in a WIA Title I program prior to July 1, 2015 must be transitioned (or “grandfathered”) into WIOA, even if the participant would not otherwise be eligible for WIOA. Local Areas must not complete an eligibility re-determination for participants already determined eligible and enrolled under WIA. Furthermore, these participants must be allowed to complete the WIA services specified in the individual service strategy and/or individual employment plans as of June 30, 2015. Local Areas must continue to serve participants enrolled under WIA as follows:

- Providing the services for which WIA funds were already obligated so liquidating those funds
- Using unobligated carry-in WIA funds that become WIOA funds effective July 1, 2015
- Using new WIOA funds

Effective July 1, 2015, subgrantees must make all new eligibility determinations under the WIOA framework for participants enrolling on or after that date and must follow all WIOA requirements. Participants enrolled on or after July 1, 2015, may only access services allowable under WIOA.

**Reporting** – Effective July 1, 2015, Local Areas must track funds spent on WIOA activities. Keeping track of all funds spent on WIOA activities will enable Local Areas to report cumulative expenditures on the updated WIA/WIOA “Summary of Expenditure Reports” in CalJOBS<sup>SM</sup>.

For information regarding the transitional activities expenditures reporting, please refer to [WSIN14-52](#), *Funding Limits and Reporting for WIOA Transitional Activities*.

**Changes to Local Service Provider Contracts** – If the Local Areas have any service provider contracts with an end date after June 30, 2015, those contracts must be modified or amended, to the extent that the contract terms allow the following:

- Enrollments into the WIA program ceased on June 30, 2015, and enrollment using WIOA requirements began July 1, 2015.
- Incorporate changes that conform to the new WIOA legislation, regulations, and requirements. If after July 1, 2015, a service provider refuses to comply with the new

WIOA requirements, the Local Area must take immediate corrective action, up to and including contract termination.

If you have any questions regarding this notice, please contact Viviana Neet at [Viviana.Neet@edd.ca.gov](mailto:Viviana.Neet@edd.ca.gov), or by phone at 916-653-9150.

/S/ JOSÉ LUIS MÁRQUEZ, Chief  
Central Office Workforce Services Division

Attachment is available on the internet:

[WIA to WIOA Transition of Funding Participants, and Service Provider Contracts](#)