

AUTHORITY AND MISSION

Federal Authority – Federal Legislation – Public Law 93-112 amended by 93-516, 98-221, 99-506, 102-569, and 103.73 (29 USC and 791 et. seq.).

Federal Regulation – CFR 361 and 365

State Legislation – KRS Chapter 151B. 185-245

State Administrative Regulation – 781 KAR 1:010 – 1:070

Authorities are listed in priority order. If a conflict exists between state law and Federal law or regulation, the Federal mandate takes precedent.

State imposed policy and procedures are incorporated as Kentucky Administrative Regulations. The administrative regulations are updated periodically. Updated copies are forwarded to Counselors and Field Administrators.

The information available from those sources will not be repeated in this Manual. The relevant material will be cited as a reference only.

MISSION

The Mission of the Department of Vocational Rehabilitation is to cause eligible persons with disabilities to achieve suitable employment and independence as a direct result of the agency's efforts.

WORKFORCE INVESTMENT ACT OF 1998 (WIA)

The Workforce Investment Act of 1998 (WIA) was signed into law by the U.S. Department of Labor on August 7, 1998. The State of Kentucky implemented WIA on July 1, 1999. The *most important* aspect of this law is its focus on meeting the needs of businesses for skilled workers and the training, education, and employment needs of individuals.

The law made complete changes or built on the most successful elements of previous Federal legislation. Changes and amendments were made to the current funding system, target populations, system delivery, accountability, long-term planning, labor market information system and governance structure.

The law, which stresses work first, was divided into *five Titles*.

TITLE I

Authorizes the new Work Investment System. This title describes how things will be accomplished, who will be responsible, and establishes standards for accountability. State Workforce Investment Boards will be established and States will develop five-year strategic plans. Governors will designate local “Workforce Investment Areas” and oversee local Workforce Investment Boards which will be comprised of 51 percent representation by business and industry. Youth Councils will be set up as a sub-group of the local boards to guide and direct the services offered for the youth. One-Stop Centers will be established in labor markets to provide core employment services to all consumers. Operators of the One-Stop will be selected by the local Workforce Investment Board through a competitive process or designation of a consortia that includes at least three of the Federal programs providing services at the One-Stop.

Accountability is also addressed in this title. Providers of vocational training and other employment services will establish indicators of performance. There are four core indicators: placement, retention, earnings, and skill attainment. The Secretary of Labor is to negotiate the expected levels of performance for each indicator with each State, and the State in turn, is to negotiate expected levels of performance with local areas.

TITLE II

Reauthorizes Adult Education and Literacy Programs for Fiscal Years 1999-2003.

TITLE III

Amends the Wagner-Peyser Act (Employment Services) to require the Employment/Job Service activities become a part of the One-Stop System. It requires linkages between the Act’s programs and Trade Adjustment Assistance and North American Trade Agreement Transitional Adjustment Assistance Programs. It establishes a temporary “Twenty-First Century Workforce Commission” to study issues related to the Information Technology Workforce in the United States.

TITLE IV

Reauthorizes the Rehabilitation Act Programs through Fiscal Year 2003 and links these programs to State and local Workforce Development Systems.

TITLE V

Contains general provisions that include authority for State Unified Plans relating to several Workforce Development Programs, incentive grants for States exceeding

negotiated performance levels under the Workforce Investment Act, Adult Education Act, Perkins Vocational Education Act, and transition provisions.

ONE-STOP CENTERS

Key components of the Work Investment Act (WIA) are that consumers will have easy access to information and services they need through a One-Stop System, empower adults to obtain the training they find most appropriate through individual training accounts, and ensure that all State and local programs meet consumer expectations.

Agencies that are required partners of the One-Stop Centers are:

- Adults, Dislocated Workers, Youth
- Wagner-Peyser
- Adult Education and Literacy (WIA)
- Vocational Rehabilitation
- Welfare-To-Work
- Older Americans Act
- Post-Secondary Vocational Education
- Trade Adjustment Assistance
- Veterans Employment Services
- Unemployment Insurance
- Community Services Block Grant
- HUD Employment and Training

There are *three different levels* of services offered through One-Stop Centers.

Core Services is the first level. These are free services that are available to anyone seeking assistance. There is no eligibility criteria. These services include the following:

- Receiving a preliminary assessment of skill levels, aptitudes, abilities, and support services.
- Obtaining information on employment related services.
- Receiving assistance in filing for unemployment benefits and evaluation for determining eligibility for vocational and educational programs.
- Obtaining career counseling, and job search and placement assistance.
- Receiving up-to-date labor market information which identifies job vacancies, necessary skills for those jobs and other high-demand jobs, and information concerning local, regional, and national employment trends.
- Receiving a list of providers from which to choose vocational and education services, and the provider's achievement rates.

Intensive Services is the second level of services. This level of services has some qualifications linked to it. These services are for individuals who need more intense assistance in obtaining employment. These services will more comprehensive assessments, and development of individual employment plans. Group and individual counseling, case management and short-term pre-vocational services are some of the services offered through this level of assistance.

Training is the third level of services. Consumers who receive this service must have already gone through the previous two steps and still not be capable of obtaining employment. They must qualify for these services either financially or through some other special needs. Training is directly linked to job opportunities in the local area. Training may include occupational skills training, skill upgrading, on-the-job training, entrepreneurial training, adult education and literacy in conjunction with other training.