

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA
	CORRESPONDENCE SYMBOL OWI
	DATE November 24, 2015

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO. 41-14, Change 1 OPERATING GUIDANCE for the WORKFORCE INNOVATION AND OPPORTUNITY ACT (referred to as WIOA or the Opportunity Act)

TO: STATE WORKFORCE AGENCIES
 STATE WORKFORCE ADMINISTRATORS
 STATE WORKFORCE LIAISONS
 STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS

FROM: GERRI FIALA /s/ for PORTIA WU
 Assistant Secretary

SUBJECT: Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) Title I Training Provider Eligibility Transition

- Purpose.** This guidance updates Training and Employment Guidance Letter (TEGL) No. 41-14, *Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) Title I Training Provider Eligibility Transition* to extend the transition period for training providers that were determined eligible under the Workforce Investment Act (WIA) title I.
- Background.** The workforce development system established under WIOA emphasizes informed consumer choice, job-driven training, provider performance, and continuous improvement. The quality and selection of providers and programs of training services is vital to achieving these core principles. As required by WIOA Sec. 122, States, in partnership with Local Boards, must identify eligible training providers and programs that are qualified to receive WIOA title I-B funds to train adults and dislocated workers, including those with disabilities. The approved State list of eligible training providers and programs serves as an important tool for participants seeking training to identify appropriate providers and programs, and relevant information, such as cost and program outcomes.

WIOA Sec. 122 (c) specifies that states must establish an application procedure for training providers and programs to maintain their eligibility and the eligibility of their programs. As described at WIOA Sec. 122(i), Governors may establish transition procedures that allow training providers and programs that were eligible under WIA title I to continue to be eligible under WIOA until December 31, 2015, or until an earlier date established by the Governor

- Extended Eligibility Period for WIA Approved Training Providers.** Exercising the Secretary of Labor’s transition authority under WIOA Sec. 503, the Department is permitting the Governor to extend the period for WIA-eligible training providers (ETPs) to remain eligible

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under WIOA. Under this Change 1, the Governor’s transition procedures may allow training providers and programs that were eligible under the WIA title I to remain eligible under WIOA title I-B until June 30, 2016, or an earlier date as determined by the Governor. This one-time extension will provide States and eligible training providers additional time to establish and implement continued eligibility application procedures, and reduce potential disruption to participants due to changes in the State list of Eligible Training Providers and programs in the midst of an academic year.

4. **Changes to TEGL No. 41-14.** This change amends the following paragraphs of TEGL No. 41-14:
 - Section 6, paragraph b: *Continued eligibility application procedure*
 - Section 6, paragraph c: *Transition opportunities for currently eligible WIA training providers*
 - Attachment II, second row: *Continued Eligibility*

In each of the above, where TEGL No. 41-14 refers to “December 31, 2015,” it is amended to say “June 30, 2016.”

5. **Timely Implementation and Technical Assistance.** The Governor’s procedure for continued eligibility must be implemented in a timely manner to ensure the establishment of provider eligibility by the end of the State’s transition period for these providers. We encourage States to implement as early as possible, and encourage states to utilize the Quick Start Action Planner and the archived webcast for developing ETP procedures. These materials are available at the Innovation and Opportunity Network, <https://WIOA.workforce3one.org>, under the “WIOA Action Planner” and “Resources” tabs. States should also consult Employment and Training Administration (ETA) regional offices for technical assistance.
6. **Action Requested.** States must proceed with the actions outlined in TEGL No. 41-14 and this Change 1.
7. **Inquiries.** Questions regarding this guidance should be directed to the appropriate ETA regional office.