

# New Jersey

## Workforce Innovation Notice 15-16 (P)

**TO:** Workforce Development System

**FROM:** John Bicica, Chief  
Office of WIOA Technical Assistance and Capacity Building

**SUBJECT:** Performance Accountability Guidance

**DATE:** January 20, 2017

### **Purpose**

To announce the release of Training and Employment Guidance Letter (TEGL) 10-16, which was issued by the United States Department of Labor Employment and Training Administration.

### **Background**

TEGL 10-16 provides sub-regulatory guidance on section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (WIOA) and the implementing joint regulations in 20 CFR part 677 which specifically defines the primary indicators of performance that are required for WIOA programs. The WIOA accountability system is required to assess the effectiveness of State and local areas in achieving positive outcomes for individuals served by the workforce development system. WIOA requires all states and direct grantees of the Department of Education and Departments of Labor to collect and report information on all the participants described in TEGL 10-16.

TEGL 10-16 addresses the following:

- Methodology for calculating the 6 primary indicators of performance for the core programs
- Definitions of: (1) Reportable individual (2) Participant (3) Exit and (4) Period of participation
- Guidance related to (1) career services vs. training services (2) core services (3) incumbent worker training and (4) indicator of performance score calculation

The full TEGL can be accessed here: [https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16.pdf). Additionally, the individual attachments to TEGL 10-16 can be accessed in the **References and Links** section below.

**Key Provisions** – Section 116 of WIOA establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of State and local areas in achieving positive outcomes for individuals served by the Workforce Development system's six core programs:

- Title I Adult
- Title I Dislocated Worker
- Title I Youth
- Title II Adult Education and Family Literacy
- Title III Employment Services Program
- Title IV Vocational Rehabilitation Services

WIOA section 116 aligns performance-related definitions, streamlines performance indicators, integrates reporting and ensures comparable data collection and reporting across all six of the core programs, while also implementing program-specific requirements related to data collection and reporting.

The six primary indicators of performance outlined under section 116(b)(2)(A) of WIOA are:

**Employment Rate--2nd Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program (for Title I Youth, the indicator is the percentage of participants in education or training activities or in unsubsidized employment during the 2nd quarter after exit);

**Employment Rate--4th Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program (for Title I Youth the indicator is the percentage of participants in education or training activities or in unsubsidized employment during the fourth quarter after exit);

**Median Earnings – 2nd Quarter After Exit:** The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program;

**Credential Attainment:** The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training who attain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program. See page 12 of TEGL 10-16 for the definition of “credential.”

**Measurable Skill Gains:** The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress towards such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:

- a) Documented achievement of at least one education functioning level of a participant who is receiving instruction below the postsecondary education level;
- b) Documented attainment of a secondary school diploma or its recognized equivalent
- c) Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit’s academic standards

d) Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or

e) Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

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**Effectiveness in Serving Employers:** Note: This measure will be implemented as a pilot in five states.

These primary indicators of performance apply to all six core programs except that the indicators for “credential attainment” and “measurable skills gain” do not apply to the Title III Employment Services Program (Wagner Peysner).

### **Methodology**

For the three “employment-related” performance indicators (status in unsubsidized employment and quarterly earnings – 2nd and 4th quarter after exit) these may be determined by:

- Direct UI wage match
- Federal, military (including registered employment records, apprenticeships)
- Supplemental wages (for self-employed or lacking SSN proof)

The methodology for calculating all of the primary indicators of performance for the core programs and the operational parameters determining the populations assessed for each primary indication can be found in the TEGL Upcoming New Jersey Workforce Innovation Notices will focus in detail on these methodologies as well as the following subjects:

- Adult and Dislocated Worker Performance Indicators
- Title I Youth Education and Employment Rates 2nd and 4th quarters after exit
- Periods of Participation
- Incumbent Worker Training under Title I

### **Rescissions**

None

### **References and Links**

WIOA Sec. 116

**Attachment 1** - Definitions of Terms Related to the Performance Accountability System

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_1.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_1.pdf)

**Attachment 2** - Table A Exclusions PIRL Data Element 923

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_2.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_2.pdf)

**Attachment 3 - Wage Conversion Chart**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_3.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_3.pdf)

**Attachment 4 - Table A Effectiveness in Serving Employers Data Elements and Specifications OMB**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_4.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_4.pdf)

**Attachment 5 - Periods of Participation - Effects on Indicators of Performance**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_5.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_5.pdf)

**Attachment 6 - Examples of Counting Periods of Participation for Exit-Based Indicators of Performance**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_6.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_6.pdf)

**Attachment 7 - Table A Participation Level Services Chart WIOA Title I Adult Title I Dislocated Worker and Title III Employment Service Programs**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_7.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_7.pdf)

**Attachment 8 - Incumbent Worker Training Required Data Elements**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_8.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_8.pdf)

**Attachment 9 - Calculation - Average Indicator of Performance**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_9.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_9.pdf)

**Attachment 10 - Calculations - WIOA Indicators of Performance Figure**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_10.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_10.pdf)

**Attachment 11 - References - WIOA Operating Guidance**

[https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_10-16\\_Attachment\\_11.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_10-16_Attachment_11.pdf)

**Action Required**

This guidance, should be shared with all workforce development system staff and relevant partners.

**Authority**

New Jersey Department of Labor and Workforce Development	<b>X</b>
State Employment And Training Commission	

**Questions**

For questions regarding this guidance, contact John Bica, Chief, WIOA Technical Assistance and Capacity Building at [john.bica@dol.nj.gov](mailto:john.bica@dol.nj.gov)