

Nevada Department of Employment, Training and Rehabilitation
Employment Security Division
Workforce Programs

Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)

Policy Number: 1.11

Originating Office: Office of Workforce Innovation (OWINN)

Subject: In-Demand Occupations and Sector Approach

Issued: **NEW**; replacing WIA State Compliance Policy 1.11; Approved GWDB Executive Committee, 6-19-17; Ratified GWDB, 7-19-17

Purpose: To provide Local Workforce Development Boards (LWDBs), Chief Elected Officials (CEOs) and American Job Center of Nevada (One-Stop Career Center) Operators with the Workforce Innovation and Opportunity Act (WIOA) requirements in industry sectors regarding in-demand occupations.

State Imposed Requirements: This directive may contain some state-imposed requirements. These requirements are printed in ***bold, italicized*** type.

Authorities/References: Workforce Innovation and Opportunity Act (P.L. 113-128), TEGL 19-14; Nevada SCPs

ACTION REQUIRED: Upon issuance bring this guidance to the attention of all WIOA service providers, Local Workforce Development Board (LWDB) members and any other concerned parties. Any LWDB's policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background:

Meeting workforce needs is critical to economic growth. State and local workforce development boards—in partnership with workforce, economic development, education, and social service organizations at the state and local levels—align education and training investments to civic and economic growth strategies, ensuring that all jobseekers and businesses can access pathways to prosperity.

As strategic leaders, state and local workforce boards, in partnership with the governor and chief elected officials, facilitate public-private partnerships; support sector strategies and career pathways that advance opportunities for all workers and jobseekers, including low-skilled and middle-skilled adults, youth, and individuals with disabilities; foster innovation; and ensure

streamlined operations and service delivery excellence.

The Governor's Workforce Development Board has established the sector councils. The Councils represent a mix of existing industries that serve as the backbone of Nevada's economy and emerging industries that complement and align with the state's vision of a vibrant and sustainable economy through diversification.

Policy and Procedure:

WIOA section 134(c)(3)(G)(iii) indicates that training services for adults and dislocated workers must be directly linked to an in-demand industry sector or occupation in the local area or planning region, or in another area to which an adult or dislocated worker receiving such services is willing to relocate. However, the local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.

Similarly, local plans for youth programs must also include consideration of in-demand industry sectors or occupations. WIOA section 129(c)(2)(D) requires that local areas offer eligible youth occupational skill training, which includes priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupation in the local area involved.

This policy defines the expectations for funding WIOA Adult and Dislocated Worker training services in Nevada. Dynamic occupations identified by the local boards and "directly linked to employment opportunities" following the completion of training shall be included in these criteria. Individuals training for a Registered Apprenticeship is also included as participants meeting the criteria.

In-Demand Industry Sector or Occupation: (WIOA Sec 3(23))

(A) IN GENERAL.—The term "in-demand industry sector or occupation" means—

- (i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or
- (ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

(B) DETERMINATION.—The determination of whether an industry sector or occupation is in-demand under this paragraph shall be made by the State board or local board, as appropriate, using State and regional business and labor market projections, including the use of labor market information.

WIOA Training Services: In-Demand Occupations (WIOA Sec. 134(c)(3)(G)(iii))

LINKAGE TO OCCUPATIONS IN DEMAND.—

Training services provided under this paragraph shall be directly linked to an in-demand industry sector or occupation in the local area or the planning region, or in another area to which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the

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economy that have a high potential for sustained demand or growth in the local area.

State Methodology and Data:

Leveraging labor-market data with industry insights will strategically align Nevada's education and workforce. The analysis used, leveraged various data sets to detect jobs that are currently and are projected to be in high demand. To eliminate any bias or weakness that may come from using just one data set, five data sets were used to decide the consensus rankings; merging all of the data sets and averaging results remove much of the bias and weakness within each data set. The five data sets used in the consensus rankings are 1) Governor's Office of Economic Development (GOED) target sector high priority occupation analysis, 2) DETR long-term Occupational Employment Projections, 3) Real Time Labor Market Information 4) Job Openings and Labor Turnover analysis from Bureau Statistics, and, 5) Occupational Science, Technology, Engineering and Math (STEM) scores from the Brookings Institute Report, The Hidden STEM Economy.

The five data sets included in the consensus ranking model were chosen because each of them has properties that can accommodate the specific staffing needs unique to each industry sector and two regions within the State. Additionally, the model can be updated as workforce dynamics and regional economies evolve to provide updated workforce demand measures. As such, the State Board will continue to partner with the Office of Workforce Innovation (OWINN) as well as key stakeholders such as the Governor's Office of Economic Development, DETR, Industry Sector Councils, Nevada Department of Education, and Nevada System of Higher Education.

Targeted Sectors of the Economy:

The following industry clusters were identified as components in the state's economic growth and include:

Aerospace and Defense
Construction
Information Technology
Health Care and Medical Services,
Manufacturing and Logistics
Mining and Materials
Natural Resources
Tourism, Gaming, and Entertainment.

Occupations associated with these sectors can be found at <http://gov.nv.gov/OWINN/>. Click on In Demand Occupation on the Important Links for a list of Nevada's Top Occupations and Labor Market Overview.

WIOA TRAINING CONTRACTS: (WIOA Sec. 134(c)(3)(G)(ii))

Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if—

- (I) the requirements of subparagraph (F) are met; [Consumer Choice Requirements at WIOA Sec 134(c)(3)(F)]
- (II) such services are on-the-job training, customized training, incumbent worker training, or transitional employment;

- (III) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts;
- (IV) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment;
- (V) the local board determines that—
 - (aa) It would be most appropriate to award a contract to an institution of higher education or other eligible provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations; and
 - (bb) Such contract does not limit customer choice; or
- (VI) the contract is a pay-for-performance contract.

Reporting and Documentation:

WIOA enrollment in in-demand occupational training will be tracked and recorded in the State MIS. Occupations associated with these industry clusters can be identified by staff in the Eligible Training Provider List (ETPL) found at: http://detr.state.nv.us/workforce_innovation_pages/wia_providers.htm. Staff will store evidence of a demand occupation in participants' electronic case file under Demand Occupation document type; staff will also utilize case notes to detail training selection criteria. WIOA occupational training activities will be recorded and maintained in the electronic case file. Each enrollment activity will indicate training type, program, funding dollar amount and related occupational training code on the service provider tab in the activity record. The recorded occupation code will be queried and compared to the identified demand occupation codes to monitor training enrollments.

Overview and Local Board Policy Requirements; Establishing and Maintaining Partnerships:

Employer and Industry Involvement

Active employer and industry involvement is critical to ensure well-targeted and up-to-date training in high-growth industries is provided. Employers and industry associations must play an active role in establishing requirements for entry into training, developing training curricula and instructional methods, selecting training materials/equipment, and determining the duration of training.

Community Colleges

Community colleges have come to understand the specific training needs of key industries in their regions and use this information to keep programs current or develop new programs to address these needs. Given their mission, affordability, and accessibility, community colleges will continue to be an important part of a responsive workforce system. Community colleges often address employer needs by providing training to the employees of specific employers through contract or customized training.

WIOA Program Verification of In-Demand Occupations:

At least one of the following sources must be used to document occupations that are directly linked to employment opportunities in the local area or in another area where the customer is willing to relocate:

- *Printout from the ETPL showing the details of course or program;*
- *Demand occupations listing published by the State Board or the Department of Employment, Training, and Rehabilitation or from appropriate state agency where the individual is willing to relocate;*
- *Training agreement signed by the employer;*
- *Local want ads indicating at least three openings;*
- *Letter of intent to hire from employer; or*
- *Three job orders matches from the State Management Information System (MIS) and recorded in the participant record.*

Note: For individuals willing to relocate, a written statement from the customer indicating their willingness to relocate must accompany documentation from paragraph above.

Local Board Policy Requirements:

Local Boards will have policy on the requirements of programs selecting in-demand occupations as they relate to verification, reporting, documentation and use of the ETPL and as it relates in SCP 1.12.

Local Boards will have written policy as to the process of selecting eligible training providers as they relate to demand occupations for inclusion on the ETPL.