MAXIMIZING WIOA’S POTENTIAL:
A Regional Analysis of the State Plans of
Maryland, Virginia, and Washington, DC

Governance and Management of Implementation

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This module is one of five modules that correspond to the paper
“Maximizing WIOA’s Potential: A Regional Analysis of the State Plans of Maryland, Virginia, and Washington, DC.”
Proper governance and management will be paramount in ensuring the smooth transition to and implementation of WIOA. Of particular importance is the level of coordination between implementing partners, and the level and frequency of support and guidance provided by states to local areas, as well as feedback from local areas back to providers of oversight. By opting to submit combined state plans, Maryland and Virginia have included not only the six core programs under WIOA in their planning process, but additional programs that operate as part of their State’s workforce system. Maryland has integrated TANF, the Trade Adjustment Assistance for Workers (TAA) program, the Jobs for Veterans State Grant Program, and the Reintegration of Ex-Offenders program under its combined Plan, while Virginia has also integrated the TAA and JVSG programs, as well as Unemployment Insurance, SNAP E&T, and the Virginia Initiative for Employment Not Welfare (VIEW)® programs. Integrating these additional programs into their combined state plans will allow Maryland and Virginia to expand the benefits of cross-program strategic planning, increase alignment among State programs, and improve service integration.

Additionally, it is worth noting that since Maryland and Virginia are states and DC is a single statewide planning region for the purposes of WIOA, their approach to WIOA planning looks different from DC. Maryland and Virginia’s plans focus more on defining local areas’ authority and responsibility to delineate specific activities in their local WIOA plans.

A. IMPLEMENTATION STRATEGY

DC’s implementation plan includes monthly implementation progress meetings among agency heads (DOES, DHS, OSSE, DDS/RSA, and UDC-CC), annual CapStat® on the WIOA plan, and quarterly CapStat meetings on progress toward the plan’s goals, Workforce Investment Council (WIC) oversight, and customer feedback, including recurring meetings with advocates and stakeholders, and periodic updates on the progress of implementation. However, since submission of the plan, the monthly agency head meetings have not taken place. These meetings appear to have been replaced by several implementation groups on various WIOA-related issues, and are led by agency staff, who filter information up to director-level for key decisions. Working group summaries are posted on the WIC website.
The District’s designation as a “High-Risk” partner with the USDOL, is based not only on youth program issues but also on matters related to WIOA implementation steps, and WIC board governance. In order to avoid sanctions, the WIC and Department of Employment Services designed a Corrective Action Plan (CAP), which was approved by the USDOL in March 2016. Some of the CAP conditions have been met, including updating the WIC board’s governing procedures, seating a compliant board, updating bylaws, and providing robust board training. The District’s High-Risk designation will remain until all CAP deliverables have been met, and/or three quarters of positive performance have been documented.

Maryland has a top-down oversight structure for implementation with multiple levels of oversight. The Governor’s Workforce Development Board (GWDB) is responsible for the implementation of WIOA, the necessary coordination of various stakeholders, and keeping the Governor informed of the same. The plan outlines the GWDB’s composition and roles, mission, vision, and functions. Secondly, an Alignment Group was established to oversee implementation of the plan, and will meet monthly to assess progress and opportunities for improvement. It will include key leadership in all of the core and combined programs represented in the Maryland WIOA state plan. Specifically, it will be comprised of representatives from DLLR, DHR, MSDE, GWDB, LWDAs and local WIOA partner programs, and representatives of the community college system of Maryland.

The Alignment Group will provide oversight to WIOA workgroups, and will work to repurpose the workgroups, which were originally developed to aid in developing the WIOA state plan, to focus on the implementation of provisions in the plan. The Alignment Group will convene monthly for at least the first two years of WIOA implementation. The plan also lists additional functions of the Alignment Group. Thirdly, the plan states that DLLR, DHR, MSDE and local partners will work to achieve coordination and alignment of the state’s WIOA program through strategic policy development, coordinated resource sharing through cooperative agreements, collaboration, cross-training employees, sharing resources and data, and co-location of resources whenever possible. The fourth layer of oversight is comprised of nine workgroups focused on WIOA, one of which is focused exclusively on governance. The key goals of the governance workgroup are to review statewide policies and programs to develop recommendations on actions Maryland should take to align core and other partner programs, develop guidance for the implementation and continuous improvement of the workforce system, and revise and implement the Local Workforce Development board certification requirements. It is worth noting that Maryland is striving for WIOA implementation to truly be a cross-agency effort, not one that is driven solely by the DLLR.

Maryland’s plan also mentions several other strategies focused on implementation of WIOA. The plan originally mentioned that one convening would be held in the summer of 2016 with cabinet secretaries representing the WIOA partners, key management from WIOA partners, GWDB representatives, and key local operational representation, where the vision for an integrated system as laid out in the plan would be communicated. This convening was held on July 21, 2016, with the goal of providing support and guidance to local areas as they embark on their local planning processes. DLLR also issued detailed local planning guidance for local partners. DLLR has revised its approach and now plans to hold additional convenings to provide implementation guidance to local partners on specific aspects of WIOA implementation and professional development opportunities. The next convening was held in December 2016, and focused on TANF and serving populations with barriers to employment.

Secondly, the state is seeking to ensure that communication regarding the state’s implementation efforts is not a singular event. The state committed to using mass communication systems to ensure that important messages regarding implementation are continually provided to frontline staff and local providers. The state is also seeking to utilize WIOA implementation funding to provide training and professional development opportunities for local and state staff. Local workforce areas are encouraged to find ways to collaboratively engage their local partners during both the formulation
and implementation of local plans. For jobseekers, the state is seeking to reduce bureaucracy, and provide increased alignment of activities and services across programs. The plan outlines an extensive list of strategies for implementation to ensure that jobseekers, especially those with barriers to employment, are effectively and efficiently served by the system. Additionally, the state is planning to align performance measurement systems across programs in the next few years. Maryland is seeking to replace the current disjointed system with one that includes workflow management, robust business rules engineered to aid in eligibility determination and creating and managing benefit plans, and report performance accountability measures.

It is noted in Virginia’s plan that a key weakness of Virginia’s workforce system is that it is fragmented, with responsibility for the programs under each of the four titles of WIOA split amongst five different state agencies. This has solidified programmatic siloes within agencies and produced duplication of services at higher than desirable rates. Thus, a key objective in Virginia is to build a streamlined approach for workforce services delivery, by aligning strategies, investments, services, data, and systems across programs and providers.

In Virginia, the plan gives oversight authority to the State WDB. The Code of Virginia gives the state Board of Workforce Development the authority to assist the Governor in development, implementation, and modification of the WIOA state plan. Five state agencies have oversight responsibilities for WIOA programs: WIOA Title I is overseen by Virginia Community College System (VCCS), Title II by VDOE and VCCS, Title III by the Virginia Employment Commission (VEC), and Title IV by the Department of Aging and Rehabilitation (DARS) and Department of Blind and Vision Impaired (DBVI). Additionally, coordination across programs is assisted by the Career Pathways Workgroup that is comprised of senior staff from eight different state agencies.

Virginia’s Secretary of Commerce and Trade formed the WIOA Implementation Team. The goal of the team is to supplement the work of the Career Pathways Workgroup, and to ensure that WIOA workforce development imperatives are implemented statewide. The team is comprised of representatives from agencies administering the core WIOA programs, as well as those administering the optional partner programs delineated in the plan. Intended to focus on strategic initiatives and sustainability of WIOA implementation, this team was designed to remain active long after the submission and initial implementation of the state plan. Additionally, the Virginia Board of Workforce Development, a business-led board that is appointed by the governor, has established a WIOA committee. This committee is responsible for the service delivery system and is positioned to lead and advocate for reimagining the state’s American Jobs Centers and encouraging more cross-agency partnerships and collaboration, while assessing and improving service delivery for workforce services to jobseekers and employers.

**B. LOCAL AREA OVERSIGHT AUTHORITY**

DC’s plan delineates the functions and roles of the WIC, but this is largely the statutory rules per WIOA. The plan also states that WIC meetings “are a prime opportunity to present the board with assessment results to make policy-related changes.” However, the plan does not include any explicit language granting the WIC oversight authority over WIOA implementation. In fact, before listing the WIC’s roles, the plan states that “some of these functions are carried out through coordination with the Department of Employment Services, the WIOA administrative agency and fiscal agent as designated through local law and policies.”

Outside of the plan, however, Mayor Bowser has issued an executive order delineating the role of the WIC, which includes “assisting the Mayor and Deputy Mayor for Greater Economic Opportunity in establishing a process for overseeing and monitoring the progress of the Department of Employment Services in achieving the strategic
goals, initiatives and action items as described in the WIOA state plan and any other goals, initiatives, or action items adopted or approved by the WIC.” The complicated lines of authority and oversight would benefit from clarification. The order also states that the WIC will have a standing Implementation Committee, which can include non-WIC members, to 1) serve as a workforce intermediary “to ensure that the work of the WIC is translated into action” and 2) serve as a sounding board and make recommendations on new workforce system initiatives.100

In both Virginia and Maryland’s plans, there is no explicit oversight authority given to local boards, but authority to oversee local activities is implied and expected to be a part of the local plan formulation and implementation.

Virginia’s plan notes that a lack of coordination and inconsistent participation by key local agencies undermines the quality of workforce development efforts in Virginia. As such, the state is seeking to strengthen local workforce boards, particularly in their role as regional conveners of workforce system resources. The local boards in Virginia, to support a demand-driven system, are led by a private sector chairperson and a majority business board. Actionable labor market information is provided to local boards by the Virginia Employment Commission Economic Information System.101

Maryland’s plan recommends that local boards include local representation of the agencies implementing the core WIOA programs as a way to ensure constant communication and alignment of programming at the local level. Local providers of Integrated English Literacy and Civics Education will be required to include in their applications a plan for the integration of activities and services with workforce development activities delivered in the local area. Local areas are expected to play a key role in ensuring that the alignment of activities is achieved through their local planning process prior to submission of applications. Separately, Maryland has issued guidelines to local areas for developing their local plans, within which local boards will describe their roles overseeing implementation of core WIOA programs, TANF, and fiscal, performance, and other functions.102

C. TIMELINE AND FUNDING FOR IMPLEMENTATION

DC’s plan has an implementation plan laid out in three phases, but the phases do not have dates or date ranges associated with them.

Virginia’s state plan also does not specify a timeline for WIOA implementation.

In Maryland, there is no concrete implementation timeline, but the Alignment Group (which will oversee the nine workgroups charged with monitoring implementation) will meet once monthly for at least the first two years of implementation. As for performance measures, the WIOA partners seek to dedicate the first two years of WIOA implementation to developing a baseline for performance. During this time, all areas will be considered as “performing successfully” as long as they are demonstrating that they are truly serving individuals with barriers to employment. Specific performance benchmarks will be developed after these baselines are established.

While WIOA funds will be used to support the implementation of WIOA in all three jurisdictions, Maryland’s plan specifies that WIOA funds will also be used to provide training and professional development opportunities for local and state staff. The DC and Virginia plans do not discuss any other specifics pertaining to funding.
D. TRANSPARENCY, PUBLIC ENGAGEMENT, AND PARTICIPATION

In DC, CapStats and “customer feedback” are listed as accountability measures. However, no further details are given. CapStat sessions are closed and non-government representatives are included by invitation only, but in some cases, recordings are made available to the public. For example, the WIC has indicated that an upcoming CapStat session on workforce development vendors will be recorded and made public. The WIC itself is subject to the District’s Open Meetings law, but committees of the WIC generally are not.

The Virginia Board of Workforce Development includes language around transparency in its bylaws and seeks to share information regarding meeting and activities with the public subject to provisions of the Virginia Freedom of Information Act. The board makes available to the public, on a regular basis through open meetings, information regarding the activities of the board, including its work plan, meeting minutes and presentations through www.elevatevirginia.com. In order to comply with Virginia’s “sunshine provisions,” the board and any subcommittee authorized to take official action on behalf of the board must do the following: 1) Take official action and engage in deliberations only at meetings open to the public. 2) Ensure that all meetings are held in an accessible location for the disabled, and that all information is provided in accessible and alternate formats. 3) Give public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled regular meeting. 4) Ensure that votes of board members be publicly cast and, in the case of roll call votes, recorded.

Additionally, job seeker advisory focus groups will be utilized to gather the input of jobseekers. No other public engagement activities are mentioned in the plan, though the plan encourages local workforce areas to find ways to collaboratively engage their local partners during both the formulation and implementation of local plans. Broadly, the engagement and participation focus of the plan is with jobseekers and businesses, as they are seen as the two key groups of customers to be served by the workforce system. Once Maryland develops performance metrics and benchmarks, it will release performance information on WIOA programs in the format of USDOL’s performance scorecard.

Though Maryland’s plan does not make any specific statements about transparency beyond mass communication to frontline staff and providers, DLLR staff have shared that Maryland has made specific efforts to ensure transparency and public engagement in WIOA implementation. DLLR has created a Maryland WIOA Resource page on its website, has been releasing documents for public comment electronically, and has set up WIOA email distribution lists that have more than 800 people signed up for updates at the time of this writing, for which individuals can sign up through the WIOA Resource page.
E. SUMMARY AND KEY TAKEAWAYS

Maryland’s implementation strategy appears to be quite detailed and thorough. Virginia and DC’s strategies are not outlined in as much detail in the WIOA plans. DC and Virginia may be able to use the specific activities Maryland has planned for governance and management of WIOA implementation to strengthen their own implementation and governance strategies. Maryland and Virginia should clearly specify the level to which local boards have oversight authority over local WIOA activities, and where state oversight and local oversight differ. None of the jurisdictions have specified timelines for implementation, though it may be useful to do so for planning and accountability purposes. Virginia’s plan makes the most concrete commitment to transparency, and could help inform efforts to strengthen transparency in Maryland and DC. ■
End Notes

2. ApprenticeshipsUSA State Expansion Grant Summaries.
7. Phone conversation with staff at the Department of Employment Services, November 18, 2016.
8. See Adams, G. S. Spaulding, and C. Heller. 2015. “Bridging the Gap: Exploring the Intersection of Workforce Development and Child Care.” Urban Institute for more information on each of these issues.
10. Under WIOA, WIBs (Workforce Investment Boards) have been renamed WDBs (Workforce Development Boards).
13. DC’s Department of Employment Services provides an hourly stipend for its “earn and learn” programs, which is meant to include transportation assistance. Each jurisdiction also provides some type of transportation services to individuals with disabilities, through their VR agencies. This is discussed in more detail in the Individuals with Disabilities section.
17. For more information, see https://appam.confex.com/appam/2015/webprogram/Session6168.html and http://digital.graphcompubs.com/article/Partnering+For+Career+Readiness%3A+The+ACE+Model/2421111/0/article.html
18. Data provided by Maryland’s Department of Labor, Licensing, and Regulation.
19. Data provided by Virginia Department of Education. PluggedInVA is currently a strong model for GED students and higher. The state plans to expand its reach to serve adult learners not yet at the secondary skill level. For more information on PluggedInVA, see the module on Sector Partnerships and Career Pathways.

https://www.vehiclesforchange.org/
http://does.dc.gov/service/project-empowerment-program

Phone communication with Brandon Butler, Deputy Assistant Secretary, Division of Workforce Development and Adult Learning, Maryland Department of Labor, Licensing and Regulation (DLLR), November 14, 2016.

http://doc.dc.gov/page/re-entry-services-doc
http://www.dcfpi.org/making-a-good-jobs-program-even-better-how-to-strengthen-dcs-project-empowerment


For more information on the Data Vault, see the module on Performance Measurement.

http://wwrc.virginia.gov/

https://www.dol.gov/odep/

According to Measure of America of the Social Science Research Institute, as of June 2015, there are 5,527,000 disconnected youth in America today, or one in seven teens and young adults (13.8 percent). http://www.measureofamerica.org/disconnected-youth/


http://osse.dc.gov/service/dc-reengagement-center

DC WIC Board Meeting Powerpoint Slides, April 12, 2016.

http://does.dc.gov/service/pathways-young-adults-0

The recommendations put forth by Maryland’s Youth Apprenticeship Advisory Committee are available at: https://www.dllr.state.md.us/aboutdllr/youthapprrep.pdf

http://www.ncwd-youth.info/node/342


For more information, see http://economicmobilitycorp.org/index.php?page=implementation-of-the-mi-best-initiative-in-maryland

http://www.sbctc.edu/colleges-staff/programs-services/i-best/


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55 See https://www.dllr.state.md.us/whatsnews/apprgrant.shtml and http://go.wh.gov/KmmRV7


57 http://webapp.psc.state.md.us/Intranet/aboutus/elecunivsvc_new.cfm

58 http://www1.pgcps.org/masterplan/

59 In Maryland, TANF is called Temporary Cash Assistance (TCA).

60 http://dds.dc.gov/page/youth-transition-programs

61 http://www.dllr.state.md.us/earn/


63 These program-level performance measures are not listed in the WIOA State Plan. They are taken from the Joint Legislative Audit and Review Commission, 2014. “Report to the Governor and the General Assembly of Virginia: Virginia’s Workforce Development Programs,” Appendix E.

64 WIOA language, see p. 56: https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf

65 Email from Erin Roth, Policy Director, Division of Workforce Development and Adult Learning, Maryland Department of Labor, Licensing and Regulation (DLLR), November 16, 2016.

66 Phone conversation with Erin Roth, Policy Director, Division of Workforce Development and Adult Learning, Maryland Department of Labor, Licensing and Regulation (DLLR), November 14, 2016. These performance targets were included in the final Maryland WIOA State plan.

67 Implementation timetable retrieved from https://www.dllr.state.md.us/employment/wioa.shtml

68 Benchmarks retrieved from https://www.dllr.state.md.us/employment/wioa.shtml


70 Since the plan has been submitted, the monthly agency head meetings appear to have been replaced by several implementation groups on various WIOA-related issues, and are being led by agency staff, rather than the director. Meeting summaries are posted on the DCWorks website, available at http://dcworks.dc.gov/page/wioa-working-groups.

71 Wilson, B., and DeRenzis, B. 2015. “Realizing Innovation and Opportunity in WIOA.” National Skills Coalition.

72 Wilson, B., and DeRenzis, B. 2015. “Realizing Innovation and Opportunity in WIOA.” National Skills Coalition.

73 http://www.dllr.state.md.us/earn/

74 http://www.govirginia.org/


76 According to the Maryland state plan, the state is home to over 10,000 businesses, but according to the state’s Department of Commerce, there are nearly 170,000 businesses in Maryland (http://commerce.maryland.gov/about/workforce-and-education.) Either way, the point is that there is ample opportunity for EARN Maryland to grow.


78 http://www.govirginia.org/


80 http://www.pluggedinva.com/
Business Administration and IT is listed twice for Washington DC, because the District combined two industries that were listed separately by Maryland and Virginia.

DC’s living wage was $13.85 per hour for 2016. The wage is adjusted annually per any changes in the Consumer Price Index.

These criteria were used for the five high-demand sectors listed in the state plan. It is unclear whether the same analysis and criteria were utilized to identify the recently added high-demand sector of infrastructure.

Maryland Department of Labor, Licensing and Regulation. "Hot Jobs Now."

Virginia Board of Workforce Development. “What Is Elevate Virginia?” pg.60

CapSTAT is a data-driven performance management tool administered by the Office of Performance Management (OPM) within the District’s Office of the City Administrator. http://oca.dc.gov/page/oca-performance-management


Maryland Department of Labor, Licensing and Regulation. “Workforce Innovation and Opportunity Act (WIOA) Local Workforce Plan Guidance—Workforce Development & Adult Learning.”

Phone communication with Erin Roth, Policy Director, Division of Workforce Development and Adult Learning, Maryland Department of Labor, Licensing and Regulation (DLLR), November 16, 2016.