

Workforce Innovation and Opportunity Act

Competitive integrated employment defined

The WIOA defines competitive integrated employment as full-time or part-time work at minimum wage or higher wage and benefits similar to those without disabilities performing the same work, and fully integrated with co-workers without disabilities performing the same work. This is considered the optimal outcome under WIOA.

Customized employment defined

There is now a definition of customized employment in federal statute, defined as “competitive integrated employment for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability,” “designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer,” and “carried out through flexible strategies.” Customized employment is included within the definition of supported employment.

—David Hoff, *Institute for Community Inclusion, UMass Boston*

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WIOA



Serving Individuals
with Developmental Disabilities
in San Diego and Imperial Counties

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Facts about

WIOA was signed into law on July 22, 2014. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Literacy Act, the Wagner-Preyer Act, and the Rehabilitation Act of 1973. It sunsets in 2020.

Major highlights of WIOA include:

- ☒ A much larger role for public vocational rehabilitation as people with disabilities make the transition from school to adult life.
- ☒ Efforts intended to limit the use of subminimum wage.
- ☒ Required agreements between state vocational rehabilitation systems and state Medicaid systems, and state intellectual and developmental disability (IDD) agencies.
- ☒ A definition of “customized employment” in federal statute, and an updated definition of “supported employment that includes customized employment.”
- ☒ A definition for “competitive integrated employment” as an optional outcome.
- ☒ Enhanced roles and requirements for the general workforce system and One-Stop Career Centers in meeting the needs of people with disabilities.

Here are some more details about WIOA’s impact:

- ☒ Increased vocational rehabilitation role in transition: Each state’s public vocational rehabilitation program will now have a much larger role in the transition from school to adult life. Under WIOA, 15% of public vocational rehabilitation funds must now be used for transition services, specifically pre-employment transition services as defined within the act.
- ☒ These services include job exploration counseling, work based learning experiences, counseling on post-secondary opportunities, workplace readiness training, and training on self-advocacy.
- ☒ In addition, each local vocational rehabilitation office must undertake pre-employment transition coordination activities, including working with schools and the local workforce development system to engage these entities in transition activities.

Limitations on sub-minimum wage

A new section has been added to the Rehabilitation Act, Section 511. It requires a series of steps before an individual under the age of 24 can be placed in a job paying less than minimum wage. Section 511 also prohibits schools from contracting with sub-minimum wage providers.

Requirement for formal cooperative agreement between vocational rehabilitation and state Medicaid and IDD agencies

WIOA requires that state public vocational rehabilitation agencies have formal cooperative agreements with the state agency responsible for administering the state Medicaid plan, and with state IDD agencies, with respect to the delivery of VR services including extended services.

This means that vocational rehabilitation must have in place agreements with those agencies responsible for long-term supports for people with disabilities, impacting in particular individuals with IDD, those with significant mental health issues, and those with other issues requiring long-term care funded by Medicaid.