
To: Indiana's Workforce System

From: Indiana Department of Workforce Development (DWD)

Date: December 19, 2024

Subject: DWD Policy 2024-05
WIOA Title I Business Services

PURPOSE

Indiana prioritizes engaging Hoosier businesses to address the needs of employers, workers, and communities and promote long-term economic stability, competitiveness, and growth. The purpose of this policy is to describe the provision of business services through Title I of the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES

See **Attachment A**.

CONTENT

DWD is dedicated to helping employers find and/or develop skilled workers. The agency plans to achieve this goal by:

- Delivering bespoke customer service and solutions to key employers;
- Increasing quality job exposure and experience through apprenticeships, work-based learning, and employer supported training programs; and
- Continuing to champion and promote skills-based hiring practices through career coaching for underserved jobseekers and employer hiring and training models.¹

The provision of WIOA Title I business services in local areas is essential in achieving these objectives.

Required, Customized, and General Business Services²

WIOA Title I requires local areas to establish and develop relationships and networks with employers as well as their intermediaries. Local areas should be prepared to assist employers of all sizes. Local areas must also develop, convene, or implement industry or sector partnerships. Through these relationships and sector partnerships, local areas deliver business services. It is important to note that, although alternative funding may be available for business service delivery, local areas are provided WIOA Title I funds that are expected to be used for the provision of business services.

¹ Indiana's 2024-2027 Unified WIOA State Plan.

² 20 CFR 678.435.

Required Business Services (Career Services)

Per 20 CFR 678.435(a), required business services include:

- Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the one-stop delivery system; and
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas. This includes:
 - Job vacancy listings in labor market areas;
 - Information on job skills necessary to obtain the vacant jobs listed; and
 - Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.

Indiana's labor exchange, as well as Indiana's labor market information platform, Hoosiers by the Numbers,³ are key in providing individuals and employers with the aforementioned workforce and labor market employment statistics information.

Customized Business Services⁴

Customized Business Services may be provided to employers, employer associations, or other such organizations. They may include:

- Referral and recruitment services such as the customized screening and referral of qualified participants in training services to employers and customized recruitment events and related services for employers like job fairs;
- Customized services on employment-related issues;
- Human resource consultation services;
- Customized labor market information; and/or
- Similar customized services as identified by DWD, the local area, and employers.

General Business Services⁵

Local areas may also provide other business services and strategies that meet the workforce investment needs of area employers, in accordance with partner programs' statutory requirements and consistent with Federal cost principles. Allowable activities, consistent with each partner's authorized activities, include, but are not limited to:

- Developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships);
- Customized assistance or referral for assistance in the development of a registered apprenticeship program;

³ [Hoosiers by the Numbers](#).

⁴ 20 CFR 678.435(b)

⁵ 20 CFR 678.435(c).

- Developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, and other effective initiatives meeting the needs of area employers;
- Assistance to area employers in managing reductions in force in coordination with rapid response activities and with strategies for the aversion of layoffs;⁶
- Marketing business services to appropriate area employers, including small and mid-sized employers; and
- Assisting employers with accessing local, State, and Federal tax credits.

Local Planning

WIOA Local Plans require local areas to describe all business services they intend to implement.⁷ Specifically, local areas must include the strategies and services that will be used to:⁸

- Facilitate engagement of employers in workforce development programs, including small employers and employers in in-demand industry sectors and occupations;
- Support a local workforce development system that meets the needs of businesses in the local area;
- Better coordinate workforce development programs and economic development;
- Strengthen linkages between the one-stop delivery system and unemployment insurance programs; and
- Potentially implement initiatives such as:
 - Incumbent worker training programs;
 - On-the-job training programs;
 - Customized training programs;
 - Industry and sector strategies;
 - Career pathways initiatives;
 - Utilization of effective business intermediaries; and
 - Other business services and strategies designed to meet the needs of regional employers.

Effectiveness in Serving Employers Performance Metric⁹

Regardless of whether business services are tailored for a specific employer or are meant for the local area at-large, the outcomes of these services should contribute to the Effectiveness in Serving Employers WIOA performance indicator. On February 23, 2024, the United States Departments of Education and Labor published the *Workforce Innovation and Opportunity Act Effectiveness in Serving Employers Performance Indicator Final Rule* under Federal Register Number 89 FR 13814.¹⁰ Effective March 25, 2024, the Effectiveness in Serving

⁶ Please see DWD's *Rapid Response* policy for more information.

⁷ 20 CFR 678.435(d).

⁸ 20 CFR 679.560(b)(3).

⁹ See TEGL 10-16, Change 2 for more information on the WIOA primary indicators of performance.

¹⁰ At 20 CFR 677.

Employers metric will measure Retention with the Same Employer.¹¹ This is one of six WIOA performance metrics, which are described in DWD's *WIOA Negotiations and Sanctions* policy.

The Final Rule further defines Retention with the Same Employer as the percentage of participants who exited the program in unsubsidized employment and were employed by the same employer in the second and fourth quarters after exiting the program.¹² The collection of this data began on July 1, 2024, and it will be reported to the United States Department of Labor (USDOL) moving forward.

NOTE: USDOL will consider PY 2024 performance results for this metric as baseline data for the purposes of the statistical adjustment model.

Methodology

The numerator and denominator used to calculate the Effectiveness in Serving Employers performance indicator are defined in the table below.

Effectiveness in Serving Employers Calculation
<p>The number of participants who exit during the reporting period and are found to be employed by the same employer during the second quarter after exit and the fourth quarter after exit, either through direct UI wage record match, Federal or military employment records, or supplemental wage information.</p> <hr/> <p>The number of participants who exited during the reporting period and were employed during the second quarter after exit.</p>

Providing Business Services

Business Services Consultants lead the provision of WIOA Title I business services in each local area. On occasion, DWD may issue Business Services Consultant Grants to support the work of these individuals. While these grants provide support for WIOA Title I business services, these grants are not guaranteed to be released on a regular basis and should not be the only funds used to provide these services. Additionally, these grants must fulfill the purpose assigned to the source of their funds, which may vary from year to year.

Business Services Consultants implement the following business services and record them in the state's Client Relationship Manager (CRM):

- **Workforce Recruitment Assistance:** Assisting with finding skilled, qualified candidates, providing pre-screening to help save time, and creating or promoting hiring events.
- **Work-Based Learning:** Includes certified State Earn and Learn (SEAL) programs, USDOL Registered Apprenticeship programs (RAPs) and certified Pre-RAPs, Employer Training Grants, on-the-job training, and potential funding.

¹¹ TEN 24-23.

¹² 89 FR 13814.

- **Rapid Response:** Assistance in planning a layoff response including but not limited to providing connectivity to new employment, job search preparation, and unemployment insurance information for affected employees.
- **Layoff Aversion:** With advance notification, consultation, planning, and activities for businesses to prevent or minimize the duration of unemployment resulting from layoffs.
 - Per TEGL 21-22, incumbent worker training can be a key strategy for averting layoffs.
- **Engaged in Strategic Planning:** Creation of opportunities to engage businesses and connect them to community partners, such as economic development, community educators, and other employers to create collaborative solutions to workforce issues.
- **Employer Support Services:** Business consultation services including targeted analysis of the local job market.
- **Employer Information:** Provision of workforce and labor market employment statistics information including accurate information relating to local, regional, and national labor market areas such as:
 - Job vacancy listings in labor market areas
 - Information on job skills necessary to obtain the vacant jobs listed; and
 - Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.
- **Accessing Untapped Labor Pools:** Introduction to new talent pipelines such as youth, veterans, individuals with disabilities, older workers, ex-offenders, and English language learners.

It is important to note that, in ensuring that business services contribute to the Effectiveness in Serving Employers performance indicator, Business Services Consultants must prioritize the quality of business services delivered over the quantity of business services delivered. A high-quality business service results in a WIOA Title I participant being placed with an employer and retained by that employer. Therefore, Business Services Consultants funded by WIOA Title I must prioritize positive, long-lasting outcomes for participants when delivering business services. These participant outcomes must be recorded in ICC and the CRM in a timely manner.

Additionally, Business Services Consultants funded by WIOA Title I must consider the job quality best practices in TEGL 07-22 *Increasing Employer and Workforce System Customer Access to Good Jobs* when applicable. This includes but is not limited to promoting job placements with livable wages and benefits. Business Services Consultants are encouraged to use the MIT Living Wage calculator to identify sustainable wages within their region.¹³

Recording Business Services

All WIOA Title I business services must be recorded in Indiana's CRM in accordance with DWD's *Maintaining Data Integrity in Workforce Programs* policy as well as DWD's *Safeguarding Protected Information and DWD User Accounts Management* policy. Although business services listed in the CRM do not match the services described in the

¹³ [MIT Living Wage Calculator](#).

regulations verbatim, the services in the CRM fulfill federal requirements for business services provision and reflect Indiana's business service priorities.

Fees for Business Services¹⁴

No fee may be charged for required business services. However, a fee may be charged for general business services and customized business services. The local WDB may examine the services provided compared with the assets and resources available within the local one-stop delivery system and through its partners to determine an appropriate cost structure for services, if any. Any fees earned are then to be recognized as program income and must be expended by the partner in accordance with the partner program's authorizing statute, implementing regulations, and Federal cost principles identified in Uniform guidance.

ACTION

Local areas are to ensure that all staff are familiar with the requirements of this policy and update any local guidance accordingly. Local areas are also encouraged to visit DWD's Business Services website for more information on business services and employer engagement strategies.¹⁵ The content of this policy is subject to routine DWD monitoring.

ATTACHMENTS

Attachment A – References

EFFECTIVE DATE

Immediately.

ENDING DATE

Upon rescission.

ADDITIONAL INFORMATION

Questions regarding the content of this publication should be directed to policy@dwd.in.gov.

¹⁴ 20 CFR 678.440.

¹⁵ [DWD: Business Services](#).

ATTACHMENT A REFERENCES

- Indiana's 2024-2027 Unified WIOA State Plan
- WIOA Sections 108, 116, and 134
- 20 CFR 677
- 20 CFR 678.430, 678.435, ad 678.440
- 20 CFR 682.300
- Workforce Innovation and Opportunity Act Effectiveness in Serving Employers Performance Indicator, 89 FR 13814 (February 23, 2024)
- TEGL 07-22 *Increasing Employer and Workforce System Customer Access to Good Jobs*
- TEN 24-23 *Effectiveness in Serving Employers Final Rule Publication Notice*
- TEGL 10-16, Change 2 *Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs*
- TEGL 21-22 *Increasing Equitable Service Access and Employment Outcomes for All Jobseekers in Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs*
- DWD Policy 2023-18 *WIOA Negotiations and Sanctions*
- DWD Policy 2021-13 *Rapid Response*
- DWD Policy 2023-05 *Maintaining Data Integrity in Workforce Programs*
- DWD Policy 2021-10, Change 2 *Safeguarding Protected Information and DWD User Accounts Management*
- Indiana Department of Workforce Development, *Business Services*¹⁶
- *Hoosiers by the Numbers*¹⁷

¹⁶ [DWD: Business Services](#).

¹⁷ [Hoosiers by the Numbers](#).