

**TITLE III —Workforce Investment-Related activities
WIA Subtitle A- Amendments to the Wagner-Peyser Act**

Sec. 301-311 Wagner-Peyser Act	Sec. 301-308 Amendments to the Wagner-Peyser Act
<p>Sec. 301 Definitions</p> <p>Wagner-Peyser is amended—deleting words like “Job Training Partnership Act” and inserting “Workforce Investment Act of 1998”; also added were terms such as ‘local workforce investment board’ and ‘one-stop delivery system’.</p>	<p>Sec. 301 Employment Service Offices</p> <p>Wagner-Peyser is amended—inserting “service” before “offices”.</p>
<p>Sec. 302 Functions</p> <p>The DOL shall—</p> <p>(1) Assist in the coordination and development of a nationwide system of public labor exchange services, provided as part of one-stops;</p> <p>(2) Assist in developing models for a nationwide system that ensures private sector satisfaction and meets the demands of jobseekers relating to the system; and</p> <p>(3) Ensure for UI eligible individuals, reemployment services and other activities in which the individuals are required to participate to receive the compensation.</p>	<p>Sec. 302 Definitions</p> <p>(Workforce) “development board” replaces (workforce) “investment board”, and “Workforce Innovation and Opportunity Act” replaces “Workforce Investment Act” throughout.</p>
<p>Sec. 303 Designation of State Agencies</p> <p>Section 4 of the Wagner-Peyser Act (29 U.S.C. 49c) is amended—</p> <p>(1) By striking “ through its legislature,” and inserting “pursuant to State statute,” and</p> <p>(2) By inserting after “the provisions of this Act and” the following: “in accordance with such State statute, the Governor shall”; and (3) by striking “United States Employment Service” and inserting “Secretary”.</p>	<p>Sec. 303 Federal and State Employment Service Offices</p> <p>Verbiage added to WPA Sec. 3(c):</p> <p>“in coordination with the State agencies and the staff of such agencies, assist in the planning and implementation of activities to enhance the professional development and career advancement opportunities of such staff, in order to strengthen the provision of a broad range of career guidance services, the identification of job openings (including providing intensive outreach to small and medium sized employers and enhanced employer services), the provision of technical assistance and training to other providers of workforce development activities (including workplace learning advisors) relating to counseling and employment-related services, and the development of new strategies for coordinating counseling and technology.”</p> <p>One-Stop Centers - Verbiage added to the Wagner-Peyser Act Sec. 3:</p> <p>“In order to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services under section 7(a) statewide in underserved areas, employment service offices in each State shall be co-located with one-stop centers.</p> <p>“(e) The Secretary, in consultation with States, is authorized to assist the States in the development of national electronic tools that may be used to improve access to workforce information for individuals through—</p> <p>(1) The one-stop delivery systems established as described in section 121(e) of the Workforce Innovation and Opportunity Act; and</p> <p>(2) Such other delivery systems as the Secretary determines to be appropriate.”</p>
<p>Sec. 304 Appropriations</p> <p>Section 5(c) of the Wagner-Peyser Act (29 U.S.C. 49d(c)) is amended by striking paragraph (3).</p>	<p>Sec. 304 Appropriations</p> <p>Guam and the Virgin Islands removed from the Wagner-Peyser Act.</p>

<p>Sec. 305 Disposition of Allotted Funds</p> <p>Section 7 of the Wagner-Peyser is amended— (1) in subsection (b)(2), by changing “private industry council” to “local workforce investment board”;</p> <p>(2) in subsection (c)(2), by striking “any program under” and all that follows and inserting “any workforce investment activity carried out under the Workforce Investment Act of 1998.”;</p> <p>(3) in subsection (d)—(A) by striking “U.S. Employment Service” and inserting “Secretary”; and</p> <p>(B) by striking “Job Training Partnership Act” and inserting “Workforce Investment Act of 1998”; and (4) by adding at the end the following: (e) All job search, placement, recruitment, labor employment statistics, and other labor exchange services authorized under subsection (a) shall be provided, consistent with the other requirements of this Act, as part of the one-stop delivery system.</p>	<p>Sec. 305 Disposition of Allotted Funds</p> <p>WPA Section 7 amended— “(G) providing unemployment insurance claimants with referrals to, and application assistance for, training and education resources and programs, including Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C.1070a et seq.), educational assistance under chapter 30 of title 38, United States Code (commonly referred to as the Montgomery GI Bill), and chapter 33 of that title (Post-9/11 Veterans Educational Assistance), student assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), State 1 student higher education assistance, and training and education <i>programs provided under titles I and II of the Workforce Innovation and Opportunity Act, and title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).</i>”</p> <p>(c) STATE ACTIVITIES.—Section 7(b) amended— by replacing “performance standards established by the Secretary” with “the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act”</p> <p>“Labor employment statistics” replaced with “workforce and labor market information”</p>
<p>Sec. 306 State Plans</p> <p>Section 8 of the Wagner-Peyser is amended— (1) in subsection (a) to read as follows: (a) Any State desiring to receive assistance under this Act shall submit to the Secretary, as part of the State plan submitted under section 112 of the Workforce Investment Act of 1998, detailed plans for carrying out the provisions of this Act. The part of the State plan described in subsection (a) shall include the information described in paragraphs (8) and (14) of section 112(b) of WIA.</p>	<p>Sec. 306 State Plan</p> <p>6 Section 8 is amended to read: “SEC. 8. Any State desiring to receive assistance under section 6 shall prepare and submit to, and have approved by, the Secretary and the Secretary of Education, a State plan in accordance with section 102 or 103 of the Workforce Innovation and Opportunity Act.”</p>
<p>Sec. 307 Repeal of Federal Advisory Council</p> <p>Section 11 of the Wagner-Peyser Act (29 U.S.C. 49j) is amended—</p> <p>(1) By striking “11.” and all that follows through “(b) In” and inserting “11. In”; and</p> <p>(2) By changing “Director” to “Secretary”.</p>	<p>Sec. 307 Performance Measures</p> <p>Section 13(a) of the WPA amended:</p> <p>“(a) The activities carried out pursuant to section 7 shall be subject to the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act.”</p>
<p>Sec. 308 Regulations</p> <p>Section 12 of the Wagner-Peyser Act (29 U.S.C. 49k) is amended by striking “The Director, with the approval of the Secretary of Labor,” and inserting “The Secretary.”</p>	
<p>Sec. 309 Employment Statistics</p> <p>The Wagner-Peyser Act is amended—</p> <p>(1) by redesignating section as section 16; and (2) by inserting after section 14 (29 U.S.C. 49l–1) the following:</p> <p>Employment Statistics</p> <p>(a) (1) IN GENERAL.—DOL will oversee of a nationwide employment statistics system of employment statistics that includes—</p> <p>(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that enumerate, estimate, and project employment including statistics on:</p> <p>(i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers;</p> <p>(ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, and skill trends by occupation and industry;</p>	<p>Sec. 308 Workforce and Labor Market Information System</p> <p>“Employment statistics” replaced with “workforce and labor market information”, “employment statistics system of employment statistics” replaced with “workforce and labor market information system” throughout.</p> <p>(ii) DISTRIBUTION OF FUNDS—</p> <p>The Secretary shall distribute funds relating to workforce/ labor market info for FYs 2015 through 2020 to States in the manner of FYs 2004 through 2008.</p> <p>(2) DUTIES—</p> <p>The Secretary shall:</p> <p>(A) Assign the Department of Labor elements of the workforce and labor market information system to ensure that the statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards, and that the info is accessible and understandable.</p> <p>(B) Seek cooperation of other Federal agencies to establish mechanisms for ensuring</p>

(iii) The incidence of industrial and geographical location of number of workers displaced by layoffs/plant closings; and
(iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation;
(B) Information on State and local employment opportunities, and other data related to labor market dynamics, which shall be current and comprehensive;
(C) Technical standards for data and;
(D) Procedures to ensure compatibility of the data and information;
(E) Procedures to support standardization and aggregation of data from administrative reporting systems;
(F) Analysis of data and information for uses such as—
(i) National, State, and local policymaking;
(ii) Implementation of Federal policies;
(iii) Program planning and evaluation; and
(iv) Researching labor market dynamics;
(G) Wide dissemination of such data, and analysis in a user-friendly manner; and
(H) Programs of training for effective data dissemination; research, demonstration; and technical assistance.

(2) INFORMATION (IS) CONFIDENTIAL (A) IN GENERAL.—No officer or employee of the Federal Government or agent of the Federal Government may—
(i) Use any submission that is furnished for exclusively statistical purposes for any purpose other than the statistical purposes;
(ii) Make any publication or media transmittal that permits information concerning individual subjects to be inferred directly or indirectly; or
(iii) Permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor of such department or agency, to examine an individual submission without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.

(B) IMMUNITY FROM LEGAL PROCESS.—Any submission that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor for exclusively statistical purposes under this section shall be immune.

(C) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide immunity from the legal process for any submission that is in the possession of any entity other than the Federal Government or an agent of the Fed, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this Act.

(b) SYSTEM RESPONSIBILITIES.—
(1) IN GENERAL.—The employment statistics system shall be planned, administered through a cooperative structure involving the Federal Government and States.
(2) DUTIES.—DOL, with respect to data collection, analysis, and dissemination of labor employment statistics for the system, shall:
(A) Assign responsibilities within DOL for elements of the employment statistics system to ensure that all statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards.
(B) Actively seek the cooperation of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.
(C) Eliminate gaps and duplication in statistical undertakings.
(D) In collaboration with the BLS and States, develop and maintain employment statistics described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and

complementarity and nonduplication in statistical and administrative data collection.
(C) Solicit, receive, and evaluate respond to the Workforce Information Advisory Council about recommendations from the Council concerning the evaluation and improvement of the workforce and labor market information system.
(D) Eliminate gaps and duplication in statistical undertakings.
(E) Through the BLS and the ETA, and in collaboration with States, develop and maintain the elements of the workforce and labor market infosystem, including consistent procedures and definitions for collecting data.
(F) Establish procedures to ensure that data are timely and reporting is reduced to a minimum.

TWO-YEAR PLAN—
The Secretary shall prepare a 2-year plan for the workforce and labor market info system. The plan shall take into account the activities described in State plans submitted by States and shall be submitted to the House of Representatives and the U.S. Senate.

The plan shall include—
(1) A description of how the Secretary will work with the States to manage the statewide and nationwide workforce and labor market info systems
(2) A description of the steps to be taken in the following 2 years to carry out the duties described in subsection (b)(2);
(3) An evaluation of the performance of the system, with particular attention to the State and local improvements needed;
(4) A description of the involvement of States in the development of the plan
(5) Recommendations received from the Workforce Information Advisory Council and the extent to which those recommendations were incorporated into the plan.

WORKFORCE INFORMATION ADVISORY COUNCIL—
The Secretary, through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, shall formally consult at least twice annually with the Workforce Information Advisory Council. Such consultations shall address the statewide and nationwide workforce and labor market info system and how the DOL and the States will cooperate in their management. The Council shall provide recommendations to DOL concerning the improvement of the nationwide system, including any recommendations regarding the 2-year plan.

ESTABLISHMENT OF COUNCIL.—
The Secretary shall establish the Workforce Information Advisory Council to participate in the consultations and provide the recommendations described above.

MEMBERSHIP—
The Secretary shall appoint the members of the Council, which shall consist of—
(i) 4 members who are representatives of lead State agencies with responsibility for workforce investment activities, or State agencies described in section 4, who have been nominated by such agencies or by a national organization that represents such agencies;
(ii) 4 members who are representatives of the State workforce and labor market info directors affiliated with State agencies that perform the duties described in subsection (e)(2), who have been nominated by the directors;
(iii) 1 member who is a representative of providers of training services under section 122 of the Workforce Innovation and Opportunity Act;
(iv) 1 member who is a representative of economic development entities;
(v) 1 member who is a representative of businesses, who has been nominated by national business organizations or trade associations;

(E) Establish procedures for the system to ensure that such data and information are timely; paperwork/reporting are minimum; and States and localities are fully involved in the development and continuous improvement of the system.

(c) ANNUAL PLAN.—DOL, working through the Bureau of Labor Statistics, and in cooperation with the States, and with the assistance of other appropriate Federal agencies, shall prepare an annual plan. The plan shall—

(1) Describe the steps DOL has taken in the past year and will take in the next 5 years to carry out duties;

(2) Include a report on the results of an annual consumer satisfaction review concerning the performance of the system, including how the system addresses the needs of Congress, States, localities, employers, jobseekers, and consumers;

(3) Evaluate the performance of the system and recommend needed improvements;

(4) Justify the budget request for annual appropriations by describing priorities for the fiscal year and priorities for the 5 subsequent fiscal years for the system;

(5) Describe current spending and spending needs to carry out activities; and

(6) Describe the involvement of States in the development of the plan, through formal consultations conducted by DOL in cooperation with Governors of every State, and with representatives of local workforce investment boards, pursuant to a process established by the Secretary in cooperation with the States.

(d) COORDINATION WITH THE STATES.—The Secretary, working through the Bureau of Labor Statistics, and in cooperation with the States, shall—

(1) Develop the annual plan and address other employment statistics issues by holding formal consultations; and

(2) Hold the consultations with representatives from each of the 10 Federal regions of the Department of Labor, by and from the State employment statistics directors affiliated with the State agencies that perform the duties.

(e) STATE RESPONSIBILITIES (1) DESIGNATION OF STATE AGENCY.—The State Governor will designate an agency to be responsible for the employment statistics that comprise a statewide employment statistics system.

(2) DUTIES.—The State agency shall (A) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated;

(B) Consult with State educational agencies and local educational agencies concerning employment statistics in order to meet the needs of students;

(C) Collect and disseminate for the system, on behalf of the State and its localities;

(D) Maintain and continuously improve the statewide employment statistics system;

(E) Perform contract and grant responsibilities for data collection, analysis, and dissemination;

(F) Conduct data collection, analysis, and dissemination to ensure an effective statewide employment statistics system;

(G) Actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure usefulness of data;

(H) Participate in the development of the annual plan; and utilize the quarterly records described in the WIA.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of a State agency to conduct additional data collection, analysis, and dissemination with State/Fed funds from sources other than this section.

(f) NONDUPLICATION REQUIREMENT—None of the activities carried out shall duplicate those carried out under the Carl D. Perkins Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—for 1999–2004.

(vi) 1 member who is a representative of labor organizations, who has been nominated by a national labor federation;

(vii) 1 member who is a representative of local workforce development boards, who has been nominated by a national organization representing such boards; and

(viii) 1 member who is a representative of research entities that utilize workforce and labor market information.

GEOGRAPHIC DIVERSITY—

The membership of the Council is geographically diverse and that no of the members appointed under clauses (i), (ii), and (vii) represent the same State.

PERIOD OF APPOINTMENT—

Each member of the Council shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

VACANCIES—

Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

TRAVEL EXPENSES—

Council members shall not receive compensation for services, but shall be allowed travel expenses including per diem, at rates authorized for employees of federal agencies, while away in the performance of services for the Council. The Secretary may accept the voluntary and uncompensated services of members of the Council.

AUTHORIZATION OF APPROPRIATIONS—

\$60,153,000 for FY2015

\$64,799,000 for FY2016

\$66,144,000 for FY2017

\$67,611,000 for FY2018

\$69,200,000 for FY2019

\$70,667,000 for FY2020