

## Local Board Record of Comments

Section 108 of the *Workforce Innovation and Opportunity Act* requires the Local Boards to publish the local plan for public comment. The Local Workforce Development Board (Local Board) should include with their local plan submittal, all comments that have been received that disagree with the local plan, how the Local Board considered that input and its impact on the narrative in the local plan.

Please provide these comments in the following format:

| Local Plan Section        | Comment/Response  |
|---------------------------|---|
| Section: General Comments | Comment: Priority of Service, Relationship of Sectors to Services, and Services to LEP and Immigrant Communities. |
|                           | Local Board Response: Noted: Issues to be addressed in Local Plan Implementation.                                 |
| Section:                  | Comment:  |
|                           | Local Board Response:   |
| Section:                  | Comment:  |
|                           | Local Board Response:   |
| Section:                  | Comment:  |
|                           | Local Board Response:   |



March 2, 2017

Submitted via Email to [planpubliccomments@lacity.org](mailto:planpubliccomments@lacity.org)

WorkForce Development Board Main Office  
The Garland Building  
1200 West 7th Street, 6th Floor  
Los Angeles, California 90017

RE: Comments on City of Los Angeles Workforce Development Board WIOA Local Workforce Plan 2017-2020

Dear Board Chair Woo and members of the City of Los Angeles Workforce Development Board,

The National Immigration Law Center (NILC) and the California Immigrant Policy Center (CIPC) are pleased to submit these comments on the draft of the City of Los Angeles Workforce Development Board's WIOA Local Workforce Plan (local plan) under the Workforce Innovation and Opportunity Act (WIOA) for program years 2017 through 2020.

Headquartered in Los Angeles, NILC is a nonpartisan national legal advocacy organization that works to advance and defend the rights of low-income immigrants and their family members. Since its inception in 1979, NILC has earned a national reputation as a leading expert on the intersection of immigration and labor and employment laws, which includes the ability of low-income immigrants to access the workforce skills development system. NILC's extensive knowledge of the complex interplay between immigrants' legal status and their rights under U.S. employment laws is an important resource for immigrant rights coalitions and community groups, as well as national advocacy organizations, policymakers, attorneys, workers' rights advocates, labor unions, government agencies, and the media.

CIPC advances immigrant-inclusive policies that build a prosperous future for all Californians, using policy analysis, advocacy and community capacity building to unlock the power of immigrants in California. CIPC develops and supports pro-immigrant public policy and provides technical assistance, training and education on immigrant issues, and is supported a Steering Committee composed of twelve statewide organizations, 85 organizational members, and nine regional coalition partners spanning Southern and

Northern California, the Central Coast and Central Valley. CIPC has extensive experience and expertise with legislative, administrative, and budget advocacy in California.

NILC and CIPC are committed to ensuring that low-income immigrant workers in the greater Los Angeles region can meaningfully participate in the state's workforce skills development system, including WIOA-funded employment training and adult education programs. Meaningful participation would ensure that such workers could access career pathways that lead to a living wage and economic stability for themselves and their families. Unfortunately, the draft local plan fails to account sufficiently for the specific needs of California's large immigrant workforce, particularly those immigrant workers who have less education and/or who are limited English proficient (LEP). The draft document thus represents a missed opportunity for the Workforce Development Board to develop a local plan that will ensure that California's workforce development system, including WIOA Title I and Title II programs, are serving California's immigrant workforce effectively.

Los Angeles County is home to nearly 3.4 million immigrants, comprising 43% of the county's population aged 16 and over. As compared to native-born Angelinos, immigrants are more likely to be in their prime working years, with 40% of immigrants between ages 25 and 54 years of age.

The immigrant community has a significant need for basic skills training. Almost half of Los Angeles residents aged 25 and older are foreign born, yet they represent almost 80% of LA residents in this age group who have not completed high school. Foreign-born youth and young adults are also more likely to be out of school and working with no education beyond a high school diploma or equivalent (HSD/E). Almost 70% of LA adults with low educational attainment are also LEP.

Low educational attainment and LEP status are correlated with poverty. Almost half of LA County's foreign-born residents live below 200% of the Federal Poverty Level (FPL), with 19% below 100%. Among parents of children aged 8 and younger, 58% are below 200% FPL. Thus, there is an acute need for workforce programs and services that are aimed at providing immigrant workers with basic skills training and on-ramps to job training services, in addition to supportive services that will enable such individuals to participate in those training programs.

Los Angeles's large population of individuals who are both LEP and who have low levels of educational attainment underscores the challenges that the city faces in effectively providing both the range of adult education and English language acquisition services envisioned under Title II and equitable access to Title I training programs for LEP and low-educated workers. Yet these challenges are not adequately addressed in the draft local plan and the vision for the workforce development system that it articulates.

The need for the local plan to account for the needs of immigrant workers, including those who have limited English proficiency and/or low levels of educational attainment, is especially acute, given that California's workforce development system and, particularly, the employment training programs funded under Title I, have not effectively served these

populations. For example, despite the state's large number of LEP and lower-educated workers, only four percent of those who received adult workforce services in 2011-2012 were LEP and only 10 percent were deficient in other basic skills.<sup>1</sup> The need to equitably provide adult education and English language acquisition services is also great, as only 4 percent of that need has been met nationally in recent years.<sup>2</sup>

This data suggests that there is a critical need for the City of Los Angeles Workforce Development Board to include in the final local plan additional guidance and direction on mechanisms to ensure that city's workforce development system, including WIOA Title I and Title II programs, is equitably and effectively meeting the needs of its immigrant workforce and, particularly, those workers who are lower-educated and/or LEP.

With that in mind, we offer the following recommendations to ensure access for immigrants and LEP populations. We urge you to consider including these in the final plan.

- **Priority of Service.** Bolster the statutorily-mandated priority of service requirements by clarifying how they should be implemented by programs providing Title I adult job training services and America's Job Centers of California (AJCCs). The draft local plan currently says little about WIOA's priority of service requirements, beyond referencing the Board's Priority of Service Policy and enumerating the statutorily-determined order of categories of individuals who qualify for prioritized services. At a minimum, the final local plan should: (1) make clear that the priority of service requirements apply to all Title I adult service providers and AJCCs; (2) explain how providers should implement the priority of service requirements, including citations to or excerpts from the policy; and (3) either include the Priority of Service Policy as an attachment to the local plan or else include a link to the policy within the plan.
- **Relationship between the targeted industry sectors with the services to be provided.** The draft plan identifies two sets of industry sectors with leading and emergent skills needs for participation in the development of a regional sector strategy. However, these industry sectors are not mentioned in subsequent portions of the plan, and the relationship between the targeted sectors and the services to be provided needs to be clarified.
- **Provision of services to individuals with barriers to employment, including LEPs.** The California Workforce Development Board's Regional and Local Planning Guidance for PY 2017-2020 specifies that local plans include a "description of the ways the Local Board will work with entities carrying out core programs to expand access to employment, training, education, and supportive services for eligible

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1 Margie McHugh and Madeline Morawski, Migration Policy Institute, *Factsheet: Immigrants and WIOA Services: Comparison of Sociodemographic Characteristics of Native- and Foreign-Born Adults in California*, at 5. Available at: <http://www.migrationpolicy.org/research/immigrants-and-wioa-services-comparison-sociodemographic-characteristics-native-and-foreign>.

2 *Id.* at 4.

individuals, particularly eligible individuals with barriers to employment.”<sup>3</sup> To be effective, services need to be tailored to bridging the gap between individual’s current skill profile and employer needs. While the draft plan indicates that each of the AJCCs will have an LEP coordinator, this person’s role is described as ensuring that programs are accessible in different languages. This role falls short of ensuring that programs and training are tailored to meet the specific needs of LEP individuals, who are likely also foreign-born and low-income, to overcome basic skills deficits while acquiring middle skills needed for employment.

Moreover, the draft plan does not indicate how resources will be allocated among individuals with barriers to employment. For example, the Vulnerable and Underrepresented Population effort is described as being designed to improve the capacity of the workforce development system to better serve specific populations, “such as transition-age foster youth, transgender individuals, single parents, individuals experiencing homelessness, at-risk male adults, and English Language Learners (ELL).” There is no indication that resources will be directed toward any of the identified populations in relation to the size of the population or its need for support. The local board should conduct a basic assessment of the prevalence of populations with barriers within its service area and allocate its resources accordingly.

- **Alignment of Title I with Title II services.** Working-age adults cannot be expected to complete lengthy coursework before they begin acquiring skills needed for employment. By aligning Title I and Title II services in an integrated education and training program, the workforce system can help individuals with basic skills deficiencies move into employment more quickly. Such integrated programs are ideally paired with a career ladders strategy, as described in the draft plan, that provides continued support for individuals’ acquisition of basic and employment skills as they progress along career pathways. The Board should consider working with community-based organizational partners and other stakeholders to develop programs that couple education and job training to better meet the needs to the LEP population and to more closely align Title I and Title II services.
- **Tailor youth and adult services to include Deferred Action for Childhood Arrivals (DACA) individuals in the region.** U.S. Citizenship and Immigration Services estimates that there are more than 216,060 DACA recipients in California.<sup>4</sup> DACA individuals are eligible for Title I and Title II WIOA services. We encourage the Board to define services and pathways for the DACA population, which is

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<sup>3</sup> Employment Development Department and California Workforce Development Board, *Regional and Local Planning Guidance for PY 2017-2020*, at 20. Available at: [http://www.edd.ca.gov/Jobs\\_and\\_Training/pubs/wsd16-07.pdf](http://www.edd.ca.gov/Jobs_and_Training/pubs/wsd16-07.pdf).

<sup>4</sup> U.S. Citizenship & Immigration Services, *Immigration & Citizenship Data*. Available at: <https://www.uscis.gov/tools/reports-studies/immigration-forms-data>.

currently lacking in the draft plan. We encourage the Board to explore the current network of organizations that serve DACA individuals and detail a plan on how DACA individuals may be served in both Title I and Title II programs.

- **Implementation of ad hoc committee on immigrant and LEP workforce issues.** We urge the implementation of the California Workforce Development Board's recommendation to create an ad hoc committee that includes community-based organizations that provide services to immigrant and LEP communities. The establishment of an ad hoc committee to address the unique barriers facing the immigrant workforce population—particularly those who are LEP and/or who have low levels of educational attainment—is a critical way to facilitate services to immigrant and LEP workers and to implement WIOA's mandate to provide priority of service to LEP populations.

In finalizing the local plan, we urge the Los Angeles Workforce Development Board to give greater consideration to and to provide more detailed guidance on how the local workforce skills development system will provide equitable access for the immigrant labor force. This guidance should particularly account for those who are lower-educated and/or LEP and should encompass both the adult education and English language acquisition services that are acutely needed under Title II and the Title I-funded job training programs in which eligible immigrant workers have historically been severely underrepresented.

NILC and CIPC greatly appreciate the opportunity to comment on the draft local plan and hope that the Los Angeles Workforce Development Board will consider our comments and incorporate them into the final local plan. We look forward to continued engagement with the Los Angeles Workforce Development Board. If you have any questions, please don't hesitate to contact Josh Stehlik directly at 213-674-2817.

Sincerely,

/s/

Joshua Stehlik  
Supervising Attorney  
National Immigration Law Center

/s/

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