



Arc Guide to Workforce Innovation and Opportunity Act (WIOA) for Individuals Age 25 and Older

Background on the Workforce Innovation and Opportunity Act (WIOA)

The Workforce Innovation and Opportunity Act (WIOA) is a federal law that passed in 2014. WIOA is a large, comprehensive law that addresses numerous workforce programs across the country. The intent of the law is to help all job seekers access employment, education, training, and support services.

Impact on People with Disabilities

Some parts of WIOA impact individuals with disabilities. One goal of WIOA is to ensure that all people with disabilities have the support they need to seek competitive, integrated employment. Competitive, integrated employment means a job in which a person makes at least minimum wage and works alongside people without disabilities.

Section 511: Limitations on the Use of Subminimum Wage

New requirements of WIOA went into effect on July 22, 2016, that place limitations on the use of subminimum wage. Subminimum wage jobs are jobs that pay less than the federal minimum wage. Often, though not always, jobs at center-based day programs pay subminimum wages. Some community-based group employment, such as work crews or enclaves, also falls into this category.

Those age 25 and older who are planning on entering subminimum wage employment or who are already receiving subminimum wages:

- Must receive career counseling and information and referral services (also called the informed choice process) every 6 months during the first year of subminimum wage employment, then annually thereafter
- May refuse to participate in career counseling and information and referral services, but refusing to participate will make the person ineligible for subminimum wage employment

What does all of this mean for me?

All individuals with disabilities must make an informed choice about the type of employment they wish to seek.



An informed choice means the person has had the opportunity to explore and understand all of her/his options, ways to overcome barriers to those options, and the potential risks and benefits of those options.

Those who are already employed at subminimum wage should receive information from their day service provider about connecting with the Metropolitan Center for Independent Living (MCIL) to begin career counseling services. MCIL has been contracted by Vocational Rehabilitation Services to perform the career counseling and information and referral services in the Twin Cities metro area.

For further information or advocacy services, contact The Arc Minnesota at 952-920-0855 or toll-free at 833.450.1494 or visit www.arcminnesota.org. (Please note: *This document is not legal advice, and should not be construed as such. Thus, no information herein should replace the sound advice of an attorney.*)

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