

**Comments on the *New York State Workforce Innovation and Opportunity Act*  
*Four Year Combined State Plan*  
Submitted February 8, 2016**

On behalf of the undersigned organizations, we respectfully submit these comments on the *New York State Workforce Innovation and Opportunity Act Four Year Combined State Plan* (New York State Plan).

The goal of the Workforce Innovation and Opportunity Act (WIOA) is to: i) increase access to education, training, and employment for people with barriers to employment; ii) create a comprehensive, high-quality workforce development system by aligning workforce investment, education, and economic development; iii) improve the quality and labor market relevance of workforce investment, education, and economic development efforts; iv) promote improvement in the structure and delivery of services; and v) reduce welfare dependency, increase economic self-sufficiency, meet employer needs, and enhance the productivity and competitiveness of the nation. To achieve these goals, WIOA makes clear that priority should be given to “public benefits recipients, other low-income individuals, and individuals who are basic skills deficient” when providing career and training services using Title I Adult funds.

WIOA includes a number of important changes that have the potential to help states and localities aid eligible immigrants in improving their skills, pursuing education and training opportunities, and strengthening their ability to find family-sustaining employment. Such measures are critical in fostering the three pillars (linguistic, civic, and economic) of immigrant integration articulated by the Department of Education’s Networks for Integrating New Americans initiative, and reaffirmed in the recent White House Task Force on New Americans plan.<sup>1</sup> The undersigned organizations believe the law stands to play a critical role in supporting the upward mobility of the foreign born in the workforce and their successful integration into the civic life of New York State’s diverse communities.

A large number of immigrants living in New York have limited English proficiency (LEP) and often face substantial cultural barriers to joining the workforce, including: i) insufficient level of English language proficiency, (ii) inexperience writing U.S. style resumes and cover letters, (iii) unfamiliarity with the U.S. job search process and

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<sup>1</sup> The Task Force plan, *Strengthening Communities by Welcoming All Residents: A Federal Strategic Action Plan on Immigrant & Refugee Integration*, is available at: [https://www.whitehouse.gov/sites/default/files/docs/final\\_tf\\_newamericans\\_report\\_4-14-15\\_clean.pdf](https://www.whitehouse.gov/sites/default/files/docs/final_tf_newamericans_report_4-14-15_clean.pdf).

interviewing, and lack the general acculturation skills necessary to be deemed a “fit” by employers iv) lack of professional networks, v) recognition of foreign academic credentials, and vi) complex licensing and re-credentialing barriers. Access to Title I services for these individuals has traditionally been extremely low with less than two percent of individuals being served nationally by Title I providers being LEP.<sup>2</sup> The New York State Plan offers a unique opportunity to create and require equitable access to Title I programs for LEP New Yorkers. Through this process, New York also has the opportunity to establish systems to track data and enrollment of LEP individuals as well as other priority of service populations to ensure that programs are accountable to equitable access.

According to data from the U.S. Census Bureau analyzed by non-partisan think tank, the Migration Policy Institute (MPI), twenty-six percent of the nearly 16 million residents of New York state ages 16 and older are foreign born.<sup>3</sup> Of these, over **200,000 immigrants, refugees, and asylees living in New York State have a bachelors degree or better in engineering, finance, science, healthcare, or IT and other fields, but are unemployed, or working in low-skill jobs as cashiers, security guards, manicurists, and cab drivers.** According to MPI, foreign-born individuals are also significantly over-represented among those with no high school diploma or equivalent. Accordingly, we believe services must be targeted in equitable measure to meet the needs of this population. However, according to the Department of Labor, the percentage of individuals receiving Title I intensive or training services who are low income has dropped significantly over the past decade, from 64 percent in Program Year 2003 to 48 percent in PY 2013. The number of individuals receiving intensive or training services who are Limited English Proficient (LEPs) dropped even more dramatically, to just 1.5 percent in PY 2013.

Based on data from the Drexel University Center for Labor Markets and Policy, immigrants who earned their college degrees abroad are twice as likely to be under-employed than those with U.S. degrees. The mean annual earnings of under-employed immigrants was \$32,000, or *43 percent less* than U.S.-born college graduates employed in the college labor market. According to MPI, college educated immigrants were nearly

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<sup>2</sup> Social Policy Research Associates, PY 2013 WIASRD Data Book Revised March 23, 2015, available at:

[http://www.doleta.gov/performance/results/pdf/PY\\_2013\\_WIASRD\\_Data\\_Book.pdf](http://www.doleta.gov/performance/results/pdf/PY_2013_WIASRD_Data_Book.pdf).

<sup>3</sup> McHugh, Margie and Madeleine Morawski. 2015. *Immigrants and WIOA Services: Comparison of Sociodemographic Characteristics of Native- and Foreign-Born Adults in New York*. Washington, DC: Migration Policy Institute.

twice as likely to be poor (as defined by living at or below 200 percent of the official poverty threshold) as compared to U.S.-born workers.

Upwardly Global and the Welcome Back Initiative have found that with proper guidance and support under-employed immigrants typically increase their income by 215 percent to 900 percent. Since it opened its operations in New York City in 2006, Upwardly Global alone placed 1154 previously marginalized immigrants into the professional workforce at an average starting salary of \$42,000. 71 percent were previously unemployed, and 29 percent were working low-skill jobs paying \$18K a year on average. After placement, job seekers collectively earned over \$42.5M in just their first year of professional employment. An Upwardly Global evaluation of its program's results reports that at least 64 percent of their job seekers were placed within the acknowledged talent shortage areas, including 19.5 percent in engineering and IT, 18.4 percent in accounting and finance, 13.5 percent in science, and another 12.5 percent in technology, healthcare and trade professions.

Against this backdrop, 41 percent of U.S. employers report either a loss of productivity, a loss of revenue, and/or difficulty expanding their business because they were unable to fill key, skilled positions. ManpowerGroup found that 39 percent of U.S. employers have difficulties filling positions in accounting/finance, engineering, and information technology industries. According to a report issued by the Partnership for a New American Economy and AEI, each 100 jobs held by skilled immigrants with advanced degrees are associated with an additional 44 jobs for American-born workers. That number rises to an additional 86 jobs for US-born workers when the focus is narrowed to STEM (science, technology, engineering and math) industries.

For these reasons, the undersigned organizations urge the New York State Department of Labor to include the following recommendations in the New York State Plan:

- (1) Include *those who hold a foreign degree* but are unemployed or drastically underemployed due to cultural barriers in the definition of those who qualify as workers with employment barriers; (Special Populations, p. 68)
- (2) Include *immigrants, refugees, asylees, and English language learners in the definition of "special populations"* for purposes of data collection and career support services focused on removing barriers to employment; (Special Populations, p. 68)

- (3) Include the *New York State Office of New Americans* in the New York Employment Services System (NYESS); (Implementation of Strategy, pp. 27 – 29)
- (4) Make explicit that *foreign-trained immigrants are eligible* for services under Title I and Title II based on the significant English language and cultural barriers that prevent them from securing the jobs they could be filling for employers;
- (5) Ensure *foreign-trained immigrants* benefit from the 15 percent state set-aside investments under WIOA and make as a priority the use of those discretionary funds to expand programs like the IBridge program<sup>4</sup>;
- (6) Establish an interagency working group to examine licensing requirements and funding barriers in New York State for healthcare professionals and *provide flexibility for foreign-trained healthcare workers* to help fill gaps;
- (7) Consider *those with significant cultural barriers and foreign-trained workers* who are new to the U.S. professional job market as individuals with “multiple barriers to employment”; (Alignment with Activities Outside the Plan, p. 29)
- (8) Ensure adequate training for Career Centers’ staff so that *Centers can develop the competencies necessary* to serve this population or leverage partners who do;
- (9) *Reduce barriers to employment in apprenticeship requirements* and for apprenticeships outside traditional middle skill fields to ensure foreign-trained workers also have access to meaningful On-the-job training (OJT) where these workers can make a contribution, (e.g., IT, and anti-money laundering (AML) compliance roles in finance); (Competitive Advantage Assets, pp. 39 – 41)
- (10) Clarify that *a foreign-trained worker, such as a refugee or other immigrant, may be considered a dislocated worker* if the individual meets eligibility criteria regardless of the location of the employment and layoff and provide career support services focused on removing barriers to employment. The U.S. Department of Labor recently awarded grants to partnerships in five states – Maine, Maryland, Washington, Idaho, and Illinois. The grants provide occupational training and support for job placement to foreign-trained

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<sup>4</sup> In 2013 CAMBA, Goodwill Industries of New York, and Upwardly Global were awarded in a \$1M Immigrant Bridge citywide pilot program funded by NYEDC to help link 600 unemployed and under-employed immigrants to jobs in high growth industries in NYC.

immigrants and refugees who encounter barriers to working in their professions. These “Job-Driven National Emergency Grants” serve as a precedent and explicitly recognize that immigrants represent an important sub-set of dislocated workers, whose skills obtained in their former countries can be used to fill critical job openings in the U.S.;

- (11) Develop *a uniform definition for when an individual is deemed Limited English Proficient*, and include in the definition those for whom contextualized English is a barrier to employment;
- (12) Provide *guidance on how to operationalize career and training services using Title I Adult funds for LEPs*; and
- (13) *Collect data to monitor and track LEPs enrollment and progress* through all Title I funded programs and one-stop centers.

There is indisputable proof that with more robust inclusion of immigrants in the existing and new workforce skills training services delivered throughout the State under the WIOA plan, employers will have access to an expanded and richer pool of ready talent. Thank you for the opportunity to provide comments on the *New York State Workforce Innovation and Opportunity Act Four Year Combined State Plan* and we look forward to working together to implement these critically-important reforms.

Sincerely,

CAMBA

Community College Consortium for Immigrant Education

Goodwill of Greater NY & NJ

IMPRINT

International Institute of Buffalo

Journey's End Refugee Services

Literacy Assistance Center

New York Immigration Coalition

The Andrew Romay New Immigrant Center

The Cooper Union for the Advancement of Science and Art

Upwardly Global

Welcome Back Initiative

World Education Services