



Good Jobs for All

How Federal Laws Can Create Pathways From Education and Training to Good Jobs

By Laura Jimenez and Livia Lam | January 12, 2021

Despite the billions of dollars that the federal government spends each year on education and workforce training, education and labor market outcomes remain inequitable. For example, not all students graduate from high school, and even when they do, most are ineligible for their postsecondary training program of choice.¹ Research shows that students do not receive sufficient information about what careers are available and which courses best lead to those options, so they waste time in courses that do not lead to good jobs. What's more, it is not clear how effective public workforce programs are at raising wages and increasing access to better jobs.²

These poor outcomes in part result from how Congress structures and funds federal K-12 education, higher education, and workforce laws. For example, even though federal legislation should help students achieve the same long-term outcome of getting a good job, these laws have different purposes, are on different timelines, and the funds they provide can be used in a wide variety of ways. These differences create challenges in designing coordinated education and career training programs. Furthermore, federal laws do not hold schools, colleges, and workforce training programs accountable for the quality of jobs students receive as a result of their schooling. Every year, millions of high school students graduate but are unprepared for college or careers. As a result, many students who enter postsecondary training do not earn a degree. Similarly, many workers enrolled in workforce training programs ultimately find employment in low-quality, dead-end jobs.

Improving long-term outcomes requires a new approach that links all these systems with a unified vision where school and training systems lead to employment in good jobs.

This issue brief recommends that federal laws take a unified approach to build pathways to better jobs. Specifically, Congress should:

- Align the reauthorization schedule with federal education and workforce development laws without creating legislative gridlock.
- Create a common set of rules and practices around defining quality.

- Create parameters for job quality that are included in federal education and workforce development laws.
- Align key legislative elements of federal education and workforce development laws with good jobs.
- Require states to implement federal education and workforce development laws collaboratively across the education and workforce training systems.

These recommendations are informed by conversations with local leaders in education and workforce training programs across the country so that they can better respond to the real-time needs of students and workers.

Defining “good jobs”

The Center for American Progress has defined good jobs as “the kind of jobs that afford economic security and participation in civic life as opposed to occupations that require few skills, pay low wages, or are vulnerable to outsourcing.”³ However, others in this policy space have developed ways to measure and define job quality that add greater dimension to this broad definition.⁴ The topic of job quality has also become a concern for international organizations; for example, the Organization for Economic Cooperation and Development created a job quality framework that includes the working environment.⁵ Moreover, federal laws have enacted some measures speaking to job quality, including worker safety, support for equal pay, prevention of discrimination, and the right to form unions. And there are some job quality standards attached to federal apprenticeships and other federal job spending to support private sector jobs, such as prevailing wage laws and anti-discrimination protections. However, these measures do not go far enough to ensure that federal programs lead to good jobs.

No single federal law related to education, training, or employment speaks directly to this more robust definition of good jobs. But each of them, to varying degrees, includes measures related to job quality. For more information on how some existing laws address various aspects of job quality, see the Appendix.

Despite plenty of research and practice on defining and creating good jobs, current federal laws supporting education, training, and the workforce focus on merely attaining jobs rather than prioritizing quality employment. Simply put, without greater attention, these programs will not necessarily ensure that students and workers qualify for good jobs. If federal laws focused more on job quality, they could both promote consistency across programs and create greater accountability for students and workers to obtain good jobs. Such a focus would allow states to use federal funds collectively to create coordinated education and training in K-12 schools, postsecondary institutes, and job placement programs, thereby raising the quality of the services they provide.

Factors such as cost of living and distance between jobs and housing are included in the various job quality frameworks mentioned above. Therefore, local context dictates what “good jobs” ultimately look like. One approach to account for a wide range of factors in defining good local jobs would be creating a multiple measures dashboard, which CAP has previously recommended.⁶

Using job quality to break down silos in federal laws for education, training, and workforce development

All too often, policies are created and carried out in silos. K-12 education, higher education, and workforce laws are no different. For example, the term “job quality” does not appear in the Every Student Succeeds Act (ESSA), the Higher Education Act, or the Workforce Innovation and Opportunity Act (WIOA)—three of the most significant federal laws supporting education and training.⁷ Until Congress updates these laws to help students and workers get good jobs, the U.S. economy will continue to leave millions of people behind through an ever-growing gap between the wealthy and the poor.

While there are many pieces to federal legislation, introductory statements could make clear Congress’ intent to close this gap. Specifically, the statements of purpose and definitions in legislation can address the range of education and workforce factors influencing job quality and discuss how jobs affect quality of life. For example, the quality of a person’s job affects their ability to provide for themselves and their family.

Job quality can also be addressed through other components of federal law, such as reporting and accountability—a term that refers to program outcomes. This could help ensure that programs do in fact lead to students and workers getting good jobs and that these results are accurately and consistently reported.

Harmonizing legislative components across these related policy areas can help students and workers easily transition from education and training into good jobs. Specifically, crafting common provisions and using similar language about job quality helps integrate it as a goal across systems.

Components of current workforce law—such as unified planning across core programs in a state and common performance accountability measures for multiple laws with similar aims—illustrate how to help foster collaboration among the different state offices carrying out portions of these laws. For example, the Carl D. Perkins Act requires state plans to contain information about how the state’s career and technical education activities will be coordinated with state activities under WIOA and ESSA.⁸ And both Perkins and WIOA must align training programs with local labor market needs and in-demand jobs.

While these examples show how Congress directs states to coordinate their education and training activities, the laws are less clear about how these programs result in participants getting good jobs and how they measure that result.

Questions on job quality for local leaders of education and workforce training programs

The authors met with leaders in state governments, third-party service provider organizations, and K-12 schools to ask five questions related to job quality, which sought to answer how job quality affected program design and, if it did not, why. The interview questions used in these conversations are listed below:

- What makes a good job?
- How are these defining characteristics/qualities built into your approach to preparing students for those jobs or for further training?
- Within your work (or program), what conditions need to be in place to ensure the learning that takes place prepares students for a good job? How about in the classroom—what does that look like?
- Research suggests a relationship between youth underemployment, unemployment, and poor later labor market outcomes in the form of lower skills or training, reduced wages, and weakened labor force participation in the future. Are there certain policies or practices that aim to ensure improved longer- or shorter-term labor market impacts/employment outcomes?
- Research also suggests a connection between labor market participation and civic participation. Are there certain policies or practices that aim to help your students become productive citizens?

A framework to promote a high-quality job for all students and workers

While getting a good job is important, there are no common standards for job quality, nor are there incentives for education and training programs to improve pathways to good jobs. Current efforts to prepare all students and workers for good jobs focus on students and workers improving their skills rather than addressing the chronic issues that lead to income inequality. However, improving workers' skills will do nothing to get rid of low-wage, low-quality jobs.

While all federal education and workforce policies are similar, they are not the same. To help organize and classify job quality-related information and dimensions based on these similarities and differences, this issue brief offers a three-part framework with the following objectives:

1. Define quality
2. Manage and govern programs for quality
3. Require decision-making processes to be based on job quality

How to define quality

Defining quality must address two elements. First, programs must prepare students and workers not only to enter into good jobs but also adapt to the changing needs of the workforce. Second, program service providers, employers, and government agencies must also develop consensus on the definition of a good job, which may have common categories such as a livable wage regardless of industry but vary in the particulars by industry, geographic area, and local cost of living.

The authors' conversations with leaders of schools and workforce training programs offer insight into how the existing setup of these programs fall short. "We're only getting the answers to the questions we're asking," said one third-party service provider.⁹ He explained that what is missing among these systems is that programs cannot adapt quickly to labor market conditions, which would help drive the K-12 education, higher education, workforce, and even economic development ecosystem "to focus on good jobs." Thus, if program service providers asked how they could prepare students for good local jobs, the answers would likely require changes to how they approach their work. For example, he mentioned how the Affordable Care Act changed how the U.S. Centers for Medicare and Medicaid Services paid medical providers; it began basing payments on standards for quality of care, not just the provision of care.¹⁰ Thus, these providers had to demonstrate that they provided high-quality care to be paid for their services. To make his point, the provider said, "by design, Congress aimed for better integration of care, better designed services ... better measurement tools."

In other words, Congress must build incentives and requirements within K-12 education, higher education, and workforce development laws to provide an incentive for those systems to provide services that benefit the long-term outcomes of students.

How to manage programs for quality

The authors interviewed a leader of one statewide organization that coordinates a career preparation system running in all regions of the state.¹¹ He stressed the difficulty of managing the quality of training in these programs because decisions are made by regional leaders, not centrally. However, he said the organization does require a review team to locally endorse programs to provide some assurance that training programs meet minimum criteria. Additionally, this entity asks for regions to submit letters from employers. The letters say that program graduates would be qualified for entry-level jobs, though they do not guarantee employment.

How to govern federal programs for quality

The Medicaid-managed care model described above offers another example of how to create a decision-making model at the agency level based on quality standards. For example, the federal regulations passed by the U.S. Centers for Medicare and Medicaid Services on managed care include requirements that strengthen the quality of care provided to Medicaid beneficiaries and promote more effective use

of data in overseeing managed care programs.¹² In particular, these regulations created health care governing boards and made them responsible for ensuring quality-of-care compliance at all levels of service. This is just one example of how to govern a federal program for quality.

Recommendations

The following recommendations detail specific actions Congress can take to emphasize job quality across federal education and workforce development laws. Congress should consult with educators, workers, and employees to get their input on these changes:

- **Congress should align the reauthorization schedule with federal education and workforce development laws without creating legislative gridlock.** One significant barrier to creating a complementary set of laws and regulations that support pathways to good jobs is the different time periods over which these laws are put into effect. For example, the Individuals with Disabilities Education Act, which contains a provision to require postsecondary transition plans for students with disabilities, has not been updated since 2004.¹³

Meanwhile, ESSA was due for updating in 2019 and WIOA was due for updating in 2014.¹⁴ Congress updated the Carl D Perkins Act in 2018.¹⁵ Putting these laws on the same timeline for revision without creating more opportunities for gridlock would support practitioners, policy experts, advocates, and lawmakers in considering changes to create consistency across these laws.

- **Congress should create a common set of rules and practices around defining quality.** Specifically, it should determine how local programs are managed for quality and how local governments hold programs accountable for meeting quality standards within education and workforce laws. Additionally, federal agencies should create regulations that also emphasize quality.
- **Congress should create parameters for job quality that are included in federal education and workforce development laws.** Because job quality is an elusive concept, definitions set boundaries. Lawmakers should craft legislative text in bills to convey a stated purpose or intention of job quality, as well as limit allowable activities for programs that promote attainment of a good job. This would in turn help convey the importance of job quality to agencies and practitioners across the education and workforce development ecosystem as they carry out these programs. Knowing what a statutory term or phrase such as job quality means would at least give federal and state agencies an understanding of what policy conditions lead to education and workforce program activities that result in a good job. For example, the laws could require states to adopt job quality metrics that assess the differences between good jobs and bad jobs and would help hold programs accountable for program results.

In the absence of—or in addition to—congressional action, even without renewed laws, the departments of Education and Labor can observe how their regulations do or do not address job quality and take steps to bridge the gap by issuing nonregulatory guidance.

- **Congress should align key legislative elements of federal education and workforce development laws with good jobs.** Creating job quality pathways across the education and workforce ecosystem requires shared policies for determining how good jobs should be represented. For example, Congress must establish what events commonly qualify for public funding, which entities would be eligible to apply for these resources, and who can participate in program services. These changes to the law will mean that state agencies and local programs will carry out their responsibilities differently because they must pay attention to how well their services lead to the end goal of a good job.

Additionally, as the departments of Labor and Education carry out these laws, they should develop regulations, guidance, monitoring, and technical assistance that align with a new federal legal framework that results in students and workers getting good jobs.

- **Congress should require states to implement federal education and workforce development laws collaboratively across the education and workforce training systems.** Effectively carrying out job quality responsibilities within and across systems requires strong leadership. To establish a governing framework that puts job quality-related issues at the center of decision-making, there must be three-part cooperation and consultation among representatives of business, industry, and K-12 and higher education. They should focus on future earnings or earnings gains, employment benefits, workplace protections, and other issues that affect economic well-being. In order to do so, they must recognize how the labor market currently leads to inequality—by design—and the need to include and protect all workers.

Defining and establishing job quality as the ultimate outcome of federal education and training laws is the connective tissue needed to create consistent, streamlined pathways to good jobs. However, in order for the proposed focus on job quality to be meaningful, any new legislation and reforms must be developed through community feedback to ensure that they meet local needs.

Conclusion

In the future, CAP will continue to generate ideas for how to build a system of connected federal education and training laws and regulations based on job quality. Creating this consistency will help to shape the workforce in ways that provide good jobs for all and help eliminate inequality.

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Appendix

Below is a list of most federal laws within the ecosystem of K-12 education, postsecondary education and training, and workforce development.

The Every Student Succeeds Act provides supplementary funding to schools serving low-income students. Its job quality-related elements include four aspects. First, states must adopt academic standards that certify student readiness for postsecondary education. Second, states' career education standards must align with these academic standards. Third, schools are rated, in part, on student outcomes on these standards. Fourth, states must report postsecondary enrollment rates.¹⁶

The Education Sciences and Reform Act established the Institute for Education Sciences, which houses four research centers. These include the National Center for Education Research, the National Center for Education Statistics, the National Center for Education Evaluation and Regional Assistance, and the National Center for Special Education Research. Additionally, the law authorizes the National Assessment of Educational Progress and the Education Technical Assistance Act.¹⁷

The Individuals with Disabilities Education Act provides supplementary education for students with disabilities and includes two job quality-related elements. It requires students with disabilities to receive transition services designed to facilitate the transition to postschool activities, including workforce training, postsecondary education, and jobs. These services must focus on the academic and functional achievement of the student.¹⁸ Additionally, the law requires that all students with disabilities are taught to the same academic standards required by ESSA.¹⁹

The Carl D. Perkins Career and Technical Education Act, commonly referred to as Perkins V, supports career and technical education (CTE) at the secondary and postsecondary education levels. Perkins V applies job quality-related elements by requiring CTE training programs to help students gain technical skills and earn industry-recognized credentials, certificates, or postsecondary degrees that are aligned with local labor market needs and in-demand occupations.²⁰

The Workforce Innovation and Opportunity Act provides a combination of job placement and job training activities to adults, dislocated workers, and youth workers seeking employment and that are responsive to the demands of employers. Regarding job quality, WIOA makes several requirements. For example, the public workforce system must assess its effectiveness in helping participants get and keep jobs. WIOA also requires programs to report earnings of individuals participating in activities such as job search assistance, career counseling, occupational skills training, classroom training, or on-the-job training. On the employer side, WIOA also requires these activities to be aligned with the needs of in-demand jobs and industries as determined by state and local workforce boards.

WIOA also reauthorized three other laws:²¹

- **The Adult Education and Family Literacy Act** is the primary federal law supporting basic educational services for adults, including English-language instruction.
- **The Wagner-Peyser Act** supports the employment search process between job seekers and employers by providing job search assistance, career counseling, labor market information, and other employment services.
- **The Rehabilitation Act of 1973** addresses issues of employment discrimination against individuals with disabilities through dedicated funding for job preparation and other vocational rehabilitation services.

The Higher Education Act is the primary law governing postsecondary education programs, including federal aid programs such as the Pell Grant for low-income students pursuing higher education and federal funding for colleges and universities. It also requires all career education programs receiving federal student aid to “prepare students for gainful employment in a recognized occupation.”²² According to this law, in order for higher education programs to meet a standard of gainful employment, education and training should prepare students to earn enough to repay their loans.²³

The Trade Adjustment Assistance Act (TAA) governs job training for workers whose jobs were affected by foreign trade. Specifically, the Trade Adjustment Assistance for Workforce program provides funding for reemployment services, including case management, career services, weekly income support payments, and wage insurance while eligible TAA workers are enrolled in the program. In particular, the use of job training benefits must lead to a degree or certification.

Endnotes

- 1 Laura Jimenez and Scott Sargrad, "Are High School Diplomas Really A Ticket To College and Work?" (Washington: Center for American Progress, 2018), available at <https://www.americanprogress.org/issues/education-k-12/reports/2018/04/02/447717/high-school-diplomas/>.
- 2 Livia Lam, "A Design for Workforce Equity: Workforce Redesign for Quality Training and Employment: A Framing Paper" (Washington: Center for American Progress, 2019), available at <https://www.americanprogress.org/issues/economy/reports/2019/10/16/475875/design-workforce-equity/>.
- 3 Laura Jimenez, "Preparing American Students for the Workforce of the Future: Ensuring Every Student's Readiness for College, Career, and Civic Life" (Washington: Center for American Progress, 2020), available at <https://www.americanprogress.org/issues/education-k-12/reports/2020/09/14/490338/preparing-american-students-workforce-future/#fn-490338-10>.
- 4 William G. Whittaker, "Federal Contract Labor Standards Statutes: An Overview" (Washington: Congressional Research Service, 2005), available at http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1207&context=key_workplace.
- 5 Organization for Economic Cooperation and Development, "How Good Is Your Job? Measuring And Assessing Job Quality" (Paris: 2016), available at <https://www.oecd.org/sdd/labour-stats/Job-quality-OECD.pdf>.
- 6 Livia Lam, "A Multiple Measures Approach to Workforce Equity: How Improving Job Quality in Workforce Accountability Can Help Close Equity Gaps" (Washington: Center for American Progress, 2020), available at <https://www.americanprogress.org/issues/economy/reports/2020/10/20/491998/multiple-measures-approach-workforce-equity/>.
- 7 Every Student Succeeds Act of 2015, Public Law 114-95, 114th Cong., 1st sess. (December 10, 2015), available at <https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf>; Higher Education Opportunity Act, Public Law 110-315, 110th Cong., 2nd sess. (August 14, 2008), available at <https://www.govinfo.gov/content/pkg/PLAW-110publ315/pdf/PLAW-110publ315.pdf>; Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, 113th Cong., 2nd sess. (July 22, 2014), available at <https://www.govinfo.gov/content/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf>.
- 8 Section 122 (c)(1)(A)(i) & (iii) of the Strengthening Career and Technical Education for the 21st Century Act of 2018, Public Law 115-224, 115th Cong., 2nd sess. (July 31, 2018), available at https://s3.amazonaws.com/PCRN/uploads/perkins_v.pdf.
- 9 Leader of a workforce development program, anonymous interview with author, via video conference, August 25, 2020, on file with author.
- 10 Susan Emmer, "Care Coordination Under the Affordable Care Act: Opportunities and Challenges for Geriatric Care Managers," *Journal of Aging Life Care*, Fall 2013, available at <https://www.aginglifecarejournal.org/fall-issue-article-title-goes-here-and-is-pretty-long-so-thats-that/>.
- 11 Leader of a workforce development program, anonymous interview with author, via video conference, August 25, 2020, on file with author.
- 12 U.S. Centers for Medicare and Medicaid Services, "Medicaid and Children's Health Insurance Program (CHIP) Programs; Medicaid Managed Care, CHIP Delivered in Managed Care, and Revisions Related to Third Party Liability," *Federal Register* 81 (88) (2016): 27497–27901, available at <https://www.govinfo.gov/content/pkg/FR-2016-05-06/pdf/2016-09581.pdf>.
- 13 Individuals With Disabilities Education Act, Public Law 108-446, 108th Cong., 2nd sess. (December 3, 2004), available at https://www.parentcenterhub.org/wp-content/uploads/repo_items/PL108-446.pdf.
- 14 Every Student Succeeds Act of 2015; Workforce Innovation and Opportunity Act of 2014.
- 15 Perkins Collaborative Resource Network, "Perkins V," available at <https://cte.ed.gov/legislation/perkins-v> (last accessed December 2020).
- 16 Ibid.
- 17 Education Sciences Reform Act, H.R. 3801, 107th Cong., 2nd sess. (January 23, 2002), available at <https://www2.ed.gov/policy/rschstat/leg/PL107-279.pdf>.
- 18 U.S. Department of Education, "Individuals With Disabilities Act: Sec. 300.43 Transition services," available at <https://sites.ed.gov/idea/regs/b/a/300.43> (last accessed December 2020).
- 19 Individuals with Disabilities Education Act of 2004.
- 20 Strengthening Career and Technical Education for the 21st Century Act of 2018.
- 21 Workforce Innovation and Opportunity Act of 2014.
- 22 Higher Education Act of 1965, Public Law 89-329, 89th Cong., 1st sess. (November 8, 1965), available at <https://www.govinfo.gov/content/pkg/STATUTE-79/pdf/STATUTE-79-Pg1219.pdf#page=37>.
- 23 Office of Postsecondary Education, "Program Integrity: Gainful Employment," *Federal Register* 79 (211) (2014): 64889–6513, available at <https://www.federalregister.gov/documents/2014/10/31/2014-25594/program-integrity-gainful-employment>.