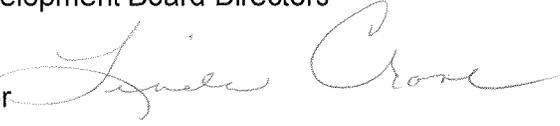




Date: February 19, 2014
To: Workforce Development Board Directors
From: Linda Crane
Bureau Director 
Subject: Workforce Investment Act (WIA) Policy 13-05: Statewide Supportive Services Guidance

Purpose

To provide information and direction for the development of a local policy that defines the process for the provision of supportive services to eligible Workforce Investment Act (WIA) Title 1 Adult, Dislocated Worker (including Special Response and National Emergency Grant) and Youth participants.

Legislative/Regulatory References

- WIA Sections 101(46), 111(b)(C)(iii); 112(b)(9); 117(b)(2)(A)(iii); 118(c)(2); and 134(d)(2)(H)
- 20 CFR 662.240 and 663.800
- Preamble to WIA (pages 49319 and 493320)
- Part 664, Subpart D, Youth Program Design, 664.440
- OMB Circular No. A-122 Allowable Cost Principals for Non-Profits
- OMB Circular No. A-87 Allowable Cost Principals for State and Local Government

Background

The WIA defines supportive services as those services necessary to enable an individual to participate in activities authorized under WIA Title 1. Supportive services may include transportation, child care, dependent care, needs-related payments, emergency assistance, referrals to medical services and assistance with work attire and work-related tool costs. Assistive technology/equipment may be included in this definition if staff document that the participant needs this technology/equipment in order to participate in the WIA activity and is unable to obtain it from other resources. The extent of supportive services provided will vary based on the participant's needs and the area's availability of funds and resources.

Monitoring by the Department of Labor of numerous States identified common findings relating to the provision of supportive services to participants. Similar findings have been identified by Division of Employment and Training (DET) staff during WIA monitoring, especially in recent years. These findings included: 1) lack of needs determination for supportive services (i.e., assessments of barriers were not conducted or assessments did not identify the need for supportive services); 2) incomplete documentation of supportive service needs (how barriers would be addressed through supportive services) and referrals to resources; and 3) inadequate/incomplete Employment Plans (did not match services provided or the Employment Plans were incomplete).

In addition, OMB Circular A-122, Attachment A states that "costs must be adequately documented, and that costs charged to federal grants must be reasonable and necessary." A cost is reasonable if, in its nature or amount, it does not exceed that which would be incurred by a prudent person under the circumstance prevailing at the time the decision was made to incur the costs.

Policy Requirements

Under WIA, the local Workforce Development Board (WDB), in consultation with the One-Stop partners and other community service providers, must develop a policy for the Workforce Development Area (WDA) on supportive services that ensures resource and service coordination in the local area. Attention should be given to developing policies and procedures that ensure that the supportive services provided are not available through other sources and that they are necessary for the individual to participate in Title 1 activities. The local policy must:

- Be developed by the WDB as a single policy for the entire area that applies to WIA Title 1 adult, dislocated worker (including Special Response and National Emergency Grant) and youth participants;
- Ensure coordination with all other available resources and services within the local area;
- Include referral procedures to services and how these services will be funded;
- Describe how supportive services will be funded when they are not otherwise available;
- Include an assessment process to determine the "needs" of the participant;
- Be reasonable in light of local conditions and the outcomes expected; and
- Ensure that staff make fair, consistent, and equitable supportive service determinations and that similarly situated participants have similar supportive services made available to them.

When developing a supportive services policy for program participants, the WDB must adhere to the following guidelines:

This policy applies to:

- Adult and Dislocated Worker programs (including Special Response and National Emergency Grant); and
- Youth program.

Supportive services are only to be provided to participants who:

- Are participating in core, intensive, or training services; or in the youth program (other than design framework);
- Are unable to obtain supportive services themselves or via their support network;
- Are unable to obtain supportive services through other programs including community agencies that provide these services; and
- Demonstrate a need for assistance to enable him/her to participate in Title 1 activities.

The area's local policy must include the following information:

- Types of supportive services available to participants. These services can only be provided after it is proven necessary to enable him/her to participate in WIA funded activities. Examples include, but are not limited to:
 - Assistance with uniforms or other appropriate work attire;

- Assistance with work-related tools, including such items as eyeglasses and protective eye gear;
 - Testing fees;
 - Assistance with transportation;
 - Assistance with child care and dependent care;
 - Linkages to community services;
 - Emergency housing; and
 - Referrals to medical services.
- Documentation the participant must submit when requesting supportive service(s). This could vary depending on the type of supportive service requested by the participant. A separate form or formal request is at the discretion of the WDB.
 - Documentation necessary to justify the need for supportive services (assessment, Employability Plan or other documentation).
 - Documentation necessary to show that other resources are not available.
 - Documentation to be maintained in participant file.
 - Duration and maximum dollar amount for all supportive services.
 - Procedures for coordinating with other funding sources such as the Trade Adjustment Assistance Act.
 - Procedures for exceptions to maximum dollar amounts or duration.
 - Prohibition of reimbursing the participant for expenses incurred without prior approval (see Attachment B, scenario 10).
 - Prohibition of using WIA funds for the following supportive services:
 - Business Capitalization – WIA funds cannot be used to capitalize a business. For example, the purchasing of tools as a post-employment/follow-up service for a participant who is or will become self-employed.
 - Deposits – WIA funds cannot be used to pay or reimburse for any type of deposits, e.g. rental, lease, etc.
 - Medical services and procedures, including transportation to medical appointments.
 - Methods for calculating payments for transportation and childcare.
 - Allowable emergency assistance payments and procedures, including duration and limits.
 - Determining emergency (eviction notice, disconnection notice, etc.)
 - Paying supportive service prior to due date of bill (i.e., not delinquent/late fees)
 - Procedures on how the local area will pay supportive services for individuals who have accessed supportive services from another workforce development area.
 - Procedures for referral to services and what documentation will be required to indicate that no other resources are available.
 - Information on how the local area is utilizing community resources including faith-based organizations prior to using WIA funding. The local area should keep an up-to-date Resource Directory of these resources to make referrals to prior to paying for supportive services. Examples of possible community resources include:
 - Faith-based organizations
 - Non-profit organizations
 - Women's shelters
 - Clothes closets
 - Food Pantry

- FoodShare Program
- Pro bono medical, dental, and legal services (may or may not need to be accessed through an organization)
- Government assistance such as: local health departments; the Women, Infants and Children (WIC) program; assistive technology reimbursement programs; Badgercare, etc.
- Local transportation programs, including the Wisconsin Employment Transportation Assistance Program (WETAP)
- State and national organizations such as: United Way, Goodwill, Salvation Army, etc.

Since WIA programs are not an entitlement, supportive service payments are made on a case-by-case basis only when determined necessary and reasonable. WIA funding should be used as a source of last resort. The supportive services must be necessary for the customer to achieve the goals outlined in the employment plan/individual service strategy. Therefore, it is imperative that the goals listed on the employment plan/individual service strategy are consistent with what the customer intends to achieve. Costs of supportive services must demonstrate a direct connection to participation in employment activities or education and training programs which will eventually lead to unsubsidized employment, and assist in building skills needed to succeed and advance in the workplace. Payments should not be made for non-WIA activities or for items that are not necessary for participation in the WIA activity. Attachment A provides definitions relating to providing supportive services and also identifies items the WDB should consider when developing their local policy. Attachment B of this policy provides numerous scenarios related to the provision of supportive services.

Monitoring

The WDB must have monitoring policies and procedures in place to ensure that service providers are complying with the WDB's supportive services policy. DET Local Program Liaisons will review the WDB's supportive services policies and procedures along with other program records (receipt of, and documentation of supportive services) as appropriate, during regular monitoring visits.

Automated System Support for Employment and Training (ASSET) Reporting

The provision of WIA supportive services is recorded in ASSET under Manage Services. Supportive services funded by other sources may be reported in ASSET. The dates recorded in ASSET should be relative to the type of supportive service provided. For example, a one-time supportive service payment would most likely be opened and closed on the same date. However, the service open and close dates for a participant receiving mileage reimbursement for attending school could be opened at the beginning of the semester and closed at the end of the school term. Once the participant is no longer receiving supportive services, the service should be closed in ASSET.

Action Required

This policy is effective immediately. Each WDB must have an area-wide supportive services policy that complies with this statewide guidance. Prior to submitting the policy to your Local Program Liaison, it must be presented to, and approved by the WDB. Once the local policy is approved, it must be incorporated into the WDB's local plan.

Questions and/or Technical Assistance and Training

If you need additional information regarding this guidance, please contact the Local Program Liaison assigned to your area.

Supportive Services Definitions

Childcare – to assist participants who are not able to participate in WIA services without such assistance and who are unable to obtain other childcare assistance. This includes participants who are in danger of dropping out or making less than satisfactory progress due to unsatisfactory or unreliable childcare arrangements. Policy considerations include:

- Use of licensed facility only
- Family and/or household members providing child care
- Attendance requirements/unexcused absences

Clothing/uniforms – to allow the participant to improve job search and interview potential or provide items required for training or as a condition of employment.

Documentation of Need – the need for supportive services can be documented via the assessment process, development of the Employment Plan, a request form completed by the participant, or ASSET case notes. If a support service is provided there must be some documentation to support the necessity of providing the service.

Documentation of Referrals – the type of documentation required to support the lack of other available resources should be relative to the type of supportive service provided. Case managers should be familiar with local resources and typically will not need to devote an inordinate amount of time to locate and document other sources of funding for supportive services. For example, if the assessment process identifies that a participant needs transportation assistance to attend school, a case note or the Employment Plan could indicate that the participant cannot ride with a classmate or the class schedule does not fit with the bus schedule. However, if the participant needs car repairs or rent assistance, there should be more evidence of referral to other resources (WETAP, local housing agencies, community agencies, etc.). If a participant is requesting assistance with the payment of utilities or a phone bill, at a minimum there should be evidence of attempts to establish a payment plan with the company.

Education-related Application Fees – fees paid to determine a participant's eligibility and acceptance at the educational institution and which will allow the client to obtain information on financial aid awards.

Emergency Assistance – typically a one time or rare expense paid to allow a customer to continue participating in WIA activities such as school, work experience, On-the-Job Training, etc. If the customer is having extreme financial difficulty, staff should be assisting him/her with needed financial information (development of a budget, credit counseling, debt management, etc.). Emergency assistance payments must be well documented in the case file. If there is confidential information, ASSET case note should be marked as "confidential". Examples of emergency assistance include:

- Payment of utility bills (electric, water, heating, etc.)
- A rent payment

As with all other WIA funding, all other options should be sought first. For example, heating and cooling assistance could be pursued through resources such as: Low Income Home Energy Assistance Program (LIHEAP), Salvation Army's "Heat Share", local programs, and faith-based

organizations. Rent assistance could possibly be obtained through the U.S. Department of Housing and Urban Development (HUD). In addition, the possibility of setting up a payment plan with the utility company/landlord should be explored and documented.

Follow-up Services - the WIA Regulations (20 CFR 662.240) define “core services” as including follow-up services. Therefore individuals engaged in follow-up services can receive appropriate supportive services. The preamble to WIA (pages 49319 and 49320) further indicates that WIA allows supportive services as follow-up services. The language implies that post-placement training and supportive services may not be broadly used and must be in accordance with a participant’s Employment Plan.

Medical Exams/glasses – medical exams needed for training or employment; drug testing; fingerprinting; vision exam; eyeglasses or protective eyewear.

Medical Services – the regulations (Section 664.440) do not permit WIA funds to be used to provide medical services. Rather, the regulations state that “Referrals to medical services are an allowable activity.” (Emphasis added). Therefore, WIA funds may not be used to pay for medical procedures, treatment, medication, or other medical services.

Mileage Reimbursement – for participants who must commute to and from a work site or training site, or conduct job search activities for which no other form of transportation is available. The Internal Revenue Service (IRS) mileage reimbursement includes direct and indirect vehicle expenses. Therefore, if the local area is paying full IRS mileage reimbursement, no other vehicle expenses and/or mileage can be paid. If the local area pays less than full IRS mileage, vehicle repairs may be paid if determined by staff to be reasonable, necessary and allowable per local policy.

Trade Act Funding (TAA) - if a customer is enrolled in Trade Act, this funding source must be utilized prior to WIA funding. If the customer needs resources not covered by Trade Act, local policy should be followed to provide these wrap-around services.

Transportation – service provided to ensure mobility between home and location of employment, training and/or other supportive services. Examples are: mileage reimbursement, car liability insurance, bus or other transportation fares, vehicle registration fees, driver’s license fees and parking assistance. This does not include fines or penalties, which cannot be paid for with WIA funds.

Vehicle Repairs – preventive maintenance work (oil change, etc.) is not allowed unless it is necessary as part of a larger repair. Local policy considerations include:

- Need for the car for training or work-related participation
- Ownership of vehicle
- Current registration
- Valid driver’s license
- Number of estimates required

Work-related Supplies – tools, work boots, safety equipment, etc. required as a condition of employment.

- Must be required for all employees performing the same job
- Not provided by employer to any other employees
- List of required tools or supplies must be verified by employer

Supportive Service Scenarios

1. Pam states she needs work attire to attend interviews. When reviewing her needs, the staff determined she previously worked in an office setting and has the appropriate attire without paying for this with WIA supportive services; therefore, it is not appropriate to pay this expense.
2. Bill states he needs new tires for his truck to drive to class. Staff reviewed his need and determined that Bill's budget allows for him to pay these expenses himself as he is currently employed and has discretionary income; therefore, it is not appropriate to pay this expense.
3. Jill states she needs scrubs for her nursing program. Staff reviewed her need and determined that the scrubs are required by the training program, there are no other community resources, and her budget does not allow for the expenses; therefore, it is appropriate to pay this expense.
4. Tom states he needs mileage reimbursement to attend class. Staff reviewed his need and determined there are other community resources (i.e., school provides free bus passes to city residents) to pay for this expense; therefore, it is not appropriate to pay this expense.
5. John states he needs childcare so he can attend class. Staff reviewed his need and determined a portion of childcare is not paid for through federally funded childcare; therefore, it may be appropriate to pay the unsubsidized share of this expense.
6. Mark states he needs mileage reimbursement to attend training. Staff reviewed his need and determined he currently rides with a family member who does not ask Mark for any reimbursement; therefore, it is not appropriate to pay this expense.
7. Jane states she needs new brakes for her car so she can drive to school. Staff reviewed her need and determined she only takes online classes, so this expense is not directly related to her training; therefore, it is not appropriate to pay this expense.
8. Bob states he needs steel-toed work boots to attend training. Staff reviewed his need and determined that the boots are required by the training program, his budget does not allow for this, and there are no other resources to cover the cost. Therefore, it may be appropriate to pay this expense.
9. Mary states she needs childcare to attend class. Staff reviewed her need and determined the childcare is completely paid for through federally funded childcare; therefore, it is not appropriate to pay this expense.
10. Joe did not request supportive services and declined them at initial completion of the employment plan. Then, three months into training, he requested reimbursement for mileage costs already incurred. If Joe has been participating in WIA Title1 activities to date without this supportive service, it cannot be documented that the supportive service was needed since he already paid for the expenses without reimbursement. In addition, to document the lack of alternative sources of funding for a period of time that has passed would be difficult in some cases and impossible in others. For example, if asked whether they would have provided funds for something (e.g., travel, work clothes, child care, car

repairs) at some past date, many organizations would have no way of being able to provide an answer because that determination could be made only in the context of the competing requests for funds or services at the time in question. Joe's request should be reviewed and a determination made whether it is appropriate to provide mileage reimbursement in the future. In addition, the employment plan should be updated to reflect in changes in the need for and provision of supportive services. On the other hand, if the individual no longer needs those supportive services but is requesting reimbursement to compensate for a missed opportunity, the only way to permit that would be through the use of non-WIA funds.

11. Fred is a dislocated worker and states that his unemployment payments have ended and he is having trouble paying his bills. He is requesting assistance with his rent so that he can pay his medical bills. WIA funds cannot be used to pay for medical expenses. Thus, WIA funds should not be used to pay for allowable supportive services so the participant can use their own funds to pay for an unallowable expense. The participant should be referred to programs that could assist with the medical bills or payment arrangements made with the medical provider.
12. Mark is struggling with paying his bills. The case manager suggested that Mark review his bills and see what the case manager can assist with. The participant is then reimbursed for car insurance that had been paid by Mark several months earlier. The use of WIA funds for supportive services is allowable only if those services are necessary for the individual to participate in WIA Title 1 activities, and the individual is unable to obtain those supportive services through other programs. Since Mark had already paid his car insurance, it cannot be documented that the supportive service was needed, and that there was a lack of alternative sources of funding. If Mark is in danger of dropping out of WIA-funded activities, it is recommended that addressing the new need created by the prior lack of supportive services be considered. For example, if Mark cannot afford the books and school supplies needed for the training because he spent that money on past car insurance payments, rather than retroactively reimbursing that cost, pay for the current books and school supplies
13. A participant requests supportive services while enrolled in On-the-Job Training (OJT) and earning an income. There are no federal or state prohibitions specific to providing supportive services to OJT participants; however, Section 663.810 allows local areas directly, or through their One-Stop Operators, to establish limits on the provision of supportive services.