

# Summary of Comments and DWD-DET's Responses – 8.8 Follow-Up Services

Policy Effective April 1, 2025

1. The eleven workforce development boards, the Wisconsin Workforce Development Association (WWDA) respectfully requests that, given the breadth and scope of these policy additions and updates, DWD-DET more fully explains "must" policy statements to local boards via technical assistance to help us meet compliance expectations.

DWD-DET will provide technical assistance for the "must" policy statements.

## **8.8.1 Overview:**

2. One commenter asked how to handle “follow-up services must be made available following their first day of unsubsidized employment.” The participant can often have unsubsidized employment while receiving WIOA services (I.e., part-time jobs while attending training). How would this situation be handled? (WDA 6)

DWD-DET provided additional guidance in chapter 8.8.1, including an exception for underemployed employment, along with examples.

Section 8.2 of the policy includes DWD-DET has determined that "placed in unsubsidized employment" does not include placement in temporary or part-time jobs unless the employment relates to the participant's occupational goals as outlined in their Individual Employment Plan (IEP).

3. One commenter suggested, based on section 8.8.1, the term “unsubsidized employment” be changed to “program exit” or something similar due to the many participants were in unsubsidized employment throughout or prior to program exit. (WDA 11) (Same question asked in section 8.8.2 and 8.8.5).

[20 CFR § 680.150\(c\)](#) states, "follow-up services must be made available, as determined appropriate by the Local WDB, for a minimum of 12 months following the first day of employment, to participants who are placed in unsubsidized employment." Therefore DWD-DET will not change "unsubsidized employment" for "program exit" in this scenario because not all participants need follow-up services upon program exit.

## **8.8.2 Purpose:**

4. One Commenter inquired about: Per WIOA Policy Chapter 8.7.1 exits coincide with the participant’s achievement of their program-related goals, as identified in their IEP/ISS, and have no future services are planned; if there are no future services planned for the customer and they have achieved the goals that were already outlined on their plan, what would the Career Planner do to update/review the customer’s IEP/ISS? (WDA10)

DWD-DET revised the language to state, "DWD-DET requires career planners to complete an IEP review before exit. Based on the review, if changes are necessary, the career planners must provide the IEP review service with the participant and document the changes made." If the participant accomplished all of the identified goals, no updates to the IEP are necessary.

5. One Commenter inquired about: Completing an IEP/ISS Review Service when the customer reaches the goals outlined on their current IEP seems counterproductive and will extend the customer's exit date.

Example: The Career Planner assists their customer in securing a job interview and posts a Job Development Service in ASSET with a completion date of 12/2/2022. On 1/15/2023 the customer contacts their Career Planner to let them know they were offered and accepted the job they interviewed for; although the last career service the customer received was on 12/2/2022, the customer's exit date will now be whatever date the IEP/ISS is completed. It is also unclear what information the Career Planner will update on the IEP/ISS since the customer's goals were already outlined on their current IEP/ISS and no future services are planned. (WDA 10)

DWD-DET revised the language to state, " DWD-DET requires career planners to complete an IEP review before exit....Based on the review, if changes are necessary, career planners must provide the IEP review service with the participant and document ...."

6. One Commenter suggested If part-time employment cannot be used unless it relates to IEP, should DWD provide a definition of part-time employment. (WDA 11)

DWD-DET added an example of a temporary or part-time job that includes a job to help the participant complete the program/training identified on their IEP. The job may or may not be over 32 hours if it does not lead to economic self-sufficiency and is without benefits.

7. As mentioned in section 8.8.1, the term "unsubsidized employment" should be changed to "program exit" or something similar due to the many participants were in unsubsidized employment throughout or prior to program exit.

Same response as section 8.1.1, question 3.

8. One Commenter suggested by requiring the completion of a final IEP at exit, this will extend the participant in the program even longer if the last service was provided at some other point in the past. I suggest removing the requirement for an IEP but keep the examples for what to consider. If the requirement is removed, the "Note" at the end of the section can also be removed. (WDA 11)

DWD-DET revised the language to state, " DWD-DET requires career planners to complete an IEP review before exit....Based on the review, if changes are necessary, career planners must provide the IEP review service and document ..." If no changes are necessary, this will not result in a service. If the participant is nonresponsive, the service is entered as "will never start," which will also not extend the exit date. A different exit date is appropriate if the career planner identifies changes.

### 8.8.3 Follow-Up Services

9. The policy mentions obtaining supplemental wage data which is 'separate' from follow up services contact. Can DWD confirm that the expectation is for Career Planners to enter separate case notes for supplemental data and follow-up service.? (WDA 6)

DWD-DET modified the language for "those attempts" to "the supplemental wage information."

#### **8.8.4 Notification of Availability of Services**

10. One commenter inquired, although we train our Career Planners to inform customers of the availability and purpose of follow-up services, we have a concern with this becoming a requirement. The note section provides an example of adding "remain in contact for 12 months following exit from the program." As an action step to a customer's IEP/ISS; however, would a case note suffice for showing this information was provided to a customer? If this does become a requirement, additional guidance on acceptable ways to report compliance would be beneficial. (WDA 10)

CEPT's Action Steps include "participate in follow-up services," which the career planner may add for all participants. The participant's acknowledged IEP is sufficient documentation. Another example is enrollment forms, which could have verbiage added where the participant signs/acknowledges receipt of the "flyers" or "pamphlets," which contain information about follow-up services.

11. One commenter asked how DWD will track whether or not the requirement is being met? What will the ramifications be if DWD is unable to find tangible proof that this information was communicated to the customer. (WDA 10)

DWD-DET updated this section to include "or enrollment forms where the participant signs/acknowledges the receipt of information" for monitoring purposes

12. One commenter is concerned explaining the availability and purpose of follow-up services could lead to confusion if someone is co-enrolled and still engaged in a non-common exit program, such as DVR. (WDA 10)

According to [WIOA Sec. 134\(c\)\(2\)\(A\)\(xiii\)](#) and [20 CFR § 680.150\(c\)](#), follow-up services must be made available for at least twelve months to the Adult Program and the Dislocated Worker Program participants following their first day of unsubsidized employment. Follow-up services should not be confused with Supplemental Data Collection four quarters after exit.

DWD-DET added clarifying language to the policy to distinguish the two.

13. If this becomes a requirement to be part of the IEP then DWD should update the CEPT IEP/ISS tool to automatically include this information instead of relying on the action steps. (WDA 6)

DWD-DET has incorporated auto-populating follow-up services into CEPT's action steps.

14. Our WDA discusses follow up services when we review the rights and responsibilities form with them because it is on this form that it mentions it is the client's responsibility to participate in follow up. The participant signs this form. Would this be sufficient documentation for making participants aware of the availability and purpose of follow-up services? Or will DWD still require it to be part of the IEP? (WDA 6)

Yes, DWD-DET updated the notification examples policy language to include "provide follow-up details in any program flyers, advertisements, or enrollment forms where their participant signs/acknowledges the receipt of information."

15. It is acknowledged that follow-up services are required to be offered; however, the notification of the availability of follow-up services falls to the local workforce board's discretion as to the method. The two mentioned methods in the policy must be reiterated as being examples of what could be done. (WDA 11)

DWD-DET modified this section to add examples including but not limited to.

16. The reference last statement goes beyond what is required of the stated section of the law. "Therefore, DWD-DET requires career planners to identify follow-up services to ensure the participants reach their long-term employment goals." At no point did the law or regulation mentioned in the reference section require a career planner to include follow-up services that will ensure the participant reaches their long-term employment goals. Although it can be helpful to any participant, requiring something in follow-up beyond what is listed as appropriate follow-up services, places an unnecessary burden on the career planner to do more that falls beyond the 12-month period where the goal is to maintain employment at a minimum through the 4<sup>th</sup> quarter after exit. (WDA 11)

DWD-DET removed "long-term" from the footnote reference.

### 8.8.5 Frequency of Contacts and Failed Contact Attempts

17. Are the WDBs able to adopt the State's policy instead of creating a separate, local policy? (WDA 10)

No, TEGL 19-16, p.3 states that states **and** local areas must establish policies that define what are considered to be appropriate follow-up services and policies for identifying when to provide them to participants.

DWD-DET's policy sets forth minimum requirements for contact and duration. However, local areas may want to be more proactive and reach out every month or provide for longer than the 12-month requirement. The local policy can align with ours. However, it's important to specify exactly what your area will provide and any exceptions.

18. Can the WDBs establish guidance rather than policy on the appropriate follow-up services and identifying when to provide follow-up services to participants? (WDA 10)

DWD-DET cannot change the policy to allow "guidance rather than policy." Per TEGL 19-16, p.3, States and local areas must establish policies that define what are considered to be appropriate follow-up services and policies for identifying when to provide them to participants.

19. The term “unsubsidized employment” should be changed to “program exit” or something similar due to the many participants were in unsubsidized employment throughout or prior to program exit. (WDA 11)

Same response as question 3

DWD-DET [20 CFR § 680.150\(c\)](#) states, "follow-up services must be made available, as determined appropriate by the Local WDB, for a minimum of 12 months following the first day of employment, to participants who are placed in unsubsidized employment." Therefore DWD-DET will not change "unsubsidized employment" for "program exit" in this scenario because not all participants need to receive follow-up services upon program exit. Section 8.8.2 clarifies "unsubsidized employment does not include placement in temporary or part-time jobs unless the employment relates to the participant's occupational goals as outlined in the IEP.

20. One commenter suggested it would be helpful to give examples of what "counseling individuals about the workplace" could include. For example, "assistance with work-related problems, preparing for performance reviews, asking for a raise, updating the resume with new job duties, or working towards promotions/next steps on the career ladder, etc.

DWD-DET amended the draft language based on the recommendation.