



**Buffalo and Erie County
Workforce Investment Board, Inc.**

LOCAL POLICY BULLETIN

BECWIB BULLETIN # 2-18 DATE: January 10, 2018

TO: Lavon Stephens, Administrative Director, WDC, Inc.

FROM: Heather Gresham, Executive Director, WIB, Inc.

SUBJECT: **Supportive Services Policy – REVISED**

REFERENCES: Title 1 of the Workforce Innovation and Opportunity Act, Section 3(59), Section 134(c)(3)(E), Section 134(d)(2) and (3); and the Regulations at 20 CFR 680 Subpart G; 20 CFR 680.900 through 680.970; and TEGL 19-16.

EFFECTIVE DATE: Immediately

Effective immediately, our Local Workforce Development Area (LWDA) revises the following its Supportive Services Policy under Title I of the Workforce Innovation and Opportunity Act (WIOA).

Local Policy Bulletin **#2-18** revises and replaces Local Policy Bulletins #10-17, dated November 3, 2017, and #7-17, dated June 15, 2017.

POLICY STATEMENT

The Buffalo and Erie County Workforce Investment Board is committed to providing Supportive Services to eligible Adult and Dislocated Workers in Individual Training Accounts (ITAs) under the directives and guidelines of the Workforce Innovation and Opportunity Act of 2014 and its regulations.

Supportive Services are effective for eligible WIOA Adults and Dislocated Workers who begin training through Individual Training Accounts. The changes made to the Supportive Services Policy are as follows:

- Supportive Services eligibility no longer includes an Income-level requirement [previously stated as: a household income that does not exceed the higher of (1) the poverty line, or (2) 70% of the lower living standard income level (LLSIL)]. This is because the Adult and Dislocated Worker requirements for ITAs has created the eligibility for supportive services. (This change is found on page 3).
- Required Documentation for supportive services no longer requires income verification but does require documentation that the supportive services being provided could not be obtained from other sources. (This change is found on page 5).

Please share this information with appropriate staff.

c: Leslie Ayer, Terry Chatfield, Ken Colon, Jeff Conrad, Makeda Holley, Christina Lopez, Brenda McDuffie, Deborah Miller, Jeff Nixon, Denise Raymond, Russell Sferlazza, Karen Simmons, Jeff Conrad, Demone Smith, Joe Sullivan, Cindy Trowman, Mary Zerpa and WIB staff.

SUPPORTIVE SERVICES

PURPOSE

This policy addresses the use of WIOA Title I funds for supportive services and needs-related payments to support Adults and Dislocated Workers in the Buffalo and Erie County Local Area receiving occupational skills training through ITAs.

BACKGROUND

WIOA requires Local Workforce Development Board to establish a policy for the provision of supportive services that ensures resource and service coordination in the local area.

Supportive services defined in WIOA Section 3(59) include services that are necessary to enable an individual to participate in activities authorized under WIOA Sections 134(c)(2) and (3). Program guidelines for supportive services for WIOA Adults and Dislocated Workers are provided in 20 CFR Part 680. Subpart G – Supportive Services (Sections 680.900 – 680.970).

POLICY

BECWIB, through its One-Stop Operator, will make childcare, transportation and needs-related payments available to eligible WIOA Adults and Dislocated Workers enrolled in ITA occupational training who require these supportive services to address barriers that may prevent them from reaching their employment and training goals.

Eligible participants are not automatically entitled to supportive services. Funds for supportive services are subject to availability of funding and based on personal and financial need.

WIOA supportive services must be coordinated with other community resources. In every instance of providing supportive services, case managers must ensure that no other resource exists or that the need is so urgent that referrals to other resources would delay providing the supportive service and create a hardship to the participant.

Supportive services may be paid to eligible ITA participants who are enrolled in WIOA as an Adult or Dislocated Worker, whether or not their skills training is being funded, in whole or in part, by other funding sources.

ELIGIBLE PARTICIPANTS

Supportive services for childcare, transportation and needs-related payments may be provided to eligible WIOA Adult and Dislocated Workers who are:

1. Enrolled in an ITA occupational skills training program where the duration of the entire training program is more than 24 instructional hours in a demand-driven occupation or its career pathway occupation; and
2. In need of such supportive services to address barriers that prevent the attainment of training and employment goals; and
3. Unable to obtain such supportive service through any other community resource or program, including the Erie County Department of Social Services (ECDSS), which provides such services.

ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SPECIFIC SUPPORTIVE SERVICES, THEIR FUNDING AMOUNTS, AND DURATION

For Supportive Services approved by BECWIB and provided through its One-Stop Operator, the additional eligibility requirements, specific funding amounts, and duration are as follows:

1. Child care

Supportive services for child care may be provided to an eligible participant who is the custodial parent, legal guardian, foster parent or other person standing *in loco parentis* of at least one dependent that is 12 years of age or younger, or who exceeds 12 years of age because of a documented disability or developmental delay.

The eligible participant must also demonstrate that there is no other responsible family member or adult in the household available to care for the dependent child during the hours of the training program, or that the special needs of the dependent child cannot be met by a responsible adult in the household.

Child Care supportive services may be provided during scheduled occupational training days actually attended and documented. If demonstrated to be financially necessary, it may also be provided for up to 30 days from the date the participant is placed and engaged in unsubsidized employment of 30 or more hours per week; provided, however, the placement in employment is within 6 months of the completion of training in a training-related occupation.

Subject to availability of funding, each participant may receive up to \$12,000 in childcare assistance. On a case-by-case basis and at the discretion of the WIB Executive Director, additional funding of up to \$2500 may be provided where evidence demonstrates that the participant is at near completion of a training program and without additional childcare assistance, the completion of training would be jeopardized.

Child Care supportive service payments will be made directly to New York State licensed and regulated providers of childcare services who are listed with the New York State Office of Children and Family Services and/or under contract with ECDSS. Payments to the childcare provider will be made on a bi-weekly basis for participant attendance documented in the previous bi-weekly period.

2. Transportation

Subject to availability of funding, supportive services for transportation may be provided during the ITA occupational training period in one of the following forms: for public transportation, an NFTA monthly bus pass; for private transportation, a bi-weekly check in the amount of \$5.00 per scheduled training day actually attended in the previous bi-weekly period.

After completion of ITA occupational training, an NFTA one-month bus pass may be provided at the discretion of the One-Stop Center Manager if requested within 6 months after the completion of training, documented to be financially necessary, and is part of the participant's initial placement and engagement in unsubsidized employment of 30 or more hours per week in a training-related occupation.

3. Needs Related Payments (NRPs)

For Adults to be eligible to receive NRPs, they must:

- (a) Be unemployed;
- (b) Not qualify for, or have ceased qualifying for, unemployment compensation; and
- (c) Be enrolled in a program of training services under WIOA sec. 134(c)(3).

For Dislocated Workers to be eligible to receive needs-related payments, they must:

- (a) Be unemployed and:
 - (1) Have ceased to qualify for unemployment compensation or Trade Act funding; and
 - (2) Be enrolled in an occupational skills training program through an ITA by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed six (6) months.

Or

- (b) Be unemployed and did not qualify for unemployment compensation or trade adjustment assistance under TAA and be enrolled in a program of training services under WIOA sec.134(c)(3).

Under this Policy, the level of a NRP made to an Adult or Dislocated Worker will be limited to \$10.00 per day for each day that the participant is in ITA occupational skills training for at least 4 consecutive hours per day; however, that amount shall not exceed \$50 per week. Payments will be made on a bi-weekly basis for participant attendance documented in the previous bi-weekly period.

REQUIRED DOCUMENTATION FOR SUPPORTIVE SERVICES

The One-Stop Operator is required to maintain documentation sufficient to satisfy the requirements of this Supportive Services policy, as well as those requirements promulgated by New York State Department of Labor Technical Advisories. At a minimum, this includes:

1. For NRPs, documentation that the participant qualifies to receive NRPs as an Adult or Dislocated Worker under the eligibility guidelines of this policy, including proof of unemployment compensation, amounts paid, and the fact that the participant is no longer receiving benefits.
2. A Comment in the participant's OSOS record stating that the participant is eligible for the supportive service(s) being provided and, after efforts by the counselor and participant to secure supportive services from another sources, is unable to obtain such supportive service(s) through other sources. The Comment must include the other-source referrals made and the results of those referrals.

3. A cumulative and up-to-date supportive services log maintained as part of the participant's fiscal ITA file, which tracks the type of supportive service being provided, and the dates and cost of such service(s).
4. Any other documentation that the BECWIB may require.

Reference Links:

Workforce Innovative and Opportunity Act

<https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>

Federal Register - Part VI of Vol. 81, No. 161 (Department of Labor final rules for WIOA)

20 CFR Part 680. Subpart G – Supportive Services (Sections 680.900 – 680.970)

<https://www.law.cornell.edu/cfr/text/20/part-680/subpart-G>

TEGL 19-16 dated March 1, 2017. Guidance on Services provided through Adult and Dislocated Worker Programs under WIOA and Wagner-Peyser.

https://wdr.doleta.gov/directives/attach/TEGL/TEGL_19-16_acc.pdf

Click on Accessible Version (PDF). See page18 for Supportive Services and Needs Related Payments.