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SOUTHWEST WASHINGTON

WSW Executive Committee Meeting
Workforce Southwest Washington – Mt. Rainier Board Room
March 22, 2023 3:30 – 4:30 pm
AGENDA

3:30	<u>Welcome</u>	Paige Spratt
3:35	<u>Consent Agenda</u> * <ul style="list-style-type: none">• Approval of Executive Committee Minutes• Approval of Contract Memo• Approval of Policy Memo	Paige Spratt
3:40	<u>Point North Community Focus Group</u>	Julia Maglione
4:10	<u>CEO Update</u> <ul style="list-style-type: none">• Funding Updates – Open RFPs• Equal Opportunity Report• Corrective Action – Contractor Updates• NAWB	Miriam Halliday
4:20	<u>Open Discussion / Other Items</u>	Paige Spratt
4:30	<u>Adjourn</u>	Paige Spratt

* - Action Required

NOTES

April Executive Committee Meeting – April 26, 2023 (Virtual)



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SOUTHWEST WASHINGTON

WSW Executive/Finance Committee Meeting Minutes
February 15, 2023
4:00 p.m.
Zoom Conference Call

Executive Committee Members Present: Vice Chair A.D. Simmons, Ted Sprague, Monte Constable, Adrienne Watson, and Corey Giles.

Finance Committee Members Present: John Vanderkin, Bob Gustainis, and Ilona Kerby

Executive Committee Members Excused: Renny Christopher and Paige Spratt

Guest: Craig Catlin with Johnson, Stone & Pagano, P.S.

Staff Members Present: CEO Miriam Halliday, Amy Gimlin, Barri Horner, Denise Elliott, and Traci Williams.

WELCOME:

Vice Chair A.D. Simmons opened the meeting at 4:01 p.m. and welcomed everyone in attendance.

APPROVALS:

Having reached quorum, Vice Chair Simmons entertained a motion to approve the Consent Agenda, consisting of the Executive Committee minutes held on January 25, 2023 and Contract Memo.

Ted Sprague moved to approve the Consent Agenda as presented, second by Bob Gustainis. Motion carried.

FINANCE:

Craig Catlin of Johnson, Stone & Pagano, P.S. (JSP) joined the meeting to present the findings from the recent fiscal audit of WSW held last November. Chief Financial Officer Barri Horner provided additional information to the members.

Craig Catlin reported that JSP performed the Uniform Guidance Single Audit, which focuses on compliance related to the use of federal funds. A clean audit resulted, with no negative findings with the design and/or performance of WSW's fiscal procedures.

Craig Catlin reported that WSW's financial statement audit, as a whole is an unmodified, clean opinion; the internal controls for financial statements and the internal controls and compliance for the federal awards were all clean and unmodified, qualifying the organization as a low-risk auditee.

Adrienne Watson moved to approve the audit draft in its current form as presented and forward to the full board at the upcoming March Board meeting, second by John Vanderkin. Motion carried.

CFO Horner presented the WSW quarterly spending reports for the second quarter of the current fiscal year.

GOVERNANCE:

Governance Chair A.D. Simmons shared that Tracy Doriot and Nathan Webster have joined the Governance Committee. There are two open seats on the WSW board currently, one Clark County Private Sector and one Clark County Labor Seat.

CEO REPORT:

CEO Miriam Halliday shared the proposed March Board meeting draft agenda to the Executive Committee. Miriam Halliday also mentioned updates with the Interstate Bridge Replacement Project and with WSW's monitoring with Employment Security Department. Questions were address by Miriam Halliday

NEW BUSINESS / OTHER ITEMS

WSW CFO stated that the next Finance Committee meeting is scheduled for May 17th, 2023.

ADJOURNMENT:

With nothing further for the good of the order, Vice Chair Simmons entertained a motion to adjourn the meeting at 4:52 p.m.

Ted Sprague moved to adjourn the meeting at 4:52 p.m.



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SOUTHWEST WASHINGTON

WSW Executive Committee Meeting Minutes
February 22, 2023
3:00 p.m.
Zoom Conference Call

Executive Committee Members Present: Chair Paige Spratt, Vice Chair A.D. Simmons, Ted Sprague, Monte Constable, Councilor Sue Marshall, Mark Tishenko, and Corey Giles.

Executive Committee Members Excused: Renny Christopher and Adrienne Watson

Staff Members Present: CEO Miriam Halliday, Amy Gimlin, Lyn Love, and Traci Williams.

WELCOME:

Vice Chair A.D. Simmons opened the meeting at 3:00 p.m. and welcomed everyone in attendance.

WIOA TITLE I-B YOUTH RFP MEMO:

Lyn Love, Program Manager went over the timeline of the WIOA Title I-B Youth RFP, the selection process of the Scoring Committee, and the scoring rubric and the criteria that the committee scored each proposal. The criteria for the scoring rubric were the following: demonstrated experience and ability, relationships and collaboration, program design, and program cost and budget.

Based on proposals, presentations, and discussion at the Scoring Committee's convening meeting, the Committee recommends the WSW Executive Committee invest in Career Path Services' consortium for the WIOA Title I-B Youth contract.

Questions were answered and addressed by Lyn Love and Miriam Halliday.

Paige Spratt moved to approve the Scoring Committee's Youth funding recommendations as presented to the March 14th board meeting for final approval, second by Ted Sprague. Motion carried.

ADJOURNMENT:

With nothing further for the good of the order, Vice Chair Simmons entertained a motion to adjourn the meeting at 3:24 p.m.

Paige Spratt moved to adjourn the meeting at 3:24 p.m.



CONTRACT MEMO

DATE: MARCH 16, 2023
TO: MIRIAM HALLIDAY, WSW CHIEF EXECUTIVE OFFICER
WSW EXECUTIVE BOARD MEMBERS
FROM: LINDA CZECH, WSW CONTRACTS MANAGER
RE: CONTRACT UPDATE (FEBRUARY - MARCH 2023)

WSW **modified** the following contracts:

- Equus to modify the Statement of Work for Federal Economic Security for All, no change in budget or end date.

WSW **executed** the following contracts:

- Nancy Pionk Coaching and Consulting for budget of **\$15,755** to provide Conflict Management Training, end date **December 31, 2023**.

WSW **notification of grant award/execution**:

- WSW received executed grant modification for *COVID-19 Disaster Relief Employment Recovery DWG* through Employment Security Department to June 30, 2023. Grant award amount decreased by \$40,582 for total of **\$1,039,798**.

Board Approval Needed

- Approval needed for *PY22 Title 1 Youth*, contract between WSW and **Career Path Services**, contract to begin April 1, 2023, in Clark, Cowlitz and Wahkiakum counties. Total contract amount not to exceed **\$200,000**.

This contract with Career Path Services is to operationalize the staffing structure, strategy, and necessary training prior to providing direct services July 1st, 2023 at Next Vancouver and Longview. The additional months will allow for a strong start to service delivery July 1st, as well as provide ample time for onboarding for the new team as the cross train with the existing service providers.



POLICY MEMO

DATE: MARCH 15, 2023
TO: MIRIAM HALLIDAY
WSW EXECUTIVE COMMITTEE MEMBERS
FROM: TRACI WILLIAMS, WSW OFFICE MANAGER/EXECUTIVE ADMINISTRATOR
RE: POLICY UPDATES

Supportive Service and Needs Related Policy 3005-8

This was a revision to our Supportive Service and Needs Related Policy. Employment Security Department revised the state policy which updated the supportive services definition to clarify the circumstances under which WIOA Title I-B funds can be used to provide food as a supportive service to Title I Youth. The other revisions to this policy were largely grammatical. A copy of the revised policy is attached.

Based on the approval process, this policy approval falls under **Tier 2 Executive Committee approval** and Full Board notification.

Tier 2 – Intermediate

Definition: Intermediate revisions consist of minor tweaks to language to improve functionality for service providers. The modification could be a change requested by the service provider. These revisions require Executive Committee approval and Full Board notification.

WIOA Title I-B Administrative Sanctions State Policy 5406-3

This was a revision to the state policy to bring it up to standard with WIOA regulations. All local boards are subject to follow State [WIOA Title I-B Administrative Sanctions Policy 5406-3](#). This is notification to the board of this revision to the state policy.

Based on the approval process, this policy approval falls under **Tier 1 Executive Committee** and Full Board notification.

Tier 1 – Minimum

Definition: Minimum revisions consist of grammar, spelling, branding changes, State or Federal mandated adjustments, or a new State or Federal mandated policy with no local revisions. These revisions would not require Executive or Full Board approval but would be included in a notification memo.

WSW Training Policy Handbook – Attachment A

This was a revision to our Training Policy Handbook – Attachment A. In this revision, WSW adjusted based on a revision of staff responsibilities, market needs, and equity. The goal is to increase training accounts to match the market while maintaining the financial relationship between OJTs and ITAs. Furthermore, align youth and adult WEX to open access through flexibility while equitably addressing WEX duration. A copy of the revised handbook is attached.

- WSW staff contact changed from Amy Gimlin, COO to Tamara Toles, Quality & Compliance Manager
- OJT Cap maintains previous \$5,000 limit that existed when combined with ITA. Moved the reference and reframed from the ITA section to the OJT section (Pg. 13)
- Adjusted ITA funding caps from \$12,000-\$15,000 to \$17,000 based on market and that the caps have not been adjusted since 2016, evened out across all four sectors (Pg. 21)
- Adjusted the duration from referenced weeks to only hours to provide more flexibility matching Adult and clarified criteria to consider when determining the WEX duration (Pg. 27)

Based on the approval process, this policy approval falls under **Tier 3** Executive Committee and Full Board **approval**.

Tier 3 – Substantial

Definition: Substantial revisions consist of significant revisions to a current policy or a State or Federal mandated “new” policy with local revisions made that will affect service delivery. These revisions require approval from both Executive Committee and Full Board.



P.O. Box 9046 • Olympia WA 98507-9046

March 15, 2023

Miriam Halliday, Chief Executive Officer
Workforce Southwest Washington
805 Broadway Street, Suite 412
Vancouver, WA 98660

Dear Ms. Halliday:

This letter is a follow up to the State-Level Equal Opportunity Office Monitoring Review of Workforce Southwest Washington October 11-12, 2022. We appreciated your time and the opportunity to learn more about your commitment to equal opportunity and accessibility. My team and I are impressed with the work Workforce Southwest Washington is doing to ensure equal access to WorkSource services for all the populations in your area, and the level of compliance with the equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA).

This review of your 2021 Equal Opportunity (EO) compliance provided an opportunity for us to learn about areas you are proud of related to equal opportunity. We really appreciate and enjoy working with your Equal Opportunity Officer, Amy Gimlin. She asks good questions and is an active participant in all our EO meetings and subcommittees.

I am pleased to share that the results of the EO monitoring we conducted were great. The staff we talked with were welcoming, engaged and friendly; they were knowledgeable about the EO requirements and demonstrated that they are well prepared to provide accessible service.

Attached is the 2022 Equal Opportunity and Nondiscrimination Monitoring Review Report for Workforce Southwest Washington, which contains no findings.

We look forward to our ongoing work with you and your team, and to our continued partnership. Please let me know if we can do anything to assist you with your EO and nondiscrimination work; my phone number is 360-480-5708 and my email is teresa.eckstein@esd.wa.gov.

Respectfully,

A handwritten signature in dark ink that reads "Teresa Eckstein". The signature is fluid and cursive, with the first name "Teresa" and last name "Eckstein" clearly distinguishable.

Teresa Eckstein
State-Level Equal Opportunity Officer
Employment Security Department

Cc: Amy Gimlin, Chief Operating Officer & Equal Opportunity Officer, Workforce Southwest Washington

March 15, 2023

TO: Miriam Halliday, Chief Executive Officer, Workforce Southwest Washington

Cc: Amy Gimlin, Chief Operating Officer & Equal Opportunity Officer, Workforce Southwest Washington

FROM: Teresa Eckstein, State-Level Equal Opportunity Officer^{je}

RE: 2022 Equal Opportunity and Nondiscrimination Monitoring Review Report

Purpose of Review

In compliance with the Nondiscrimination and Equal Opportunity (EO) provisions of the Workforce Innovation and Opportunity Act (WIOA), the State-Level EO Office completes annual compliance monitoring reviews of each Local Workforce Development Board (LWDB) within Washington State.

Elements of Review

The State-Level EO and nondiscrimination monitoring review of Workforce Southwest Washington took place October 11-12, 2022 and included an entrance meeting, interviews with a program managers, employee and customer interviews, and facility walkthroughs at WorkSource Vancouver, WorkSource Cowlitz/Wahkiakum, and Next. Prior to our visit, we conducted a desk audit of the monitoring documents submitted by Equal Opportunity Officer Amy Gimlin.

Entrance Meeting

We met with you and Ms. Gimlin on October 11, 2022, to review the monitoring agenda, the purpose of the monitoring review, and the elements of the review. I provided updates on current work the State-Level EO office is conducting. You and Ms. Gimlin shared information about your continued commitment to providing accessible services to all populations in your community and how well you have woven equal opportunity into all of your work.

Workforce Southwest Washington Review

We reviewed the monitoring documents submitted by Workforce Southwest Washington on October 11, 2022, with Ms. Gimlin, and items noted from our desk audit. When reviewing Workforce Southwest Washington's website, there was no link to a Spanish discrimination complaint form and links in their Equal Opportunity and Nondiscrimination Policy were not working. Workforce Southwest Washington immediately corrected the broken links and posted a Spanish discrimination complaint form to their website.

NDP Element I: Designation of EO Officers and EO Training

Amy Gimlin is the EO Officer for Workforce Southwest Washington. Ms. Gimlin attends the monthly EO conference calls provided by the State-Level EO Officer. She attended the EO Officer conferences provided by the State-Level EO Officer in July and November 2022.

Workforce Southwest Washington makes its EO Officer's identity known to participants and service providers through Equal Opportunity is the Law posters, EO Notice, its website, and EO training for staff.

Ms. Gimlin provides EO training to staff and partners every year and maintains a spreadsheet to track attendance and training dates.

NDP Element II: Notice and Communication

EO Notice Posters, EO Taglines and Effective Communications

Workforce Southwest Washington provides notice that it does not discriminate in the delivery of programs and services in the following ways:

- There are WIOA Equal Opportunity is the Law posters in the centers and in the staff break rooms, which contain the required language at 29 CFR Part 38.35.
- Participants are signing the Notice of Right to file a discrimination complaint in the management information system.
- The EO tagline is included in all brochures, pamphlets, flyers, in radio and cable announcements, and on the website.
- Workforce Southwest Washington ensures continuing notice is provided to employees and applicants for employment that they do not discriminate on any prohibited grounds by listing the EO tagline on their websites and job advertisements, and by providing training to staff.
- Workforce Southwest Washington ensures continuing notice is provided to sub-recipients and contractors that they do not discriminate on any prohibited grounds by reviewing EO requirements with them, listing EO requirements and assurances in contracts, posting policy on their website, and reviewing nondiscrimination requirements during EO training.
- Workforce Southwest Washington ensures continuing notice is provided to members of the public with disabilities, including individuals with impaired vision and hearing that they do not discriminate on any prohibited grounds, by displaying the Equal Opportunity is the Law posters, listing the EO tagline in brochures and communications, and notifying customers of their rights to file a discrimination complaint.
- Workforce Southwest Washington communicates to its service providers and sub-recipients the requirement not to discriminate on the basis of disability and the obligation to provide reasonable accommodations by placing applicable language in its contracts and through EO training.

NDP Element III: Assurances

Workforce Southwest Washington is using the USDOL-required assurance language found at 29 CFR 38.25 in its contracts and agreements.

NDP Element IV: Affirmative Outreach Communications and Outreach

- Workforce Southwest Washington markets its services through their broad network of community-based organizations, including agencies that provide services to diverse populations.

Access for LEP Customers

- Staff have access to Language Link for telephone interpretation services, and bilingual staff are available to assist customers.
- Documents are translated into Spanish and Chuukese based on request and need.
- Equal Opportunity is the Law posters are displayed in English, Spanish, Russian and Chuukese and can be translated or interpreted based on request and need.
- Service providers offer services to customers with limited English proficiency in their preferred language by translating documents or hiring interpreters as needed.

Access for Customers with Disabilities

- Accessible workstations and technology are available for individuals with disabilities, including adjustable computer workstations. Computers have software that enlarges font size, reads text, and magnifies text.
- Workforce Southwest Washington provides reasonable accommodations when needed.
- Workforce Southwest Washington uses the Washington Relay Service for telephone communications with hearing and speech-impaired customers. Pamphlets and flyers with center telephone numbers include the relay service number.
- Sign language interpreters are provided as needed.

NDP Element V: Compliance with Section 504

Nondiscrimination On the Basis of Disability

- Workforce Southwest Washington provides reasonable accommodations for disabilities for its staff and customers. In addition to EO posters and the use of the EO tagline, Workforce Southwest Washington discusses the availability of accommodations during the registration and hiring process.
- Workforce Southwest Washington provides accommodations upon request and need.

NDP Element VI: Data and Information Collection and Maintenance

With the implementation of WorkSourceWA.com, customers answer EO data questions without staff assistance. Workforce Southwest Washington will conduct statistical analysis when this function becomes available in the management information system.

NDP Element VII: Monitoring Recipients for Compliance

Workforce Southwest Washington conducted equal opportunity monitoring of its services August 2021 through September 2022. Ms. Gimlin's monitoring reports combined program fiscal and EO monitoring. It was noted that there were no EO deficiencies and no EO sanctions implemented. For future monitoring reports, Ms. Gimlin will address each element of the Nondiscrimination Plan and provide more detail in a separate EO monitoring report.

NDP Element VIII: Complaint Processing Procedures

Workforce Southwest Washington models their complaint processing procedures after the state's WorkSource System Discrimination Complaint Processing Policy and Handbook to process discrimination complaints. Customers and employees are able to access the policy through the Workforce Southwest Washington website.

Workforce Southwest Washington had no discrimination complaints filed during the review period. Workforce Southwest Washington maintains a discrimination complaint log. Discrimination complaints are forwarded to the Local EO Officer.

Customers receive the EO Notice during intake and sign the notice to indicate they have received the notice and understand the process for filing a discrimination complaint.

NDP Element IX: Corrective Actions/Sanctions

There were no corrective actions or sanctions applied during the monitoring period. Depending on the nature of the violation, Workforce Southwest Washington would notify the recipient verbally and in writing and provide guidance to voluntarily correct the violation within an established timeframe. Workforce Southwest Washington would follow up to address any additional questions or concerns.

Interview with Service Provider Manager

We met with One Stop Operator Jessica Richards and Next Service Provider Keely Christ. They were knowledgeable about the EO requirements and demonstrated that they are well prepared to provide accessible service.

Employee Interviews

We interviewed one employee at WorkSource Vancouver and one employee at WorkSource Cowlitz/Wahkiakum. Both were knowledgeable about the EO requirements and demonstrated that they are well prepared to provide accessible service. One employee wasn't aware of people's rights to use the restroom that best align with their gender identity. We recommend staff receive additional gender identity training.

Customer Interviews

We interviewed one customer at WorkSource Cowlitz/Wahkiakum and two customers at WorkSource Vancouver. All shared they felt the environment was welcoming and accessible to all customers and that the center staff were welcoming and provided great service.

Participant File Reviews

There were no paper participant files to review; all files are maintained electronically. Ten participant files were reviewed in the management information system, and none contained medical information.

Medical File Reviews

There were no medical files to review.

WorkSource Vancouver Walkthrough

EO Posters

WIOA Equal Opportunity is the Law posters were posted in English and Spanish, in reasonable numbers and places, including the resource room, training rooms, and staff break room. PC Lab 106 and Classroom 107 had an older version of the EO posters displayed. The Resource room EO posters were posted too high. Updated EO posters were ordered and posted and the resource room EO posters were lowered to a reasonable height.

EO Tagline

The EO tagline was incorrect or missing from eleven flyers, brochures, and posters. Workforce Southwest Washington corrected this by working with staff to put the correct EO tagline on these documents or removing documents and posters no longer in use.

Assistive Technology

The resource room has an accessible workstation with an adjustable table, adjustable chair, and large monitor, but is located in a space segregated from others. Workforce Southwest Washington will move the accessible workstation in a location that is more inclusive. PC Lab 105 is missing accessible workstation. WorkSource Southwest Washington has installed an adjustable desk and chair and ordered a large monitor.

Building Accessibility

- The aisles in PC Lab 105, PC Lab 106, and Classroom 107 were too narrow. Workforce Southwest Washington adjusted aisles to appropriate width.
- Men's and women's restrooms soap dispensers were installed too high. Workforce Southwest Washington adjusted them to the appropriate height.
- The accessible parking space sign was too low from the ground. Workforce Southwest Washington adjusted the sign to the appropriate height.
- There are 71 parking spaces and only one accessible parking spot. Need to add two additional accessible parking spaces nearest to the front entrance and make a curb cutout to access sidewalk. The State EO Office is working with Workforce Southwest Washington and ESD Facilities to implement these changes.

Reception/Welcome Area

Staff have access to an I-Speak card that allows customers with limited English proficiency (LEP) to self-identify their preferred language and demonstrated an understanding of how to

assist customers with LEP.

Next Walkthrough

EO Posters

WIOA Equal Opportunity is the Law posters were posted in English and Spanish, but were missing from the GED Testing room, Think Tank, and Chat Room. Updated EO posters were ordered and posted in those locations.

EO Tagline

The EO tagline was incorrect on four posters. Workforce Southwest Washington corrected this by removing the posters.

Assistive Technology

The accessible workstations in the kitchen and GED Testing room had adjustable tables and large monitors, but needed adjustable chairs and adjustable arms for the monitors. The computer has assistive technology installed that allows users to magnify screen display, turn on narration, and enlarge font size. Workforce Southwest Washington ordered adjustable chairs and adjustable arms for the monitors, for both workstations.

Building Accessibility

- The accessible bathroom door closed too fast. Workforce Southwest Washington had a new door installed as the existing one was leaking oil, causing the lack of compliance. The new door meets the required closure rate of 5 seconds or more.
- The State EO Office recommended Workforce Southwest Washington install lower towel hooks in their shower room, because the current ones are high. Workforce Southwest Washington ordered and installed hooks at a lower height.
- The aisles in the Learning Loft and Classroom needed to be adjusted to have at least 36" space between. Workforce Southwest Washington removed extra furniture to adjust aisles in both rooms to 36".
- The Think Tank room needed to have furniture adjusted (or some removed) to allow a clear forward approach for wheelchair users. Workforce Southwest Washington removed extra furniture to allow for a clear forward approach.
- Permanent room signs need to be installed on all rooms on the latch side of door and include braille. Workforce Southwest Washington ordered braille signage in January 2023 and had them installed.

Reception/Welcome Area

Staff have access to an I-Speak card that allows customers with limited English proficiency (LEP) to self-identify their preferred language. The employee greeting customers at the time of our review demonstrated an understanding of how to assist customers with LEP, including how to call for interpretation services.

WorkSource Cowlitz/Wahkiakum Walkthrough

EO Posters

WIOA Equal Opportunity is the Law posters were posted in English and Spanish, in reasonable numbers and places, including the resource room, training rooms, and staff break room. Room 1A did not have posters. Workforce Southwest Washington ordered EO Posters and posted them where needed.

EO Tagline

The EO tagline was incorrect or missing from four flyers, brochures, and posters. Workforce Southwest Washington corrected this by working with staff to put the correct EO tagline on these documents or removing documents and posters no longer in use.

Assistive Technology

The resource room has an accessible workstation with an adjustable table, adjustable chair, and large monitor. The computer has assistive technology installed that allows users to magnify screen display, turn on narration, and enlarge font size. Room 1B has an accessible workstation, but was missing a keyboard and an adjustable chair. Workforce Southwest Washington corrected this by adding a keyboard and adjustable chair to the workstation.

Building Accessibility

- Room 1B door was too heavy at 10 pounds. Room 1A door met ADA standards but felt initially heavy to open. Workforce Southwest Washington had this corrected by adjusting the pressure for both doors.

Reception/Welcome Area

Staff have access to an I-Speak card that allows customers with limited English proficiency (LEP) to self-identify their preferred language. The employee greeting customers at the time of our review demonstrated an understanding of how to assist customers with LEP, including how to call for interpretation services.

Summary

Workforce Southwest Washington demonstrates a strong commitment to equal opportunity and nondiscrimination under your leadership. My team and I really appreciated your time and participation in our review. Ms. Gimlin is doing a great job as your EO officer. She is very conscientious and knowledgeable and is a great resource to staff and partners in your area.

If you have questions or disagree with this report, I will meet with you to discuss the issues. The process outlined in the WIOA Equal Opportunity and Nondiscrimination Monitoring guide will be followed. If mutual agreement or voluntary compliance cannot be reached, the corrective action procedures provided in the Washington State Nondiscrimination Plan will be followed, per the U.S. Department of Labor, Civil Rights Center.



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**Workforce Southwest Washington
Policies and Procedures**

**SUPPORTIVE SERVICE and NEEDS RELATED POLICY
POLICY #: 3005 Revision ~~7~~8**

Original Policy Date: 4/16/2012

Effective Revision Date: ~~8/25/2021~~3/14/2023

Purpose:

Workforce Southwest Washington is issuing this policy to establish the principles and procedures for providing supportive services to participants enrolled in federally funded programs, including but not limited to Workforce Innovation and Opportunity Act (WIOA), [and](#) other programs that allow participant supportive services, ~~and YouthBuild~~. Additionally, WIOA calls for the Local Board, in partnership with the One-Stop partners and community service providers, to effectively coordinate resources and the provision of supportive services.

Background:

[The Workforce Innovation and Opportunity Act](#), in Section 3 (59), generally define a supportive service as “services such as transportation, childcare, dependent care, and housing, which are necessary to enable an individual to participate in activities authorized under this Act.” [The Final Rules](#) take it one-step further to say supportive services may include the following:

- a) Assistance with transportation
- b) Assistance with childcare and dependent care
- c) Assistance with housing
- d) Needs-related payments (not allowable in our workforce development area)
- e) Assistance with educational testing
- f) Reasonable accommodations for individuals with disabilities
- g) Legal aid services
- h) Referrals to health care
- i) Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear
- j) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes and
- k) Payments and fees for employment and training-related applications, tests, and certifications.

While this definition contains some illustrative examples, WSW will define the local expectations and requirements further in the policy.

Policy:

Supportive services are one mechanism available to support participation in program services and/or activities to secure and retain employment or post-secondary education. Registration, pursuant to the provisions of the program of enrollment, is an absolute prerequisite to the delivery of supportive services.

For WIOA Title I youth participants, supportive services are among the 14 required program elements and must be available to all registered participants.

If the support is required to participate in training (occupational skills training), it is not considered a “supportive service” it is considered part of the ITA training cost. If it is not required for training, but necessary to continue training or gain employment it is considered a “supportive service”. If the support is a course requirement it must be written on the course syllabus or part of the registration paperwork for the training and a copy of the requirement documentation must be kept in the participant file as part of the supportive service records.

For work-based learning trainings (OJT, WEX, Internships, Apprenticeships), the items required to participate in the training are considered supportive services and should be charged accordingly.

Allowable training expenses affiliated with training paid by programs other than WIOA Title I (such as Vocational Rehabilitation (VR), Trade Adjustment Assistance (TAA), or community and technical colleges through Worker Retraining (WRT)) can be funded by WIOA Title I as a supportive service if:

- The participant is also eligible for and enrolled in a WIOA Title I program.
- A non-WIOA Title I program selected and is paying the tuition for the training.
- Costs for allowable training expenses are not covered by Pell, other financial aid programs or private scholarships.
- The WIOA Title I Program and case manager had no direct involvement in the process of selecting the training, which precludes the establishment of a WIOA-Funded ITA.

However, since supportive services do not trigger or extend participation for adults and dislocated workers, there must be an accompanying Title I-funded career service to trigger a participation episode.

Documentation of training-related expenses as supportive services through case notes, ~~which will~~ prevent the appearance of duplicate spending between WIOA and other federally funded programs (see WorkSource System Policy 1020, Rev 1, Section 1.3 on Case Note Guidance).

Supportive services are not entitlements and shall be provided based on a documented financial assessment and/or individual circumstances, the absence of other resources, and the availability of program funds. Reimbursement shall be for actual costs. Supportive services may be provided to a participant who meets the following requirements according to final rule citation 680.910:

- 1) The participant is registered in a WIOA, ~~YouthBuild~~, or other WSW Program that allows supportive services. For all Title I programs, the participant can also be receiving follow-up services and support is needed to obtain or retain employment or continue education; and
- 2) The participant is receiving career or training services as defined in WIOA secs. 134(c)(2) and (3). Supportive services cannot be provided as a stand-alone service; and
- 3) Supportive services are necessary to enable continued participation in career or training services; and

- 4) The participant is unable to obtain similar services from another source (non-WIOA ~~or non-YouthBuild~~). Research was done to show all other resources were exhausted; and
- 5) The participant has a documented financial assessment supported by the youth's ISS/IDP or adult employment plan (IEP).

Service providers must establish internal controls that result in equitable treatment, maximize allocations, documentation requirements, and ensure coordination with, and referral of participants and applicants to, other community resources.

As a part of the assessment, program staff will determine a participant's need for supportive services and appropriate resources. The Individual Service Strategy (ISS for WIOA Youth) ~~or~~ Individual Employment Plan (IEP for WIOA Adult or Dislocated Worker) ~~or Individual Development Plan (IDP for YouthBuild)~~ must document the supportive services needed to address barriers to a participant's employment goals and how they will be addressed.

Alternatives to WIOA ~~or YouthBuild-funded~~ supportive services must be sought prior to providing supportive services with WIOA ~~or YouthBuild~~ funds. WSW service providers will ensure that supportive services are available as defined in this policy to all eligible participants. Prior to providing a supportive service, case managers must ascertain if community referrals were made, and all other resources were exhausted. This determination must be documented in case notes. In addition, it may also be documented on the hard copy supportive service form.

For categorizing and defining these participant supportive services, the WSW recognizes the following support:

Career or Training Assistance

A participant may receive Career or Training Assistance during program participation, provided that the support is determined necessary to: a) facilitate or continue participation; or b) maintain or increase employability by reducing barriers and establish employment eligibility. When assistance is provided, there must be a reasonable expectation that the assistance will resolve the situation; for example, if rent is paid for one month, there must be a reasonable expectation that the participant will obtain the resources to pay rent for the following months. Documentation of the barrier to participate in career or training services must be written in case notes. WSW approves the following supportive services; this list is intended to be an exclusive list. services outside of this list are disallowed:

- a) Assistance with childcare or dependent care (read additional section below for more information).
- b) Assistance with transportation costs (read additional section below for more information).
- c) Purchasing uniforms or other appropriate work-related attire or supplies, could include interviewing clothing or required clothing or supplies for employment such as protective eye wear, steel toe boots, business suit, work jeans, uniform, required tools, or items required by the employer for employment and allowable under this policy.
- d) Housing assistance could include one month's rent, referrals to housing agencies.

- e) Grooming supplies/services could include hair cut or personal hygiene items such as shampoo, soap, toothpaste, or toothbrush.
- f) Translation assistance could include interpreting services or document translation services.
- g) Educational testing and accommodations could include GED testing fees.
- h) Reasonable accommodations for disabilities including learning disabilities.
- i) Legal aid could include referral to legal services, attorney down payment up to \$250, assistance/purchasing completion of legal forms up to \$100, or aid in expunging criminal records up to \$250. Total legal aid services not to exceed \$300 for each participant and must be documented as a career or training barrier. Legal aid must only be paid **once** per participant not to exceed a total of \$300 regardless of re-offense or legal aid service provided.
- j) Addressing debts or credit reporting issues, could include referral to credit reporting services or classes on personal finance.
- k) Aid in securing a first-time driver's license, could include Department of Licensing fees and/or driver's training fee total cost up to \$500 (training and fees must be paid directly to a state registered driving school). Fee will only be paid **one time** all reoccurrences of fees is the participant's responsibility.
- l) Aid in securing a Commercial Driver's License, could include Department of Licensing first time fees or renewal fee.
- m) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes. All items must be listed on the course syllabus or college registration could also include post-secondary registration fee. Exceptions can be made for general school supplies. IE: notebooks, backpacks, pencils, etc. All other community and school resources should be exhausted prior to receiving general school support.
- n) Payments and fees for employment and training-related applications, tests, and certifications. Payments or fees could include fees for state registered occupations (i.e.: nurse, CNA, childcare, or other health care occupations) or other recognized certifications that require a fee. Fee will only be paid **one time** all reoccurrences of fees is the participant's responsibility.
- o) Assistance with health care services could include medical, dental, and optical services or referrals to such services. Payments not to exceed \$150 per participant and
- p) Other supportive services approved by the WSW Program Manager prior to expenditure.

A. Child Care or Dependent Care Assistance

Childcare or dependent care assistance is a supportive service provided to participants if it is determined that without it a participant will not be able to participate in career or training services or secure employment. Participants will be encouraged to make their own arrangements that they can afford when supportive services terminate. Case managers will document the after-assistance plan in case notes.

Childcare assistance may be provided to participants with children age twelve years or younger. Dependent care assistance may be provided to participants with a family member living in their household that requires adult supervision. Payment will be based on participant attendance; the applicable rate will be paid for each day of participation. Travel time may be added to the actual hours of participation, when

necessary. If the participant is absent from training or a no-show to employment, care assistance will not be paid.

Care assistance may be provided as a direct payment to a licensed care provider. Care assistance will not be provided when a competent adult (over the age of 18 years) residing at the same address as the participant and is available to provide care.

Care assistance will be provided at no more than the rate charged by the provider subject to the following maximum rates. Full-time care is defined as five (5) or more hours per day, while part-time care is less than five (5) hours per day. Rates are established as maximums, and should be reduced to reflect the participant's circumstances, estimated needs, and other sources of support. Child/dependent care services shall be paid to a licensed provider. Exceptions can be made if it is clearly demonstrated that such care is not readily available due to the child's age or special needs or in instances when there is no appropriate care available in the area. Such exceptions are intended as a temporary measure to allow the participant to engage in career or training services until acceptable care can be found. Exception must be documented thoroughly in case notes.

Care agreements shall be authorized for a maximum of sixteen weeks; they can be renewable if needed (need must be documented in case notes) and no other support assistance is available.

Requests for care payments will coincide with the submission of attendance reports. Program staff will review and endorse timesheets to verify the accuracy of the participant's request for care payments for career and training activities.

B. Transportation Assistance

Southwest Washington is a mix of rural and suburban environments. This causes a variety of transportation problems for participants who do not own a vehicle or must travel great distances to and from work or training.

WSW service providers may provide transportation assistance in the form of bus passes, trip tickets, a fuel allowance, or personal vehicle repair/maintenance. Participants will be encouraged to use public transportation when available except when doing so will create more costly problems or major inconveniences and must be documented in case notes. Fuel vouchers must be used in lieu of direct payment to the participant.

Personal vehicle repair/maintenance is allowed when utilized for **participant's vehicle only**. The participant must be the registered owner of the vehicle in question of repair. Prior to approving expense, participant must provide a valid driver's license and vehicle registration to service provider. Vehicle repair/maintenance must not exceed \$500 per participant.

Fuel assistance is allowable if participant does not own a vehicle or driver's license but relies on a family member for assistance. If participant does not own the vehicle, it must be documented in case notes that an immediate family member provides transportation and public transportation is not available or feasible.

Participants may receive fuel assistance ~~not to exceed 2331¢ per mile~~ for the estimated number of miles driven each week necessary to participate. This rate is based upon an estimated average cost per gallon of gasoline in your area divided by an estimated average of 15 miles per gallon for participant vehicles. To find your average price per gallon for your area go to [AAA Gauge Report](#). This formula establishes a maximum weekly amount, which should be reduced to reflect the participant's circumstances, estimated needs, and other sources of support. Service Providers must record the formula used either in case notes or on the signed supportive service form and cost per mile cannot exceed this rate. Fuel assistance may be provided for up to 30 days (4 weeks). Fuel assistance can not be provided past 30 days as it cannot be prepaid and must be reconciled.

C. Youth Incentives

WSW service providers will not administer youth incentives without prior permission from WSW Program Manager. Service provider must submit a waiver request explaining circumstances for which youth incentives are needed.

Program Completion Assistance

Program completion supportive services may be provided for up to one year following completion for all Title I program participants. Program completion supportive services must be related to obtaining or maintaining employment or post-secondary education. Service Providers ~~cannot provide assistance related to any training activities~~ including but not limited to work experience, on-the-job training, internship, or occupational skills training as paid training is disallowed as a follow up service. Any other allowable supportive service listed above is allowable in follow up and must be documented in case notes as why the support will help maintain or secure employment or post-secondary education. Supportive services provided during follow up must follow the same procedures as a current participant except for; the case manager must enter the service in ETO as a "post program supportive service" for Youth programs and "follow-up services-supportive assistance" for Adult and Dislocated Worker programs. For additional information see [Policy #3034 Follow Up Services for Adult and Dislocated Workers](#).

Procedures and Documentation

The following procedures are provided to assist in administering supportive services:

- A. Service Providers are authorized to provide supportive services payments up to \$2,500 (including follow-up) enrollment maximum per participant. For participants who are co-enrolled (Adult and Youth ~~and/or YouthBuild~~), the maximum amount is \$2,500. Service Providers must work together to develop a supportive service plan on those co-enrolled. All individual supportive services caps still exist and must be included in the overall cap.

If a participant is exited from **all** programs and later returns months or years later to re-enroll in services, the enrollment period starts over and therefore the maximum amount starts over as well. The maximum amount is for the enrollment period in WIOA ~~or YouthBuild~~.

- B. An amount above the maximum for the participant must submit an [exception request](#) to the WSW Program Manager.

C. Participant files must adequately document that all supportive services are allowable, reasonable, justified, and not otherwise available to the participant and show evidence of collaboration. The file must contain the following:

- An assessment of the participant's need for supportive services and must be documented in the IEP/ISS/~~ADP~~ and
- Documentation of participant's personal budget ensuring participant does not currently have the financial resources to obtain the service and
- A determination must be made and documented whether other community resources are available to cover necessary expenses and show evidence of referrals to other resources, including, when feasible, outcome of the referral. Must be documented in case notes and
- Justification of purchase must be documented on the signed supportive service form or agency form. Form must include participant's name, seeker id, date of service, vendor's name, justification for the service, and must include signatures from both the participant and case manager and
- Evidence that other non-WIOA ~~or YouthBuild~~ sources were explored and documented in case notes or on the supportive service form and
- A service/touchpoint must be added to the electronic file on the date the item was received by participant. Must include what was purchased and the amount expended and
- A case note must be entered giving a summary of all above, including but not limited to, the need/justification for why the item was purchased or given, describe other resources exhausted, and amount expended and
- Service provider must make available an itemized list of all supportive services provided to participant. The list must include each supportive service, the date of service, type of service, amount of the service, and a current total of supportive services spent to date.

Supportive services cannot be expended before a participant is enrolled in program. In addition, support may be provided as a follow-up service for up to 12 months after exit for youth programs only. Service Providers must follow the Post-Exit Assistance section above.

Disallowed Supportive Services

Supportive service dollars cannot be used to pay for the following items for a participant that is either currently enrolled or in follow up of any WSW funded program.

- Support for expenses incurred prior to participant's enrollment in program. Participant must be enrolled before support can be provided. For example, service provider cannot pay for transportation assistance prior to date of enrollment.
- Fines and penalties such as traffic violations or other criminal related charges.
- Late finance charges, taxes, and interest payments.
- Child support payments.
- Bail or restitution.
- Entertainment - including but not limited to:
 - i. tips
 - ii. theater tickets
 - iii. restaurant gift cards

- iv. sporting events or
- v. other venue where entertainment is the sole purpose
- Pet food.
- Alcohol, marijuana, or tobacco products.
- Refundable deposits.
- Contributions or donations, federal funds cannot be used to donate or contribute to an organization on behalf of the participant.
- Items for family members or friends, federal funds cannot be used to purchase items for anyone other than the enrolled participant.
- Groceries-*
- On site meals during a training or education program.
- Vehicle payment or
- Out of state job search and relocation expenses that are paid for by the prospective employer.

*Note: Before using Title I-B funds to provide food as a supportive service for Title I-B youth participants only, subrecipient must assess or establish partnerships with entities that can provide food to Title I-B youth participants and contact WSW Program Manager for prior approval. Food support is not allowed for other Title I-B programs.

If Title I-B funds are ultimately used to purchase food, case files must document:

- (1) Unsuccessful efforts to first secure food for the youth through federal, state, and community food assistance programs and services; and
- (2) The immediate need for Title I-B funds to be used to purchase food for the youth to enable effective participation in youth program activities.

Needs Related Payments

Needs Related Payments (NRPs) are a form of supportive services available to eligible WIOA Adult, Dislocated Workers, and OSY 18-24 enrolled in training and intended for cash assistance. NRP **are not** authorized by Workforce Southwest Washington. Therefore, NRP's **are not allowable** in Southwest Workforce Development Area.

Right to Reduce or Eliminate Supportive Services:

WSW reserves the right to reduce or eliminate supportive services in the event funding is reduced or other budgetary constraints exist. In such circumstances, WSW will work with service providers to determine equitable measures to affect the reduction or elimination, including sufficient prior notice for participants. In no event would a reduction or elimination of funded supportive services be retroactive.

Supportive Service Waiver Process

In some unique circumstances, service providers may be unable to obtain receipts for goods or services. In such circumstances, staff shall investigate the circumstances and document in writing his/her findings and what, if any, corrective action is taken.

On an individual basis, limitations for supportive services may be waived by the WSW Program Manager or his/her designee. Consideration of waiver requests shall ensure to the extent possible that similarly situated participants receive similar payments. Copies of the approved waiver documenting the extraordinary circumstances that exist/existed will be maintained in the participant's file and in the fiscal records.

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Definitions:

Exhausted all Resources – a process in which the participant and case manager will research and document all other possibilities for receiving the requested support. Documentation must be written in case notes and hard copy supportive service form should include that all resources were exhausted prior to using WIOA, ~~YouthBuild~~, or other federal funds.

Financial Assessment – an assessment recorded at the time of enrollment or shortly after registration of the participant's budget often used to determine self-sufficiency and support needs. Providers can use the [Self-Sufficiency Calculator](#) or the Budget Calculator on the Job Match side of WorkSourceWA.

Needs-related Payments (NRPs) - Financial assistance to participants for the purpose of enabling them to participate in training and a supportive service authorized by WIOA Section 134(d)(3) for adults and dislocated workers and proposed 20 CFR 681.570 for youth. Unlike other supportive services, to qualify for needs-related payments, a participant must be enrolled in training. Based on approval established by LWDBs and is intended to provide cash assistance to participants [proposed 20 CFR 680.930]. NRP are **not allowable** in the Southwest Region.

Public Assistance – Federal, state, or local government cash payments for which eligibility is determined by a needs or income test. [WIOA Section 3(50)]

Supportive Services – Services such as transportation, childcare, dependent care, housing, tools, payment for employment and training-related applications, tests, certifications, books, fees, and school supplies, and NRPs necessary to enable individuals to participate in activities authorized under WIOA Title I. [WIOA Section 3(59)] Note: A housing-related supportive service can include assistance with mortgage payments.

Unemployed Individual – An individual who is without a job and wants and is available for work. The determination of whether an individual is without a job, for purposes of this paragraph, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed. [WIOA Section 3(61)].

References:

- [Workforce Innovation and Opportunity Act of 2014](#)
- [Department of Labor WIOA Final Rules](#)
- [Office of Management and Budget 2 CFR 200](#)
- [Employment Security Department Policy #5602 Rev 34](#)
- [WSW TA Memo #24 WIOA Services](#)
- [TEGL 19-16, Section 14 Guidance for Adult and Dislocated Worker Programs](#)
- [TEGL 21-16, Section 7 Guidance for Title I Youth Formula Program](#)

Supersedes:

- ~~WSW Policy 3005 Rev 7 last revision date 8/25/2021~~
- WSW Policy 3005 Rev 6 last revision date 3/10/2021
- WSW Policy 3005 Rev 5 last revision date 9/23/2020

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- WSW Policy 3005 Rev 4 last revision date 9/4/2018
- WSW Policy 3005 Rev 3 last revision date 2/15/2018
- WSW Policy 3005 Rev 2 last revision date 5/24/2017
- WSW Policy 3005 Rev 1 last revision date 10/31/2016
- Swwdc Policy #3021 last revision date 4/27/2016
- Swwdc Policy #3005 last revision date 4/16/2012
- Swwdc Policy #3010 Needs Related Payment

Website:

<http://workforcesw.org/providers#OperationsPolicies>

DRAFT



workforce
SOUTHWEST WASHINGTON

Training Policy Handbook – Attachment A

March 9, 2016

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Introduction

The content of this procedural handbook combines all WSW training policies into one guide. This handbook will serve as the mechanism to implement and manage policy changes.

This handbook provides guidance to staff and partners concerning administration requirements for the Youth, Adult and Dislocated Worker Programs (WIOA Title 1-B) and other federal funded programs in Southwest Workforce Development Area. This guidance is specific to all training components of the programs including On-the-Job, Work Experiences, Internships, Individual Training Accounts, Transitional Jobs, Self-Employment, and Incumbent Worker.

Each section is specific to the type of training with subsections detailing requirements for each program.

Programs receiving WIOA Title I-B funding must ensure that specific strategies are in place to ensure that “services are provided efficiently and effectively in a timely manner without undue delays” and such strategies will be included as points of discussion during contract negotiations and annual monitoring.

All required forms Subrecipients must use when administering and documenting each training service are detailed at the end of each training section.

Definitions

- **Adult Work Experience/Internship** – A planned, structured, time-limited learning experience that takes places in a workplace. An internship or work experience may be paid or unpaid, as appropriate. An internship or work experience may be provided in the private for-profit, non-profit, or public sectors. Labor standards apply to any internship or work experience in which an employee/employer relationship exists under applicable law. Service is classified as an Individualized Career Service as described in § 678.430(b).
- **Apprenticeship** – A system of training a new generation of practitioners of a trade or profession with on-the-job training and often accompanied with classroom work and reading which must be:
 1. Registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 20 U.S.C. 50 et seq.); and
 2. Must meet the requirements and registered with the State of Washington.
- **Case Notes** – For the purpose of Data Element Validation (DEV), case notes refer to either paper or electronic statements by staff that identifies, at a minimum, the following: a participant’s status for a specific data element, the date on which the information was obtained, and the staff who obtained the information (TEGL 28-11, Attachment A).
- **Customized Training** – Training that is designed to meet the specific requirements of an employer (including a group of employers), that is conducted with a commitment by the employer to employ an individual upon successful completion of the training, and for which the employer pays a significant portion of the cost of training.
- **Employable** – The participant currently has the skills, knowledge, and life circumstances that would allow them to obtain employment, to stay in employment and to move on in the workplace.
- **Incumbent Worker** – An individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for 6 months or more. 20 CFR § 680.780
- **Incumbent Worker Training** – Training designed to meet the special requirements of an employer (or group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting workers in obtaining the skills necessary to retain employment and conducted with a commitment by the employer to retain or avert laying off incumbent worker(s) that are trained in order to increase the competitiveness of the employee and/or employer.
- **In-Demand Industry Sector or Occupation** – In general, (i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or (ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the state, regional, or local economy, as appropriate. The determination of whether an industry sector or occupation is in-demand shall be made by the state board or local board, as appropriate, using state and regional business and labor market projections, including the use of labor market information.

- **Individual Employment Plan** – A plan is an individualized career service, that is jointly developed by the participant and case manager. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.
- **Individual Service Strategy (ISS)** – A distinct plan designed specifically for the WIOA Youth Program participants and is based on the information obtained during the objective assessment. The ISS will serve as the basis for the entire case management service strategy and as a guide for delivery of appropriate services.
- **Individual Training Account** – A payment agreement established on behalf of a participant with a training provider. The account is set up for an individual who seeks training services and who is eligible to receive WIOA training services may, in consultation with a career planner, select an eligible provider of training services from the Eligible Training Provider List.
- **Layoff Aversion** – A layoff is averted when: 1) a worker's job is saved with an existing employer that is at risk of downsizing or closing; or 2) a worker at risk of dislocation transitions to a different job with the same employer or a new job with a different employer and experiences no time or a minimal time on unemployment.
- **Local Training Investment List** – The list is comprised of those industries and occupations that are In-Demand, Balanced or Not-In-Demand for our area. WSW revises this list annually based on the local economic conditions, employer needs and training provider input. The list can be found on the WSW website. For more information regarding the Local Training Investment process refer to WSW Policy #3012.
- **On-the-Job Training** – Training provided by employers to paid participants in the form of productive work in jobs that (1) provide the knowledge or skills essential to the full and adequate performance of the jobs, (2) are available through programs that provide reimbursement to employers of up to 50 percent of the participants' wages, with the exception provided by this policy, for the extraordinary costs of training and additional supervision related to the training, and (3) are limited in duration as appropriate to the occupations for which participants are being trained, taking into account training content, participants' prior work experiences, and participants' service strategies.
- **Participant/Trainee** – An individual who is enrolled in a WIOA program and is receiving services.
- **Pre-Apprenticeship** – A type of work experience listed under WIOA sec. 129(c)(2)(C). A pre-apprenticeship is a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership with at least one, if not more, registered apprenticeship program(s). Quality pre-apprenticeship program is one described in TEN 13-12.
- **Recognized Post-Secondary Credential** – A credential consisting of an industry recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal government, or an associate or baccalaureate degree.
- **Self-sufficient Wage** – A wage considered sufficient to meet the basic needs of the worker and their dependents as determined by the self-sufficiency calculators, individual job seeker, and case manager. Generally, this is interpreted as the hourly wage that the customer, working forty hours a

week, would need to earn to be able to afford basic housing, food, utilities, transportation, and healthcare.

- **Subrecipient** – The agency that WSW is contracting with to administer trainee services.
- **Transitional Jobs (Adult)** – A limited work experience, that is subsidized in the public, private, or non-profit sectors for those individuals with barriers to employment because of chronic unemployment or inconsistent work history; these jobs are designed to enable an individual to establish a work history, demonstrate work success, and develop the skills that lead to unsubsidized employment. (WIOA sec. 134 (d)(5)).
- **Work-Based Training** – Training that could include OJT, customized training, incumbent worker training, transitional jobs, registered apprenticeship or pre-apprenticeship. Generally, work-based training involves a commitment by an employer or employers to fully employ successful participants after they have completed the program.
- **Youth Unsubsidized Work Experience/Internship** – An unpaid, planned, structured learning experience that takes place in a workplace for a limited period of time. The employer must meet the policy requirements and provide the participant opportunities for career exploration and skills development.
- **Youth Subsidized Work Experience/Internship** – A paid, planned, structured learning experience that will take place in a workplace for a limited period of time. The employer must meet the policy requirements and provide the participant with opportunities for career exploration and skills development.

References

Federal/State Policies:

- Workforce Innovation Opportunity Act (WIOA)
- DOL Final Rules
- ESD #5601 Individual Training Account
- ESD #5606 OJT Reimbursement Above 50 Percent to 75 Percent
- ESD #5607 Incumbent Worker Training Criteria
- ESD #5608 Self-Employment Training
- ESD #5616 Customized Training

Supersedes

This handbook supersedes the following WSW Policies:

- #3004 Individual Training Account
- #3017 On-The-Job Training Procedures
- #3020 Youth Tuition
- #3023 Youth Work Experience
- WSW Incumbent Worker Training Guidelines

Allowable Trainings

1. On-the-Job Training

(To be followed for Adult, Dislocated Worker, Youth populations and all applicable funding sources)

1.1. Purpose

The purpose of an On-the-Job Training (OJT) is to assist businesses in training and retaining skilled, productive workers. OJTs may be used to help train newly hired employees or eligible current employees. OJTs are described in WIOA Section 3(44). The following procedures outline how an On-the-Job Training Agreement and subsequent Training Plans must be developed.

Area employers may work with a number of OJT brokering agencies and several workforce regions in Washington and Oregon. It is desirable from a customer service and marketing standpoint to keep OJT paperwork and rules as simple and standard as possible.

To that end, these procedures define an OJT process that is in place in the City of Portland, Multnomah, Washington, Clark, Cowlitz, and Wahkiakum Counties.

OJTs are provided under a contract with an employer in the public, non-profit, or private sector. Through the OJT contract, occupational training is provided for the trainee in exchange for reimbursement of 50 percent up to 75 percent of the wage rate to compensate for the employer's extraordinary costs. (WIOA sec. 134(c)(H)).

The following procedures and requirements must be used by all WSW Subrecipients administering OJTs to adults and older youth regardless of their program enrollment.

1.2. Procedures

Structure

OJT Agreements are signed by employers and the Subrecipient. OJT agreements are non-financial. **When a trainee is identified and determined eligible, a Training Plan is completed, and at that point funds are obligated.**

The OJT payment to the employer will be paid in one payment upon training completion.

The OJT reimbursement may be between 50% and up to 75% of the wages earned during the training period or \$5,000, **whichever is less** if all conditions for a training payment are met (see Invoices). The OJT reimbursement obligation should be calculated and shown on the top of the Training Plan and is the amount obligated for the training activity.

Trainees

All OJT trainees must be determined WIOA eligible and enrolled in the WIOA program. The Employer Checklist (Attachment A) and OJT Agreement (Attachment B) must be fully signed prior to the OJT start date. The Training Plan (Attachment C) must be completed within 2 weeks of the start date.

OJTs may also be written for current employees who require additional training to advance in their salary structure, to a new position, or to a position eligible for benefits.

Employer Checklist

Complete the checklist with an employer who may be interested in entering into an OJT Agreement. Only one checklist is needed per employer, regardless the number of OJT Agreements that are in place. The checklist should be updated when the business is sold or transferred, when any other major changes affecting training, hiring or job retention occur, and at least every other year. Every employer must have a completed, current checklist on file.

The first thirteen items on the Employer Checklist are informational and designed to trigger discussion around the Employer's business and workforce needs. The next eight items are regulatory and may prevent writing the OJT if an irresolvable problem surfaces. When the employer representative signs the form, they are attesting to the validity of the regulatory information. The checklist is included in the OJT Agreement by reference.

The checklist discussion should consider each employer's circumstances. For example, relocation need not be discussed with a locally owned grocery store which has been at the same location for ten years. Relocation should be discussed with a national firm with many subsidiaries which is just breaking ground in the area. In addition, an employer must not have laid off worker within the previous 120 days or in process of laying off workers in the coming months. (See Employer Checklist item #20).

Training Agreement and Rules

An On-the-Job Training Agreement is completed after the Employer Checklist has been finalized, and any issues that may have surfaced have been resolved.

The Agreement will cover any positions that have been identified for which the employer expects to need help filling and which are likely to require On-the-Job Training, as well as positions which are now filled by eligible adults, dislocated workers or youth who need training to retain employment and advance.

The Agreement and OJT Rules (on the reverse) should be reviewed and discussed with the employer (and any involved staffing agency) to assure they understand the intent of the Agreement as well as the restrictions that apply. Both the employer of record and the provider must sign the OJT Agreement (see Employer Checklist item #5) prior to the start of the OJT.

Training Plan and Instructions

The On-the-Job Training Plan is the document which obligates training funds for a trainee and outlines the planned training activities to be accomplished during the training period. The Training Plan must be completed within 2 weeks of the OJT start date. Instructions for making the skill assessments are included on the form.

All trainees must be determined WIOA eligible and be determined to require training in order to meet the employer's entry-level standards for the in-demand position. Or, the trainee may be a current employee who has been determined WIOA eligible and needs training to advance to a new in-demand position.

At a minimum 70% of all OJT positions must be in an "in demand" occupation (can include those considered employer demand) and no more than 30% on "balanced" or "not in demand" occupations. Prior to starting an OJT in a "not in demand" occupation, the Subrecipient must submit an exception request to the WSW Program Manager.

"Skills to be Learned" should be documented in the Training Plan. Put the "skills" in plain English, basing the score primarily upon the supervisor's judgment. Training is presumed to be needed when the Skills to be Learned "Starting Capability" scores are either a "1" (beginning) or a "2" (intermediate) and can be raised to "3" (skilled) by the end of the training period. Exceptions may be granted on a case-by-case basis.

For new hires, the job should be expected to last at least a year and provide at least thirty (30) hours of work each week. The wage in the Training Plan must be at the State minimum wage unless otherwise specified in the grant. Post completion of On-the-Job Training it is expected that employees earn at or above 275% of the Federal Poverty Level (\$17.02 per hour). Exceptions may be made on a case-by-case basis. Training need, training completion, and training length are determined trainee by trainee, using the OJT Training Plan Instructions. The duration of the training period should be estimated as follows:

- The provider representative, working with the employer, determines the job title for the position to be trained for, referencing the Occupational Network (O-Net).
- From O-Net, SVP parameters are obtained. It is within these parameters that the length of training is set.
- The provider representative should consider the training needs of each participant.
- An OJT must be limited to the period of time required for a trainee to become proficient in the occupation for which training is being provided. In determining the appropriate length of the contract, consideration must be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and any disability.
- No OJTs should be written with a Training Period of less than four weeks or more than 26 weeks. Exceptions may be made on a case-by-case basis.
- A current employee may receive an OJT if they are determined eligible and additional skills and abilities are needed. The OJT "Starting Capability" score and planned gain by the end of the Training Period document the need for additional skills and abilities and justify the writing of an upgrade OJT.

A current employee must also, as a result of successfully completing the OJT:

- Expect a wage gain of \$0.50 or more by the end of the training period; or
- Expect an upgrade to a new position, and the “backfill” with a new hire for the employee's previous position is made through the provider when training is complete; or
- A case-by-case exception may be granted by WSW. Examples of exceptions might include (but are not limited to) a worker has a disability and requires retraining, medical benefits and regular employment status are gained as a result of the training, or a layoff can be averted through retraining.

Supplement Training Plan

Supplemental training tied to training on-the-job may be negotiated using the OJT Supplemental Training Plan. An example is a computer class that would help the trainee better complete their job duties, and it is scheduled during normal work hours. The employer might agree to release the trainee for the time and the trainee agrees to take, attend, and make satisfactory progress in the class. Supplemental training is highly encouraged where appropriate and may be paid for, in whole or in part, by the employer, the provider or, occasionally by the trainee. WIOA training funds may be used for supplemental training required as a part of the Training Plan.

Training Plan Modification

Modifications to the OJT may be executed as needed. The most common modification is extension of the training period. The second most common modification is a changed Training Plan. Work conditions often shift or trainee skills may require new work duties or a position change.

Invoices

There is one pay point for On-the-Job Training Plan obligation at the completion of training. The OJT payment may be between 50% and up to 75% of the wages earned during the training period or \$5,000, **whichever is less**.

Training period concludes once all of the “Skills to be Learned” listed in the Training Plan have been scored a “3” (“skilled”), an invoice may be submitted for the Training Period. The standard for scoring a “3” is “Meets the Employer’s standard for the Task.” Scoring should consider the employer’s normal expectation for an employee in the same position at the same pay grade and with similar job tenure. Exceptions may be made on a case-by-case basis.

No payment shall be given if material compliance issues are outstanding.

All components of the training period invoice must be complete. Use the calculation on the invoice to compute the appropriate billing amount.

Total OJT reimbursements for an individual trainee should not exceed the amount obligated as shown on the top of the Training Plan, or any subsequent modifications.

Early Termination

If the trainee leaves during the training period, the employer will be reimbursed only for 50% of the wages **earned during training, prior to separation.**

Writing a Second OJT for the Same Individual

When training is completed, there may be opportunity to see if an “upgrade” is possible (increasing pay \$.50 an hour or more) and if a “backfill” and a new hire can be negotiated. If “upgrade” is possible, consider writing a second OJT for the same Trainee. Significant additional training, as documented in a new Training Plan, must be needed.

Exceptions

As noted throughout these procedures, from time-to-time a participant or work conditions may not fit the “OJT” model. Exceptions should not become the norm but may be made when appropriate.

Recognized exceptions include:

- The trainee is not expected to be fully skilled (all “3”s on the Ending Capability score) at the end of the training period, but substantial training has occurred and the trainee is expected to be retained and trained further by the Employer. The Trainee should have gained a significant number of score points overall:- “1”s to “2”s and some “2”s to “3”s, for example. An extension of the training period past the 26 weeks may be warranted, or the employer may deem the participant “trained” to a satisfactory level to maintain employment in the position.
- A current employee trainee will not achieve a wage gain of 50 cents per hour or more, and no upgrade and “backfill” is expected. If there are other considerations, such as benefits or lay-off aversion, an exception may be warranted.
- The job pays less than \$10.00 per hour but a special participant or employer circumstance exists. For example, medical benefits are provided to a single mother on public assistance or an employee with a recent prison stay, but the job only pays \$9.50 per hour. The employer might expect to accelerate pay increases through advancement so that trainees hired at \$9.50 can reasonably expect to earn \$10.00 at training completion.
- Training is critically needed and results can be measured, but may be for a very short or a very long period of time.
- A trainee’s individual circumstances should also be considered. For example, the OJT length or amount may be adjusted to reasonably accommodate learning or other disability.
- An exception can be requested if the OJT position is not in demand, but other circumstances warrant the placement.

All exceptions should be documented using the On-the-Job Training Exceptions form and submitted to WSW prior to the start of the OJT.

1.3. Reimbursement Requirements

If an employer is requesting a reimbursement rate above 50%, the Subrecipient must set up a screening tool to ensure consideration of the criteria below. In order for an employer to be eligible to receive 51% to 75% reimbursement, **the OJT position must be in a demand occupation or industry** according to the Local Demand Training Investment List. In addition, the Subrecipient must consider the following criteria and document determination in file and case notes:

- Characteristics of the participant with an emphasis on someone with barriers to employment as defined in WIOA Section 3(24);
- Size of the employer with an emphasis on engaging small businesses in OJT opportunities;
- Quality of employer-provided training. More consideration should be given to employers offering an industry-recognized credential or advancement opportunity;
- The number of participants the employer agrees to sponsor. Consideration should be on number of OJT's compared to company size;
- Wage and benefit level of the participant. Consideration should be given to employers that offer an increase in wage and benefit level at the completion of the OJT and/or during retention period;
- Employer attestation, in writing, that it is not delinquent in unemployment insurance or workers' compensation taxes, penalties, and/or interest.

NOTE: ITA's and OJT's and ITAs can be combined as long as the total cost does not exceed the of the OJT does not exceed the maximum funding cap of \$520,000 for that specific occupation. Exceptions require prior approval from the WSW program manager.

Commented [TW1]: OJT Cap maintains previous \$5,000 limit that existed when combined with ITA. Moved the reference and reframed from the ITA section to the OJT section

1.4. Forms

Subrecipient will develop and implement standard OJT forms using the requirements within this policy, DOL law, and state policy. All documentation listed below must be signed and stored according to record retention policies in the participant's file. All documents may be signed electronically by following WSW Electronic Signature Process Policy #2005. Subrecipient will develop and implement the following forms:

- On-the-Job Training Employer Checklist to be completed prior to OJT start date
- On-the-Job Training Agreement and Rules to be completed prior to OJT start date
- On-the-Job Training Plan and Instructions to be completed within 2 weeks of OJT start date
- On-the-Job Supplemental Training Plan
- On-the-Job Training Exception Request
- On-the-Job Training Plan Modification

- On-the-Job Training Invoice

1.5. Monitoring

The Subrecipient is responsible for monitoring the OJT during the term of the training. This includes employer check-ins, to ensure satisfaction with the employee and onsite training. In addition, ensuring all required paperwork is completed thoroughly and on time.

DRAFT

2. Individual Training Account

(To be followed for Adult and Dislocated Worker populations and all applicable funding sources)

2.1. Purpose

Under the Workforce Innovation and Opportunity Act (WIOA) Title I-B training services for enrolled participants can be provided through Individual Training Accounts (ITAs). ITAs are funded with WIOA Title 1-B Adult and Dislocated Worker funds and beginning July 1, 2017 are allowed for enrolled WIOA Out-of-School Youth participants age 16 – 24. These guidelines must also be followed by Subrecipients for all other funding sources that allow for ITA's within our workforce development area.

Trainees are expected to take an active role in managing their employment future through the use of ITAs, among other resources. Enrolled trainees receiving training under this approach will receive information they need (e.g., skills assessment, labor market conditions and trends, training vendor performance) to make a self-informed choice about their own employment future – and the training to support their decision.

These procedures apply to WSW funded programs within the SW Washington Workforce Development Area comprised of Clark, Cowlitz, and Wahkiakum Counties.

WIOA regulations allow the state or local Board to impose limits on the dollar amount and/or duration of ITAs as long as those limits are not implemented in a manner that undermines the Act's requirement for providing training services while maximizing customer choice in the selection of an eligible training provider. Limits to ITA's may be established in these ways:

- Limits for each customer, based on the needs identified in the individual employment plan; or
- Policy decisions to establish a range of amounts and/or a maximum amount applicable to all ITAs.

An ITA is a training option available to eligible and appropriate customers when it is determined by a case manager that they will be unable to obtain or retain employment through career services alone. An ITA is limited in cost, duration, and must lead to employment in an approved demand occupation.

Training services funded through an ITA are defined as one or more courses or classes that, upon successful completion, lead to a:

- Certificate or associate degree; or
- Competency or skill recognized by other credentials; or
- Training regimen that provides customers with additional skills or competencies generally recognized by employers and WSW.

2.2. Requirements

ITAs are not entitlements and shall be provided to participants on the basis of an individualized assessment of the person's job readiness, employment and training needs, financial, social and supportive needs, labor market demand, and potential for successful completion. The participant's Individual Employment Plan (IEP) shall provide the justification for all services to be given including the appropriate combination of training and other services for the participant to achieve their employment goals. Priority must be given to *enrolled and otherwise eligible* veterans and their spouses under the Jobs for Veterans Act (see WSW Veteran's Priority of Services and Eligibility Policy #3019).

When awarding an ITA, the registering Subrecipient assumes full (program) financial responsibility for the registrant, even when training is provided in another workforce area jurisdiction. The Subrecipient awarding the ITA will be designated as the "area of registration" for anyone in training, thereby identifying the source of any future ITA funding for the trainee, regardless of where the training is provided. The financial responsibility of the registering Subrecipient (area of registration) extends to supportive services. Emergency job or program counseling may be provided in either area of registration in which the training occurs.

Prior to the issuance of an ITA, participants must receive an assessment and career planning if the Subrecipient determines the individual is unlikely or unable, by only receiving career services, to retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment. Additionally, the Subrecipient must also determine that the training the individual receives would result in employment leading to self-sufficiency or wages comparable to or higher than wages from previous employment. The Subrecipient must also determine that the individual has the skills and qualifications to successfully participate in and complete the training. After which, a customer may be considered for referral for training services and ITAs. Customers, who have been assessed and identified with specific barriers to employment, may be issued ITAs only after their specific barriers have been addressed.

Funding for training is limited to customers who are unable to obtain other grant assistance for training or who have a financial need that exceeds the assistance available from other sources. Training providers must consider the availability of Pell Grants and other grant sources to pay for training costs, so that WIOA funds supplement rather than replace the other sources of training grants. Training funds can be used for one quarter/semester or multiple quarters/semester depending on individual's needs. Participant's Individual Employment Plan should describe the training timeline including before and after ITA investment. The timeline should include certificates/credentials/degrees earned or anticipated to earn for the duration of the training plan and when is the participant projected to enter employment.

Once awarded, the participant must be registered in approved training within 90 days of designation of the ITA award.

Individual Employment Plan (IEP)/ Needs Assessment

The individual employment plan is an individualized career service, that is jointly developed by the participant and case manager. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

A thorough assessment of each customer should be done prior to final approval of an ITA.

Recommended assessment criteria include:

- Customer's educational level;
- Previous skills training;
- Employment readiness level;
- Career goals;
- Customer's aptitude for the selected training;
- Availability and length of training;
- Cost of training;
- Financial ability of customer to undertake and complete training; and
- Potential for a customer to obtain employment at a livable wage.

The ultimate choice of an employment goal and subsequent training program requires careful consideration of a variety of factors. It is strongly recommended that in addition to taking into account a customer's personal interests, Career Fit, or other occupational matching tools, and/or aptitude assessments be utilized to validate and ensure an appropriate match.

Pre-Requisite to Skill Training Programs

Prerequisite training to a vocational training program may be funded if it is required by the educational institution and ultimately leads to a credential in a demand occupation. Academic training may be approved if it meets specific requirements for certification, licensing, or specific skills necessary for an occupation within the demand occupations listed.

CNA Pre-Requisites to Training

Effective August 24, 2021 all participants registering for CNA training through WSW funding must agree to enroll and participate in all of the following courses **before** being accepted for participation in a WorkSource CNA funded program. This means that the process developed must allow for an extended eligibility period of time for participants to complete the preliminary courses.

Preliminary courses include:

- Diabetes Care
- Mental Health
- Dementia Training
- Nurse Delegation
- Medical Terminology
- Electronic Health Records

- Typing with exam of 50wpm

The participant file must document that all courses above were either included in the course curriculum or as separate completed courses. The case notes must document each course completion, and services should be attached to the program enrollment as appropriate. Case managers should be aware of the testing along the way and certificates received to assess if a measurable skill gain was achieved. A measurable skill gain should be documented according to policy.

Eligible Training Providers

An ITA can only be issued to training provided by an educational institution that is on the State's ETP. Most common the training will be listed on the Washington State Eligible Training Provider List (ETPL) and in a program also listed on the ETPL but can also be listed on Oregon ETPL or another state's list. This information is posted on the Internet at: <http://www.careerbridge.wa.gov/>.

WSW, in partnership with the state, will identify training providers whose performance qualifies them to receive WIOA funds to train adults and dislocated workers. These include post-secondary educational institutions, national apprenticeship programs, community-based organizations and private organizations, other public or private providers.

Out-of-State / Out-of-Area Providers: All training programs must be within a reasonable commute of WSW area. Out-of-the area training programs that are not within commuting, may be approved on a case-by-case basis pending the customer's demonstrated ability to incur all extraordinary costs (e.g.: living expenses). All approved training must be located within the United States, and those training providers must be listed on that state's eligible training provider list.

Satisfactory Progress in Training

Trainees are required to make satisfactory progress in training to access all payments of their ITA. Satisfactory progress is defined as:

- The trainees's grade point average does not fall below 2.0 for more than one consecutive quarter or semester;
- The trainee maintains a grade point average sufficient to graduate from, or receive certification in, their approved area of study; and
- The trainee is completing sufficient credit hours to finish their approved course of study within the timeframe established under their approved training plan.
- In the case of self-paced or non-graded learning programs, satisfactory progress means participating in classes and passing certification examinations within the time frame established under their approved training plan.

Contact with the employment counselor/case manager and documentation of satisfactory progress in training must occur, at a minimum, at the end of each quarter during the lifetime of the training plan to

ensure satisfactory progress in the training program. Generally, grade/competency reports or other appropriate information will be submitted by the trainee. If the trainee does not submit the required documentation, within the timeframe established by the employment counselor, the trainee will be declined future ITA funds until the information is received.

Modification to IEP/Subsequent ITA

A trainee may modify their IEP at any time without prior approval. However, if a subsequent ITA is requested the Subrecipient must receive prior approval from the WIOA Contractor Director and WSW Program Manager. In this case, justification supporting further training in order to obtain employment is required.

2.3. Covered Costs

Only required costs associated with approved training programs will be covered. Optional costs, including tuition and fees for coursework not included in the required course of study; textbooks not listed as required on course syllabi; and supplies, training materials, and tools which are not required for all participants in the training program, are not covered. Exceptions will be considered on a case-by-case basis and must be pre-approved by the trainee's WorkSource employment counselor.

Required costs provided by the training provider that are covered through an ITA for an approved training program are as follows:

- Tuition, enrollment fees, and other fees such as lab and testing required for coursework outlined in the required course of study;
- Required textbooks and other supplies as listed on course syllabi; and
- Pre-requisite coursework may be included under the maximum authorization and duration as long as it is obtained from an eligible training provider listed.

Supportive services, if appropriate, shall be delivered pursuant to the WSW Supportive Services Policy #3005. Supportive services could include required supplies, tools and training materials as listed on the course syllabi or supply lists.

Coordination Training Funds

Subrecipients must consider the availability of other sources of grants, excluding loans, to pay for training costs so that WIOA funds are used to supplement but not supplant other sources. WIOA funds are intended to provide training services in instances when there is no grant assistance (or insufficient assistance) from other sources (i.e. Welfare-to-Work, Title IV Programs, and state-funded grants) to pay for those costs (20 CFR 663.320). The use of WIOA funds to pay down a loan of an otherwise eligible participant is prohibited; however, the mere existence of a federal loan must not impact eligibility determinations.

Subrecipients must ensure that WIOA funds are not used to pay for training or services already covered by other sources. Training agreements, particularly with Pell-eligible institutions, should ensure:

- The institution cannot bill or be paid twice for the same expenses.
- Costs paid for by WIOA and by the Pell Grant are clearly identified and documented.
- Access is guaranteed to the WIOA participant's financial aid records (such as the Student Aid Report (SAR)).

In the case of performance-based contracts, liability for meeting performance benchmarks must remain with the school and the Subrecipient. If the contract conditions payment on the trainee's successful completion and placement in the occupation trained for at the specified wage, the trainee shall not be liable to the school for WIOA funds withheld under a WIOA performance-based contract. The school should also be prohibited by the terms of the Training agreement from using Pell funds, or any other federal funding sources, to recoup WIOA funds withheld when outcomes are not met.

Obligating Funds

The training agreement will document a three-way commitment between the individual, the Subrecipient, and the training institution. As a three-way contract, this agreement could obligate funds. If additional ITA funds are required beyond the agreed upon amount, a new agreement could be awarded up to the maximum ITA funding limit. While ITA funds would be obligated through this process, the Subrecipient will have the flexibility to decide when to bill actual expenditures with the training provider. This system would have to address de-obligations as individuals receive additional resources and/or leave the training program prior to completion.

WSW reserves the right to make exceptions to this policy, on a case-by-case basis, should individual circumstances warrant exception.

Availability of Funds

Training resources for customers is contingent upon the availability of funds provided by WIOA.

2.4. Limitations

It is the intent of WSW to use ITA dollars to help eligible participants gain a self-sufficient wage and to primarily focus training "investments" on building skills for occupations determined to be in high demand and/or critical to the local economy. As a result, ITA funding through WSW will be limited to only those customers who reside or work in Washington State. Dislocated Workers who are program eligible as a result of lost employment from a job within any of the three counties may also receive ITA funding.

In response to the target industry investment priorities identified in the Strategic Plan, WSW has established two occupational categories eligible for tuition assistance. WSW authorizes tuition assistance as follows:

Occupations approved for ITA funding:

In response to the target industry investment priorities identified in the Strategic Plan, WSW has established two occupational categories eligible for ITA funding. WSW authorizes ITA funding as follows:

- **Demand Occupations:** Tuition assistance may be approved for occupations that WSW has determined to be in demand as listed on the Local Demand Training Investment List. All caps listed below are maximum amounts and for the duration of the training.

Sector specific industries as follows:

- **Healthcare:** ~~\$15,000~~17,000
- **Manufacturing:** ~~\$12,000~~17,000
- **Technology:** ~~\$12,000~~17,000

All other Demand Occupation Training: ~~\$9,000~~11,000

Duration of Training: Up to 3 years

- **Balanced Occupations:** A limited number of training services may be approved for occupations listed as “in balance” if evidence exists that the occupation pays a Self-Sufficient wage with adequate local demand as determined by WSW. Evidence may include results from a local skills panel, employer surveys, or other documentation that indicates the industry is experiencing difficulty finding qualified workers or is anticipated to experience a significant workforce loss due to future retirements.

Maximum ITA Amount: ~~\$7,000~~8,000 for the duration of training

Duration of Training: Up to 3 years

In no event shall an ITA carry a time or dollar balance after the program of training is either completed or terminated.

~~NOTE: ITA's and OJT's can be combined as long as the total cost does not exceed the maximum funding cap of \$20,000 for that specific occupation. Exceptions require prior approval from the WSW program manager.~~

2.5. Exceptions

On an individual basis, WSW may waive local policy requirements for any individual with physical or sensory disabilities or other unusual circumstance and it has been determined that training is necessary for the individual to obtain employment.

Under special circumstances and with proper justification, a request can be made to exceed the ITA funding limit, training duration or to authorize training in a not-in-demand or otherwise restricted

Commented [TW2]: Adjusted ITA funding caps that have not been adjusted since 2016, evened out across all four sectors

occupation. In addition, an exception may be made on a case-by-case basis for those individuals seeking advanced degrees.

A completed Request for Exception form and appropriate supporting documentation must be submitted to the WIOA Contractor Supervisor for review. If approved, the request will be forwarded to WSW for final determination and approval.

2.6. Forms

- Request for Exception Forms Exceed Funding Limit
- Request for Exception Form Not In Demand Occupation

All forms can be downloaded from the WSW website.

3. Short Term Training

(To be followed for all populations and all applicable funding sources)

3.1. Purpose

By law, short-term "prevocational services" are career services which include the development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training. Providers may also provide short term training that does not qualify for ITA award but is necessary for employment. The training must follow all policies and guidance and coded in ETO according to the Services Catalog.

3.2. Requirements

A participant must be eligible to receive Enhanced Career Services or Training Services before paying for a short term pre-vocational training. Training shall be provided to participants on the basis of an individualized assessment of the participant's job readiness, employment and training needs, financial, social and supportive needs, labor market demand, and potential for successful completion. The participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS) shall provide the justification for all services to be given including the appropriate combination of training and other services for the participant to achieve their employment goals. Priority must be given to enrolled and otherwise eligible veterans and their spouses under the Jobs for Veterans Act (WSW Veteran's Priority of Services and Eligibility Policy #3019).

Funding for training is limited to customers who are unable to obtain other grant assistance for training or who have a financial need that exceeds the assistance available from other sources. Many of these trainings are coded as Enhanced Career Services, Individualized Career Services, Short Term Classroom Training, or Occupational Skills Training in ETO. Service type will depend on actual training provided.

3.3. Procedures

WSW has adopted the approved definition of prevocational skills, to include short-term or low-cost preparatory training lasting **less than a week**, or at a cost of **\$750 or less**, as an enhanced career service and not funded through an ITA award. The Department of Labor has determined that adult literacy or basic computer literacy services are not part of the definition of training services under WIOA Title I-B. By WSW definition, 'English as a Second Language', (ESL) also falls under career services.

Providers may not pay for a participant to go through training more than once. If the participant fails the course or does not complete the course, WIOA will not pay for the course again. Participants have the right for consumer choice and providers will do their best and follow the rules laid out by the law to allow for such a choice. For short term training, the training provider is not required to be on the State Eligible Training Provider List (ETPL) however it is strongly recommended. If the requested training provider is not on the ETPL, the Subrecipient must request that the training provider register for the ETPL.

Participant Supportive Services provided to participants enrolled in pre-vocational training should receive the same level of support offered to those in other types of training funded by the WIOA. If the support is required to participate in training, it is not considered a “supportive service” it is considered part of the training cost. If it is not required for training, but necessary to continue training or gain employment it is considered a “supportive service”. If the support is a course requirement it must be written on the course syllabus or part of the registration paperwork for the training and a copy of the requirement documentation must be kept in the participant file as part of the training records. Providers must follow the WSW Supportive Service Policy #3005.

3.4. Exceptions

Exceptions may be considered on a case-by-case basis. Exceptions may include but are not limited to: training cost over allowed amount, training is over allowed length, etc. A request must be sent to the WSW Program Manager for review and approval prior to training start date. Email request is acceptable.

4. Transitional Jobs

(To be followed for Adult and Dislocated Worker populations and WIOA funding)

4.1. Purpose

A transitional job is for WIOA enrolled Adults and Dislocated Workers. Transitional jobs can be effective solutions for individuals to gain necessary work experience that they would otherwise not be able to get through training or an OJT contract. The goal is to establish a work history for the individual, demonstrate work success, and develop skills that lead to entry into unsubsidized employment. The difference between a transitional job and an OJT contract is that in a transitional job there is no expectation that the individual will continue his or her hire with the employer after the work experience is complete.

4.2. Procedures

Subrecipients must follow the procedures outlined under Work Experience Sec 5.2. Transitional Job is provided as a "training service" and should be expended as such.

4.3. Requirements

Subrecipients may use not more than 10 percent of the funds allocated to the local area involved under WIOA section 133(b) to provide transitional jobs under subsection (c)(3) that:

1. are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;
2. are combined with comprehensive employment and supportive services; and
3. are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.
4. must be provided along with comprehensive career services and supportive services.

4.4. Forms

Subrecipients must complete the forms outlined under Work Experience Sec 5.4.

4.5. Monitoring

The Subrecipient is responsible for monitoring the work experience during the term of the training. This includes employer check-ins, to ensure satisfaction with the trainee and onsite training. In addition, ensuring all required paperwork is completed on time and thoroughly.

5. Work Experiences/Internships

(To be followed for Adult, Dislocated Worker, and Youth populations and all applicable funding sources)

5.1. Purpose

Subrecipients may provide Work Experiences (WEX) and Internships opportunities for enrolled youth and adults using WIOA and other WSW funds to administer and pay wages. WEX/Internship opportunities must be provided within the SW Washington Workforce Development Area and neighboring workforce areas.

WSW requires that all Work Experiences and Internships follow the guidelines and documentation requirements listed below. WEX/Internship participants can be enrolled in an adult and/or youth program. WEX/Internships are primarily designed to provide participants with an occupational certificate/credential in a designated demand industry, or school credit, or permanent employment with a WEX employer, or gain work history with necessary skills to make the participant more employable. For a list of demand occupations in our region please refer to the Local Training Investment List. A WEX/Internship is designed to be mutually beneficial for both a participant and a local employer. A WEX/Internship should never be utilized to replace an existing employee or position. WEX/Internships can be both subsidized and unsubsidized as defined below.

Internships are subsidized industry placements for those participants who need work experience before they will be marketable for sustained employment. The goal is to provide job-ready participants with an opportunity to gain valuable work experience in the industry and area of employment identified in their Career/Employment Plan.

Work Experiences (WEX) are primarily intended to teach good work habits and basic work skills such as appropriate dress, timeliness, respect, common courtesies, and basic task completion for those who have never worked or who have not worked for a significant amount of time. WEX are also intended to provide the participant an opportunity to explore career choices in targeted industries and develop basic occupational related skills.

5.2. Procedures

5.2.1. Youth

Youth WEX/Internships are available for participant's ages 16-24 enrolled in a WSW funded youth program. According to WIOA Law, paid and unpaid work experiences have a component academic and occupational education, which may include:

- summer employment opportunities and other employment opportunities available throughout the school year;
- pre-apprenticeship programs;
- internships and job shadowing; and
- on-the-job training opportunities (see OJT Section 1)

Through a youth WEX/Internship, the participant will achieve an occupational certificate/credential through the academic component, school credit or permanent employment with the employer. Where possible multiple achievements above are desired. A work experience is successfully completed when a participant achieves his/her stated learning goals and the participant and employer are satisfied with the participation in the work experience as stated in the post-assessments.

Participation in a WEX/Internship activity shall be for a reasonable amount of time, between ~~3 and 10 weeks~~ and is required to be a ~~minimum of 90 hours~~ **90 and 240 hours**, or as referenced in specific grant requirements.- When determining the duration of a WEX activity, the following must be considered:

Commented [TW3]: Adjusted the duration from referenced weeks to only hours, clarified criteria to consider when determining the WEX duration

- Objectives of the WEX, as defined by the participant's employment and training goals.
- Length of time necessary for the ~~intern~~ participant to learn the skills identified in the learning plan.
- The employer has sufficient quantity of meaningful work activities for the ~~intern~~ participant.
- WEX budget, including employer, WIOA, or other project funds.

All activity must be documented in the participant's Individual Service Strategy (ISS) and learning plan. A WEX/Internship placement must be age appropriate and directly aligned with participant's career goals listed in the ISS.

WSW expects that Subrecipients facilitate employer paid WEX/Internships for all participants. However, if an employer is unable to pay for the wages, WIOA or other project funds may be utilized to pay wages for WEX/Internships. All youth WEX/Internships must follow the requirements as outlined below.

5.2.2. Adult

Adult WEX/Internships are available for participants **ages 18 and older** enrolled in a WSW funded Adult program. Participation in a WEX/Internship activity shall be for a reasonable amount of time and is required to be between **90 and 240 hours**, or as referenced in specific grant requirements.

5.2.3. Co-Enrollment

Co-Enrolled WEX/Internships are available for participants **ages 18-24** enrolled in a WSW funded youth and adult program. Providers must discuss participant program options and choose either youth WEX/Internship or adult WEX/Internship participation. All discussions should be based on participant need and fit. It is the expectation of WSW that providers conduct regular and timely Subrecipient check-ins regarding co-enrolled participants. The Subrecipient paying for the WEX/Internship will be responsible for all associated paperwork, WEX/Internship services, data tracking, compliance, and follow up.

5.2.4. Monitoring

The Subrecipient is responsible for monitoring the WEX during the term of the training. This includes employer checkins, to ensure satisfaction with the trainee and onsite training. In addition, ensuring all required paperwork is completed on time and thoroughly.

5.3. Requirements

WEX/Internship requirements are the same regardless of program enrollment unless specified.

1. The duties the participant will perform will expose them to and prepare them for post-secondary education into an “in demand” or “balanced” industry and/or entry into an “in demand” or “balanced” occupation as listed on the Local Training Investment List that is in a WSW designated target industry.
2. Participants may be paid a wage in line with the position and industry, with the minimum pay to be the prevailing State minimum wage or as reference in a specific grant requirement. The Subrecipient will be the employer of record for those participants enrolled in a paid WEX/internship. Labor standards apply in any paid WEX/internship where an employee/employer relationship exists, as defined by the Fair Labor Standards Act.
3. Each placement must contain a measurable academic and occupational component described in the Learning Plan.
4. Placements must be in the private sector, the nonprofit sector, or the public sector within Clark, Cowlitz, and Wahkiakum counties or in other bordering counties within Washington and Oregon with approval of a waiver by the WSW Program Manager.
5. All WEX/Internship placements must include all the required documentation listed below and stored in the participant’s file.
6. A placement interview should be conducted by program staff: applicant must demonstrate professional readiness for placement. It is encouraged and considered ideal for the work site supervisor to be included in the placement interview, but is not a requirement.
7. The responsible Subrecipient must contact the supervisor at a minimum once every two weeks; or more frequently as needed to ensure a successful experience.
8. It is recommended by WSW that each Subrecipient supply a manual to the site supervisor that is reviewed with them prior to the commencement of the WEX/internship. The manual must outline procedures and responsibilities for participation in a WEX/internship. Required topics include intern orientation, human resource policies such as timesheets and time off, recommendations for monitoring/supervision, communication with case manager, prohibited and restricted activities, and workplace safety.
9. For all WIOA Youth Subrecipients, a minimum of 20% of your contract expenditures must be spent on paid and unpaid work experiences that have a component of academic and occupational education which may include summer employment opportunities or year-round opportunities (WEX), pre-apprenticeship programs, internships, job shadowing and on-the-job training. Expenditures may include personnel time to administer the WEX and participant wages.

5.4. Forms/Documentation

All documentation listed below must be signed and stored according to record retention policies in the participant's file. All documents may be signed electronically by following WSW Electronic Signature Process Policy #2005. Subrecipient will develop and implement standard WEX forms using the requirements within this policy, DOL law, and state policy. At a minimum Subrecipient will develop the following forms:

Training Agreement: An agreement made between the employer and Subrecipient that outlines the program requirements and expectations. The training agreement must be fully executed prior to the start of the work experience/internship by having the employer and the program staff sign. The agreement may be used for group training with a single work site provided that the learning plan, job description, work conditions, wages, and term of the agreement are the same for all participants covered under this agreement.

Learning Plan: A signed agreement between the Worksite Supervisor, the participant, and the case manager that describes the goals and expectations during the WEX/Internship. The learning plan must be signed prior to training start date.

Pre-Assessment: An assessment of the participant's skills at the beginning of the WEX/Internship. The Pre-Assessment must be completed during the first two weeks of the placement by the worksite supervisor.

Post-Assessment: An assessment of the participant's skills at the end of the WEX/Internship. The assessment is intended to show improvement or lack of during the WEX/Internship. The Post-Assessment must be completed the last day of the WEX/Internship by the worksite supervisor.

Waiver Request: On an individual basis, WSW may waive local policy requirements for any individual with physical or sensory disabilities or other extenuating circumstance and it has been determined that the desired work experience or internship is necessary for the individual to obtain relevant work experience. A waiver request must be submitted for participants pursuing a WEX/Internship in a "not in demand" occupation according to the Local Training Investment List . A completed WEX/Internship Waiver Request form and appropriate supporting documentation must be submitted to the WSW Program Manager for review. Waiver must be fully executed prior to the training start date.

Timesheet: The participant's work hours must be recorded using a timesheet. In addition, the timesheet may be used to assess the participant's skills throughout the paid WEX/Internship. All participant timesheets (copies or originals) must be kept in the participant file for each pay period.

5.5. Data Entry

- For purposes of WIOA, all **adult** WEX/Internships will be entered in ETO as a "career service".
- For the purposes of WIOA, all **youth** WEX/Internships will be entered in ETO as a "training service".
- For all other funding sources use the data entry requirements described in the contract/grant.

6. Entrepreneurial Training

(To be followed for all populations and all applicable funding sources)

6.1. Purpose

Section 134(c)(3)(D)(vii) of the Workforce Innovation and Opportunity Act (WIOA) cites “entrepreneurial training” (also known as self-employment training) as an allowable training service for participants. Entrepreneurial Skills Training is also a required element under the WIOA youth program as found in Section 134 (c)(2)(L). Individuals enrolled in WIOA must be provided the opportunity to enroll in a self-employment program as described in RCW 50.62.030. Washington state established the Self-Employment Assistance Program as described in RCW 50.20.250 to assist unemployed individuals and create new businesses and job opportunities.

6.2. Requirements

Entrepreneurial services are available for individuals who, after interview, evaluation or assessment are determined to be unlikely or unable to obtain or retain employment that leads to self-sufficiency or earn higher wages than previous employment through career services alone. The participant must be determined to be in need of training services and possess the skills and qualifications to participate successfully in the selected program.

Subrecipients must ensure that the selected training is suitable for the individual participant based on a documented assessment and interview or evaluation with the case manager or mentor to determine entrepreneurship is a good fit. Subrecipient may use job matching tools such as Career Fit. It is important to ensure federal funds are spent on participants that are in need and have the appropriate skills/knowledge to be successful as an entrepreneur. Documentation of completed assessments and/or interview will be stored electronically in the participant file via ETO.

Individuals eligible for WIOA must be provided the opportunity to enroll in self-employment or entrepreneurial training programs on the same basis as they are provided the opportunity to enroll in other WIOA-funded training, which is consistent with WIOA customer choice principles.

Subrecipients must notify all WIOA-eligible individuals of the availability of self-employment training, including but not limited to WIOA-eligible training providers.

Training must be in an in demand industry/occupation and training or support must result in the participant earning a self-sufficient wage.

Prior to using entrepreneurial dollars all other resources must be explored and researched.

Subrecipients may work in partnership with such programs as the local Chamber of Commerce, Small Business Association, Self-Employment Assistance Program (SEAP), and community colleges. WIOA funds can be used to supplement these other programs to ensure success.

6.3. Available Training Options

All WIOA Subrecipients will provide information on local training options for entrepreneurial training throughout the WorkSource system to both staff and customers. Employment Specialists will provide

specific information regarding community organizations that work with those who are interested in starting businesses and self-employment.

Available opportunities to share program options include, but are not limited to:

- Coursework options at local community and technical colleges
- Training options available at other approved providers
- Information available at local WorkSource and Affiliate offices
- Hotlinks and referral to self-employment organizations offering specific business start-up information and assistance with courses already on the Eligible Training Provider List (ETPL) will be immediately available to individuals eligible for training under WIOA, where appropriate. Training Providers not on the ETPL will be encouraged to apply at the Career Bridge website.

Training considered to be an ITA must be on the state's ETPL. Also allowable are short-term trainings categorized as Individualized Career Services. Both training services to be classified in ETO as "entrepreneurial training".

Available training options could include, but are not limited to:

- Refresher training, certifications, or licensing requirements that are identified in business plan. Required training and/or certifications must be documented as required prior to expending the funds;
- Courses on managing business finances and fiscal reporting, such as how to read profit and loss reports;
- Course on how to market the business, including evaluating the market;
- Course on how to manage the business;
- Course on how to build a successful business (key elements that are needed);
- Course on understanding the customers;
- Course on sustainability;
- Course on how to write a business plan

Training and certifications will only be paid once, it is an expectation of the participant to pay any costs after the initial support.

Entrepreneurial coursework should provide adequate information for the WIOA participant to begin business startup. The coursework may include other components, but at a minimum, the WIOA participant must develop or initiate a business plan. (See below for definition of business plan.)

Subrecipient should document progress of business plan by receiving copies of the plan or by verifying the plan progress. Document in case notes or upload into ETO.

DEFINITION: Business Plan – The business plan describes the business (type of industry or sector, legal structure, product/service to be sold, projected customer base, and profits), market strategies (definition of market, projected market share, pricing, distribution and sales), competitive analysis (identifying and analyzing competitors' strengths and weaknesses), design/development (product, market and organizational development), operation/management (organizational structure, personnel, operating expenses, capital requirements, costs of goods) and finances (income statement, cash flow, balance sheet).

6.4. Covered Costs

WIOA entrepreneurial training dollars can pay for tuition, short-term training courses, supportive services directly related to self-employment, enrollment fees, and other fees required for coursework outlined in the required course of study and required textbooks and other supplies as listed on course syllabi. Includes items considered supportive services. Case managers must ensure case notes are thorough to explain the source and line item funding the expense. Total entrepreneurial training will not exceed \$2,500 per participant.

Supportive services, if appropriate, shall be delivered pursuant to the WSW Supportive Services Policy #3005. Supportive services should be given to support the participant in training or gain employment and must be provided in conjunction with a career or training service. Support could include supplies and tools not listed on the course syllabi or supply lists or transportation assistance, certification fees (one time only), and licensing costs (one time only). WIOA funds should not be used for space rent, insurance costs, loan payments, employee payroll, and other disallowed costs listed in the WSW Supportive Services Policy. Justification and documentation of these costs is imperative and must be kept in participant file (electronic or hard copy). For entrepreneurial supportive services only, these services can be charged to the entrepreneurial training line item, but documented in ETO as a supportive service.

6.5. Data Entry

WIOA Entrepreneurial Training must be documented in ETO as "entrepreneurial training" and the participant must be marked as self-employment as an employment goal. All services must be recorded accordingly. If the participant is successfully employed as an entrepreneur, the Subrecipient must obtain documentation of self-employment wages to be used as supplemental data for performance. Documentation should be uploaded to ETO.

7. Incumbent Worker

(To be followed for Adult, Dislocated Worker, State Rapid Response, and all specific Incumbent Worker Training funding sources)

7.1. Purpose

Incumbent worker training is designed to increase the competitiveness of the employee and employer. Per WIOA Section 134(d)(4)(A)(i) and proposed 20 CFR 680.780, WSW may reserve and expend up to 20 percent of their combined adult and dislocated worker formula allotments for incumbent worker training.

This training is designed to meet the special requirements of an employer (or group of employers) to retain a skilled workforce or avert the need to lay off employees.

7.2. Requirements

Training must meet funding requirements and generally focus on upgrading an employee's skills related to the company's core business. Incumbent worker training is designed to either assist workers in obtaining the skills necessary to retain employment or to avert layoff and must increase both a participant's and a company's competitiveness. Training is designed to ensure that employees of a company are able to gain the skills necessary to retain employment and advance within the company or to provide the skills necessary to avert a layoff. The training should, wherever possible, allow the participant to gain industry-recognized certificate or credential, and ultimately should lead to an increase in wages.

7.2.1. Incumbent Workers

An incumbent worker must be all of the following:

1. Employed – an individual working a minimum of 30 hours a week;
2. Meet the Fair Labor Standards Act requirements for an employer-employee relationship;
3. Have an established employment history with the employer for six (6) months or more; and
4. Residents of Clark, Cowlitz, or Wahkiakum County or if employer is located in service area.

If incumbent worker training is provided to a cohort of employees, not every employee in the cohort must have an established employment history with the employer for six months or more as long as a majority (51 percent or more) of the employees being trained meet the employment history requirement.

Per proposed 20 CFR 680.780, an incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated workers under this Act.

In order to provide training to incumbent workers using either local Adult and/or Dislocated Worker WIOA formula funds or WIOA statewide discretionary funds provided by the Governor, the Subrecipient must set up a screening tool to ensure consideration of the following factors. In addition, the Subrecipient must document determination in file and case notes.

7.2.2. Eligible Employers

Employer must meet the following requirements to be eligible for training:

- Must be a Clark, Cowlitz, and Wahkiakum County employer (either physically located in service area or employ residents of the service area). If employer is located outside of our 3 county service area, reimbursement of training costs will only be for those incumbent workers that are residents of Clark, Cowlitz or Wahkiakum County;
- Must demonstrate that incumbent worker training will increase ability to create and/or retain jobs;
- Must be current in unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan;
- The quality of the training (e.g., industry-recognized credentials, advancement opportunities); and
- Must be classified under targeted industries defined in the Strategic Plans of WSW, CREDC, and CEDC. See Local Demand Training Investment List for occupation list and/or Strategic Plans for current targeted industries.

The following factors must be a consideration when determining employer's eligibility:

- The characteristics of the incumbent workers to be trained, specifically the extent to which they historically represent individuals with barriers to employment as defined in WIOA Section 3(24), and how they would benefit from retention or advancement;
- The number of participants the employer plans to train or retrain;
- The wage and benefit levels of participants (before and after training);
- The employer must not have laid off workers and relocated within 120 days of receiving incumbent worker training services; and

Subrecipients must document the factors that were considered in approving an incumbent worker training project with an employer. Subrecipient must include in the employer agreement that all trainees were hired a minimum of 6 months prior as a requirement and employer agrees to abide by the terms and conditions of the grant, including reporting and employee documentation.

Displacement Restriction: If an employer has recently relocated and the relocation resulted in any employee losing his or her job at the original location, the incumbent worker training services may not be provided until the company has operated at the new location for 120 days.

Employer Share of Training Costs:

Per WIOA Sections 134(d)(4)(C) and 134(d)(4)(D) and proposed 20 CFR 680.820, employers participating in incumbent worker training are required to pay the non-WIOA (non-federal) share of

the cost of providing training to their incumbent workers. The employer share is based on the size of the workforce (wages paid to the participant while in training can be included as part of that share and the share can be provided as cash or in-kind that is fairly evaluated) as follows:

- At least **10 percent** of the cost for employers with 50 or fewer employees
- At least **25 percent** of the cost for employers with 51 to 100 employees
- At least **50 percent** of the cost for employers with more than 100 employees

Per WIOA Section 181 (b)(1) and 20 CFR 683.250(a), WIOA Title I funds cannot be spent on the wages of incumbent employees during their participation in IWT. Incumbent worker wages paid by the employer during IWT cannot be included in the cost of training.

Examples:

ABC company has two locations in your workforce development area. Location 1 has 35 employees and Location 2 has 25 employees, with a combined total of 60 employees. ABC company would pay at least 25 percent of the cost of the training, regardless of how many of those employees need IWT. Conversely, if that same company had a total of 35 employees and only one location, the company would pay at least 10 percent of the cost of the training.

ABC company has two locations in your workforce development area. Location 1 has 50 employees and Location 2 has 55 employees for a total of 105 employees. Only employees at Location 2 need IWT. The employer's cost is at least 25 percent of the cost, not 50 percent.

Type(s) of training and number of training providers are also factors to consider. ABC company needs the same IWT for 35 employees in Location 1 and 25 employees in Location 2. You may find that two different training providers are needed, in which case the employer's cost would be at least 10 percent of the cost of each location.

Subrecipients must track and document employer cost share contributions.

7.2.3. Training

Training can be provided through community and technical colleges, vocational-technical centers, state colleges and universities, licensed and certified private entities/institutions, industry specific consulting or training organizations, professional associations, or credentialing entities, or the business itself (through in-house trainers). If in-house training is provided, it must be for training to support new skills that will make the employer more competitive or avert layoffs. Training must be procured using employer or Subrecipient's procurement policy.

1. Employer Secured Training

- a. When in-house training is provided by an employee of the employer, the reimbursement amount is based on the employer share calculation. For example, the employer purchases new machinery, but now must train staff in its use. One employee has been trained to use

it, and has the capacity and skill to train others, but calculations indicate it will be costly to devote that employee to the task because they would not be able to perform their own job while training staff. That employee's wages when providing the training would be included in the cost of training, and therefore, part of the cost share calculation.

- b. When the training provider is secured by the employer, Subrecipient procurement is not required. The Subrecipient enters into an agreement with the employer to reimburse for the WIOA federal share cost of the training. The agreement with the employer must document, at a minimum:
 - i. The training being provided;
 - ii. That the cost is reasonable for what is being provided; and
 - iii. The approximate dollar amounts, both paid by the employer and paid by the Subrecipient for the federal share.

7.3. Procedures

Approval Process

Employers are approved on a case-by-case basis by the WSW contracted Subrecipient based on the Priority of Business and Statement of Work. Using the criteria listed, the training approval process must be developed by Subrecipient and approved by WSW Program Manager. The Incumbent Worker Training Application will be reviewed and a decision made by Subrecipient Designee using the formal process developed by Subrecipient.

Priority of Business Selection

WSW and/or approved Subrecipient will use the following criteria for ranking priority during approval of training proposals:

1. Training meets the requirement of the funding source;
2. Economic Development Projects involving a business expansion or retention (existing site expansion or relocation to new site within Southwest Washington) or recruited companies (within two years of relocation to Clark, Cowlitz, or Wahkiakum Counties);
3. Training for labor skill sets that are in critical shortage within the region;
4. Traded Sector small to medium business (\$2 million to \$20 million annual sales);
5. Companies that have not previously received subsidized training through WSW or a WSW partner within the last two years;
6. If applicable, a written union letter of support for training activities involving union positions.

Subrecipients must document the priority and ranking that was considered in approving an incumbent worker training proposal. It is the expectation that if an employer's proposal meets multiple criteria they are ranked higher than a proposal that meets fewer criterions.

7.4. Incumbent Worker Training for Layoff Aversion using Rapid Response Funds

1. An IWT program conducted with rapid response funds must be tied to a layoff aversion strategy for a threat of layoff. For the definition of Layoff Aversion, see Definitions section above.
2. An IWT as part of layoff aversion must be above and beyond the normal training offered by businesses to their employees. Rapid response resources must not supplant private funds in these situations.
3. As per WIOA Final Rule commentary on 20 CFR 682.320 as it relates to incumbent worker training and TEGL 19-16, Section 18.A, "Layoff aversion strategies and activities are designed to prevent, or minimize the duration of, unemployment resulting from layoffs."
4. Individuals may need assistance to maintain or retain a good job by enhancing their skills or learning new technologies and procedures in an ever-changing economic environment. Without appropriate training that allows existing workers to gain the necessary skills to operate new processes or technologies, employers may find it necessary to lay off workers with obsolete skills.
5. The overall goal of layoff aversion is to save jobs. Layoff aversion is intended to prevent or minimize a potential period of unemployment for employees of companies that have announced layoffs or are struggling and at risk for layoffs. Layoff aversion focuses on saving jobs, putting people back to work, shortening the length of layoff, and revitalizing communities.

A. Employee Criteria

- a. The worker must be considered for layoff because they do not have marketable, in-demand skills, unless provided with training.
- b. The new skills can be attained in a reasonable period.
- c. There exists a strong possibility of a job, either with the existing employer or a new employer, if new skills are attained.

B. Employer Criteria

- a. The company remains open but is phasing out a function that will lead to layoffs unless the workers can be retrained to perform new functions.
- b. A worker's job has changing skill requirements because of external economic or market forces, significant changes in technology or operating processes, rapidly changing industry or occupational job requirements, or emergence of new products.
- c. The changing skill requirements are outside of normal skill growth and upkeep that would be provided by the employer.
- d. Training programs reasonably prepare workers to address these skill gaps.

- e. The employer demonstrates a commitment to retain employees or otherwise provide a tangible benefit to employees who receive IWT.

C. How to identify “at risk” Employers

- a. The most common "at risk" indicators include declining sales, supply chain issues, adverse industry or market trends, changes in management philosophy or ownership, and workers lacking in-demand skills.
- b. Establish Early Warning Networks (EWNs); a multi-stakeholder approach to identifying companies at risk early enough to be able to mount an effective layoff aversion strategy. or
- c. Monitoring trends and understanding the early warning indicators can buy time to develop an alternative to job loss. Economic trend monitoring is used to analyze industry trends within a region. The function of trend monitoring is to identify firms at risk of leaving, or closing, prior to actual decisions by companies to shut down or relocate.

7.5. Data Entry Requirements

Incumbent workers being served must be enrolled into either WIOA Adult, WIOA Dislocated Worker, Rapid Response, or other special funding source where incumbent worker training is allowable. Providers must follow the data entry requirements outlined in [TA Memo #34](#).

7.6. Reporting Requirements

Incumbent workers being served through an IWT strategy are not required to meet WIOA Adult or Dislocated Worker eligibility requirements, unless they are co-enrolled as “participants” in one of these programs. Unless they receive more than an IWT service, they are not participants for the purpose of inclusion in WIOA performance indicator calculations for state outcomes. However, states and local areas are still required to report certain data elements on all individuals who receive only incumbent worker training. For specific definitions and instructions refer to Section 12 and Attachment 8 of TEGL 10-16, Change 1.

7.7. Monitoring

It is the responsibility of the Subrecipient to monitor the training provider, employer, and trainees during the training period. Monitoring to include, contract requirements of the training provider are being provided, performance is acceptable. If not meeting requirements, Subrecipient will consider corrective action or appropriate alternative steps for delivering training. In addition, Subrecipient will ensure all required paperwork is completed timely, thoroughly, and appropriately tracked. WSW suggests scheduled check-ins with Employer and Training Provider to ensure training is delivered as expected. Subrecipient must review the procurement process used to purchase the training provider. The training must be procured by a verified process and justified with a rationale that is reasonable and allowable. This can be documented in the employer agreement as required in 7.2.3 – 1b.

8. Customized Training

(To be followed for Adult and Dislocated Worker programs.)

8.1. Purpose

WIOA allows for the use of customized training in accordance with the ESD Policy #5616 Revision 1. Subrecipients may competitively procure training contracts to use WIOA Title I funding to pay for group training, in lieu of individual training accounts, when the training is otherwise approvable under federal and state law and policy. In addition, the training is only allowed if the individual's rights for consumer choice are not superseded. This training option is available for "**incumbent workers**" or "**new workers**". Customized training is generally for hiring new or recently hired employees and not for retraining existing long-term employees. Incumbent worker training may be used to provide training for current employees as a layoff aversion strategy.

Customized training is training that is designed to meet the specific requirements of an employer (including a group of employers), that is conducted with a commitment by the employer to employ an individual upon successful completion of the training, and for which the employer pays a significant portion of the cost of training (see employer share below).

Customized training should be considered when available training programs and/or curricula do not meet the specific training requirements of employer(s).

8.2. Requirements

A. Customized training must be:

- a. Used to meet the special requirements of an employer or group of employers;
- b. Conducted with a commitment by the employer(s) to employ all individuals upon successful completion of the training; and
- c. Paid for, in part, by employers, who must pay a "significant cost" of the training. Significant cost is defined below under Employer Share of Training Costs.

B. Individuals considered for customized training must meet eligibility requirements for Adult or Dislocated Worker programs. Employed individuals may be considered for customized training under specific conditions. An employed individual being considered for customized training must:

- a. Not be earning a self-sufficient wage as determined by the WSW Eligibility Handbook;
- b. Meet the Fair Labor Standards Act requirements for an employer-employee relationship; and
- c. Receive training that incorporates new technologies, processes, or procedures; offers skills upgrades; provides workplace literacy; or serves other appropriate purposes (requires prior approval from WSW Program Manager).

8.2.1. Eligible Employers

Employer(s) must meet the following requirements to be eligible for training:

- Must demonstrate that the customized training will increase ability to retain or create jobs;
- Must be able to commit to hire participants after successful completion of training;
- Must not have laid off workers and relocated within 120 days of receiving training services;
- The employer must be current in unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan;
- Must be able to contract for customized, short-term, training services (typically less than 9 months);
- Not have any real, implied, or apparent conflict of interest with the training provider;
- Training provider must be on the State ETPL;
- The quality of the training (e.g., industry-recognized credentials, other credentials or exams validated by industry, trade or professional associations or advancement opportunities); and
- Must be classified under targeted industries defined in the Strategic Plans of WSW, CREDC, and CEDC. See Local Demand Training Investment List for occupation list and/or Strategic Plans for current targeted industries.

The following factors must be a consideration when determining employer's eligibility:

- New workers to be trained must have barriers to employment as defined in WIOA Section 3(24), and how they must describe how they would benefit from this training;
- The number of participants the employer plans to train or retrain; and
- The wage and benefit levels of participants (before and after training);

Subrecipients must document the factors employer eligibility prior to the training project starting.

Displacement Restriction: If an employer has recently relocated and the relocation resulted in any employee losing his or her job at the original location, the customized training services may not be provided until the company has operated at the new location for 120 days.

8.2.2. Employer Share of Training Costs

Employers participating in customized training is required to pay for a "significant portion of the cost of the training". The employer share is based on the size of the workforce (wages paid to the participant while in training can be included as part of that share and the share can be provided as cash or in-kind that is fairly evaluated) as follows:

- At least **10 percent** of the cost for employers with 50 or fewer employees

- At least **25 percent** of the cost for employers with 51 to 100 employees
- At least **50 percent** of the cost for employers with more than 100 employees Subrecipients must track and document employer cost share contributions.

If multiple employers share the training, the employer share of training costs will be split proportionately between all employers according to number of employees the employer sent. Agreed upon costs must be outlined in the agreement and signed by all parties.

8.3. Procedures

Approval Process

Employers are approved on a case-by-case basis by the WSW contracted Subrecipient based on the Priority of Business and Statement of Work. Using the criteria listed, the training approval process must be developed by Subrecipient and approved by WSW Program Manager. The following proposal documents will be reviewed and decision made by Subrecipient Designee using the formal process developed by Subrecipient:

- Scope of Work
- Need for Training
- Training Outline (including deliverables and approximate timeline for training)
- Training Outcomes (skills learned, etc.)
- Benefit to Trainees
- Occupational Classifications and Average Wages of Trainees
- Budget

Priority of Business Selection

WSW and/or approved Subrecipient will use the following criteria for ranking priority during approval of training proposals:

1. Training meets the requirement of the funding source;
2. Economic Development Projects involving a business expansion or retention (existing site expansion or relocation to new site within Southwest Washington) or recruited companies (within two years of relocation to Clark, Cowlitz, or Wahkiakum Counties);
3. Training for labor skill sets that are in critical shortage within the region;
4. Traded Sector small to medium business (\$2 million to \$20 million annual sales);
5. Companies that have not previously received subsidized training through WSW or a WSW partner within the last two years;
6. Training that supports retention of recently hired employees (within one year of hire) and/or directly supports additional job creation within the company;

7. Companies that agree to abide by the terms and conditions of the grant, including reporting and employee documentation;
8. If applicable, a written union letter of support for training activities involving union positions.

Subrecipients must document the priority and ranking that was considered in approving a training proposal. It is the expectation that if an employer's proposal meets multiple criteria they are ranked higher than a proposal that meets fewer criterions.

It is the responsibility of the subrecipient to ensure the training provider is in compliance with federal and state laws, policies and procedures and listed on the State's ETPL.

8.4. Employers outside of Washington State

If an employer outside of Washington State requests customized training through SW Washington WorkSource Centers, subrecipients must coordinate with their out-of-state counterpart with the assistance of the WSW Program Manager. The two states must coordinate on selection of training providers by either using the State's ETPL or use mutually agreed upon criteria to award training contract. In addition, a share of training costs must be established based on number of trainees determined through negotiations and documented in the training contract.

8.5. Monitoring

It is the responsibility of the Subrecipient to monitor the training provider, employer, and trainees during the training period. Monitoring to include, contract requirements of the training provider are being provided, performance is acceptable. If not meeting requirements, Subrecipient will consider corrective action or appropriate alternative steps for delivering training. In addition, Subrecipient will ensure all required paperwork is completed timely, thoroughly, and appropriately tracked. WSW suggests scheduled check-ins with Employer and Training Provider to ensure training is delivered as expected.

9. Post-Secondary Tuition Payments

(To be followed for Youth programs, Adult programs must follow ITA Section 2)

9.1. Purpose

WIOA stipulates fourteen different program elements that Workforce Development Councils must ensure are offered throughout their service area. Two of those required program elements are Occupational Skill Training, which shall include training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved and education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster. One of the various ways to offer and support Youth Occupational Skill Education and Training is in the way of tuition assistance to include; academic or occupational learning, development of leadership skills, further education, or additional training.

9.2. Requirements

Occupational Skill Training for purposes of this policy is defined as any training that will provide a participant with an opportunity to enhance their ability to succeed in certain occupations either at entry, intermediate, or advance career levels that lead to a recognized credential/certificate. Tuition assistance may be available to support Occupational Skill Training with WIOA funds being used if the payment is a necessary need to accomplish goals described in the customer's Individual Service Strategy. These tuition funds are not intended to facilitate the acquisition of degrees, diplomas, or certificates strictly for the sake of education. Acquisition of tuition funds must have a direct connection in preparing the customer for a specific occupation available in the labor market. See covered costs below.

In response to the target industry investment priorities identified in the Strategic Plan, WSW has established three occupational categories eligible for tuition assistance.

WSW authorizes tuition assistance as follows:

- **Demand Occupations:** Tuition assistance may be approved for occupations that WSW has determined to be in high demand as listed on the Local Demand Training Investment List.
- **Balanced Occupations:** Tuition assistance may be approved for occupations that WSW has determined to be in demand, but lacks a significant projected growth potential therefore listed as "balanced" as listed on the Local Demand Training Investment List.
- **Not in Demand Occupations:** A limited number of training services may be approved for occupations listed as "Not in Demand" if evidence exists that the occupation pays a Self-Sufficient wage with adequate local demand as determined by WSW. Subrecipients must receive approval from WSW Youth Initiatives Manager prior to training start date.

Eligible Training Providers

WSW authorizes tuition assistance to be paid to providers on the Washington State Eligible Training Providers List (ETP). Tuition assistance can only be issued to training provided by an educational institution that is on the ETP and for a program also listed on the ETP. This information is posted at: <http://www.careerbridge.wa.gov/>.

WSW, in partnership with the state, will identify training providers whose performance qualifies them to receive WIOA funds to train those in need. These include post-secondary educational institutions, national apprenticeship programs, community-based organizations, private organizations, other public or private providers.

9.3. Covered Costs

WIOA tuition assistance may be used if all other resources have either been exhausted or unavailable at the time of the need. Other resources to consider before WIOA funds include but are not limited to PELL grants, scholarships, federal financial aid, or other WIOA sources. When it makes sense, WSW encourages those over 18 to be co-enrolled with the WIOA Adult Program.

Tuition assistance is approved to use in the following ways:

1. One quarter of tuition at a community college. During that quarter, it is the expectation that the participant is working towards securing other means of support, such as financial aid, scholarships, or other work supports.
2. One semester class at a University. During that semester, it is the expectation that the participant is working towards securing other means of support, such as financial aid, scholarships, or other work supports.
3. A career and technical education course at an accredited school. For example, Certified Nursing Assistant or vocational certification. The course must enhance the participant's knowledge and skill in a demand occupation.

Only required costs associated with approved training programs will be covered. Required costs that can be submitted for coverage under tuition assistance are:

- Tuition, enrollment fees, and other fees such as lab and testing required for coursework outlined in the required course of study;
- Required textbooks as listed on course syllabi;
- Required supplies and training materials as listed on course syllabi or supply lists; and
- Required tools as listed on course tool lists.

Optional costs, including tuition and fees for coursework not included in the required course of study; textbooks not listed as required on course syllabi; and supplies, training materials, and tools which are not required for all participants in the training program, are not covered.

Participants are required to maintain satisfactory progress in the selected training program.

Satisfactory progress is defined as:

- Maintaining a grade point average sufficient to graduate from and/or receive certification in their approved area of study; and/or
- Completing sufficient credit hours to complete program in the timeframe established; and/or
- Contact with the customer's case manager must be made at the end of each training segment to ensure satisfactory progress is being made, whether that be quarter, class, session, etc.

Supportive services, if appropriate, shall be delivered pursuant to the WSW's Supportive Services Policy #3021.

9.4. Limitations and Guidelines

The following guidelines are provided to assist in administering tuition assistance:

1. Subrecipients are authorized to provide tuition assistance up to \$2,000 per participant for their entire enrollment with the WIOA Youth Program.
2. For tuition assistance amounts above \$2,000, an exception request must be submitted to the WSW Youth Initiatives Manager prior to spending over \$2,000.
3. Participant files must adequately document that all tuition assistance is allowable, reasonable, justified, and not otherwise available to the customer and show evidence of collaboration, when feasible. Assessment of the customer's need for tuition assistance must also be documented in MIS case notes.
4. Occupational Skills Training and Work Experiences are not allowable expenses during the follow up phase of the WIOA Youth Program.