

# **Workforce Innovation and Opportunity Act (WIOA) Policy Manual-Providence/Cranston Workforce Development Area**



Adopted **01/26/2022**

# Policy Manual Overview

## Executive Summary

(for informational purposes only, not official legal or regulatory guidance)

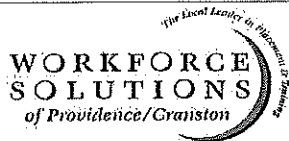
The Workforce Innovation and Opportunity Act (WIOA) is the primary federal law (and funding stream) that supports workforce development systems and programs in the United States. While WIOA is administered by the US Department of Labor (USDOL), the law is intended and designed to bring as many public workforce development programs under the same governance umbrella (and, occasionally, physical umbrella) as possible. The Providence/Cranston Workforce Development Board is the entity charged with implementing the WIOA law in the Local Area. Workforce Solutions of Providence/Cranston is the administrative entity and functions as staff to the Board of Directors. Oversight and Administration of the specific programs and titles within WIOA are the responsibility of the Department of Labor and Training, the Department of Education, and the Department of Human Services, among others. WIOA was signed into law on July 22, 2014, replacing the Workforce Investment Act (WIA) of 1998, which itself replaced and revised a legacy of federal workforce development legislation dating back to the New Deal era. WIOA seeks to improve services to both the job seeker and the employer; aligns programs, services, and data collection for adults, youth, dislocated workers, adult basic education participants, and vocational rehabilitation clients; and emphasizes use of career pathways and industry sector partnership to promote employment for in-demand jobs and occupations.

# TABLE OF CONTENTS

## Policy Overview

### Executive Summary

Supportive Service Policy and Guidance.....	1
Complaint and Grievance Procedures Policy and Guidance.....	7
Selective Service Registration Policy and Guidance.....	14
Personal Identifiable Information (PII) Policy and Guidance.....	18
Labor Market Information Policy and Guidance.....	20
Records Retention Policy and Guidance.....	21
Incident Reporting Policy and Guidance.....	24
Conflict of Interest and Code of Conduct Policy and Guidance.....	26
Reasonable Accommodation and Modification for Individuals with Disabilities.....	32
Criteria for Selecting Training Providers other than ITA.....	40
WIOA Eligibility Policy and Guidance.....	42
Priority of Service Policy and Guidance.....	48
Individual Employment Plan (IEP) Policy and Guidance.....	52
Training Policy and Guidance.....	55
Customer Confidential Policy and Guidance.....	59
Follow-up Policy and Guidance.....	65
Youth Work Experience Policy and Guidance.....	67
Requesting Sign Language Interpreter Policy and Guidance.....	69
Lower Living Standard Income Level Policy and Guidance.....	70
Zero Tolerance Policy and Guidance.....	74
Social Security Number Policy and Guidance.....	77
Case Notes Policy and Guidance.....	79
Monitoring Policy and Guidance.....	81
Dual Enrollment Policy and Guidance.....	86
On-the-Job (OJT) Training Policy.....	89
Barriers to Employment.....	94
Criteria to Determine Demonstrated Effectiveness.....	96
Youth Incentive Policy.....	97
Customized Training Policy.....	101
Provision of Incumbent Worker Training Services.....	107
Basic Skills Definition.....	109
Youth Requiring Additional Assistance.....	112
Steven's Amendment Compliance.....	113



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-01  
Effective Date: January 26, 2022**

**SUPPORTIVE SERVICE POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

This policy addresses the use of Workforce Innovation and Opportunity Act (WIOA) funds for supportive services to customers enrolled in WIOA adult and dislocated worker.

This policy includes documentation requirements to show that the supportive service is allowable, reasonable and not otherwise not available to the participant.

***REFERENCES***

WIOA Final Regulations 680.900, 680.910, 680.920

***BACKGROUND***

WIOA provides supportive service guidelines for eligible adult and dislocated workers. Supportive services are provided to eligible WIOA adults and dislocated worker participants when the supportive service will assist the participant in helping remove barriers with the intent to help the participant reach his/her employment and training goals.

***POLICY***

1. Supportive services may only be provided to individuals who are:
  - Adults and Dislocated Workers participating in career or training services as defined in WIOA sections 134(c)(2) and (3); and,
  - Unable to obtain supportive services through other programs providing such services.
  
2. Supportive services may include:
  - Assistance with transportation
  - Assistance with healthcare
  - Assistance with books

- Assistance with tools;
- Assistance with clothing
- Employment/training related tests
- Other allowable supportive services as approved by the P/C Workforce Development Board

3. Supportive services may be provided only when they are necessary to enable individuals to participate in career services or training activities. In order to document the supportive service need, the Career and Employment Counselor will make a “Determination of Need” to determine if the participant is in need of supportive services.

- For all customers, support services needs will be documented in the customer’s case notes and in EmployRI.
- The best available resources to provide the supportive service based upon the eligible customer’s needs must be identified.
- Supportive service payments will be made only when WIOA funding is available and after all other sources of funding, such as Pell Grant funds, have been exhausted.
- The total amount of supportive service payments cannot exceed \$1,000 for any one individual.

The following guidance is provided to assist the Career and Employment Counselor in making the determination of need.

**1. ASSISTANCE WITH TRANSPORTATION**

SUPPORTIVE SERVICE	ALLOWABLE AMOUNT	DETERMINATION OF NEED	ACTIVITY CODE
<ul style="list-style-type: none"> <li>• Transportation assistance: private vehicle</li> <li>• Auto repair</li> <li>• Bus passes</li> </ul>	<ul style="list-style-type: none"> <li>• A maximum equal to the Federal mileage reimbursement per mile.</li> <li>• A maximum of \$1,000</li> <li>• A maximum of monthly pass for three months.</li> </ul>	<ul style="list-style-type: none"> <li>• This assistance shall only be provided in cases where such assistance is required for a customer to commute to and from work, training or other WIOA activities.</li> <li>• This assistance shall only be provided in cases where it is necessary for the successful completion of training or the obtainment of employment.</li> <li>• This assistance shall only be provided in cases where such assistance is required for a customer to commute</li> </ul>	

		to and from work, training or other WIOA activities.	
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**2. ASSISTANCE WITH HEALTHCARE**

SUPPORTIVE SERVICE	ALLOWABLE AMOUNT	DETERMINATION OF NEED AND DOCUMENTATION	ACTIVITY CODE
<ul style="list-style-type: none"> <li>Physical and eye exams; eye glasses; and immunizations</li> </ul>	<ul style="list-style-type: none"> <li>Reimbursement is subject to the maximum of \$1,000 allowed per individual.</li> </ul>	<ul style="list-style-type: none"> <li>This assistance shall only be provided in cases where such assistance is essential for an individual to participate in or complete training or to obtain employment.</li> </ul>	

**3. ASSISTANCE WITH BOOKS**

SUPPORTIVE SERVICE	ALLOWABLE AMOUNT	DETERMINATION OF NEED AND DOCUMENTATION	ACTIVITY CODE
<ul style="list-style-type: none"> <li>Book purchase</li> </ul>	<ul style="list-style-type: none"> <li>Reimbursement is subject to the maximum of \$1,000 allowed per individual.</li> </ul>	<ul style="list-style-type: none"> <li>This assistance shall only be provided when it has been determined that the customer has a definite need for such assistance in order to participate in training. The books shall coincide with the classes being taken for training.</li> </ul>	

**4. ASSISTANCE WITH TOOLS**

SUPPORTIVE SERVICE	ALLOWABLE AMOUNT	DETERMINATION OF NEED AND DOCUMENTATION	ACTIVITY CODE
<ul style="list-style-type: none"> <li>Tool purchase and safety equipment (e.g., safety eyewear, shoes, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>Reimbursement is subject to the maximum of \$1,000 allowed per individual.</li> </ul>	<ul style="list-style-type: none"> <li>This assistance shall only be provided when they are a requirement for the customer's successful completion of training or when the customer has a bona fide job offer and it has been determined that the employer does not supply the tools.</li> </ul>	

		<p>Documentation must include an itemized list of the required tools, approval from the instructor or the employer as to the need for the tools and a statement that these tools are not provided by the instructor or the employer.</p> <p>Caution must be exercised to ensure that the purchase of tools will not be used to capitalize a business.</p>	
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**5. ASSISTANCE WITH CLOTHING**

SUPPORTIVE SERVICE	ALLOWABLE AMOUNT	DETERMINATION OF NEED AND DOCUMENTATION	ACTIVITY CODE
<ul style="list-style-type: none"> <li>• Clothing</li> </ul>	<ul style="list-style-type: none"> <li>• Reimbursement is subject to the maximum of \$1,000 allowed per individual.</li> </ul>	<ul style="list-style-type: none"> <li>• This assistance may be provided when it has been determined that the customer has a definite need for such assistance in order to secure a job.</li> </ul> <p>These services should only be provided after other resources such as family, friends and other agencies have been exhausted.</p>	

**6. ASSISTANCE WITH EMPLOYMENT/TRAINING RELATED TESTS**

SUPPORTIVE SERVICE	ALLOWABLE AMOUNT	DETERMINATION OF NEED AND DOCUMENTATION	ACTIVITY CODE
<ul style="list-style-type: none"> <li>• Testing, Certification and Licensing Assistance</li> <li>• BCI Checks</li> </ul>	<ul style="list-style-type: none"> <li>• Reimbursement is subject to the maximum of \$1,000 allowed per individual.</li> </ul>	<ul style="list-style-type: none"> <li>• This assistance shall only be provided when it is a requirement for entrance into a training program or for the attainment of a license or certification following completion of training.</li> </ul>	

## **SUPPORTIVE SERVICE REQUEST AND APPROVAL PROCESS**

Whenever a Career and Employment Counselor has determined that supportive services are needed for a customer in order to participate in training or to enter employment, he or she must complete the attached Supportive Service Request Form. The completion of this form is the required first step in the approval process for making supportive service payments.

The Career and Employment Counselor requesting supportive services will indicate his or her name on the top of the form and the date of the request. In the next section, the name of the customer will be entered to include his or her last four social security numbers. Next the appropriate box is checked indicating whether the supportive service need is for participation in training or for employment.

The Career and Employment Counselor will next identify the supportive service (s) needed, to include a brief description and identify the documentation that has been provided by the customer to support this supportive service (s) request.

For each supportive service request the Career and Employment Counselor will indicate the amount of the request. Under no circumstance should this amount be greater than what is allowed under this policy issuance.

Following the above information, the Career and employment Counselor will sign and date the form and submit it to the Employability Coordinator who will indicate his/her approval or denial.

Payments for approved supportive services may be:

1. Reimbursed to the individual;
2. Paid directly to the provider by invoice; or,
3. Paid upon payment authorization (voucher) for a specific supportive service to the individual or provider of the supportive service.



ATTACHMENT

PROVIDENCE/CRANSTON WORKFORCE DEVELOPMENT AREA

Date: \_\_\_\_\_ Career and Employment Counselor: \_\_\_\_\_

Supportive services are requested for \_\_\_\_\_  
*Name of Customer* *State ID Number*

in order to enable him/her to:

- Participate in the training program: \_\_\_\_\_
- Enter employment with: \_\_\_\_\_

SUPPORTIVE SERVICE DOCUMENTATION OF NEED

SUPPORTIVE SERVICE	DESCRIPTION	AMOUNT REQUESTED
<b>TOTAL</b>		

Submitted by: \_\_\_\_\_  
*Signature* *Date*

SUPPORTIVE SERVICE APPROVAL/DENIAL

- The above request has been approved on: \_\_\_\_\_
- The above request has been denied for the reason (s) noted below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved/Denied by: \_\_\_\_\_  
*Signature* *Date*

**COMPLAINT AND GRIEVANCE PROCEDURES POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult        Dislocated Workers        Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners        AJC Operator        Sub-Recipients

***PURPOSE***

This policy establishes procedures that govern the receipt, handling and resolution of non-criminal grievances or complaints made in connection with WIOA Title 1 grant programs and activities conducted in the Providence/Cranston Workforce Development Area. The Providence/Cranston Workforce Development Board, local recipients of WIOA funds, and contracted and sub-contracted providers of WIOA services shall abide by the procedures set forth below in processing such complaints.

***REFERENCES***

WIOA Section 181(c), 20 Code of Federal Regulations (CFR.) Paragraph 683.600 and 683.610;  
WIOA Section 188, 29 CFR Part 38

***POLICY***

**I. GENERAL PRINCIPLES AND REQUIREMENTS**

WIOA Regulation 683.600 requires the Providence/Cranston Workforce Development Board (PCWDB) to:

- i. Develop procedures that provide for a process for dealing with grievances and complaints from participants and other interested parties affected by the local workforce development system, including one-stop (AJC) partners and service providers;
- ii. Provide for an opportunity for an informal resolution and a hearing to be completed within sixty (60) days of the filing of the grievance or complaint;
- iii. Develop a process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides; and,

- iv. Provide an opportunity for a local level appeal to a State entity when: (1) no decision is reached within sixty (60) days; or, (2) either party is dissatisfied with the local hearing decision.

## 2. LOCAL GRIEVANCE PROCEDURES

- i. All customers of the Providence/Cranston AJC will be given a written explanation of the procedures for filing grievance/complaints regarding any aspect of the WIOA program. This information is contained on a single-page form that the applicant is required to sign and date (Reference Attachment). These procedures state all grievances/complaints must be filed within one year of the alleged violation and must be in writing detailing the specific grievance. The written grievance/complaint must be submitted to:

Executive Director  
Workforce Solutions of Providence/Cranston  
Providence/Cranston American Job Center  
One Reservoir Avenue  
Providence, RI 02907

- ii. The written grievance/complaint must include the following information:
- The name, address, business and home telephone number of the individual filing the grievance/complaint;
  - A description of the grievance/complaint;
  - The regulation or policies violated, if known;
  - The date (s) of the alleged unfair act (s); and,
  - The name (s) and address (es) of any other (s) involved in the situation.
- iii. There will be an opportunity for an informal resolution and a hearing to be completed within sixty (60) days of the filing of the grievance/complaint. A written decision regarding the grievance/complaint will be issued by the Executive Director of Workforce Solutions of Providence/Cranston within this sixty (60) day period.
- iv. A binding arbitration procedure, and/or collective bargaining agreement through an objective third party may be sought in situations where an individual alleging labor standard violation seeks remedy to their grievance/complaint beyond the WIOA system formal grievance/complaint procedure.
- v. If no decision is reached following the preceding procedures within sixty (60) calendar days, or the complainant is dissatisfied with the decision, the complainant may, within ten (10) days, appeal the decision. The appeal must be sent to:

Rhode Island State Workforce Board  
Rhode Island Department of Labor and Training

1511 Pontiac Avenue, Building 73  
Cranston, RI 02920

- vi. The appeal must contain:
- The name, address, business and telephone number of the complainant;
  - A copy of the written, formal complaint, describing the grievance/complaint submitted to the Providence/Cranston Workforce Development Area;
  - The regulations or policies violated, if known;
  - A transcript or recording of the hearing proceedings; and,
  - A copy of the written decision of the Providence/Cranston Workforce Development Area.
- vii. The authorized designee of the State Workforce Board will issue a decision within sixty (60) calendar days of receipt of the appeal. The final decision will be provided to the complainant and the Providence/Cranston Workforce Development Area.
- viii. If a decision has not been issued by the State Workforce Board within the sixty (60) days or a decision has been reached and the complainant is dissatisfied an appeal may be taken to the Secretary of Labor at the following address:

Secretary of Labor  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, D.C. 20210

The Secretary of Labor will render a decision within 120 days of receiving the appeal.

### **3. NON-DISCRIMINATION AND EQUAL OPPORTUNITY**

Grievances and complaints alleging violations under WIOA Section 188 and 29 CFR Part 38 may be filed with:

- i. The Equal Employment Officer of the Providence/Cranston AJC located at One Reservoir Avenue, Providence, RI 02907;
- ii. The State of Rhode Island Equal Opportunity Officer located at 1511 Pontiac Avenue, Cranston, RI 02920; or,
- iii. The Director, Civil Right Center, ATTENTION: Office of External Enforcement, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N-4123, Washington, DC 20210. Civil Right Center Director.

Grievances and complaints may be filed when the grievant/complainant believes it to be discrimination related to: disability; age; race; color; religion; sex (sexual identity, sexual expression, sex stereotyping, pregnancy); national origin; political belief or affiliation; and against any beneficiary of programs financially assisted under WIOA or the basis of the beneficiary's citizenship/status; as a lawfully admitted immigrant authorized to work in the United States; or his or her participation in any WIOA Title-I financially assisted program/activity.

Discrimination complaints must be filed within one hundred eighty (180) days from the date the violation occurred. The grievance/complaint must be investigated and a final decision issued within ninety (90) days from the date the grievance/complaint was filed.

#### **4. FRAUD**

Complaints involving criminal fraud, waste, abuse or other criminal activity may be reported immediately through the U.S. Department of Labor's Incident Reporting System. The address is: U.S. Department of Labor Office of Inspector General Office of Investigations, Room S5514, 200 Constitution Avenue NW, Washington, D.C. 20210, or to the corresponding Regional Inspector General for Investigations, with a copy simultaneously provided to the Employment and Training Administration. The Hotline number is 1-800-347-3756.

## **ATTACHMENTS**

**WORKFORCE INNOVATION AND OPPORTUNITY ACT  
EQUAL OPPORTUNITY IS THE LAW**

**It is against the law for an entity who is a recipient of Federal financial assistance to discriminate on the following bases:**

Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, genetic information, political affiliation or belief and for beneficiaries only, citizenship or his or her participation in a WIOA Title I financially assisted program or activity.

**THE RECIPIENT MUST NOT DISCRIMINATE IN ANY OF THE FOLLOWING AREAS:**

Deciding who will be admitted, or have access, to any WIOA Title I financially assisted program or activity;

Providing opportunities in, or treating any person with regard to, such program or activity; or

Making employment decisions in the administration of, or in connection with such a program or activity.

**WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION**

If you think you have been subjected to discrimination, you may file a complaint within 180 days from the date of the alleged violation with either:

- 1.) **The recipient's Equal Opportunity Officer, Department of Labor and Training, or**
- 2.) **Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210.**

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC.

However, you must file your CRC complaint within 30 days of the 90 day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your complaint within 30 days of the date on which you received the Notice of Final Action.

**FOR INFORMATION, OR TO FILE A COMPLAINT, CONTACT:**

Matthew Weldon, EO Officer  
Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, R.I. 02920  
Phone: (401) 462-8150 TTY via RI Relay 711

The Department of Labor and Training is an Equal Opportunity Employer/Program.  
Auxiliary aids and services are available upon request to individuals with disabilities.

**I certify that I have been furnished a copy of the "Equal Opportunity is the Law" Notice, and the Notice has been discussed with me.**

---

SIGNATURE

DATE

**LA ACTA DE OPORTUNIDAD E INNOVACIÓN EN MANO DE OBRAS  
IGUALDAD DE OPORTUNIDAD ES LA LEY**

**Es en contra la ley que esta agencia estatal y recipiente de asistencia financiera federal discrimine por las siguientes razones:**

En contra cualquier individuo en los Estados Unidos, basado raza, color, religión, sexo, origen nacional, edad, discapacidad, información genética, afiliación política o creencias y únicamente para los beneficiarios, ciudadanía o participación de él o ella en programa asistido financieramente por WIOA Título I o actividad.

**El recipiente no deberá discriminar en ninguna de las siguientes áreas:**

Al decidir quién será admitido, o tendrá acceso a cualquier programa asistido financieramente por WIOA Título I o actividad;

Pro viendo oportunidades en, o en el tratamiento de cualquier persona con respecto a, tal programa o actividad; o

Tomando decisiones de empleo en la administración de, o en relación a tal programa o actividad.

### **QUÉ HACER SI USTED CREE QUE HA EXPERIENSADO DISCRIMINACIÓN**

Si usted cree que ha sido sujeto a discriminación, usted puede presentar una queja dentro 180 días a partir de la fecha de la supuesta violación, ya sea con:

- 1.) Con el Oficial de Igualdad de Oportunidades de los recipientes, Departamento de Trabajo y Entrenamientos, o
- 2.) Director, Centro de Derechos Civiles (CRC), Departamento de Trabajo de EE.UU., 200 Constitution Avenue NW, Oficina N-4123, Washington, DC 20210.

Si presenta su queja con el recipiente, debe esperar hasta que el destinatario expida una Notificación de Acción Final, o hasta que hayan pasado 90 días (lo que ocurra primero), antes de presentar con el Centro de Derechos Civiles (vea la dirección arriba).

Si el recipiente no le provee una Notificación de Acción Final dentro de los 90 días siguientes a la fecha en que usted presentó su queja, usted no tiene que esperar que el recipiente entregue la notificación antes de presentar una queja ante el CRC.

Sin embargo, usted debe presentar su CRC queja dentro de 30 días del plazo de 90 días (en otras palabras, 120 días después del día en que usted presentó su queja con el recipiente).

Si el recipiente le da un Aviso de acción final de su queja, pero usted está di satisfecho con la decisión o resolución, usted puede presentar una queja con CRC. Debe presentar su queja dentro de los 30 días siguientes a la fecha en que recibió el aviso de acción final.

### **PARA INFORMACIÓN, O PARA PRESENTAR UNA QUEJA, CONTACTO:**

Matthew Weldon, EO Officer  
Departamento de Trabajo y Entrenamientos  
1511 Pontiac Avenue  
Cranston, R. I. 02920  
Teléfono: (401) 462-8150 TTY a través de RI Relay 711

El Departamento de Trabajo y Entrenamientos es un Empleador/Programa de Igualdad de Oportunidades.  
Las ayudas y servicios auxiliares están disponibles a pedido de personas con discapacidad.

Yo Certifico que se me ha proporcionado una copia del Aviso "Igualdad de Oportunidad es la Ley", y la Notificación ha sido discutido conmigo.

---

SIGNATURE

DATE

**WORKFORCE INNOVATION AND OPPORTUNITY ACT**

You are applying to participate in the Workforce Innovation and Opportunity Act (WIOA), a federally funded program. You are guaranteed the right to file a complaint regarding any aspect of the WIOA program. Further, no one may penalize you in any way for exercising your right to file such complaint. You must follow the procedures described below if you feel you are being denied your rights.

**PROCEDURES FOR FILING GRIEVANCE/COMPLAINTS ABOUT WIOA PROGRAMS**

1. All grievances/complaints must be filled one within one year of the alleged violation.
2. A written complaint detailing the specific grievance must first be prepared and submitted to the following individual:

Executive Director  
Workforce Solutions of Providence/Cranston  
Providence/Cranston American Job Center  
One Reservoir Avenue  
Providence, RI 02907

The written complaint must include the following information:

- a) Your name, address, business and home telephone numbers;
  - b) A description of your grievance/complaint;
  - c) The regulations and policies violated, if known;
  - d) The date(s) of alleged unfair act(s); and
  - e) The name(s) and address(es) of any other(s) involved in the situation.
3. The Executive Director will issue a decision within 30 (thirty) days of the filing of the complaint.
  4. If you are not satisfied with the decision and you wish to file an appeal, you must do so within 10 (ten) days. You must send the written appeal to the following individual:

Rhode Island State WIOA Liaison Officer  
Rhode Island Department of Labor and Training  
1511 Pontiac Avenue, Building 73  
Cranston, Rhode Island 02920

The State Liaison Officer or his/her authorized designee will issue a decision within sixty (60) days from the date you originally filed your grievance/complaint.

5. If you are still not satisfied, you may then file a final appeal with the Secretary of Labor at the following address:

Secretary of Labor  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

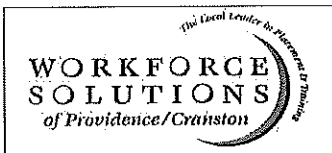
The Secretary of Labor will render a decision within 120 days of receiving the appeal.

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SIGNATURE

DATE





**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-03  
Effective Date: January 26, 2022**

**SELECTIVE SERVICE REGISTRATION POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

The purpose of this policy is to provide guidance regarding the Selective Service registration requirements for participation in Workforce Innovation and Opportunity Act (WIOA) funded services. Additionally, this policy contains model questions for WIOA staff to determine whether failure to register by a current or potential WIOA participant was knowing and willful.

***REFERENCES***

WIOA Section 189 (h)

***BACKGROUND***

Males who are subject to the registration requirements of the Military Selective Service Act must have complied with these requirements to be eligible for participation in WIOA funded programs and services. Under WIOA Section 189(h), the U.S. Secretary of Labor is required to ensure that each individual participating in a WIOA program, or receiving any assistance under WIOA Title I, has not violated Section 3 of the Military Selective Service Act. This section requires that every male citizen and every other male residing in the United States must register with Selective Service between their 18th and 26th birthday.

***REGISTRATION REQUIREMENTS***

1. WIOA requires males to comply with Selective Service registration requirements prior to participation in WIOA funded programs.
2. Local areas must ensure that each applicable male that participates in any local program or activity established under WIOA, or receives any assistance or benefit under WIOA, has not knowingly and willfully failed to register. Services must be denied to a male applicant 26 years or older if it is determined that he knowingly and willfully failed to register. However, when it can be determined that the applicant did not knowingly or willfully fail to register, he can be considered for participation.
3. Males born on or after January 1, 1960, and at least 18 years of age, who are not in the armed services on active duty, must be registered for the Selective Service. A youth who becomes 18 years of age while participating in a WIOA program must register within 30

days of his 18th birthday. If a youth fails to register within 30 days of his 18th birthdate, WIOA-funded service will discontinue.

4. Occasionally, males who were subject to Selective Service registration, but did not register and are now beyond their 26th birth date, apply for assistance from the WIOA program.

### ***DETERMINING WHETHER AN INDIVIDUAL KNOWINGLY AND WILLFULLY FAILED TO REGISTER***

If the individual was required but failed to register with the Selective Service, the service provider that enrolls individuals in WIOA-funded activities is the entity responsible for evaluating the evidence presented by the individual and determining whether the failure to register was knowing and willful. Documentation evidence presented may include the individual's written explanation and supporting documentation of his circumstances at the time of the required registration and the reason(s) for failure to register. The individual should be encouraged to offer as much evidence, and in as much detail as possible, to support his case. The following are examples of documentation that may be of assistance in making a determination:

1. Evidence that a male has served honorably in the U.S. Armed Forces such as a Form DD-214 or his Honorable Discharge Certificate.
2. Third Party Affidavits. Affidavits from parents, teachers, employers, doctors and others concerning reasons for not registering may help grantees in making determinations in cases regarding willful and knowing failure to register.

### ***MODEL QUESTIONS***

In order to establish consistency regarding the implementation of the requirements, the Providence/Cranston Workforce Development Board will consider the following questions as a model when determining whether a failure to register is knowing and willful. In determining whether the failure was "knowing," authorized organizations should ask:

1. Was the individual aware of the requirement to register?
2. If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g. veterans who were discharged before their 26th birthday and were occasionally told that they did not need to register)?
3. On which date did the individual first learn that he was required to register?
4. Where did the individual live when he was between the ages of 18 and 26?
5. Does the status information letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?
6. In determining whether the failure was "willful," authorized organizations should ask:
  - o Was the failure to register done deliberately and intentionally?
  - o Did the individual have the mental capacity to choose whether or not to register and decided not to register?

- What actions, if any, did the individual take when he learned of the requirement to register?

Finally, a participant's claim of ignorance (e.g. "I did not know...") regarding Selective Service registration requirements should not suffice as enough evidence to make a determination if his failure was knowing and willful. Ask him for more evidence to support his claim. If an authorized staff person determines that an individual's failure to register with the Selective Service was not knowing and willful and the individual is otherwise eligible, services may be provided. However, if the authorized staff person determines that evidence shows that the individual's failure to register was knowing and willful, WIOA services must be denied. Individuals denied services must be advised of available WIOA grievance procedures and documentation related to evidence presented in determinations on Selective Service must be kept in participant files.

The attached Memo to File must be completed to describe situations where participation is not denied for individuals who fail to register. Documentation justifying this must be included in the individual's file.

**ATTACHMENT**

**WORKFORCE SOLUTIONS OF PROVIDENCE/CRANSTON**  
**One Reservoir Avenue, Providence, Rhode Island 02907**

MEMO

TO: Memo to File

FROM:

CC:

DATE:

RE: Selective Service Registration:

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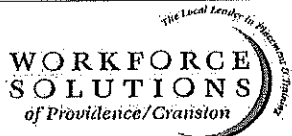
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\_\_\_\_\_ failed to register for the Selective Service by the age of 26.

I have reviewed the written explanation for failing to register, and I believe he did not act willfully or in bad faith. Said explanation is included in \_\_\_\_\_ file folder.

Therefore, As Executive Director of Workforce Solutions of Providence/Cranston on behalf of the Providence/Cranston Workforce Development Board, I believe \_\_\_\_\_ should not be denied participation in the WIOA programs.

(Signed) \_\_\_\_\_ (Date) \_\_\_\_\_



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-04  
Effective Date: January 1, 2021**

**PERSONALLY IDENTIFIABLE INFORMATION (PII) POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult    Dislocated Workers    Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners    AJC Operator    Sub-Recipients

***PURPOSE***

The purpose of this policy is to provide guidance on the requirements of handling and protecting personally identifiable information (PII).

***BACKGROUND***

Federal agencies and their grantees are required to take aggressive measures to protect personal information of participants whose loss, misuse or unauthorized access to could adversely affect the individual associated with that information.

***POLICY***

To ensure that personally identifiable information is not transmitted to unauthorized users, all personally identifiable information and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, flash drives, etc. must be encrypted using Barracuda Encryption Services, which meets Federal Information Processing Standards.

The encryption service can be accessed by typing ENCRYPT in the subject line.

All personal information must be stored in an area that is physically safe from access by unauthorized persons at all times.

Accessing, storing or processing personal information on personally owned equipment, at off-site locations, or on non-secure IT services is prohibited.

Access to personal information is restricted to only those staff members who need the information in their official capacity to perform duties in connection to the scope of work I the grant.

All participants must sign the attached release acknowledging the use of personal information for program purposes only.

Social security numbers will be verified by the Career and Employment Counselor. Any document with a participant's social security number must be redacted so only the last four numbers are visible.

Any paperwork containing personal information must be shredded and not discarded in trash or recycling bins.

Participant files should not be left open and/or unattended.

Participant files must be stored in locked cabinets when not in use.

Any breach or suspected breach of personally information protocol must be reported to the Employability Coordinator.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-05  
Effective Date: January 1, 2021**

**LABOR MARKET INFORMATION POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

The purpose of this policy is to set policy regarding the provision of labor market information services to WIOA AJC customers under Career Services.

***BACKGROUND***

***POLICY***

Employment and Career Counselors will provide and/or instruct all registered WIOA participants on how to access labor market information which will inform the development of an individual employment plan (IEP) as required under WIOA.

Labor market services to be provided include but are not limited to:

- Job search and placement assistance;
- Career Counseling;
- Provision of information on in-demand occupations and industry sectors;
- Information on non-traditional employment;
- Provision of labor market and workforce statistics related to the local area, region and national labor markets; and,
- Provision of cost information and performance of eligible training providers.

Local and national labor market information can be accessed at <http://www.dlt.ri.gov/lmi/jobseeker.htm>

The provision and use of labor market information in the assessment and development of a career plan process must be documented in the case file and EmployRI.

Case notes must detail the labor market information provided, the source of the labor market information and activity code must be entered in EmployRI.

The provision of labor market information does not require WIOA registration.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-06  
Effective Date: January 26, 2022**

**RECORDS RETENTION POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

The purpose of this policy is to provide guidance and instruction to the AJC partners, contractors, vendors, sub-recipients, fiscal agents and service providers regarding the retention of records under the Workforce Innovation and Opportunity Act (WIOA) Title I programs.

***BACKGROUND***

Minimum record retention requirements are established as part of an effective internal and external control program to ensure Workforce Solutions of Providence/Cranston (WSPC) acting on behalf of the Providence/Cranston Workforce Development Board (PCWDB) can provide documents requested by and Federal and state agencies within the statutes of limitations. This policy is to clarify procedures for accountability and retention of records related to activities and services conducted with WIOA Title I funds.

WSPC, on behalf of the PCWDB, will comply with the requirements of:

- 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule; and,
- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Section 185.

***POLICY***

In accordance with 2 CFR Part 200.333, Retention Requirements for Records, financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

- (a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.



- (b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- (c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- (d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- (e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.
- (f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
  - (1) *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.
  - (2) *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

WIOA program records must be retained for at least three (3) years following the date on which the final expenditure report charged to a program year's allotment is submitted or until all audit and litigation issues are resolved, whichever is later.

The records retention period for WIOA participant files is three (3) years from the exit date. This three-year time period allows for follow-up services conducted after the exit and time for report submission. Participant folders include, but are not limited to, application forms, copies of eligibility documentation, vocational assessment plans, wage record data, employment information, driver's license information and personal data.

All other records, which may include, but are not limited to, financial records (audits and invoices for vendors), monitoring reports (reports detailing how programs are conducted and whether or not they are in compliance with the law), contracts with training providers, contracts with employers, data validation files, contracts with vendors, Memorandums of Understanding, application files, minutes, and copies of training material distributed to participants, will be retained in accordance with this policy.

All records shall be maintained in a manner that will preserve their integrity and admissibility as evidence in any audit, litigation or other proceeding.

Records must be kept in a centralized filing system for WIOA files, in a suitable location, indexed by exit date. If paper files exist, file cabinets containing case files must be locked and keys will be kept in a secure place with limited staff access to maintain security and confidentiality. All records, data or information are to be retained separately and distinctively from records pertaining to other operations.

During normal business hours and upon request, records shall be made available and access shall be provided to authorized entities

All records regardless of the media on which they reside, including digital/electronic files must be retained in accordance with this policy.

If a WIOA Title I sub-recipient is unable to retain WIOA Title I records, or the award for service is terminated by WSPC the records must be transferred to WSPC or to a new service provider, as directed by WSPC. Records must be transferred with the time period stated by WSPC and must be properly labeled and filed in an acceptable condition for storage.

Additional direction pertaining to records retention follows:

Type of Record	Three-Year Retention Period Begins
All financial records, supporting documents, statistical records, and property records.	Date of submission of the final expenditure report or quarterly or annual financial report
All records of real property and/or equipment acquired with administered funds	Date of the item's disposition
All records pertinent to each grant agreement	Date of submission of the settlement or closeout reports
All records for program income transactions after the period of performance	End-date of the entity's fiscal year in which the program income is earned
Indirect cost rate proposals and cost allocation plans including indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable	Date of submission to state agency for negotiation or End-date of the entity's fiscal year (or other accounting period) covered by the proposal, plan, or other computation
All records pertinent to each participant's enrollment in programs funded under the agreement, including the dates of entry and termination in each activity	Last date of the participant's enrollment in the program
All records pertinent to applicants that have been determined eligible, but not served	Date of the eligibility determination
All pertinent records of each applicant who is determined ineligible	Date of the ineligibility/refusal determination; the records must indicate the reason for ineligibility/refusal



**WORKFORCE DEVELOPMENT AREA**  
**POLICY ISSUANCE NO. PY 2020-07**  
**Effective Date: January 26, 2022**

**INCIDENT REPORTING POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

This policy establishes expectations and procedures for reporting alleged, suspected or known fraud, program abuse, or criminal misconduct which impacts Workforce Innovation and Opportunity Act (WIOA) funding. As required under 20 CFR 683.620, which provides expectations and requirements for immediately reporting of information and complaints involving criminal fraud, waste, abuse or other criminal activity.

***POLICY***

It is the policy of Workforce Solutions of Providence Cranston (WSPC) acting on behalf of the Providence/Cranston Workforce Development Board (PCWDB) that they and their subrecipients of WIOA funds will immediately report known or suspected fraud, waste, abuse, gross mismanagement or misuse of program funds or criminal activity, in accordance with the procedures set forth below.

If an incident of fraudulent activity is detected, it must be immediately reported to the Department of Labor Office of the Inspector General (OIG) utilizing the online Submission Form at the Department's Incident Reporting system, found at the website: [www.oig.dol.gov/hotlinecontact.htm](http://www.oig.dol.gov/hotlinecontact.htm).

A copy of the Incident Report must also be simultaneously provided to the Department of Labor's Employment and Training Administration. Prior to finalizing and submitting the Submission Form, print a copy and mail or fax to the address below. Note that when the form is submitted a Confirmation Number will be provided; it may help to note the number in the file for future reference.

U.S. Department of Labor  
Employment and Training Administration  
200 Constitution Avenue  
Washington, DC 20210  
Fax: 202-693-7020

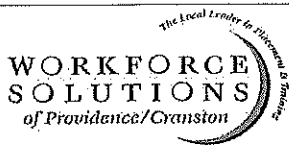
Reporting procedures do not supersede the responsibility to safeguard WIOA funds by taking prompt and appropriate corrective action. Whenever the entity reporting the allegation of an incident believes that immediate action to prevent further financial loss or other damage is necessary, or recovery of funds or property may be impeded if immediate action is not taken, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the local law enforcement agency.

Situation involving imminent health or safety concerns, or the imminent loss of funds exceeding \$50,000 are considered emergencies and must be immediately reported to the Department of Labor OIG via the hotline telephone number and followed up immediately (within one working day) in the form of an Incident Report. The hotline telephone number is: 800-347-3756 or 202-693-6999.

No action, including retaliation, will be taken against any individual who discloses information concerning criminal or improper activities, or makes a good faith complaint to proper authorities.

### **REQUIRED ACTION**

WSPC requires their subrecipients, program providers, and staff to immediately report alleged, suspected, or known fraud, program abuse, or criminal misconduct which impacts WIOA funding.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-08  
Effective Date: January 26, 2021**

**CONFLICT OF INTEREST and CODE OF CONDUCT POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

Grantees and subrecipients funded under the Workforce Innovation and Opportunity Act (WIOA) of 2014 must implement standards of conduct and conflict of interest policies and procedures as provided in WIOA law, regulations and guidance; Federal Office of Management and Budget (OMB) Circulars; state regulations; and state WIOA policies. The Providence/Cranston Workforce Development Board (PCWDB) is responsible for complying with all such applicable government ethics laws.

The PCWDB adopts this Conflict of Interest and Code of Conduct policy to ensure that its board members will not personally or professionally benefit from the award, administration, or expenditure of WIOA funds and that they otherwise comply with applicable ethics laws. The PCWDB further adopts this Conflict of Interest and Code of Conduct policy to ensure that board members conduct themselves in a professional manner that safeguards WIOA system integrity and engenders public confidence in the PCWDB.

Every PCWDB member is expected to read and comply with this policy.

***REFERENCE***

WIOA –29 U.S.C. section 3122 (h) – Local Board Conflict of Interest; 20 C.F.R. section 683.200

***POLICY***

PCWDB members are selected based on their personal expertise in education, employment, employer services, training, and/or youth services. PCWDB board members also have professional and/or personal associations which further WIOA goals. This expertise and associations, while valuable to the PCWDB, can lead to unfairness or self-dealing or the appearance of the same. This policy is intended to ensure that board members can utilize their unique expertise and professional associations to achieve WIOA goals, while maintaining legal compliance.

The following definitions are applicable to this policy:

1. **Conflict of Interest** – A conflict of interest exists if it is reasonably foreseeable that the outcome of participating in a governmental decision will have a material impact on a PCWDB board member’s economic interest, which is distinguishable from benefit to the public generally.
2. **Immediate Family** – Immediate Family consists of an individuals’ parents (including step-parents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an “in-law”).
3. **Meeting** – All meetings of the PCWDB and its committees.
4. **Organization** – A for-profit or not-for-profit entity. An entity can be a partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or a sole proprietor. Organization does not include government entities.

The following activities are prohibited:

1. **Financial Benefit:** A PCWDB board member cannot cast a vote, cannot discuss, and cannot otherwise participate in a PCWDB decision where the PCWDB’s decision could provide financial benefit to the board member. No PCWDB board member can have a personal financial interest in any PCWDB contract or decision as further explained below.
  - This prohibition applies to the selection of service providers, to selection of WIOA grantees and operators, to selection of physical premises and locations for PCWDB activities, and to all other PCWDB decisions which financially benefit or could financially benefit the PCWDB board member.
  - This prohibition applies to decisions that financially benefit or could financially benefit a PCWDB board member’s economic interests, including real property, investments, and other sources of income.
  - This prohibition applies where a PCWDB decision provides or could provide financial benefit to the immediate family of the PCWDB board member.
  - This prohibition applies when a PCWDB decision provides or could provide financial benefit to an organization or the employees of an organization that the PCWDB board member represents.
  - The prohibition applies to PCWDB board contracts and agreement of any nature, include contracts for grants or donations to the PCWDB.
  - The prohibition does not prevent a PCWDB board member from fulfilling his/her duty to speak on behalf of the constituencies that he or she is specifically appointed to represent, e.g., labor, business, education, etc., so long as a PCWDB decision does not have a unique effect on the PCWDB board member’s interests.

It is the responsibility of each PCWDB board member to identify and disclose when financial benefit, as described above, is present or possible. Before public discussions take place at a PCWDB meeting, the board member must disclose that fact and shall recuse him or herself from voting, as required by law. The minutes of the meeting shall reflect the disclosure and recusal.

Membership on the PCWDB, or being a recipient of WIOA funds to provide training or other services, is not by itself a violation of conflict of interest provisions of WIOA or corresponding regulations.

**2. Gratuities:** PCWDB board members cannot solicit and cannot accept professional favors, gratuities, free services, discounts, or anything of monetary or professional value from an individual or entity conducting business with the PCWDB or participating in PCWDB activities.

- This prohibition applies to things of monetary and professional value offered by PCWDB awardees or potential awardees, offered by PCWDB service providers or suppliers, offered by any party or potential party to a PCWDB agreement, offered by WIOA or other PCWDB program participants, and offered by recipients and potential recipients of PCWDB services.
- This prohibition applies to things of monetary and professional value offered by PCWDB awardees or potential awardees.
- This prohibition does not apply where a gift to a PCWDB Board member is unsolicited and is of nominal value worth of \$50.00 or less.

Where a PCWDB Board member is offered a thing of monetary or professional value, as described, he or she shall decline to accept, or, if already delivered, shall arrange to return the item to the donor. Further, he or she shall advise either the Chair or the PCWDB Executive Director of the offer and his/her rejection of the offer.

**3. Other Organization Leadership:** PCWDB board members shall not seek to serve on boards of directors, advisory boards, or other leadership positions of organizations which are existing PCWDB sub-grantees or subrecipients or contractors, as those terms are defined under the WIOA.

If PCWDB board members currently serve in such capacities in other organizations, and if such organizations seek to become PCWDB service providers, grantees, or similar, they shall disclose that relationship to the Chair or to the PCWDB Executive Director as soon as practicable.

Further, PCWDB board members and employees who serve on boards of directors, advisory boards, or other leadership positions of organizations which seek to become PCWDB service providers, grantees, or similar, shall not cast a vote, shall not discuss, and shall not otherwise participate in a PCWDB decision concerning these organizations.

4. **Information Access:** PCWDB board members may become, in the course of performing their duties, aware of information which is not yet available to the public at large. Such information shall be utilized by PCWDB board members for official PCWDB purposes only. Where information is not yet available to the public at large, PCWDB board members shall not use such information for their personal or professional gain.
- This prohibition applies to the use of such information for the personal or professional gain of the immediate family of the PCWDB board member.
  - This prohibition applies to the use of such information for the benefit of any organization that the PCWDB member represents and to any organization on which the PCWDB member serves on the board of directors, advisory boards, or other leadership position.

PCWDB board members shall not divulge such information in advance of the time decided by the PCWDB for its release.

5. **Provision of Services:** PCWDB board members shall not directly participate in either the decision to provide, or in the actual provision of, PCWDB services, programs and benefits to their immediate family or to members and employees of organizations which the PCWDB employee represents. PCWDB board members and employees shall advise the Executive Director of the PCWDB promptly, if these circumstances are present so that another PCWDB member or employee can make the determination to provide, or provide the PCWDB service.

Where an PCWDB board has a personal relationship with an actual or potential recipient of PCWDB services, even if that relationship is not one of immediate family or association with an organization which the member or employee represents, he or she shall disclose the same to the Chair and/or to the Executive Director. The Chair and Executive Director will determine whether the decision to provide or actual provision of PCWDB services to that individual should be made by another person, in order to preserve the integrity of PCWDB in the public eye.

Membership on the PCWDB does not prohibit a PCWDB board member's business from becoming a recipient of WIOA funds to provide training or other services.

#### **CODE OF CONDUCT:**

- **Civility:** In the performance of their duties, PCWDB board member actions reflect on the PCWDB. To ensure public confidence in the PCWDB, board members shall interact with the public, program participants, government officials and members of associated organizations in a courteous, helpful and prompt manner.
- **Accountability:** PCWDB board members and employees shall conduct themselves in an honest, open and transparent manner, including handling perceived and actual conflicts of interest as specified in this policy.



- **Legal Compliance:** PCWDB board members shall be knowledgeable about and shall comply with applicable WIOA laws and regulations.
- **Public Speaking:** Because there is interest in PCWDB activities, PCWDB board members are encouraged to act in a public relations capacity for the PCWDB. In public speaking engagements, PCWDB board members may describe and explain actions already taken by the PCWDB, and may describe generally the possibility of future PCWDB activities.

PCWDB board members employees shall not promise any particular PCWDB decision or shall not assert their personal ability to deliver a particular PCWDB decision.

- **Sharing Information:** PCWDB board members are encouraged to share information with the community about PCWDB activities in a manner that ensures fair and equal access by all. For example, access to information regarding the PCWDB's procurements for services shall be available at the same time and in the same manner to all potential bidders. Information shall not be individually provided to individual potential bidders because it could lead to that bidder's unfair advantage over others seeking to provide services.

PCWDB board members and employees shall not reveal attorney-client privileged communications, personnel information, or other confidential or legally protected information to the public.

- **Disclosure of Associations:** PCWDB board members and employees have professional and personal associations that yield significant benefit to the PCWDB. When these associations raise the possibility of unfairness or conflict of interest in connection with a particular PCWDB activity or decision, PCWDB board members and employees shall take the initiative and shall disclose their association at a regularly convened, public PCWDB meeting or committee meeting. Minutes of PCWDB or committee meetings shall reflect such disclosures. If disclosure at a regularly scheduled PCWDB or committee meeting is not practicable, such disclosures should be made in writing, as soon as possible, to the Chair.

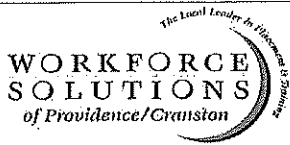
If a PCWDB board member or employee is in doubt about whether his or her association poses a fairness or conflict of interest issue, they shall err on the side of disclosure.

Disclosure of associations does not prohibit a PCWDB member from voting or participating in other, unrelated PCWDB business and decisions.

#### **SANCTIONS:**

Where PCWDB board members violate this policy, disciplinary action may be imposed, up to and including termination of board membership. The PCWDB Executive Committee shall evaluate possible violations on a case-by-case basis and shall recommend to the full PCWDB, if and what penalties, sanctions or other disciplinary actions are appropriate. Discipline, if any,

shall be implemented by a majority vote of the PCWDB at a meeting at which a quorum is present.



**WORKFORCE DEVELOPMENT AREA**  
**POLICY ISSUANCE NO. PY 2020-09**  
Effective Date: January 26, 2022

**REASONABLE ACCOMMODATION AND MODIFICATION FOR INDIVIDUALS WITH  
DISABILITIES POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

This policy on accommodations and accessibility ensures that every Workforce Innovation and Opportunity Act (WIOA) Title I participant receives quality services. The Providence/Cranston Workforce Development Board (PCWDB) has an obligation to make reasonable modifications to its policies, practices, and procedures to ensure equal opportunity for individuals with disabilities, unless it can be demonstrated that making modifications would fundamentally alter the nature of the service, program or activity. This policy outlines steps to ensure nondiscrimination and equal opportunity and the reasonable accommodations required to effectively serve individuals with disabilities.

***REFERENCES***

- Workforce Innovation and Opportunity Act (WIOA), Section 188 (Part 29 CFR 38) WIOA Notice of Proposed Rulemaking
- Americans with Disabilities Act of 1990
- Americans with Disabilities Amendments Act of 2008 (ADAA)
- Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide

***POLICY***

The PCWDB considers individuals with disabilities an important element of diversity and ability within the Providence/Cranston American Job Center (AJC). Individuals with disabilities must be treated with respect and given customer-centric services.

No individual is to be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in any program or activity, funded in whole or in part under WIOA, due to race, color, religion, sex, gender identity, national origin, age, disability, or political affiliation or belief.

Program operators and service providers of the PCWDB must use the same processes for all customers, including individuals with disabilities. They must also make reasonable modifications in practices and procedures when the modifications are necessary to avoid discrimination based on disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity. The need for an accommodation/modification shall not adversely affect the consideration of a qualified individual with a disability for aid, benefits, services, and training.

## **PROCEDURES**

The following actions should be taken to ensure nondiscrimination of individuals with disabilities:

- Ensure the AJC in the Providence/Cranston workforce development area is compliant with the American with Disabilities Act (ADA) and equipped with auxiliary aids and accommodations.
- Ensure individuals are aware of compliance through use of signs or other means of visibility. "Equal Opportunity is the Law" must be prominently displayed within the Center and made available in other formats as requested.
- Ensure individuals are aware of the ability to receive reasonable accommodations. Notice of the availability and right to receive reasonable accommodations must be posted.
- Maintain confidentiality and not disclose disability-related or other medical information about an individual to an employer or partnering organization unless the job seeker has requested the disclosure on their behalf.
- Incorporate information on accommodations and rights of all individuals, including individuals with disabilities, in orientations.
- Refrain from stereotyping individuals with disabilities when evaluating their skills, abilities, interests and needs.
- Periodically review eligibility criteria for services or training to eliminate elements that may screen out individuals with disabilities (unless criteria are directly related to specific training or services and is essential), such as literacy/numeracy level requirements to access services that may unnecessarily prevent individuals with intellectual, cognitive or development disabilities from accessing services.

Program operators and service providers are subject to the following provisions of law:

- Section 188 of the Workforce Innovation and Opportunity Act, which prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief and requires that reasonable accommodations be provided to qualified individuals with disabilities in certain circumstances.
- Section 504 of the Rehabilitation Act, which prohibits discrimination against individuals with disabilities by recipients of Federal financial assistance.

- Title I of the Americans with Disabilities Act, which prohibits discrimination in employment based on disability.
- Title II of the Americans with Disabilities Act, which prohibits State and local governments from discriminating based on disability.
- Section 427 of the General Education Provisions Act, which requires recipients to ensure equitable access to, and participation in, certain programs run by the U.S. Department of Education.

Individuals may or may not choose to disclose that they have a disability. The individual does not have to document a disability to apply for or receive WIOA Title I Services

Staff should only ask individuals if they have a disability if this question is asked of all customers using the program and for data collection purposes, or for customer service and satisfaction improvements. Staff may ask individuals whether they are able to perform the essential functions of a job, training, or activity, but should not directly ask if an individual has a disability.

If it appears that an individual with a disability may need an accommodation, staff may ask the individual if he or she can participate in a specific aid, benefit, service, or training with or without an accommodation. If the individual indicates that an accommodation is not needed, no further inquiries about the disability may be made. The individual's response must determine the program or services actions.

If the individual discloses a disability, staff must inform the individual that:

- Providing information about one's disability is voluntary;
- The information will be kept confidential as provided by law;
- Refusal to provide the information will not subject the individual to adverse treatment; and
- The information will only be used in accordance with the law.

For WIOA Title I services, individuals with disabilities do not need to verify a disability to be served, unless required for their specific individual eligibility; however, it would benefit the individual to provide documentation of the disability to receive priority of service and to receive connections to additional resources. If individuals with disabilities request accommodations on any testing for service delivery purposes, documentation of the disability will be required. Additionally, some discretionary grants may require individuals with disabilities to show documentation of their disability for eligibility purposes.

Specific information on disabilities gathered for program eligibility purposes, including medical information gathered, must be kept confidential and maintained in a separate, secure file that is only available to authorized individuals. Medical information given to staff verbally by a person with a disability is also regarded as confidential and should not be released without written consent of the person with a disability.

Reasonable accommodations, modifications, providing effective communication, and auxiliary aids and services will hereinafter be referred to as "reasonable accommodations." A reasonable accommodation is a change in the way the program is administered that enables an individual with a disability to receive benefits, services and training equal to those provided to individuals without disabilities.

Program operators and service providers providing services will provide reasonable accommodations to qualified individuals with disabilities who utilize WIOA Title I services to ensure equal access and opportunity.

The policies pertaining to reasonable accommodations apply to qualified individuals with disabilities regarding:

- Registration and orientation;
- Initial screening, assessments, and testing;
- Service delivery, including career services, training services, and support services; and
- Continuous improvement.

Program operators and service providers must not place a surcharge on an individual with a disability, or any group of individuals with disabilities, to cover the costs of measures associated with providing auxiliary aids, services, or assistive technology, that are required to provide that individual or group with the nondiscriminatory treatment required by WIOA Title I.

There are many forms of reasonable accommodations. Staff and the individual with a disability should work together to identify the most effective reasonable accommodation for that individual. Determining the most reasonable accommodation should be done as quickly as possible to avoid delaying access to services.

To afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of the WIOA Title I or Title III program or activity, the program operator must furnish appropriate auxiliary aids or services, including effective means of communication, where necessary. In determining what type of auxiliary aid or service is appropriate and necessary, program operators and service providers must give primary consideration to the requests of the individual with a disability. Primary consideration means honoring the choice unless the agency can demonstrate that another equally effective accommodation is available, or that using the means chosen would result in a fundamental alteration in the service, program, activity, or undue financial and administrative burdens.

A non-exhaustive list of auxiliary aids and services can be found in 29 CFR S 38.4, and includes:

- Qualified interpreters, note-takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs/ITs), video telephones, or video remote interpreting devices), videotext displays, or other effective means of making aurally delivered materials available to individuals with hearing impairments;

- Qualified readers, taped texts, audio recordings, brailled materials, large print materials, or other effective means of making visually delivered materials available to individuals with visual impairments;
- Acquisition or modification of equipment or devices; and
- Other similar services and actions.

This obligation does not require the program operator to provide personal devices, such as wheelchairs; prescribed devices, such as prescription eyeglasses or hearing aids; or readers for personal use or study.

The AJC must be ready and welcoming for when persons with disabilities seek services, and as such, advance preparatory actions must be taken.

Some areas to particularly note include:

- Signage
- Accessible Counters
- Automatic and Power-Assisted Doors
- Accessible Restrooms
- Accessible Workstations
- Obstacle Free Entrance
- Space in Waiting Room for People Using Wheelchairs
- 32-inch Clear Opening on Door
- 36-inch Clear Path of Travel

The above is only a sampling of considerations.

The PCWDB requires that all service providers ensure that requests for accommodations are taken seriously and that receipt of accommodations is easy, user-friendly, and treated in a respectful and timely manner. Requests for accommodations should be shared with the AJC staff as soon as possible following a request, to ensure services were made available and are available for any future request.

The individual does not need to use the term "reasonable accommodation" when seeking assistance. A request can be made before services are received or after a customer has already begun to receive the services for which the accommodation is requested. The request for accommodations may be made by a family member, friend, or other representative on their behalf. However, staff should directly verify with the customer the specific need and request.

When a person with a disability makes a request for a reasonable accommodation to any of the program operators' representatives, the program operator is required to respond to that request. Request for accommodations, modifications, and/or effective communication are requests that include the following two elements:

- A request for an adjustment or assistance; and

- An indication that the request might be related to a medical condition or disability.
- 

Requesting documentation for a disability can be an impediment to expedient and customer friendly service and, therefore, should usually be avoided. Documentation of a disability underlying a request for an accommodation should not be requested when:

- The request for accommodation falls within the range of adjustments that staff would normally make in providing good customer service for any customer, or
- The disability is apparent.

Assessment and testing accommodations will be based upon the nature of the disability or special need and can include, but are not limited to:

- Braille Test Edition
- Large Print Edition
- Repeated Directions
- Assistive Technology
- Answers Recorded
- Extended Time/Adjusted Time
- Communication Assistance

For testing accommodations, documentation of disability must provide a comprehensive evaluation, a specific diagnosis, and objective evidence of a substantial functional limitation. The diagnostic report must include specific recommendations for accommodation(s), as well as a detailed explanation of why each accommodation is recommended. The evaluator(s) must describe the impact the diagnosed disability has on a specific major life activity as well as the degree of recommendations with specific test results or clinical observations. This evaluation must be made by a qualified professional whose credentials are appropriate to the disability. The name, title, and professional credentials (e.g., degrees, areas of specification, license or certification, employment) should be clearly stated in the documentation.

A written record must be made of any requests for reasonable accommodations that would require significant resources or preparation. Records must include the name of the individual, the nature of the reasonable accommodation, and the reason for the accommodation.

In keeping records pertaining to requests for reasonable accommodations in the AJC, all staff should ensure that the documentation process does not delay or impede the provision of accommodations. Any documentation collected for reasonable accommodation considerations through WIOA Title I services should be kept in the individual's participant file.

All AJC staff members should be able to provide or arrange basic accommodations on their own initiative in the most expedient and customer friendly way possible.

An AJC staff member, program operator or service provider may deny a request for a reasonable accommodation based on the following criteria:



- The AJC staff member, program operator or service provider has determined the customer does not have a disability. The program operator or service provider has determined that the absence of the requested reasonable accommodation would not limit the customer's ability to have genuine, meaningful participation in and derive an equal benefit from the program aid, benefit, service and training; OR
- The AJC staff member, program operator or service provider has determined that there is no accommodation that would be effective in improving the customer's ability to have genuine, meaningful participation in and derive an equal benefit from our aids, benefits, services and training.

The denial of an accommodation requires review and decision-making at the administrative level. If a AJC staff member, program operator or service provider believes that it may be appropriate to seek documentation of a disability underlying a request for accommodation, that they should present the recommendation to the designated AJC Equal Opportunity Officer (EO). The EO will consider the recommendation, and if appropriate, conduct the inquiry.

Requests that cannot be provided or which are believed to pose an undue burden must be reviewed by the AJC EO Officer. In situations where the AJC staff member, program operator or service provider believes that the proposed accommodation would cause undue hardship, they have the burden of proving that the accommodation would result in such undue hardship. The EO officer is the only person with authority to determine undue hardship.

A written statement of the reasons for reaching these conclusions will accompany the decision of an accommodation denial. The AJC staff member, program operator or service provider will provide a copy of the statement of reasons to the individual who requested the accommodation, modification, auxiliary aid or service, and in alternate format or with other auxiliary aids for effective communication, as appropriate.

The written notice of denial must:

- Explain the reasons for the denial;
- Inform the customer of his or her rights to file a complaint with the Department of Labor Civil Rights Center and Department of Justice, Office of Civil Rights;
- Provide instructions for initiating such complaints

A copy of this notice of denial must be provided to the State Equal Opportunity Officer.

Additionally, if the denial is based on a determination of undue burden, the written notice of denial must also document that all the required factors that must be considered in determining undue burden were considered and be reviewed by an attorney versed in ADA.

After a determination of undue hardship, the program operator must still take any other action which would not result in such burden, but which would improve, to the maximum extent possible, the customer's ability to participate in and benefit from the program aids, benefits, services, and training. If an accommodation would result in undue hardship, the program

operator will give the individual with a disability the option of providing the accommodation. The program operator must also offer to cover the costs of the reasonable accommodation up to the limit of undue burden and to allow the customer to cover any costs above that threshold.

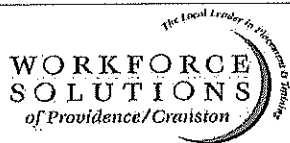
Individuals who believe that they have been discriminated against in failure to provide accommodations, may file a complaint with the EO Officer. Information on how to file a complaint will be publicly posted and available in alternative formats.

### ***MONITORING***

The PCWDB acknowledges that the state and the federal organizations that pass-through funding to the PCWDB have the authority to monitor and assess compliance with accessibility and reasonable accommodation procedures for WIOA Title I programs. To ensure that policies are being followed and expectations are being met, PCWDB support staff or a designee will review accessibility of facilities and services periodically to ensure compliance. It will be the responsibility of those found to be in non-compliance to make any corrections and to conduct an internal review if areas of concern are found.

### ***DISCLAIMER***

This policy is based on PCWDB interpretation of the statute, along with the Workforce Innovation and Opportunity Act; Final Rule released by the U.S. Department of Labor and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-10  
Effective Date: January 26, 2021**

**CRITERIA FOR SELECTING TRAINING PROVIDERS OTHER THAN AN ITA  
POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult    Dislocated Workers    Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners    AJC Operator    Sub-Recipients

***PURPOSE***

The purpose of this policy is to identify circumstances wherein a training contract may be used to provide training services, instead of an Individual Training Account (ITA).

***BACKGROUND***

Individual Training Accounts (ITA) are the primary method to be used for procuring training services under WIOA. However, in certain circumstances, a training contract may be used to provide training services, instead of an ITA. These circumstances are referred to as the “training exceptions” or “contract exceptions.” These training exceptions may only be used if at least one of the five circumstances identified below applies and the process for their use is described in the Providence/Cranston Workforce Development Area local plan.

***POLICY***

Contract for training services may be used instead of ITAs only when one or more of the following five exceptions apply, and the local area has fulfilled the consumer choice requirements of WIOA Regulations paragraph 680.340.

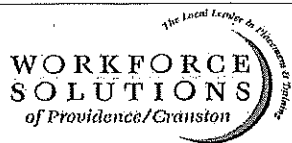
1. When the training is on-the-job training (OJT), customized training, incumbent worker training, or transitional jobs.
2. When the Providence/Cranston Workforce Development Board (PCWDB) determines that there are an insufficient number of Eligible Training Providers in the Providence/Cranston local area to accomplish the purpose of a system of ITAs.
- When the PCWDB determines that there are training services program of demonstrated effectiveness offered in a local area by a community-based organization or other private organization to serve individuals with barriers to employment. As required under WIOA, the PCWDB has developed the following criteria that will be used to determine demonstrated effectiveness, particularly as it applies to individuals with barriers to

employments to be served. Community-based organizations or other private organizations considered for the provision of training services must demonstrate:

- Financial stability by the submittal of the latest audit or financial statements;
  - Demonstrated performance in the delivery of services to individuals with barriers to employment through such means as program completion rate; attainment of the skills, certificates or degree the program is designed to provide; placement after training in unsubsidized employment; and retention in employment; and,
  - How the specific program relates to the workforce needs identified in the local plan.
- When the PCWDB determines that it would be most appropriate to contract with an institution of higher education or other provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations, provided that the contract does not limit consumer choice.
  - When the PCWDB is considering entering into a Pay-for-Performance contract, and the PCWDB ensures that the contract is consistent with WIOA regulations 683.510 which details the requirements of such contracts.

For purposes of this policy, barriers to employment as noted in paragraph 2 above are defined as:

- Displaced homemakers
- Low-income individuals
- Indians, Alaska Natives, and Native Hawaiians
- Individuals with disabilities, including youth who are individuals with disabilities
- Older individuals (age 55 and older)
- Ex-offenders
- Homeless individuals or homeless children and youths
- Youth who are in or have aged out of the foster care system
- Individuals who are: English language learners, individuals who have low levels of literacy and individuals facing substantial cultural barriers.
- Eligible migrant and seasonal farmworkers
- Individuals within two years of exhausting lifetime TANF eligibility
- Single parents (including single pregnant women)
- Long-term unemployed individuals
- Such other groups as the Governor involved determines to have barriers to employment



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-11  
Effective Date: January 26, 2022**

**WIOA ELIGIBILITY POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult    Dislocated Workers    Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners    AJC Operator    Sub-Recipients

***PURPOSE***

The purpose of this issuance is to set policy regarding who may receive Workforce Innovation and Opportunity Act (WIOA) service.

***BACKGROUND***

Adult and dislocated worker activities under Title I of the Workforce Innovation and Opportunity Act (WIOA) describe eligibility requirements for adults and dislocated workers seeking WIOA funded services. The Providence/Cranston Workforce Development Board (PCWDB) has set the following policy to ensure that adults and dislocated workers enrolled in WIOA Title I are determined eligible and that required documentation is maintained in the participant file. Enrollment into a WIOA Title I program requires a complete 100 percent verification of eligibility. Adults and dislocates workers who receive services funded under WIOA Title I other than self-service or information activities must be registered and must be a participant. Eligibility for program enrollment and program services does not entitle an individual to program enrollment or program services.

***POLICY***

**1. Eligibility for Adult Services**

In order for an individual to receive WIOA Adult services, he or she must meet the following eligibility requirements:

- The individual must be a U.S. citizen or otherwise legally entitled to work in the U.S.;
- The individual must be age 18 or older; and
- The individual must meet the selective service registration requirements (if applicable), unless an exception is justified. (Reference PCWDB Policy Issuance No. PY 2020-03)

## 2. Eligibility for Dislocated Worker Services

The State of Rhode Island has interpreted the Federal dislocated worker definition in its WIN Notice 15-17. WIOA Section 3 (15) defines a dislocated worker as one who falls into one of the following five categories (*Please note the items highlighted in bold/italics are defined at the end of the five categories*):

1. Someone who has been terminated or laid off, or who has received a notice of termination or layoff, from employment; and who is eligible for or has exhausted entitlement to unemployment compensation; or has been employed for a *duration sufficient to demonstrate, to the appropriate entity at the Providence/Cranston American Job Center (AJC), attachment to the workforce* but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that was not covered under a state unemployment compensation law; and is *unlikely to return to a previous industry or occupation*;
2. Has been terminated or laid off, or has received a notice of termination or layoff from employment as a result of any permanent closure of, or an *substantial layoff* at a plant, facility or enterprise; or is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or for purposes of eligibility to receive services other than training services describe in WIOA section 134 (c)(3), career services described in WIOA section 134 (c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;
3. Was self-employed (including employed as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the *community in which the individual resides* or because of natural disasters;

*(Note: Individuals who wish to be eligible as a dislocated worker under this category need to provide a description of their business and the economic conditions or natural disaster that contributed to the individual's unemployment.*

*Individuals must provide AJC staff with supporting documentation of the economic events. Supporting documentation may include, but is not limited to, financial statement, business correspondence, press announcements or any other documentation that supports this explanation.*

4. Is a displaced homemaker, defined in WIOA section 3 (16) as an individual who has been providing *unpaid services to family members* in the home and who has been *dependent on the income* of another family member but is *no longer supported by that income*; or is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is *significantly reduced* because of a deployment (as defined in section 9991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101 (a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in

section 101(16) at title 38, United States Code) death or disability of the member; and is unemployed or *underemployed* and is *experiencing difficulty* in obtaining or upgrading employment; or

5. Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10 United States Code), and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member, or is the spouse of a member of the Armed Forces on active duty and who is unemployed or underemployed and is experiencing difficult in obtaining or upgrading employment.

### ***INTERPRETATION AND DEFINITIONS***

- The State of Rhode Island interprets *duration sufficient to demonstrate....an attachment to the workforce* as any labor performed in any occupation where the employee has worked for two full pay periods or one month, whichever less.
- Client certification is sufficient to determine if the client is *unlikely to return to a previous industry or occupation*. Self-Certification must include a “reasonable” explanation of why the individual would be unable to return to the previous occupation. This explanation shall include an analysis of LMI data around the economic outlook of the occupation or a personal reason why the individual would be unable to return to a previous occupation.
- The State of Rhode Island interprets *industry* as any industry identified in the North American Industry Classification System (NAICS). When applying a NAICS code local areas may use the most specific classification to reference the industry that the client is unlikely to return to.
- The State of Rhode Island interprets *occupation* as any occupation identified in the Standard Occupational Classification System (SOC) system. The state has directed local areas to use the most specific classification to reference the occupation the client is unlikely to return to.
- The State of Rhode Island interprets *substantial layoff* as the layoff of five (5) people or ten percent of that employer’s workforce, whichever is less.
- The State of Rhode Island interprets the *community in which the individual* resides as the geographic boundaries of the state or as the industry, sector, or occupational community not bound by physical location which may be affected by general economic conditions. An individual’s economic community extend beyond the geographical location of that person and/or their business or source of income. Conditions that affect general economic conditions may include the logistical supply chain or location of product/service delivery. An individual is defined as resident of Rhode Island.
- The State of Rhode Island defines *unpaid services* as any service provided without an employer/employee relationship between family members.
- *Family member* is defined as a spouse, child, spouse’s child, daughter-in-law, son-in-law, brother, sister, mother, father, grandparents, grandchild, step-brother, step-sister,

step-parents, parents-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, guardian, ward, or domestic partnership.

- ***Dependent on the income*** is defined as receiving financial or other form of assistance from a family member to meet any basic need of the individual. Basic need means food, shelter, clothing, transportation or any other need necessary for self-sufficiency.
- ***No longer supported by that income*** is defined as the removal of financial or other forms of assistance that is provided to meet any basic need of the individual. This definition is not limited to the removal of the total assistance received by the individual, rather the assistance received per basic need.
- The State of Rhode Island interprets ***significantly reduced*** as any reduction in family income due to deployment.
- The State of Rhode Island interprets ***underemployed*** as an individual making less than the sum of the average quarterly wage rates for the most recent year, based on data published by the Labor Market Information Division; or is earning less than their projected earnings (as defined in the Continuing Dislocation Section below).
- The State of Rhode Island interprets ***experiencing difficulty*** as being unsuccessful in finding employment or upgrading employment, as determined by self-certification.

### 3. Continuing Dislocation

Rhode Island recognizes the continuing effect of dislocation events across the state, and therefore does not dictate a time frame in which a person must have been dislocated in order to be deemed eligible as a dislocated worker. The following methodology shall be used to determine eligibility in addition to other accepted methods.

The base rate of pay of the highest unemployment insurance claim shall be adjusted for industry growth over time and compared to the individual's current earnings. If the current earnings of the individual are less than the adjusted base rate of pay on the UI claim, then the individual is considered a dislocated worker due to the continuing effect of the dislocation event. The methodology is as follows:

1. Identify:
  - Benefit Year Ending Date (for each claim)
  - Earnings at time of lay-off – i.e. Base Period of Wages (for each claim)
  - Industry sector (two-digit NAICS) associated with the employer on the claim with the **highest** base period wages
  - Current Earnings – total of last four quarters from Wage Record
2. Obtain annual wage for the industry sector (based on NAICS code identified above) at the time of layoff from the Quarterly Census of Employment and Wages Report for Rhode Island
  - Use the average wage for the industry sector associated with the employer



on the claim for the year associated with the most recent base period quarter used on the claim

- Annual Average Earnings for the most recent year for the industry sector associated with the employer on the claim. – Currently 2015 Quarterly Census of Employment and Wages Report for Rhode Island.

3. Calculate **percent change in earnings**

- Calculation: (2015 annual average wage for industry sector – annual average wage at time of layoff for industry sector)/ annual average wage at time of layoff for industry sector

4. Calculate **Projected Earnings**

- Calculation: Base Period Earnings + (Percent change in earnings \* Base Period Earnings)

5. Compare Earnings

- If Current Earnings are less than Projected Earnings, the individual is a Dislocated Worker

**Methodology Equations:**

Percent Change in Earnings:

$$F(IE) = \frac{IE_{cy} - IE_{dy}}{IE_{dy}}$$

Projected Earnings:

$$F(BP) = BP[f(IE)] + BP$$

Compare Earnings:

*If  $F(BP) > E$ , then the individual IS a Dislocated Worker*

*If  $F(BP) \leq E$ , then the individual is NOT a Dislocated Worker*

**KEY**

**IE** = Annual Average Earnings for the Industry Sector

**CY** = Current Year

**DY** = Dislocation Year

**E** = Current Earnings

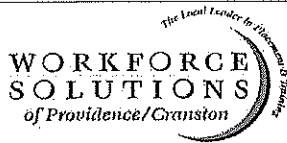
**BP** = Base Period of Earnings

**T** = time not worked during a

Following is a list of acceptable documents which verify identity and employment authorization. Applicants must provide one document from Column A or one document from both Column B and Column C. All documents must be original and unexpired.

<b>DOCUMENTS THAT ESTABLISH BOTH IDENTITY AND EMPLOYMENT AUTHORIZATION</b>  (1 NEEDED FROM COLUMN A TO ESTABLISH BOTH)	<b>DOCUMENTS THAT ESTABLISH IDENTITY</b>  (1 NEEDED plus 1 from Column C)	<b>DOCUMENTS THAT ESTABLISH EMPLOYMENT AUTHORIZATION</b>  (1 NEEDED plus 1 from Column B)
<i>COLUMN A</i>	<i>COLUMN B</i>	<i>COLUMN C</i>
US Passport or passport card	Driver's license or state ID with photograph, name, DOB	Social Security card
Permanent resident alien card or registration receipt card	Other government ID with photograph, name, DOB	Original or certified US birth certificate
Foreign passport with an I- 551 stamp	School ID with photograph	Birth certificate issued by the State Department form FS 1350
Employment authorization document Form I- 766	Voter registration card	Birth certificate issued by the US State Department Form FS -545
Foreign passport and Form I- 94 or I -94A	US military ID	Native American tribal document
Micronesia or Marshall Islands passport with Form I- 94 or I 94-A	Military dependent ID	US Citizen ID card Form I- 197
	US Coast Guard or Merchant Marine card	ID card for use of resident citizen in the US Form I- 179
	Native American tribal document	Employment authorization issued by the Department of Homeland Security
	Driver's license issued by a Canadian government authority	

The documents identified above must be included in the customer file.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-12  
Effective Date: January 1, 2021**

**PRIORITY OF SERVICE POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***BACKGROUND AND PURPOSE***

In accordance with the Workforce Innovation and Opportunity Act (WIOA) and the Jobs for Veterans Act of 2008 (JVA) with respect to funds allocated WIOA adult employment and training activities, the following priority of services will apply for WIOA Title I participants. Priority of Service does not apply to the dislocated worker or youth programs.

Priority of service means, with respect to applicable WIOA programs, certain populations will be given priority over others (as described in the Priority of Service policy below) for the receipt of certain employment, training, and placement services provided under WIOA Title I. Veterans within these groups receive priority over non-veterans. Adult priority is determined for the targeted groups during eligibility and enrollment.

Depending on the type of service being provided, taking precedence may mean:

- Certain priority populations receive access to the service earlier in time than the non-covered person; or
- If the service or resources are limited, priority populations receive access to the service instead of or before other population groups.

***POLICY***

**Priority of Service**

Priority for receipt of individualized career services and training services will be given to adult customers in the following order, regardless of funding levels:

- **First**, to veterans and eligible spouses who are ALSO recipients of public assistance, low-income individuals including those who are underemployed, or basic skills deficient.
- **Second**, to recipients of public assistance, other low-income individuals including those who are underemployed, or individuals who are basic skills deficient.

- **Third**, to veterans and eligible spouses who are not recipients of public assistance, not low-income individuals including underemployed or who are not basic skills deficient.
- **Fourth**, to long-term unemployed individuals.
- **Last**, to all other persons not listed above – those who do not qualify as veterans, eligible spouses, recipients of public assistance, low-income individuals, basic skills deficient individuals, or long-term unemployed individuals.

Priority of service cannot be waived. Priority of service does not guarantee that by virtue of his/her status an individual will always receive service. The individual must be eligible and able to benefit from the services.

Determination of priority must be included in the customer's file with appropriate case notes.

A "veteran" is a person who served in the active military, naval or air service and who is discharged or released therefrom under conditions other than dishonorable.

An "eligible spouse" is:

- A spouse of any veteran who died of a service-connected disability;
- A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days of missing in action (MIA);
  - Captured in the line of duty by a hostile force, or
  - Forcibly detained or interned in the line of duty by a foreign government or power
- A spouse of any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs;
- A spouse of any veteran who died while a disability was in existence.

Military spouses may also qualify if they are a dependent spouse of a member of the Armed Forces on active duty whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the service member. Military spouses also can qualify if they are unemployed or underemployed and are experiencing difficulty in obtaining or upgrading employment.

An "individual with a barrier to employment" is a member of one or more of the following populations:

- Displaced homemakers;
- Low-income individuals;

- Indians, Alaska Natives, and Native Hawaiians;
- Individuals with disabilities, including youth who are individuals with disabilities;
- Older individuals;
- Ex-offenders;
- Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 USC 14043e-2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 USC 11434a(2))); Youth who are in or have aged out of the foster care system;
- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
- Eligible migrant and seasonal farmworkers, as defined in WIOA section 167(i);
- Individuals within two years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 USC 601, et. seq.);
- Single parents (including single pregnant women);
- Long term unemployed individuals;
- Such other groups as the Governor determines to have barriers to employment.

A “long-term unemployed individual” is an individual who has been unemployed for more than 26 weeks

Basic skills deficient is defined as an adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the participant’s family, or in society. Lacking soft skills or specific skills needed for a particular job may not be used to determine otherwise high-functioning individuals as basic skills deficient.

A “low-income individual” is an individual who:

- Is a recipient of public assistance;
- Is underemployed;
- Is in a family with a total family income that does not exceed the higher of – o The poverty line or
- 70% of the lower level standard income level;
- Has a disability whose own income meets the income requirements outlined above but who is a member of a family whose income does not meet this requirement;
- Lacks a fixed, regular, and adequate nighttime residence and includes:
  - An individual who is:
    - Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason
    - Is living in a motel, hotel, trailer park or campground due to the lack of alternative adequate accommodations
    - Is living in an emergency or transitional shelter
    - Is abandoned in a hospital or
    - Is awaiting foster care placement
    - An individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings. (Violence Against Women Act of 1994 §41403(6));

- Is a foster child; or
- Receives or is eligible to receive a free or reduced priced lunch.

A “recipient of public assistance” is one who receives, or in the past six months has received, or is a member of a family that is receiving or in the past 6 months has received assistance through one (1) or more of the following: the supplemental nutrition assistance program (SNAP), the program of block grants to States for temporary assistance for needy families (TANF) program, or the supplemental security income (SSI) program, or State or local income-based public assistance.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-13  
Effective Date: January 1, 2021**

**INDIVIDUAL EMPLOYMENT PLAN (IEP) POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

This policy provides guidance on developing an individual employment plan (IEP).

***BACKGROUND***

WIOA places a strong emphasis on integration across multiple core and partner programs to ensure alignment in service delivery. The primary purpose of an IEP is to outline the provision of services necessary for the participant to achieve his or her employment goals. The development of an IEP is required for all WIOA participants receiving Individualized Career Services (200 level services) and is an individualized process based on the employment needs of the participant that is created in partnership with the WIOA counselor and participant. The IEP is tailored to meet job seeker's goals and needs to obtain or retain employment.

***POLICY***

The IEP is used to identify participant employment goals, achievement of objectives, and the appropriate combination of services needed to obtain employment. The IEP must identify a specific employment goal and the appropriate objectives and combination of services necessary to achieve employment.

An IEP must contain the following elements:

- Career goal based on the participant's work history, education, training, special skills, interests, and aptitudes;
- Clearly defined action steps/objectives to be implemented by the participant to meet the employment goal; and

- Any barriers to employment, supportive service needs, and planned methods to address barriers.

The goals identified in the IEP must be:

- **Specific:** Specific goals clearly indicate what the participant intends to do. The action steps outlining exactly what the participant should do in order to achieve the goal are identified and recorded.
- **Measurable:** Each action step has benchmarks allowing participants to see progress towards successfully achieving the goal. Goals are measurable by the completion of the benchmarks.
- **Attainable:** Specific goals and objectives are attainable if the participant can be realistically expected to complete the goal within the timeframe given.
- **Relevant:** Goals and objectives must be relevant to what the participant is trying to achieve. A relevant goal is based on the participant's work history, education, training, special skills, interests, and aptitudes.
- **Timeframe:** Each goal should be limited to a defined period of time and include a specific timeline for each step of the process. Goals are defined as short, intermediate, or long term:
  - Short Term-the goal can be achieved within six months;
  - Intermediate-the goal can be achieved within seven to twelve months; and
  - Long Term-the goal will require more than one year to be achieved.

Upon completion of the IEP, the WIOA career counselor's Case Notes must include the following elements.

- The participant's occupational goal;
- The labor market outlook for the participant's occupational goal;
- A detailed summary of the participant's existing skills, which may include transferable and occupational skills, including those gained from hobbies or volunteer work;
- A detailed summary of the participant's skill gaps, remedial education, and supportive service needs, if applicable; and
- Justification for referrals to any partner programs or services.



- The determination of strategies needed to improve the participant's marketability
- The participants need to gain advancement along a career pathway which will increase the individual's earnings that leads to financial independence and economic self-sufficiency.
- Barriers to employment
- Copy signed by the participant for the participant file.

As participants meet the goals identified in the IEP Case Notes must be entered in the participant's electronic file recording the completion of the goal.

The IEP is a living document, any significant change in the individuals' goal requires the development of an amended IEP case note. The WIOA counselor will document any significant changes which may include, but are not limited to, a change in training or significant change of the participant's employment goal.

### **EmployRI Data Elements**

Data elements related to the development of an IEP include but are not limited to:

Code 101	Initial Assessment
Code 104	Information of Training
Code 125	Job Search Assistance
Code 132	Adult basic Ed Testing
Code 200	Individual Counseling
Code 202	Career Guidance
Code 203	Objective Assessment
Code 205	Development of a Service Strategy (IEP)



WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-14

Change 1

Effective Date: January 26, 2022

TRAINING POLICY AND GUIDANCE

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

**DISTRIBUTION**

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

**PURPOSE**

The purpose of this issuance is to set policy regarding who may receive training and what is required for training for adult and dislocated worker participants authorized under the Workforce Innovation and Opportunity Act (WIOA).

**POLICY**

American Job Center (AJC) staff may determine training services are appropriate, regardless of whether the individual has received basic or individualized career services first, and there is no sequence of service requirement.

Under WIOA, training services may be provided if the AJC staff, to include all AJC partners and other service providers supporting the AJC, determines after conducting an interview, an evaluation, and/or assessment, and career planning, that the individual:

- Is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone;
- Is in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment;
- Has the skills and qualifications to successfully participate in the selected program of training services;
- Is unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as State-funded training funds or Federal Pell Grants or requires WIOA assistance in addition to other sources of grant assistance.
- Is a member of a worker group covered under a petition filed for Trade Adjustment Assistance (TAA) and is awaiting a determination. If the petition is certified, the worker may then transition to TAA approved training. If the petition is denied, the worker will continue training under WIOA;
- Is determined eligible in accordance with the State and local priority system in effect for adults under WIOA sec. 134(c)(3)(E) and PCWDB policy issuance on Priority of Service if training services are provided through the adult funding stream; and

- Has selected a program of training services that is directly linked to the employment opportunities in the local area or the planning region, or in another area to which the individual is willing to commute or relocate.

### **Customer Choice Requirements**

Training must be provided in a manner that maximizes customer choice and:

- The state list of eligible training providers must be made available to the customer;
- The cost and performance of the training provider must be made available to the customer; and,
- An individual who has been determined eligible for training services under WIOA may select a provider after consultation with the Career and Employment Counselor. Unless the program has exhausted training funds for the program year, the AJC must refer the individual to the selected provider and establish an ITA for the individual to pay for the training. For purposes of this policy, a referral may be carried out by providing a voucher or certificate to the individual to obtain the training.

### **Cost of Training in Excess of Training Cap**

Any cost of ITA training above the training cap set by the Providence/Cranston Workforce Development Board (PCWDB) is the responsibility of the participant. If the individual is unable to pay the cost in excess of the training cap a payment plan must be developed and in place prior to the start of training. The payment plan must be submitted to the Employability Coordinator for approval prior to referral to training.

### **Procedure for Processing and Authorizing Payments**

Training vouchers will all be numbered in the following format:

- Career and Employment Counselor's initials followed by the two-digit program year and two digit voucher number.

*Example: LD-16-01, LD-16-02, etc.*

The letter to the training provider with instructions on invoicing will be included in the voucher packet.

Vendor Invoices will be sent directly to Workforce Solutions of Providence/Cranston, Providence/Cranston American Job Center, One Reservoir Avenue, Providence, RI 02907.

A spreadsheet will be sent to each Career and Employment Counselor bi-weekly. Career Counselors will verify the status of the participant with one of the following choices:

- 1 PARTICIPANT AUTHORIZED FOR TRAINING
2. APPROVE INVOICE FOR PAYMENT
3. PARTICIPANT DID NOT SHOW -DEOBLIGATE CONTRACT

4. PARTICIPANT DROPPED OUT ON: \_\_\_\_\_
5. PARTICIPANT TRAINING ONGOING
6. PARTICIPANT COMPLETED TRAINING
7. OTHER:

TO SELECT COMMENT TO BE ENTERED, PLACE CURSOR ON LINE IN COLUMN K, TYPE = (equal sign) THEN CLICK ON THE COMMENT CHOICE AND HIT ENTER. COMMENT WILL APPEAR ON LINE INDICATED.

Completing and returning this worksheet via email to the Fiscal department will be considered verification from the Career and Employment Counselor that all information they provided is true and correct.

The Employability Coordinator will approve the Career and Employment Counselor spread sheets, with comments, and be the final approval of case status and invoice approval.

Once comments are added, the spread sheet is to be sent back to Fiscal, by way of email.

### **EmployRI Data Entry Requirements**

Career and Employment Counselors must enter the appropriate training service code for participants approved for training:

Code 300	Approved ETPL ITA Training
Code 303	Distance Learning
Code 312	Other Federal Training
Code 313	State or Local Training
Code 328	Non-ETPL Training
Code 336	Group or Classroom-sized Training

Other training not listed above can be found in the 300 series in EmployRI

### **Individual Training Account Costs**

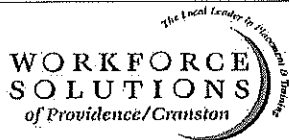
An eligible training provider must make available to WSPC and prospective students its schedules of tuition and fees. The institution shall disclose all fees required to be paid by students (including tuition, required fees, books supplies, activities, etc.), and any non-refundable fees must be so identified. A reduction in tuition, fees or other charges may be implemented when there are specific criteria for student eligibility and selection procedures precisely disclosed within the policy at the institution. All students within the enrollment period that the reduction is offered shall be eligible to apply. The cost of the training to WIOA participants must not exceed the cost charged to any other student in the program. All costs necessary for successful completion of a program must be clearly stated. A breakdown of cost must be identified for publication on the ETPL. A breakdown may include the following:

- Tuition
- Fees
- Books
- Licensing cost

- Certificate fees
- Graduation fees
- Uniforms

- Tools
- Registration fees
- Supplies

The cost of training described above shall not exceed \$7500 per approved individual.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-15  
Effective Date: January 26, 2022**

**CUSTOMER CONFIDENTIAL POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PUPRPOSE***

The purpose of this policy is to communicate requirements for the security of personal and confidential information that is received from individuals applying for or receiving service as customers of the Providence/Cranston American Job Center (AJC).

***BACKGROUND***

As Workforce Innovation Opportunities Act (WIOA) or other funded services are provided through a customer-centered case management system, partner staff of the AJC and other authorized service providers stationed at the AJC, obtain personal and confidential information from customers to the extent allowed by state and federal law in order to facilitate an individual's access to services. This confidential information may be shared among these AJC partners and services.

In accordance with federal and state law, individuals applying for WIOA or other funded services must be provided an opportunity to submit written authorization allowing the service provider to share their personal and confidential information and records. Each customer must also be informed that they can request their personal and confidential information not be shared among the partner agencies and other services of the AJC system and this request does not affect their eligibility for services.

If a customer declines to share their personal and confidential information and is eligible for and receives services, a pseudonym will be used in the GeoSol system to document the participant's program services.

***POLICY***

It is the policy of Providence/Cranston Workforce Development Board (PCWDB) that all personal and confidential information provided by customers seeking WIOA or other funded services at the AJC shall have that information protected and safeguarded. Customers seeking

services must be informed, in writing, via the attached *Authorization to Share Confidential Information and Records Form*, that their personal and confidential information:

- May be shared among the AJC partner and service provider staff;
- Is used only for the purpose of delivering services and that further disclosure of their confidential information is prohibited; and
- Will not be shared among the partners and service providers of the AJC system if the customer declines to share their confidential information and the decline to share will not impact their eligibility for services.

Whether written or oral and regardless of format, staff must maintain confidentiality of the following:

- Information that was created or received by a healthcare provider, health plan, employer or healthcare clearinghouse. This includes any case notes, chart entries, or treatment notes that relate to health information;
- Information that is related to a customer's physical or mental health or medical condition in the past, present or future; healthcare provided or to be provided to a customer or payment for healthcare provided to an individual in the past, present or future; and
- Information that identifies an individual as an employee or participant.

The misuse or unauthorized release of personal and confidential information or records by any WIOA partner or service provider staff may be subject to a civil penalty and other applicable sanctions under state and federal law.

## **PROCEDURES**

The following procedures will be followed by all AJC staff:

- Every customer receiving WIOA or other services must read, sign and date the attached *Authorization to Share Confidential Information and Records Form*;
- Every customer receiving WIOA or other services must be informed of their right to not share their personal and confidential information and that this requires does not affect their eligibility for WIOA services;
- Personal and confidential information that contains health information related to a physical or mental disability, medical diagnosis or perception of a disability related to the customer must be kept in a separate locked file and apart from working files. Any medical information contained in case notes must be redacted from their participant file; the original notes must be placed in the customer's medical file. To minimize the need for staff to access a medical file, only the portion of the participant's information that reveals the presence of a disability should be included in the medical file. Access to medical files:

- ▶ Must be limited and should only be accessed with the approval of program management and when such access is necessary to facilitate a WIOA participant's access to service or to support an ongoing service plan; or
- ▶ First aid and safety personnel may be provided participant medical information in the event of an emergency; or
- ▶ Local state or federal monitors in compliance with 29 CFR Part 32.44(c) and 29 CFR Part 38.60 may have access to medical files for monitoring purposes.

When all services, including follow-up services, are complete and the participant file is ready to be archived, participant medical and disability-related information that had been previously filed away from the active file must be placed in a sealed envelope and marked "Medical and Disability Information" and secured in the participant file;

- Archive boxes must be clearly marked as containing personal and confidential information;
- Staff should avoid communicating personal and confidential information about a customer to partner agencies and other AJC service providers via email. If it is absolutely necessary, staff must ensure that the recipient is the only person who has access to the information and that the recipient understands they also must protect the information. Further, participant information must only be communicated through agency approved email addresses and not through third party or person email addresses;
- Social security numbers may not be delivered through email. Staff should discourage participants from emailing personal and confidential information, such as social security numbers to their case managers. However, in the event a staff person receives participant confidential information via email, the case manager should immediately delete the email and subsequently delete the email from the "Deleted Items" folder;
- Staff should be discreet when verbally communicating personal and confidential information and ensure the receiver (s) are authorized to receive the information; and
- Staff must not leave personal and confidential information lying out in the open and unattended (e.g., copies or print jobs left unattended on the copy machine or printers). Personal and confidential information must be stored in a secure location when not in use or shredded if not longer necessary. Personal and confidential information should not be tossed in the regular trash or recycle bins.

## **DEFINITIONS**

Personal and confidential information includes, but is not limited to:

- Name, address, telephone number, email address, social security number, date of birth, age, educational records as described in the Family Education Rights and Privacy Act of 1974, 20 WSC 1232 g (a)(4);



- Gender, race/ethnicity, employment history (e.g., employer name, wages, work hours, etc.);
- Financial information (such as household income and student financial aid information, including award status and amount); and
- Eligibility for special programs (e.g., disability, veteran, dislocated worker, economically disadvantaged, youth, public assistance, SNAP program, or unemployment insurance programs).

## PROVIDENCE/CRANSTON AMERICAN JOB CENTER

### AUTHORIZATION TO SHARE CONFIDENTIAL INFORMATION AND RECORDS

The purpose of this form is to obtain your permission to share your confidential information and records, including your social security number, among the partner agencies and services providers of the Providence/Cranston American Job Center (AJC). By sharing your confidential information and records, the partner agencies of the AJC will be able to better assist you in identifying and accessing employment, training, and education services.

#### *PLEASE READ THE FOLLOWING CAREFULLY*

I understand that the partner agencies and services providers of the AJC are requesting my permission to share my confidential information and records in order to facilitate access to programs under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 July 22, 2014.

I understand that I am not required to give permission to share my confidential information and records, including my social security number, among the partner agencies and service providers of the AJC system.

I understand that if I agree to share my confidential information and records, including my social security number, the information will be shared solely with members of the partner agencies and services providers of the AJC and for the sole purposes of enabling members of the AJC system to provide me employment and training services.

I understand that if I do not agree to share my confidential information and records, that information, and those records, will only be shared to extent allowed by Federal and state law.

I understand that my eligibility to participate in AJC programs does not depend on my agreement to share my confidential information and records including my social security number. In fact, if I request that private and confidential information not be shared among the partner agencies and service providers of the AJC, my eligibility for services will not be affected.

I understand that my confidential information and records may contain information regarding medical diagnosis or treatment of drug or alcohol abuse.

I consent and agree to share my records:

I, (*Print Name*) \_\_\_\_\_ hereby consent and agree that the partner agencies and service providers of the Providence/Cranston American Job Center system may share my confidential information and records, including, but not limited to my: Name; address; telephone number; email address; social security number; date of birth; age; educational records, as described in the Family Education rights and Privacy Act of 1974, 20 USC 1232; gender; race/ethnicity; employment history (e.g., employer name, wages, work hours, etc.); financial information (such as household income and student financial aid information, including award status and amounts); and my eligibility for special programs (e.g., disability; veteran; dislocated worker; economically disadvantaged; public assistance; SNAP benefits; or unemployment insurance programs ).

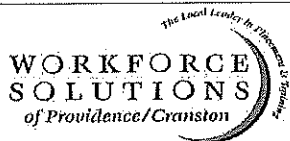
OR,

I not consent to share my records:

I, (*Print Name*) \_\_\_\_\_ do not agree to share my confidential information and records with the partner agencies and service providers of the Providence/Cranston American Job Center system.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-16  
Effective Date: January 1, 2021**

**COMPUTER USAGE POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

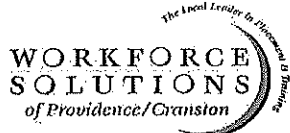
WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***POLICY***

Customers utilizing the computers at the Providence/Cranston American Job Center (AJC) shall be liable for activities on their accounts. The AJC One-Stop Operator shall reserve the right to limit, restrict or eliminate computing or communications privileges of AJC customers.

The AJC computing and communications resources shall be used only for the job-related activities for which they are assigned. Users shall not engage in activities that compromise computer security, circumvent controls, disrupt service, or violate computer etiquette.

AJC staff observing such behavior shall inform the AJC One-Stop Operator of violations of this policy.



**WORKFORCE DEVELOPMENT AREA**  
**POLICY ISSUANCE NO. PY 2020-17**  
Effective Date: January 26, 2022

**FOLLOW-UP POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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**DISTRIBUTION**

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

**PURPOSE**

The purpose of this policy is to provide guidance on follow-up services for Workforce Innovation and Opportunity Act (WIOA) Adult, and Dislocated Worker program exiters.

**REFERENCES**

Title 20 CFR WIOA Final Rule, Sections 680.150 and 681.580  
Training and Employment Guidance Letter (TEGL) 19-16

**BACKGROUND**

Follow-up services are services provided to WIOA Adult and Dislocated Worker program participants who are placed in unsubsidized employment and have system-exited. These services are designed to help individuals retain employment, earn wage gains or advance within their occupation.

**POLICY**

WIOA requires that follow-up services must be made available to Adult and Dislocated Workers for a period up to 12 months following the first day of employment after exit from the program. The goal of follow-up services is to ensure job retention, wage gains and career progress for participants who have entered unsubsidized employment.

On a quarterly basis, Geo Sol automatically alters Career and Employment Counselors that follow up services are to be performed. Contact will be documented in EmployRI with case notes indicating the date of contact, the means of contact and the result of the contact. Follow-up services may include, but are not limited to the following:

- Counseling individuals about the workplace;
- Contacting individuals or employers to verify employment;

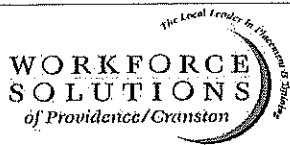
- Contacting individuals or employers to help secure better paying jobs, additional career planning, and counseling for the individual;
- Assisting individuals and employers in resolving work-related problems;
- Connecting individuals to peer support groups;
- Providing individuals with information about additional educational or employment opportunities; and
- Providing individuals with referrals to other community resources.

While follow-up services must be made available to all Adults and Dislocated Workers, not all individuals entering unsubsidized employment will need or want such services. The need and the level of intensity for follow-up services must be evaluated for each individual and determined appropriate. Documentation addressing the need and type of services required must be maintained in the case notes and/or the Individual Employment Plan (IEP). For individuals who decline follow-up services, it must be documented in the case notes and/or IEP.

Follow-up contact attempts will not be required for participants who are not responsive, cannot be located, refuse to provide information or have relocated out of state with no intention of returning.

Reason for discontinuation of follow-up services must be documented in the case notes and/or the IEP.

For special projects/grants staff should adhere to the guidelines and requirements of the program.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-18  
Effective Date: January 26, 2021**

**YOUTH WORK EXPERIENCE POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult    Dislocated Workers    Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners    AJC Operator    Sub-Recipients

**PURPOSE**

The purpose of this issuance is to set the policy with respect to work experience placement of participants in WIOA youth programs.

**REFERENCES**

Workforce Innovation and Opportunity Act of 2014 § 129(c)(4)  
TEGL 08-15  
TEGL 21-26

**POLICY**

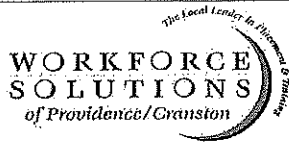
Under WIOA, a work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experiences may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector, non-profit sector, or public sector. Work experiences must include academic and occupational education. The types of work experiences include the following categories:

- Summer employment opportunities and other employment opportunities available throughout the year;
- Pre-apprenticeship programs;
- Internships and job shadowing; and
- On-the-job training opportunities.

A minimum of 20 percent of local area funds must be spent on work experience. Program expenditures on this program element may include more than just wages paid to youth. Allowable expenditures may include items such as:

- Wages or stipends paid for participation in a work experience;

- Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop the work experience;
- Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- Staff time spent evaluating the work experience;
- Participant work experience orientation sessions;
- Employer work experience orientation sessions;
- Classroom training or the required academic education component directly related to the work experience;
- Incentive payments directly tied to the completion of work experience;
- Employability skills or job readiness training to prepare youth for a work experience; and
- Participant wages paid during emergencies declared by federal, state or local governments if the participants' time commitment, stipend structure and/or other academic or work terms were established prior to the declared emergency.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-19  
Effective Date: January 26, 2022**

**REQUESTING SIGN LANGUAGE INTERPRETER POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

The purpose of this policy is to provide guidance on requesting an American Sign Language (ASL) Interpreter.

***REFERENCES***

Title II and III Americans with Disabilities Act (ADA)  
Section 504 Rehabilitation Act of 1974

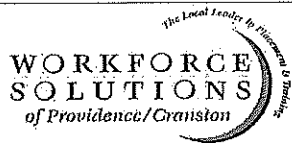
***BACKGROUND***

Title II and III of the Americans with Disabilities Act (ADA) require state and local governments to make their programs, services, and activities accessible to individuals with disabilities, including individuals who are deaf or hard of hearing. Under the Titles II and III of Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, ASL Interpreter is considered as part of the services which can be used to provide reasonable accommodation to ensure effective communication. This means that any entity covered by the ADA should provide interpreters when requested to do so at no expense to the deaf or hard of hearing consumer who requires reasonable accommodation to participate equally in the services or programs said entity is offering to the general public.

***POLICY***

All requests for interpreter services must be made to the Fiscal Office of Workforce Solutions of Providence/Cranston (WSPC) who will following the guidance found in: [www.cdhh.ri.gov](http://www.cdhh.ri.gov)





**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-20  
Effective Date: January 1, 2021**

**LOWER LIVING STANDARD INCOME LEVEL POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

On an annual basis, the federal government issue updated Lower Living Standard Income Level (LLSIL) Guidelines. These guidelines are used in determining “low income individual” eligibility based on family income. The LLSIL is also used to determine eligibility based on lack of a self-sufficient wage for employed adults.

***BACKGROUND***

***1. LOW-INCOME INDIVIDUAL***

The term “low-income individual” means an individual who:

- (i) Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families (TANF) program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income (SSI) program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;
- (ii) Is in a family with total family income that does not exceed the higher of the poverty line; or 70 percent of the lower living standard income level as determined by income earned 26 weeks prior to the date of application;
- (iii) Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
- (iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

- (v) is a foster child on behalf of whom State or local government payments are made; or
- (vi) is an individual with a disability whose own income meets the income requirement of clause but who is a member of a family whose income does not meet this requirement.

## 2. ***LOWER LIVING STANDARD INCOME LEVEL***

The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

### ***POLICY***

The Workforce Innovation and Opportunity Act (WIOA) requires states to adopt an economic self-sufficiency standard for the State that specifies the income needs of families, by family size, the number and ages of children in the family, and sub-State geographical considerations (WIOA sec. 134(a)(3)(A)(xii)).

### ***DETERMINATION OF INCOME LEVEL***

- Include in Family Income
  1. Money wages and salaries before any deductions;
    - a. Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expense);
    - b. Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
  2. Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends;
  3. Alimony;
  4. Military: Pension payments such as those received by military retirees and pension benefits.
  5. Pensions whether private, or government employee;
  6. Regular insurance or annuity payments other than Supplemental Security Income disability (SSI) or veterans 'disability;

7. College or university grants (excluding Pell grant), scholarships (not needs-based), and assistantships;
  8. Net gambling or lottery winnings;
  9. Social Security Disability Insurance payments (SSDI);
  10. WIOA AJC partner programs where income is not subsidized (e.g. On-the-Job Training wages);
  11. Unemployment compensation;
  12. Child support payments;
  13. Old age survivor's insurance benefits received under section 202 of the Social Security Act (42 USC 402). Old age survivor's insurance benefits include:
    - a. Social Security Survivor Benefits: paid to people up to age 18 who have had a parent die and the parent paid wages into the system; and
    - b. Social Security Retirement Benefits: paid to people who reached their social security age and have wages paid in the system.
- Exclude From Family Income
    1. Public Assistance cash payments (including Temporary Assistance to Needy Families (TANF), SSI, Refugee Case Assistance (RCA), and General Assistance (GA));
    2. Foster care child payments;
    3. Title IV of the Higher Education Act (i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants, (FSEOG), and Federal Work-Study (FWS));
    4. Needs-Based scholarship assistance;
    5. Income earned while the veteran was on active military duty and certain veteran's benefits (i.e., compensation for service-connected disability, compensation for service connected death, vocational rehabilitation, and education assistance);
    6. Capital gains;
    7. Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

8. Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
9. Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, school meals, and housing assistance;
10. Tribal Government Payments (i.e., Per Capita Payments, Lease Payments, Individual Indian Money (IIM));
11. One Stop partners programs where income is subsidized (e.g. work experiences, support services); and
12. Any amounts received as military pay or allowance by any person who served on active duty and certain other specified benefits must be disregarded as income. An applicant's eligibility determination shall be valid for 60 days from the date of initial application. After the initial 60-day period has elapsed, if the individual is not an enrolled participant, the grantee will update information to re-certify the applicant.

Self-sufficiency is defined as employment that pays 100 percent of the LLSIL annually. A low-income individual is determined by earning less than 70% of the LLSIL.

The following table is to be used to determine Income Level for youth eligibility (70% of LLSIL) and self-sufficiency (100% LLSIL)

<b>FAMILY SIZE</b>	<b>100% LLSIL ANNUAL</b>	<b>70 % LLSIL ANNUAL</b>
1	\$16,388	\$12,760*
2	\$26,859	\$18,801
3	\$36,862	\$25,804
4	\$45,505	\$31,854
5	\$53,705	\$37,594
6	\$62,801	\$43,961
	Add \$9,096 for each additional person	Add \$6,367 for each additional person

\*Because the LLSIL amount for a family size of one - \$11,472 - is lower than the federal poverty level for a family of one - \$12,760 - the Federal Poverty Level will be used to establish low income status for a family of one. For all other family sizes, the LLSIL is to be utilized as they exceed the poverty guidelines.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-21  
Effective Date: January 1, 2021**

**ZERO TOLERANCE POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

The purpose of this policy is to provide a safe and secure environment conducive to the proper and successful use of the resources and services at the Providence/Cranston American Job Center (AJC).

***BACKGROUND***

The AJC provides universal access employment related services to all eligible and enrolled customers regardless of race, color, religion, gender identity, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristics protected by law. In order to provide a safe and secure environment conducive to the proper and successful use of the resources and services at the AJC, the Providence/Cranston Workforce Development Board (PCWDB) has the authority to suspend the privileges of unruly, disruptive and/or otherwise threatening customers either temporarily or permanently based on circumstance or infraction (s).

***POLICY***

Any one of the following behaviors or incidents is grounds for immediate suspension of customer privileges from the AJC. The behaviors include, but are not limited to:

- Any violence, threats of violence or intimidation. Threats are defined as the verbal or non-verbal behavior, whether intended or unintended, conveying the infliction of physical or mental harm to an employee or a customer. A behavior constitutes a threat without regard to whether the party communicating or expressing the threat has the present ability to carry out the threat, and without regard to whether the behavior, communication or expression is contingent, conditional, or future. Intimidation is defined as unwarranted behavior intended to frighten, coerce, or induce duress in other or having the effect hereof. All threats will be taken seriously and should be reported to the AJC One-Stop Operator;

- Possession of a weapon or explosives;
- Theft, removal, destruction, or unlawful possession of AJC property or personal belongings of staff, customers or visitors;
- Improper conduct which leads to personal injury or damage of property;
- Violation or disregard for safety and fire policies;
- Fighting, brawling, lewd or indecent conduct;
- Being under the influence and/or use of alcohol, illegal drugs or other controlled substances; and,
- Sexual harassment or harassment on the basis of race, color, religion, gender identity, national origin, sexual orientation, age, veteran status, marital status, medical condition, disability, political affiliation or belief.

Harassment is defined as verbal, written or physical conduct that denigrates or shows hostility or aversion toward employees or customers because of their race, color, religion, gender identity, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law.

Sexual harassment is defined as unwelcome sexual advance, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstance, these behaviors may include unwanted sexual advance or request for sexual favors; sexual jokes, and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiency; leering, whistling or touching; insulting or obscene comments or gestures; displays in the AJC of sexually suggestive objects or pictures, including use of AJC technology for these purposes; and other physical verbal or visual conduct of a sexual nature.

Any one of the following behaviors or incidents is grounds for suspension of a customer's privileges from the AJC after a warning is given:

- Unauthorized use of telephones, faxes, computers, or other AJC equipment;
- Tobacco use in unauthorized areas;
- Disruptive conduct towards staff, customers, or visitors;
- Inappropriate or other unruly behavior; and,
- Being under the influence or use of alcohol that impairs judgement.

### **REQUIRED ACTION**

The AJC One-Stop Operator will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious activities. The identity of the individual making a report will be protected as much as possible. To maintain workplace safety and the integrity of its investigation The AJC may immediately suspend customer privileges. An incident

report containing relevant information shall be developed and provided to the AJC One Stop Operator, all AJC partners and the PCWDB.



**WORKFORCE DEVELOPMENT AREA**  
**POLICY ISSUANCE NO. PY 2020-22**  
Effective Date: January 26, 2022

**SOCIAL SECURITY NUMBER POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE and BACKGROUND***

In accordance with Section 7 of the Privacy Act of 1974 (Disclosure of Social Security Number), unless the disclosure is required by Federal statute, applicant at the Providence/Cranston American Job Center (AJC) may not be denied any right, benefit or privilege provided by law because of the individual's refusal to disclose his/her Social Security Number (SSN).

Disclosure of an individual's SSN pursuant the Internal Revenue Code where it is used as the identifying number for the purposes of a return, statement or any other document under the Code (i.e. for payment of wages for OJT, Work Experience, etc.) may be properly required. Applicants who do not possess a Social Security card must apply for one to ensure that a copy of that card may be placed in the applicant file.


**POLICY**

The following policy will be used by AJC staff in obtaining a social security number from AJC applicants:

- Although applicants cannot be denied WIOA services for failure to disclose their social security number, they must submit their social security number in order to receive wages paid while participating in WIOA (i.e., OJT).
- Staff must request a individual's social security number when offering intensive WIOA services or providing financial assistance; however, services may not deny access to any individual who refuses to provide a social security number. Not obtaining an social security number from a client means that any outcomes for this client would be excluded from performance measures unless supplemental information is available to verify the performance outcomes for non-wage based measures.
- The individual's social security number must be provided at intake and the individual must be advised that their social security number is maintained in a secure and confidential manner. Applicants must also be advised the state of Rhode Island only uses the social security number for the following:



- ▶ Payment of wages and allowances, even though at intake it may not be possible to determine the form of payment, if any, the applicant will receive; and
  - ▶ Tracking Unemployment Insurance wage records for the calculation of program performance measure outcomes.
- 
- A valid social security number must be obtained and recorded prior to termination and record transmittal for Federal reporting requirements.
  - Applicants that are hesitant to have a copy of the Social Security card made by case managers may use the Verification of Documentation Form (WIOA.53). The form must be signed by the case manager and maintained in the clients' file.

 <p><b>WORKFORCE SOLUTIONS</b> of Providence/Cranston</p>	<p><b>WORKFORCE DEVELOPMENT AREA</b> <b>POLICY ISSUANCE NO. PY 2020-23</b> Effective Date: January 26, 2022</p>
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**CASE NOTES POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult        Dislocated Workers        Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners        AJC Operator        Sub-Recipients

***PURPOSE***

This purpose of this policy is to describe the procedures to be followed with respect to recording of case notes in the Providence/Cranston American Job Center (AJC) customer file.

**POLICY**

- All case notes are to be entered into the customer EmployRI case file immediately upon completion of the customer interview or electronic communication or upon action taken on the customer’s behalf.
- Any documentation related to the action taken is to be recorded as a case note and included in the case file.
- Case note elements to be recorded:
  - ▶ Customer situation or background information
  - ▶ Reason for customer interaction
  - ▶ Goal setting or achievement
  - ▶ Progress toward goal
  - ▶ Next steps to achieving goal
  - ▶ New goal
  - ▶ Reason for case closure
- When recording case notes:
  - ▶ Identify yourself as the individual recording the note.
  - ▶ Ensure that the note is written in a manner that will enable anyone reading the note to understand what and why the note is being included in the customer file.

- ▶ Ensure that the customer's status is clear
- ▶ Document next steps, assignments and objectives of both the customer and case counselor.
- ▶ Ensure that abbreviations and acronyms are understandable to the reader.
- ▶ Ensure that case notes are professionally and clearly written.
- ▶ Ensure that case notes are objective and based on evidence. Do not label your opinion and judgments as facts. Be specific. Avoid sweeping generalizations.
- ▶ Ensure that there are no gaps in either time or information. Case notes should reflect the participant's work and progress throughout their participation in the program. The case note and the rest of the file should match and reflect the same information as the test scores, start dates, revisions, supportive services, etc.
- ▶ View case notes as a potential legal document. Case notes can and have been used as evidence in court. Ask yourself as you are writing, "Would I want what I am writing to appear in court?"
- ▶ When documenting problems, also document solutions. For example, if you say "Participant not making progress", then also suggest what you are doing to remedy the situation.

**MONITORING POLICY AND GUIDANCE**

Applicable Funding Streams:    Adult        Dislocated Workers        Youth

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***DISTRIBUTION***

WSPC Staff        AJC Partners        AJC Operator        Sub-Recipients

**PURPOSE and BACKGROUND**

This policy describes the process for program monitoring and oversight of sub-recipients and providers of WIOA activities in order to:

- 1) Determine whether or not there is compliance with WIOA law, regulations, local policy, and other applicable laws and regulations; and
- 2) Provide technical assistance for continuous improvement.

**POLICY**

The Providence/Cranston Workforce Development Board (PCWDB) has established the following process for WIOA monitoring:

**I: ADULT and DISLOCATED WORKER PROGRAM MONITORING**

The Program Monitor will:

- 1) Conduct monitoring of WIOA Adult and Dislocated Worker Programs twice per program year.
- 2) Call or e-mail the Employability Coordinator to arrange the monitoring appointment.
- 3) Request an enrollment report for the program year to be monitored from the Eligibility Coordinator.
- 4) Identify a representative sample of ten (10) percent of the number enrolled to be reviewed.
- 5) Request participant files from the Eligibility Coordinator.

- 6) Complete the Adult and Dislocated Worker Monitoring Instrument.
- 7) Send the completed monitoring report to the Employability Coordinator within 10 days of completing the monitoring.
- 8) The Employability Coordinator will submit a response to the monitoring report to the Workforce Solutions of Providence/Cranston (WSPC) Executive Director within ten (10) days of receiving the monitoring report.

## **2: OJT PROGRAM MONITORING**

OJT monitoring procedures are described in the **OJT Policies and Procedures Manual**.

## **3. YOUTH PROGRAM MONITORING**

The Program Monitor will utilize the Youth monitoring instrument and procedures that have been developed for monitoring youth subcontractors. Following those procedures, the Program Monitor will:

- 1) Monitor each youth contractor twice a program year.
- 2) Monitor youth participants in follow-up at least once a year.
- 3) Inform the Youth Program Manager of the monitoring schedule.
- 4) Conduct a desk review prior to scheduling a site visit. The review will include the contract, contract modifications, enrollments, available performance data and any other pertinent information regarding the Contractor and the contract.
- 5) Conduct a Contractor Review to determine the extent to which the Contractor is in compliance with the contract terms, program design and performance expectations.
- 6) Review participant files to ensure all needed eligibility, assessment and participant activities and services are appropriately documented.
- 7) Review EmployRI participant information to ensure accuracy and consistency with contractor participant file.
- 8) Conduct participant interviews to document their input into the activities and services received in the program.
- 9) Interview sub-recipients' case managers to determine their interaction with participants.
- 10) Ensure that all 14 required program elements are available.
- 11) Submit the completed monitoring report to Youth Program Manager.

- 12) Conduct follow-up monitoring to ensure corrective action plan is being implemented in consultation with the Youth Program Manager.

#### **4: GROUP TRAINING PROGRAM MONITORING**

The Program Monitor will:

- 1.) Monitor each group training cohort twice a year.
- 2.) Inform the designated program manager of the monitoring schedule.
- 3.) Conduct a desk review prior to scheduling a site visit. The review will include the contract, contract modifications, enrollments, available performance data and any other pertinent information regarding the Contractor and the contract.
- 4.) Conduct a Contractor Review to determine the extent to which the Contractor is in compliance with the contract terms, program design and performance expectations.
- 5.) Review participant files to ensure all needed eligibility, assessment and participant activities and services are appropriately documented.
- 6.) Review EmployRI participant information to ensure accuracy and consistency with contractor participant file.
- 7.) Conduct participant interviews to document their input into the activities and services received in the program.
- 8.) Interview sub-recipients' case managers to determine their interaction with participants.
- 9.) Submit the completed monitoring report to the designated Program Manager.
- 10.) Conduct follow-up monitoring to ensure corrective action plan is being implemented in consultation with designated Program Manager.

#### **5.) FISCAL MONITORING**

##### **A. OJT PROGRAM FISCAL MONITORING**

- 1) The Fiscal Monitor will conduct monitoring of all OJT contracts before the final invoice is paid at the direction of the WSPC Fiscal Manager.
- 2) The fiscal monitor will utilize the approved fiscal monitoring instrument.
- 3) The Fiscal Monitor will submit a completed monitoring report to the Fiscal Manager within 10 days of the completion of the monitoring.

**B. GROUP TRAINING FISCAL MONITORING**

- 1) The Fiscal Monitor will conduct monitoring of all Group Training contracts before the final invoice is paid at the direction of the WSPC Fiscal Manager.
- 2) The fiscal monitor will utilize the approved fiscal monitoring instrument.
- 3) The Fiscal Monitor will submit a completed monitoring report to the Fiscal manager within 10 days of the completion of the monitoring.

**C. ITA TRAINING FISCAL MONITORING**

Upon the direction of the Fiscal Manager, the Fiscal Monitor will review the refund policies of ITA contracted training providers.

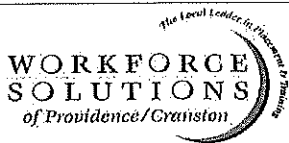
**D. YOUTH PROGRAM FISCAL MONITORING**

- 1) The Fiscal Monitor will monitor youth providers twice a program year utilizing the approved Fiscal Monitoring Instrument.
- 2) The Fiscal manager will ensure that the required 75 percent expenditure of youth funds on out-of-school youth is met.
- 3) The Fiscal Monitor will verify that incentive payments meet the contract threshold.
- 4) The Fiscal Monitor will ensure the required 2 percent of the contract is expended for work experience activities. Work experience guidelines require that a minimum of 20 percent of local area funds must be spent on work experience. Program expenditures on this program element may include more than just wages paid to youth. Allowable expenditures may include items such as:
  - a. Wages or stipends paid for participation in a work experience;
  - b. Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop the work experience;

- c. Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- d. Staff time spent evaluating the work experience;
- e. Participant work experience orientation sessions;
- f. Employer work experience orientation sessions;
- g. Classroom training or the required academic education component directly related to the work experience;
- h. Incentive payments directly tied to the completion of work experience; and
- i. Employability skills or job readiness training to prepare youth for a work experience.

When determining the types of expenditures that are allowable to help meet this requirement, additional information can be found in TEGL 8-15 and TEGL 21-16, p.15.





**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-25  
Effective Date: January 26, 2022**

**DUAL ENROLLMENT POLICY AND GUIDANCE**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

Workforce Solutions of Providence/Cranston (WSPC) administers and manages both the adult and youth Title 1 programs in the local workforce area as authorized by Workforce Innovation and Opportunities Act (WIOA) and is responsible for the performance standards relative to each funding stream. In order to comply with the WIOA prioritization of serving Out-of-School Youth through dual enrollment, WSPC has developed this policy to cross-refer adult and youth customers as needed, providing optimal services to both and combining the strengths of both systems and produce the most favorable outcomes for all customers.

***BACKGROUND***

The expected outcomes of this policy:

- Is to make the dual enrollment process as seamless as possible for the customer and youth provider;
- To avoid duplication of services while meeting the regulatory requirements of both the adult and youth programs; and,
- To combine the resources of the WIOA youth and adult programs to provide the greatest possible opportunities for both.

Both the adult and youth programs are authorized by WIOA Title I and are administered and managed by and are subject to the same performance standards. Eligibility, assessments and determination of services needed by either the adult or youth program are reciprocal.

## **POLICY**

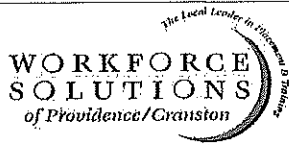
### **1. For youth participants in need of services provided by the adult program**

- The Youth Manager will be informed by the contracted Youth Provider that an individual is in need of an adult service;
- Case notes will explain the reason for the referral;
- The Youth Manager will assign the individual to the appropriate service;
- The Youth Provider will be responsible for all tracking, data entry, and follow-up activity. The customer file will be maintained by the Youth Provider;
- If the individual attends ITA training, the Youth Provider will complete the necessary authorizations following existing policy;
- Total cost of training is not to exceed the policy amount established by the Providence/Cranston Workforce Development Board (PCWDB); currently \$5500 for ITA and \$7500 for OJT;
- The Youth Provider is required to provide current labor market information to all dual-enrolled participants and record the activity as a case note;
- Any credential received must be recorded in EmployRI with a hard copy in the file; and,
- Program exit must be the same date for both the adult and youth services.

### **2. For adult participants in need of services provided by the youth program**

- The individual in need of youth services will be referred to the appropriate Youth Service Provider office with all documents needed for youth eligibility;
- Case notes will explain the reason for the referral;
- The Youth Provider will complete the youth application to be sent to Workforce Solutions of Providence/Cranston (WSPC) for eligibility determination;
- If eligible for youth services, the Youth Provider will create the youth file and record the youth services in EmployRI;
- The adult file will be maintained at the one-stop and the youth file by the Youth Provider;
- The Youth Provider will update case notes monthly;

- A copy of any credential earned will be provided to the Employability Coordinator at the Providence/Cranston American Job Center (AJC); and,
- The participant exit date will be coordinated between the Youth Manager and the Employability Coordinator as it must be the same date for both the adult and youth services.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-26  
Effective Date: January 1, 2021**

**ON-THE-JOB (OJT) TRAINING POLICY**

Applicable Funding Streams:    Adult    Dislocated Workers    Youth

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***DISTRIBUTION***

WSPC Staff    AJC Partners    AJC Operator    Sub-Recipients

***PURPOSE***

The purpose of this policy is to delineate the requirements that must be followed in the development, management and oversight of on-the-job training programs funded under the Workforce Innovation and Opportunity Act (WIOA).

***BACKGROUND***

On-the-job training (OJT) is one of the allowable program activities authorized by WIOA. Section 3 (44) of the WIOA act defines OJT and paragraph 680.700 of the WIOA regulations describes the requirements for OJT. OJT is training conducted by a private or public sector employer that occurs while an individual is engaged in productive work learning the skills and information necessary for full and adequate performance on the job.

***POLICY AREAS:***

**1. REIMBURSEMENT**

- Reimbursement of up to 50 percent of the wage rate paid to the participant is provided to the employer in consideration for the training to be provided. Up to 75 percent of the wage rate may be provided in situations wherein participants are in one or more of the following priority populations: veterans and eligible spouses; persons with disabilities; individuals on public assistance; long-term unemployed; ex-offenders; and, out-of-school youth ages 18-24.
- The percentage OJT reimbursement will be based on the starting wage rate when the individual begins the OJT program. The rate will not change, even though the participant may be given pay raises during the program.
- The maximum hourly reimbursement that may be provided to an OJT employer is set at no higher than \$10.00 an hour. In addition, OJT reimbursement to an employer is capped at \$10,000 per contract.

## **2. ELIGIBLE EMPLOYERS and OCCUPATIONS**

- OJT contracts will be participant-based and, as a general rule, limited to one participant per OJT contract. Under most circumstances, if an employer wants more than one participant, whether for the same or for different occupations, separate contracts must be written.
- If the OJT occupation is subject to a collective bargaining agreement, the OJT program must be consistent with the terms and conditions of that agreement unless there is written concurrence of the labor organization and the employer.
- An OJT contract cannot be written for a position in which a worker is currently on layoff or for a position which will deny a current worker promotional opportunity. The employer must not utilize an OJT contract to reduce the hours of those employed workers below their normal schedule.
- If the employer was previously involved in an OJT training program or similar training activity, prior performance must be evaluated.
- OJT Employer/Contractors may not include employers who have relocated, either in whole or in part, if such relocation resulted in the loss of employment for any employee of the company at the original location.
- The OJT occupation must be one in which there are employment opportunities in the Providence/Cranston workforce development area or in an area to which the individual is able to commute or relocate.
- The OJT occupation must not involve payment in the form of a commission as the primary source of reimbursement to the OJT Employee/Trainee.
- The OJT occupation must not include religious activity.
- The OJT occupation cannot be seasonal.
- The OJT occupation must be one in which specific occupational training is a prerequisite for employment. Generally speaking, the occupation must require at least four weeks of training to reach full productivity.
- The OJT occupation must provide for an hourly wage consistent with that paid to other similarly situated employees. Under no circumstances can the wage be less than \$12.00 an hour.
- The OJT occupation must provide for full-time employment. The minimum number of hours for OJT will be at least 30.
- The OJT occupation must provide the same benefits and working conditions for the OJT Employee/Trainee as received by other similarly employed individuals.
- OJT training shall not be conducted at sites where adequate provisions have not been

made for OJT Employee/Trainee's occupational safety/general health.

- The maximum hourly reimbursement that may be provided to an OJT employer is set no higher than \$10 an hour. In addition, reimbursement to an employer is capped at \$10,000 per contract.

### **3. PARTICIPANT ELIGIBILITY**

- OJT may be made available to adults and dislocated workers who, after an interview, evaluation or assessment and career planning are: unlikely or unable to obtain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services; have the skills and qualifications to participate successfully in training services; and have selected a program of training services that is directly linked to the employment opportunities in the local area, or in another area to which the individuals are willing to commute or relocate.
- Individuals selected for OJT must be determined to be OJT-ready which means that the individual has: identified an occupational area for which immediate employment is a realistic goal; has the interest and aptitudes necessary to begin an OJT position in a specific occupation; has a general knowledge of the expectations of the workplace; has resolved or has plans to resolve such employment barriers as transportation, day care, housing health, or other barriers than can prevent successful OJT participation; has a positive attitude toward working and is eager to begin OJT participation; do not have significant prior experience and/or education in the occupational area for which OJT is being considered; and, has the basic skills needed to perform on the job.
- OJT will not be considered appropriate for individuals who are presently on temporary layoff and are expecting to be recalled by their former employer, nor is OJT appropriate for individuals awaiting other program activity participation (e.g., Individual Training Account). OJT is not to be treated as a temporary program activity for clients in a "holding" category.
- Participants selected for OJT programs generally fall under one of two categories: (1) those individuals who make up the Career and Employment Counselor's caseload and (2) those individuals who have been referred by employers who are interested in placing them into an OJT program. The second of the categories is specifically referred to as "Reverse Referrals.)
- Reverse referrals will be permitted only when a potential participant: progresses through the WIOA eligibility and assessment process, as would any other participant; the completed Individual Employment Plan (IEP) indicates OJT is appropriate for the participant to perform the work associated with the occupation; the OJT Contract Specialist concurs with the IEP plan; and, the prospective OJT Contractor/Employer meets all of the requirements contained in this policy issuance.

- OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs for the on-the-job training portion of the registered apprenticeship program. Depending on the length of the registered apprenticeship and state and local OJT policies, these funds may cover some or all of the registered apprenticeship training.
- OJT contracts may be written for eligible employed workers, when:
  - The employee is not earning a self-sufficient wage which is defined as 100 percent of the Lower Living Standard Income Level (LLSIL);
  - The basic requirements consistent with OJT policies and procedures are met; and,
  - The OJT relates to the introduction of new technology, introduction of new procedures or service procedures, upgrading to new jobs requiring additional skills in workforce literacy, or other appropriate purposes identified by the Local Board.

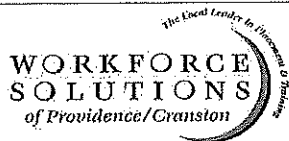
#### **4. OJT CONTRACT REQUIREMENTS**

- OJT contracts must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. The basis for the length of training is based on the OJT training outline provided by the employer.
- It is the responsibility of the employer to complete the OJT training outline. The OJT Contract Specialist will be expected to work with the employer to shape the training outline to the needs of the OJT Employee/Trainee. In this regard, the training outline will take into account the relevant skills, knowledge, experience, and education of the client as documented on the IEP. The training outline must clearly state the specific units of knowledge and skills that will be acquired during the training period. It must list these skills and units of knowledge in the sequence in which they are to be taught and identify the approximate number of hours of training time to be devoted to each.
- As a general rule, an employer may not have more than one OJT contract at any one time. Consideration for any additional contracts with an employer will be based on the successful completion of the OJT program by the OJT Employee/Trainee, to include continuation of employment with the employer. An exception may be made to this policy if sufficient evidence is presented to the OJT Manager that the program completion or job retention requirement is not the fault of the employer and a new contract is appropriate. Also, an employer with a current OJT contract may be awarded an additional contract prior to the completion of the current contract if sufficient evidence of performance is provided to, and accepted by, the OJT Manager.
- All OJT contract will contain a listing of General Provisions that are prescribed by Federal and State laws and regulations.

## **5. OJT MANAGEMENT AND OVERSIGHT**

- All OJT contracts will be monitoring for contract compliance and progress toward successful completion
- All OJT employers will be required to submit monthly reimbursement invoices and monthly participant progress reports that track the OJT Employee/Trainee skills attainment and on-the-job behavior.





**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-27  
Effective Date: January 26, 2022**

**BARRIERS TO EMPLOYMENT**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

This policy provides guidance on emphasizing WIOA’s role in developing and implementing strategies for serving individuals with barriers to employment. Local workforce development boards must lead efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and job seekers (including individuals with barriers to employment).

***BACKGROUND***

The purpose of WIOA as described in the statute includes “increasing access to and opportunities for the employment, education, training, and support services that individuals need, particularly those with barriers to employment.”

***POLICY***

For purposes of developing the local plan and implementing service strategies, WIOA defines individuals with barriers to employment to include those in one or more of the following categories:

- (A) Displaced homemakers
- (B) Low-income individuals
- (C) Indians, Alaska Natives, and Native Hawaiians
- (D) Individuals with disabilities
- (E) Older individuals
- (F) Ex-offenders
- (G) Homeless individuals
- (H) Youth who are in or have aged out of the foster care system
- (I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers
- (J) Eligible migrant and seasonal farmworkers

- (K) Individuals within two years of exhausting lifetime eligibility under part A of title IV of the Social Security Act
- (L) Single parents (including single pregnant women)
- (M) Long-term unemployed individuals



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2020-28  
Effective Date: January 1, 2021**

**CRITERIA TO DETERMINE DEMONSTRATED EFFECTIVENESS**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

**DISTRIBUTION**

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

**PURPOSE**

This purpose of this issuance is to transmit local policy for determining demonstrated effectiveness of community-based organizations (CBOs) in serving individuals with barriers to employment.

**POLICY**

Community-based organizations must demonstrate:

- i.) Financial stability by the submittal of the latest audit or financial statement.
- ii.) Performance by the submittal of program completion rate, certificate or skills attainment rate, placement and retention information for individuals with barriers to employment.
- iii.) Workforce Solutions of Providence/Cranston will conduct a financial and program audit once a year to ensure continued compliance.

For purposes of this policy, barriers to employment are defined as:

- i) Veteran or eligible spouse as defined in paragraph 2(a) of Jobs for Veterans Act
- ii) Displaced homemakers
- iii) Low-income individuals
- iv) Indians, Alaska Natives, and Native Hawaiians
- v) Individuals with disabilities
- vi) Older individuals
- vii) Ex-offenders
- viii) Homeless individuals
- ix) Youth who are in or have aged out of the foster care system
- x) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers
- xi) Eligible migrant and seasonal farmworkers
- xii) Individuals within two years of exhausting lifetime eligibility under part A of title IV of the Social Security Act
- xiii) Single parents (including single pregnant women)
- xiv) Long-term unemployed individuals
- xv) Such other groups as the Governor involved determines to have barriers to employment



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2021-01  
Effective Date: January 26, 2021**

**YOUTH INCENTIVE POLICY**

Applicable Funding Streams:     Adult     Dislocated Workers     Youth

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**DISTRIBUTION**

WSPC Staff     AJC Partners     AJC Operator     Sub-Recipients

**PURPOSE**

The US Department of Labor recognizes that incentives could be used as motivators for various activities such as recruitment, submitting eligibility documentation, and participation in the program. This policy provides guidance on when and how incentives payment may be provided to WIOA youth participants.

**BACKGROUND**

20 CFR § 681.640 states that “incentive payments to youth participants are permitted for recognition and achievement directly tied to training activities and work experiences. The local Workforce Development Board must have written policies and procedures in place governing the award of incentives and must ensure that such incentive payments are tied to the goals of the specific program; outlined in writing before the commencement of the program; align with the local program’s organizational policies; and are in accordance with the requirements contained in 2 CFR part 200.”

**POLICY**

WIOA enrolled youth may be eligible for incentive payments once they have reached pre-determined milestones in their participation period and have submitted verification of these milestones. Any incentive payment must be linked to an achievement related to training and education, work readiness skills, placement in employment, education or the military and/or attainment of an occupational skills goal as identified in the Individual Service Strategy (ISS). Such achievements must be documented in EmployRI and in the participant’s file. Grant WIOA Youth Service providers recipients must also maintain required documentation detailing the distribution and management of incentives, documenting the incentive, service, goal, and related cost.

Participants may not receive multiple incentives for the same activity. If the youth has exited the WIOA Youth enrollment and is in WIOA Youth Follow-up, the youth is still eligible to receive incentives.

Goals must be indicated on the ISS and met within the timeframe established in order to qualify for the incentive.

Total incentive is not to exceed the amount specified in the contract. Incentives must not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment.

A non-exhaustive list of examples of achievement and accomplishments for which an incentive payment may be provided follows:

TYPE OF MILESTONE	NOTES ON CONDITIONS WHEN ALLOWABLE	EXAMPLE OF DOCUMENTATION
Attainment of high school diploma	Allowable	Copy of diploma or transcript showing graduation
Attainment of GED/HSED	Allowable	Copy of GED/HSED or transcript showing graduation
Achievement of at least one EFL level	Allowable if participant is receiving instruction below the postsecondary education level	
Return to secondary school	Allowable for out-of-school youth. Not allowable for in-school youth.	Copy of official document from the secondary school showing the participant is enrolled in and attending school.
Meeting the state's unit's academic standards for secondary or postsecondary education.	Allowable if attending a sufficient number of credit hours.	Secondary or postsecondary transcript or report card.
Attainment of a recognized postsecondary credential	Allowable	Copy of certificate, diploma, or transcript
Application to postsecondary school	Allowable. Postsecondary training or education does not have to be started or completed but must be planned.	Copy of letter confirming application or confirming acceptance/denial or admission.

Enrollment in postsecondary school	Allowable. Postsecondary training or education does not have to be started or completed but must be planned.	Copy of course schedule
In education during the 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , and 4 <sup>th</sup> quarter of follow-up.		Copy of report card or transcript.
Completion of three job applications	Allowable	Copy of notification from employer of application receipt.
Completing work experience	Allowable. WIOA Youth Service providers must establish work experience agreements with the participant and employer prior to the start of the work experience with hours stated.	Pay stub(s). Copy of documentation confirming activity attendance/completion.
Entering unsubsidized employment	Allowable	Pay stub(s) or letter of hire
In unsubsidized employment in the 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , and 4 <sup>th</sup> quarter of follow-up.	Allowable	Pay stub(s)
In occupational skills training in the 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , or 4 <sup>th</sup> quarter of follow-up.		
Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills.		
Basic certifications	Allowable if the certification is required for a training or work experience service. This includes CPR/First Aid, OSHA 10, Job Safety Training.	Copy of certification with case notes/ISS explaining what requirement the certification fulfills.

Satisfactory or better progress report from a training provider	Allowable. Participants must be in a training including OJT and apprenticeship. Length of time to track progress must be reasonable and established prior to the start of training.	Progress report from the employer or training provider who is providing the training.
Pre-Apprenticeship program completion	Allowable for completing a recognized pre-apprenticeship program.	Copy of certificate or other official documentation showing completion of program.
Apprenticeship Achievements	Allowable for attaining an apprenticeship, or milestones such as completing a year or the entire apprenticeship.	Copy of journeyman card or other official documentation showing achievement of registered apprenticeship milestones; for Youth Apprenticeship participants, proof of registration as a Youth Apprentice or the Youth Apprenticeship completion certificate.



**WORKFORCE DEVELOPMENT AREA  
POLICY ISSUANCE NO. PY 2021-02  
Effective Date: January 26, 2022**

**CUSTOMIZED TRAINING POLICY**

Applicable Funding Streams:  Adult  Dislocated Workers  Youth

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***DISTRIBUTION***

WSPC Staff  AJC Partners  AJC Operator  Sub-Recipients

***PURPOSE***

The Governors Workforce Board-RI issued Workforce Innovation Notice 06-04, effective March 18, 2021 requiring local workforce development boards to issue a policy regarding how customized training services are to be provided. This Workforce Development Area Policy Issuance has been developed in response to that requirement.

***BACKGROUND***

Under WIOA, training for adults and dislocated workers is primarily supported through a robust Eligible Training Provider List (ETPL), comprised of entities with a proven capability of securing quality employment outcomes for participants. WIOA also provides enhanced access and flexibility in work-based learning opportunities for adult and dislocated worker participants through work experiences, registered apprenticeship, on-the-job training, customized training, and incumbent worker training. Customized training is designed to provide local areas with flexibility to ensure that training meets the unique needs of job seekers and employers or groups of employers

Customized training is defined at WIOA Sec. 3(14) and refers to training:

1. That is designed to meet the specific requirements of an employer (including a group of employers);
2. That is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and,
3. For which the employer pays a significant portion of the cost of training, as determined by the local board involved.

Customized training is generally classroom-based, provided for a group or cohort of individuals, and may be provided by a third party for the employer or group of employers.



## POLICY

1. All customized training must be provided through a contract with an employer or group of employers, which may include partnerships with other entities to deliver the training. Customized training is generally for hiring new or recent employees and not for retraining existing employees. Contracts must include:
  - The employer's commitment to pay a significant share of the cost of training;
  - The employer's commitment to employ an individual upon successful completion of the training;
  - Skills and competencies to be learned in training;
  - Assurances that training will be in accordance with WIOA Section 181 (prohibition on displacement of current employees, equal benefits and working conditions, prohibition on use of funds after relocation, collective bargaining); and,
  - Assurances that their employees are covered by health and safety standards established under Federal and State law, including workers' compensation.
2. Customized training requires that individuals taking part in customized training will be hired in positions that are full-time, permanent, and pay a self-sufficient wage.
3. Customized training contracts will not be written for the purpose of helping employers to fill positions that promote or support the use, possession or distribution of marijuana.
4. Customized training will be subject to state program monitoring, which may include a sample review of contracts and case files to ensure compliance with Federal, state and local policies.
5. With regard to the employer's share of the customized training costs, local boards have been given the discretion to determine what portion of the cost of training will be paid by the employer, but the portion must be "significant." The local board must consider the size of the employer, and may include other factors as the appropriate. These include:
  - The number of employees participating in training;
  - The wage and benefit levels of those employees, at present and anticipated upon completion of the training;
  - Relationship of the training to the competitiveness of a participant; and,
  - Other employer-provided training and advancement opportunities.

The PCWDB has defined the criteria that will be used to determine what constitutes employer's payment of "a significant portion of the cost of training" to be based on the size of the employer. The PCWDB, in consideration of the above, has determined that size alone will be the only factor in setting criteria for the employer's share of the customized training. The specific reimbursement requirement follows:

- Employers with more than 500 employees must pay a minimum of 75 percent of the total customized training contract costs.
  - Employers with 100 to 500 employees must pay a minimum of 65 percent of the total customized training contract costs.
  - Employers with less than 100 employees must pay a minimum of 50 percent of the total customized training contract costs.
6. The reimbursement percentages apply to the total cost of the customized training.

#### *Example*

*As mentioned, most instances of customized training are classroom-based and as such, the cost of training can easily be determined by classroom training providers. However, in some instances, classroom training may be combined with hands-on training referred to as OJT. For those situations, the calculation of the cost of training is different. For example: A customized contract is developed to train 10 individuals with an employer who has less than 100 employees. The training consists of both OJT and classroom training. The employer will provide OJT and CCRI will provide classroom training.*

*With regard to OJT the 10 individuals will receive 26 weeks (1040 hours) of training. The cost of this training is determined by multiplying the 1040 hours by the hourly wage to be paid to the participants. In this example \$15.00 is the wage rate. This amounts to \$15,600. For 10 participants, the total cost is \$156,000.*

*With regard to classroom training conducted by CCRI, their cost has been determined to be \$20,000.*

*Combining both OJT and classroom training costs results in a total customized training cost of \$176,000. The employer's share of this cost is a minimum of 50 percent or \$88,000.*

*The contract between the employer and the PCWDB will be for \$88,000 and will include how that amount was determined.*

In situations in which the employer is located in multiple local areas in Rhode Island, the GWB's policy requires that the state, in partnership with the local board, jointly determine the appropriate employer contribution.

7. Customized training contracts will not be written with an employer who has relocated, either in whole or in part, if such relocation resulted in the loss of employment for any employee of the company at the original location. An establishment has relocated if any of its operations have moved from facilities located in another state to Rhode Island. As a general rule, this restriction extends for a period of time equal to 120 days following the commencement or the expansion of operations of the relocating company. Workforce Solutions of Providence/Cranston has established a pre-award review process for

establishment that have relocated from another state. Procedures for completing this pre-award follow.

- Whenever there is an inquiry from a new employer that has relocated from another state regarding the development of a customized training contract, the Pre-Award Review form included with this policy must be completed. (Attachment No. 1)
- The purpose of this review is to ascertain whether the relocating employer has caused a loss of employment at its original location. WIOA requires that a period of 120 days elapse before a customized contract can be written; however, if the relocation has not caused unemployment in the original location, the workforce development area is permitted to develop a contract.
- It is recommended that this pre-award review include contact between the WSPC Executive Director and his or her counterpart in the state from which the establishment moved to verify the information obtained in the review. This contact will also enable the workforce development area to obtain additional and more subjective information with which to make a decision.
- Questions 1-8 of the Pre-Award Review form are to be completed with information provided by the employer.

The information gathered, including the information that may be obtained from conversations with the workforce development area Executive Director from the labor market area where the employer was originally located, must be evaluated by WSPC in order to make a judgment as to whether this relocation has either caused or has not caused unemployment for any previously employed worker of the company.

**Attachment No. 1**

***WORKFORCE SOLUTIONS OF PROVIDENCE/CRANSTON***

## PRE-AWARD FOR RELOCATING ESTABLISHMENTS

<input type="checkbox"/> Relocated Establishment	<input type="checkbox"/> Expanded Establishment
DATE:	_____
TO:	_____
	Name of Relocated or Expanded Establishment
	_____
	Former Name(s) of Relocated Establishment
	_____
	Federal Employer Identification Number (FEIN)
	_____
	Street Address
	_____
	City, State, and Zip Code
	_____

**FROM: WORKFORCE SOLUTIONS OF PROVIDENCE/CRANSTON  
ONE RESERVOIR AVENUE, PROVIDENCE, RI 02907  
STEPHEN BOYLE, EXECUTIVE DIRECTOR**

A customized training contract may not be written with an employer that has laid off workers within 120 days to relocate to Rhode Island from another state. To verify that an establishment which is new or expanding has not relocated employment from another state, a standardized pre-award review must be conducted.

In order to be considered for a customized training contract, Workforce Solutions of Providence/Cranston (WSPC) is conducting this pre-award review to assist in determining if the relocation of your establishment has resulted in such unemployment. Please respond to the following inquiries and return them to the address identified above.

1. Please list all names under which you do business (including predecessors and successors in interest).

\_\_\_\_\_

2. What date did your establishment begin operations in Rhode Island?

\_\_\_\_\_

3. From which state did our establishment move?

\_\_\_\_\_

4. How many employees were employed at your previous location? \_\_\_\_\_

5. How many employees were affected by this relocation? \_\_\_\_\_

6. Was Workforce Innovation Opportunity Act (WIOA) assistance sought in connection with past or impending job losses?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe: \_\_\_\_\_

7. Were WARN notices filed? Yes \_\_\_\_\_ No \_\_\_\_\_

8. Please feel free to provide any additional comments with regard to your company's relocation.

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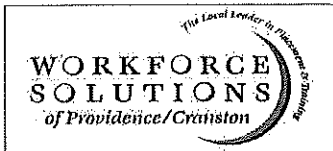
*Name, title and address of company official certifying the above information*

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*Signature of company official*

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*Date*



**WORKFORCE DEVELOPMENT AREA**  
**POLICY ISSUANCE NO. PY 2021-03**  
Effective Date: July 1, 2021

Provision of Incumbent Worker Training Services

Applicable Funding Streams:    Adult    Dislocated Workers    Youth

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**DISTRIBUTION**

WSPC Staff    AJC Partners    AJC Operator    Sub-Recipients

**PURPOSE**

This policy provides guidance on the provision of incumbent worker training services under the Workforce Innovation and Opportunity Act (WIOA).

**REFERENCES**

Workforce Innovation and Opportunity Act (Pub. L. 113-128) Training and Employment Guidance Letter No. 19-16; Code of Federal Regulations 20 C.F.R. § 680.780, § 680.790, § 680.800, § 680.810, § 680.820

**BACKGROUND**

Incumbent Worker Training (IWT) 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. Such training must increase a participant's and/or an employer's competitiveness. Incumbent worker training is an important tool for improving the education and skill levels of the current workforce and increasing the ability of businesses to effectively compete. A local area may use up to twenty percent (20%) of their local adult and dislocated worker funds for incumbent worker training.

**POLICY**

Incumbent workers are currently employed workers whose employers have determined that the worker requires training to increase the competitiveness of the employee or the employer. The worker must have an established employment history with the employer for six (6) or more months and employed in a situation that meets the Fair Labor Standards Act requirements for an employer-employee relationship. Such training will upgrade workers' skills, increase wages earned by employees and/or keep workers skills competitive.

The exceptions to the six month requirement are:

- in the event that incumbent worker training is being 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 of those employees being trained meet the employment history requirement.

- In situations where the state has received a waive for this requirement

**Incumbent worker training considerations:**

- The training should, wherever possible, allow the participant to gain industry-recognized training experience and lead to an increase in wages.
- An incumbent worker must be employed with the company when the incumbent worker training starts.
- An ideal incumbent worker training would be one where a participant acquires new skills allowing him or her to move into a higher skilled and higher paid job within the company. In turn this would allow the company to hire a job seeker to backfill the incumbent worker's position.
- The employer or group of employers must pay for a portion of the cost of providing the training to incumbent workers with non-federal funds.
- The non-federal share shall be:
  - At least ten percent (10%) of the cost, for employers with 50 or fewer employees;
  - At least twenty-five percent (25%) of the cost, for employers with 51 to 100 employees; and
  - At least fifty percent (50%) of the cost, for employers with more than 100 employees.
- The non-federal share provided by an employer participating in the program may include the amount of the wages paid by the employer to a worker while the worker is attending an incumbent worker training program. The employer share may be in cash or in kind. An incumbent worker does not have to meet the eligibility requirements for career and training services for adults and dislocated workers under WIOA, unless they are also enrolled as a participant in the WIOA Title I adult or dislocated worker program.
- Incumbent Worker Training can also be used for underemployed workers—e.g. workers who would prefer full-time work but are working part-time for economic reasons or are receiving a wage not on par with their past experience or previous wage.

**BASIC SKILLS DEFINITION**

Applicable Funding Streams:     Adult         Dislocated Workers         Youth

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***DISTRIBUTION***

WSPC Staff         AJC Partners         AJC Operator         Sub-Recipients

***PURPOSE***

This policy provides guidance for determining Basic Skills Deficiency in Workforce Innovation and Opportunity Act (WIOA) Title I programming.

***REFERENCES***

Workforce Innovation and Opportunity Act Section 3(5); Training and Employment Guidance Letter (TEGL) 21-16; Federal Regulation §681.290; Workforce Innovation Notice 05-04

***BACKGROUND***

Certain WIOA programs prioritize serving individuals who are “basic skills deficient.” WIOA Section 3(5) defines “basic skills deficient” as a participant:

- (A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- (B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

***POLICY***

Rhode Island further defines an individual that is basic skills deficient as a youth or adult that has English, writing, or computation skills at or below the 8.9 grade level or are English Language Learners or an individual that meets one of the following criteria:

- Lacks a high school diploma or high school equivalent and is not enrolled in secondary education
- Is enrolled in a Title II Adult Education/Literacy program
- Lacks basic computer literacy or basic financial literacy skills

Note: Computation (or ‘computing’) skills are defined as the ability to calculate basic addition, subtraction, multiplication, and division problems quickly and accurately using mental methods,



paper-and-pencil, and other tools, such as a calculator. These skills are different from computer literacy which relates to the knowledge and ability to use computers and related technology.

### 1. Basic Skills Deficient – Determination

When using formal assessment tests to determine basic skills deficient, all programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities.

In addition, if a standardized test is used to assess basic skills, the test should include reading, writing, or computing skills. Lacking soft skills or specific skills needed for a particular job may not be used to assess otherwise high-functioning individuals as basic skills deficient

Acceptable Documentation for Basic Skills Deficiency includes:

- Standardized assessment test
- School records
- Case manager observation and case notes
- Adult Basic Education program referral or records

All youth program participants must have an assessment of basic skills as a part of their objective assessment; however, this type of assessment is less formal than the assessment to determine basic skills deficiency (TEGL 21-16). THERE IS NO REQUIREMENT TO TEST ALL YOUTH AND ADULT APPLICANTS FOR BASIC SKILLS DEFICIENCY, ONLY THOSE FOR WHOM BASIC SKILLS DEFICIENCY IS BEING ESTABLISHED AS AN ELIGIBILITY CRITERION OR TO DETERMINE ELIGIBILITY FOR TRAINING.

The following means may be utilized to establish Basic Skills Deficiency in the WIOA Title I Youth and Adult programs:


Youth Program	Federally allowable options to determine and document BSD:
Basic skills deficient –	<ul style="list-style-type: none"> <li>• Standardized assessment</li> </ul>
In school youth (ISY) per WIOA Section 129(a)(1)(C)(iv)(I)	<ul style="list-style-type: none"> <li>• Transcript with a failing grade in math or reading during the most recent academic year (or a detailed case note if verified verbally with appropriate entity)</li> </ul>
or	
Out of school youth (OSY) per WIOA Section 129(a)(1)(B)(iii)(III)(aa)	<ul style="list-style-type: none"> <li>• School records showing test scores from a generally accepted standardized test within the last year showing grade level below 9th grade (grade 8.9 or lower) (or a detailed case note if verified verbally with appropriate entity)</li> </ul>

**Adult Program Priority of service categories  
1 & 2**

**Options to determine and document BSD:**

Basic skills deficient per WIOA Section 134(c)(3)(E)

- Standardized assessment
- Verification of enrollment in a Title II adult education program (documented in case notes)
- Staff observation of deficient functioning, such as observing the applicant is not able to read or complete an application form, or observing that applicant does not have basic computer literacy (documented in case notes)
- Self-certification that the individual lacks a HS diploma or equivalency
- Self-certification that the individual lacks occupational skills necessary to obtain desired occupation

	<p><b>WORKFORCE DEVELOPMENT AREA</b>  <b>POLICY ISSUANCE NO. PY 2021-05</b>  <b>Effective Date: July 1, 2021</b></p>
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**YOUTH REQUIRING ADDITIONAL ASSISTANCE**

Applicable Funding Streams:     Adult             Dislocated Workers             Youth

**DISTRIBUTION**

WSPC Staff             AJC Partners             AJC Operator             Sub-Recipients

**PURPOSE**

To issue a definition for determining in-school and out-of-school youth who require “additional assistance” pursuant to the terms of WIOA Section 129.

**REFERENCES**

WIOA Title I sec. 129 ETA Training and Employment Guidance Letter (TEGL) No. 23-14, ETA Training and Employment Guidance Letter (TEGL) No. 08-15, Workforce Investment Notice 07-02.

**BACKGROUND**

Youth who participate in WIOA Title I youth funded activities must meet the eligibility criteria for an in-school youth or an out-of-school youth **and** meet one or more of the barriers as described in WIOA section 129 (a)(1)(B) and (C).

According to WIOA section 129 (a)(1)(C)(VII) one of the barriers for an in-school youth is “an individual who requires additional assistance to complete an education program or to secure or hold employment.”

Out-of-school youth have a similar barrier with the added phrase “to enter”; “an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (WIOA section 129 (a)(1)(B)(VIII)).”

Both in-school and out-of-school youth who require additional assistance must be low-income. Youth requiring additional assistance as defined in this policy is in addition to the already defined WIOA youth eligibility barriers as described in WIOA section 129 (a)(1)(B) and (C). A barrier in the “Youth Requires Additional Assistance” policy must not be duplicative of the WIOA in-school and out-of-school eligibility barriers.

## POLICY

Youth who do not meet the eligibility for Categories 1-6 for In-School Youth, and Categories 1-7 for Out-of-School Youth can be qualified for program participation through requiring additional assistance. The state has determined that following factors, along with proper documentation, are indicators of requiring additional assistance:

<b>Additional Assistance - Educational Barriers</b>	
In-School Youth	<ul style="list-style-type: none"> <li>• Has missed 18 or more days of school in the most recent academic year (secondary only)</li> <li>• In school (secondary or postsecondary) with a GPA of less than 2.0.</li> </ul>
Out of School Youth	<ul style="list-style-type: none"> <li>• Has left educational program because of transportation or financial situation (secondary only)</li> </ul>
In-School and Out of School Youth	<ul style="list-style-type: none"> <li>• One or more grade levels below age appropriate level</li> </ul>
	<b>Additional Assistance - Employment Barriers</b>
	<ul style="list-style-type: none"> <li>• Has never held a job</li> </ul>
	<ul style="list-style-type: none"> <li>• Has had two or more employment interviews without being hired in past 60 days</li> </ul>
	<ul style="list-style-type: none"> <li>• Has lost employment placement in past 30 days</li> <li>• Has a family history of chronic unemployment, including long-term public assistance.</li> </ul>

## ACCEPTABLE VERIFICATION

Acceptable verification for these barriers is described below. Verification documentation must be available in client's hard-copy file or uploaded to client's electronic file.

<b>ELIGIBILITY CRITERIA</b>	<b>ACCEPTABLE VERIFICATION</b>
Has missed 18 or more days of school in the most recent academic year	School Record of Attendance
In-school with a GPA of less than 2.0	Current Transcript
One or More Grade Levels below Age-appropriate Level	Assessment by a Generally Accepted Standardized Test
Has Left an Educational Program because of Transportation or Financial Situation	Letter from High School Counselor
Has Never held a Job	Self-attestation
Has Had Two or More Employment Interviews Without Being Hired in the Past 60 Days	Self-attestation
Has Lost Employment in the past 30 Days	Documentation of Termination
Has a Family History of Chronic Unemployment Including Log-term Public Assistance	Self-attestation

**STEVENS AMENDMENT COMPLIANCE**

Applicable Funding Streams:    Adult        Dislocated Workers        Youth

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***DISTRIBUTION***

WSPC Staff        AJC Partners        AJC Operator        Sub-Recipients

***PURPOSE***

This policy provides guidance for compliance with the requirements of the Stevens Amendment.

***REFERENCES***

Rhode Island Governor’s Workforce Guidance Letter, September 21, 2021  
Consolidated Appropriations Act 2018 Public Law 115-142  
Public Law 101-166, Section 511, Steven's Amendment

***BACKGROUND***

An appropriations provision proposed by Senator Ted Stevens of Alaska requires grantees of the Departments of Labor (DOL), Health and Human Services (HHS), and Education to disclose for a grant program the percent of the costs financed with federal funds, the federal dollar amount, and the percentage and dollar amount financed by nongovernmental funds.

***POLICY***

When issuing statements, press releases, requests for proposals, legal ads, bid solicitations, and other documents, including contracts with sub-recipients, describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds shall clearly state:

1.     The percentage of the total costs of the program or project which will be financed with federal money;
2.     The dollar amount of federal funds for the project or program; and,
3.     The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

The amount is the TOTAL cost of the program or project that is financed by federal funds. This will usually be the Notice of Funding Authorization award amount. Note that the amount is NOT

the cost or projected cost of the specific item or service to which the acknowledgment statement is attached.

This policy applies to any communication made in furtherance of accomplishing the goals of a federal project or program including, but not limited to, public statements, social media, toolkits, resource guides, websites and visual presentations. An email that does not constitute one of the included subjects (e.g., a bid solicitation) does not require an acknowledgment statement.

This policy DOES NOT apply to indirect activities that do not further the goals of WIOA, for example, signage, IT equipment.

**FORMAT**

All communication subject to the Stevens Amendment must include the following language. Any changes must be approved in writing by the Executive Director of Workforce Solutions of Providence/Cranston.

*This [RFP, bid, contract, solicitation] is supported by the US Department of Labor as part of an award of [total federal allocation] with [xx%] financed from state, local and or non-governmental sources.*