



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



Adopted: June 2024

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Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Establishment of the One Stop Delivery System			
NO. 01-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2017

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

PURPOSE:

This policy defines and describes the requirements for comprehensive and affiliate one-stop career centers in the Providence/Cranston Workforce Development Area as authorized under the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES:

WIOA Section 121(d)(2)(A);
Training and Employment Guidance Letter (TEGL) No. 19-14, Vision for the Workforce System;

BACKGROUND:

WIOA requires at least one comprehensive one-stop center in each local workforce development area in a state. A comprehensive one-stop center is a physical location where job seekers and employer customers can access the programs, services, and activities of all required one-stop partners. In addition, affiliate one-stop career centers may exist in local workforce development areas. Affiliate one-stop career centers have WIOA partner programs available at a smaller scale than comprehensive one-stop career centers. Local Workforce Development Boards are required to provide physical and/or programmatic access in their designated local workforce areas through this network of comprehensive and affiliate sites.

POLICY:

WIOA requires at least one comprehensive physical one-stop center in each local workforce development area. The comprehensive one-stop center must be physically and programmatically accessible to individuals with disabilities.

The Providence/Cranston Workforce Development Board (PCWDB) has established one Comprehensive American Job Center (AJC) located at 50 Sims Avenue in Providence Rhode Island and has no affiliate offices at this time.

The mandatory partner programs involved in one-stop delivery include the following:

- a. Programs authorized under title I of WIOA, including Adults, Dislocated Workers, and Youth; Job Corps; YouthBuild; Native American programs; and Migrant and Seasonal Farmworker programs;
- b. Wagner Peyser Employment Services;
- c. Adult Education and Literacy activities authorized under title II of WIOA
- d. Vocational Rehabilitation
- e. The Senior Community Service Employment Program (SCSEP)
- f. Carl D. Perkins career and technical education programs
- g. Trade Adjustment Assistance
- h. Jobs for Veterans State Grants authorized under chapter 41 of title 38
- i. Community Services Block Grant (CSBG) employment and training activities
- j. Department of Housing and Urban Development (HUD) employment and training activities
- k. Programs authorized under state unemployment compensation laws
- l. Second Chance Act programs
- m. Temporary Assistance for Needy Families (TANF)

A Memorandum of Understanding (MOU) has been established with each Partner that includes the roles and responsibilities of the Partners and the cost sharing arrangements agreed to by each Partner in an Infrastructure Funding Agreement.

Additionally, the PCWDB local plan includes details of all comprehensive and affiliate one-stop career centers in the Providence/Cranston Workforce Development Areas.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Competitive Procurement of One Stop Operators			
NO. 02-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2017

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

PURPOSE:

This policy provides the policy and procedures for competitive selection of one-stop operators under the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES:

Workforce Innovation and Opportunity Act Section 121(d)(2)(A);
 Training and Guidance Letter No. 19-14, Vision for the Workforce System
 Final Rule, 20CFR, Part 678, Subpart D, One-Stop Operators

BACKGROUND:

The One-Stop Operator coordinates the service delivery of participating American Job Centers service partners and service providers and other duties identified by Local Workforce Development Boards (WDBs) in each local area. The Workforce Innovation and Opportunity Act (WIOA) requires that Local WDBs use a competitive process for the selection of a One-Stop Operator. Competitive selection of One-Stop Operators is intended to improve the ability of Local WDBs to regularly examine performance and costs against original expectations.

POLICY:

Local Workforce Development Boards (WDBs) must select their One-Stop Operator through a competitive process at least once every four years (WIOA sec. 121(d)(2)(A)). The competitive process must comply with 2 CFR § 200, including the Department of Labor specific requirements at 2 CFR part 2900. As part of that competitive process, Local WDBs are required to clearly articulate the expected role(s) and responsibilities of the One-Stop Operator (§ 678.620(a)) and include the roles and responsibilities in the resulting contract.

In Rhode Island, Local WDBs can only serve as a One-Stop Operator through a sole source process with approval of the Chief Elected Official (CEO) and the Governor after the failure of the initial competitive process that results in an entity incapable of carrying out the duties of the One-Stop Operator. Eligible Entities for One-Stop Operators may be a single public, private, or non-profit entity or consortium of entities. However, if a consortium of entities consists of WIOA partners, it must include a minimum of three of the required WIOA Center partners listed in WIOA sec. 121(b)(1). The types of entities eligible to be a One-Stop Operator include the following (WIOA sec. 121(d)(2)(B)):

- Government agencies or governmental units such as: local or county governments, school districts, state agencies, and federal WIOA partners;
- Employment Service state agencies under the Wagner-Peyser Act, as amended by Title III of WIOA
- Educational institutions, such as: institutions of higher education, nontraditional public secondary schools such as night schools, and area career and technical education schools (however, elementary and other secondary schools are not eligible to become a One-Stop Operator); Community-based organizations, nonprofit entities, or workforce intermediaries;
- Private for-profit entities;
- Other interested organizations that are capable of carrying out the duties of the One-Stop Operator as identified in Training and Employment Guidance Letter WIOA No. 15-16, Competitive Selection of One-Stop Operators; and
- Local WDBs, if approved by the CEO and the Governor as required in WIOA sec. 107(g)(2).

Per this policy, each Local WDB will implement a competitive process to select a One-Stop Operator for their Local Area. **(See Attachment 1)**

As stated above, a Local WDB can serve as a One-Stop Operator, but they cannot participate in the initial competitive process. Local WDBs wanting to become a One-Stop Operator through a sole source process, must follow the process in section “***The Local Board as the One Stop Operator***” listed below. Local WDBs must ensure that, in carrying out WIOA programs and activities, One-Stop Operators adhere to the following (§ 678.600):

- Disclose any potential conflicts of interest arising from the relations of the One-Stop Operator with particular training service providers or other service providers in accordance with 2 § 200.318.
- Do not establish practices that create disincentives to providing services to individuals with barriers to employment.
- Comply with federal regulations and procurement policies relating to the calculation and use of profits as outlined in 2 CFR § 200, including the Department of Labor specific requirements at 2 CFR part 2900.
- Adhere to any applicable firewalls or internal controls.

Local WDBs must retain extensive written documentation of the procurement process (CFR § 678.605(d) and 678.610(b)). Local WDBs must also make available to the public, through electronic means and open meetings, information regarding their selection of One-Stop Operators (WIOA sec. 107(e)).

Local Board as One Stop Operator:

If the initial competitive process fails to result in an entity capable of carrying out the duties of the One-Stop Operator, a Local Workforce Development Board (WDB) may serve as a One-Stop Operator with approval of the CEO and the Governor. Local WDBs wanting to serve as One-Stop Operators must:

1. Submit email request to the Governors Workforce Board to begin the Governor’s review and approval process.
2. Submit all materials related to the initial procurement process including an analysis of the failed One-Stop Operator procurement.
3. Submit sole source documentation regarding the Local WDB as One-Stop Operator.
4. Submit a letter indicating approval of the Local WDB as One-Stop Operator from the Local Area CEO.
5. Submit a description of how potential conflicts of interest will be addressed.

The Governor will make a determination within 30 days of the receipt of the materials described above. If approved, the Local WDB will become the One-Stop Operator immediately.

**PROVIDENCE/CRANSTON WORKFORCE DEVELOPMENT BOARD'S PROCESS FOR THE
COMPETITIVE SELECTION OF A ONE-STOP OPERATOR**

STEP 1	Staff develops a draft RFP for review and input by the WIOA Oversight Committee
STEP 2	Staff forwards a copy of the draft RFP to WIOA Committee members for their review in advance of the next scheduled WIOA Committee meeting .
STEP 3	WIOA Committee members will: <ul style="list-style-type: none"> • Review and approve the draft RFP for recommendation to the full WDB; • Direct staff to make any RFP changes to the draft as agreed upon by the committee; and, • Identify individuals who could participate on a Reader/Ranker Team.
STEP 4	Staff makes all necessary changes to the draft RFP based on input provided by the WIOA Committee . The RFP is sent to WDB members in advance of the next scheduled WDB meeting.
STEP 5	WDB meeting to review and approve the One-Stop Operator RFP.
STEP 6	Staff makes all necessary changes to the draft RFP based on input provided by the WDB .
STEP 7	RFP is sent to the Providence Board of Contract and Supply.
STEP 8	Board of Contract and Supply issues the RFP
STEP 9	An RFP Reader/Ranker Team is formed.
STEP 10	Staff will provide training to the RFP Reader/Ranker Team.
STEP 11	Proposals are received at the Board of Contract and Supply.
STEP 12	Staff receives the proposals from the Board of Contract and Supply.
STEP 13	Proposals are distributed to the Reader/Ranker Team.
STEP 14	Proposals are read and scored by the Reader/Ranker Team.
STEP 15	Staff meets with the Reader/Ranker Team to review proposals. At this meeting, team members will have the opportunity to make changes to their scores based on discussions among all team members.
STEP 16	Time is reserved for presentations by proposers to the WDB members and the Reader/Ranker Team for any clarification on proposals submitted.
STEP 17	Staff meets with the Reader/Ranker Team to finalize proposal scores that will be based on the team members' initial reading and scoring, subsequent scoring revisions based on input for other team members, and the input provided during the proposers' presentations.
STEP 18	WIOA Committee meeting to: <ul style="list-style-type: none"> • Receive the RFP Reader/Ranker Team final RFP rankings; and, • Vote on recommending the successful bidder to the full Board.
STEP 19	WDB meeting to approve the successful bidder.
STEP 20	The bidder recommended by the WDB is submitted to the Providence Board of Contract and Supply.
STEP 21	Board of Contract and Supply meeting to approved WDB recommendation
STEP 22	The successful bidder is notified and contract development begins.
STEP 23	Contract is finalized allowing the awarded One-Stop Operator to begin its hiring process of staff that will be part of their one-stop operator.
STEP 24	The three-month planning/transition period begins. (if necessary)
STEP 25	Indicate effective date of the One-Stop Operator contract.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Local One Stop Partner MOUs			
NO. 03-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2017

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

PURPOSE:

The purpose of this policy is to detail the requirements for a local Memorandum of Understanding (MOU) under the Workforce Innovation and Opportunity Act (WIOA) and apply a consistent set of standards for MOU development.

REFERENCES:

Workforce Innovation and Opportunity Act
Training and Employment Notice No. 05-14,
Training and Guidance Letter No. 19-14,

BACKGROUND:

Under WIOA, the local Memorandum of Understanding (MOU) is the primary vehicle for the Local Board to implement an agreement among the one-stop partner programs regarding one-stop delivery of services in the local workforce development area. Within a local area, the Local Board may establish an “umbrella” agreement that creates a single MOU negotiated among all partners.

POLICY:

Local Partner MOUs, at a minimum, must cover the following details:

- A description of services to be provided through the one-stop delivery system, including the manner in which the services will be coordinated and delivered through the system.
- A plan on how the costs of the services and the operating costs of the system will be funded that incorporates shared delivery costs locally.

- A specific provision outlining how one-stop infrastructure costs will be funded (see WSPC 04-23).
- Locations and addresses of all comprehensive and affiliate/satellite one-stop centers in the local workforce development area and a list of which partners will have a physical presence at each location.
- Methods for referring individuals between the one-stop operators and partners for appropriate services and activities.
- Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery system.
- The duration of the MOU and procedures for amending it.
- Assurances that each MOU will be reviewed, and if substantial changes have occurred, renewed, not less than once every 3-year period to ensure appropriate funding and delivery of services.

The Local Partner MOU may cover additional items at the Local Board's direction, and if agreed to by the partner programs.

PROCEDURE:

Local MOUs must reflect the State Board's priority for seamless delivery of high-quality client-driven services. Further, local MOUs must address cost sharing and infrastructure costs in a fair and equitable manner consistent with all policies and procedures. The review of local MOUs will be conducted with an eye toward equitable cost sharing among partners, including a consistent approach to in-kind costs.

The Local Board must report to the State Board, the Governor, and the Department of Labor and Training when MOU negotiations with one-stop partners have reached an impasse.

The Local Board and partners must document the negotiations and efforts that have taken place in the MOU. The State Board, one-stop partner programs, and the Governor may consult with the appropriate Federal agencies to address impasse situations related to issues other than infrastructure funding after attempting to address the impasse. Impasses related to infrastructure cost funding must be resolved using the State infrastructure cost funding mechanism (See WIN 02-04).

The Local Board must report failure to execute an MOU with a required partner to the Governor, State Board, and the relevant state agency responsible for administering the program. Additionally, if the State cannot assist the Local Board in resolving the impasse, the Governor or the State Board must report the failure to the Secretary of Labor and to the head of any other Federal agency with responsibility for oversight of a partner's program.

PROCESS

At the appropriate time, staff of WSPC will begin the negotiations with each Partner to determine the services they will provide in the AJC.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Infrastructure Funding Agreement Policy & Guidance			
NO. 04-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: January 1, 2018

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

PURPOSE

This guide will assist in negotiating the cost sharing which is essential to the establishment of effective local workforce development services.

REFERENCES

WIOA Section 121;
WIOA Regulations 678.700 thru 678.760

BACKGROUND

This document is prepared to provide the Local Workforce Development Area with the necessary guidance to consistently establish infrastructure cost sharing agreements as part of the Memoranda of Understanding (MOU) with partners in compliance with the Workforce Innovation and Opportunity Act (WIOA).

WIOA Section 121(h) requires that all partners providing services within a Local Area to use a portion of their funds to maintain the workforce delivery system, including payment of a portion of the American Job Center infrastructure.

WIOA Final Rules specify that infrastructure costs are applicable to all required partners, whether they are physically located in the American Job Center or not.

The term "**infrastructure funding**," used with respect to a Job Center, means the non-personnel costs that are necessary for the general operation of the Job Center. Each local area may determine what costs are included when negotiating infrastructure cost contributions; line items that fall into this category may include, but not limited to:

- **Rent:** The costs for usage (lease) of the facility, or portion of the facility, in question.
- **Maintenance:** The costs to maintain the physical structure of the facility, including janitorial services, lawn care, and snow removal.

- **Utilities:** The costs for general services to the facility in question, such as electricity, gas, water and sewage.
- **Equipment:** The costs for equipment used to facilitate access to the one-stop center, including, but not limited to, assessment-related and assistive technology for individuals with disabilities.
- **Common Identifier Costs:** The costs for signage, outreach, and other identification for the one-stop center.
- **Technology:** The costs for technology to facilitate access to the one-stop center (i.e., internet access), including, but not limited to, technology used for the center's planning and outreach activities. This includes assistive technology to ensure meaningful access for individuals with disabilities.
- **Supplies:** The costs for items used to support the general operation of the one-stop center.
- **Security:** The cost of Security Services for the assignment of security personnel to be stationed at the AJC

POLICY

WIOA Section 121(h) requires the following entities providing services within a Local Area to use a portion of their funds to maintain the workforce delivery system, including payment of a portion of the American Job Center infrastructure costs: **(NOTE:** Native American programs authorized under WIOA Sec. 166 are not required to contribute to Job Center infrastructure costs.)

(1) Programs authorized under title I of WIOA, including:

(i) Adults; **(core)**

(ii) Dislocated workers; **(core)**

(iii) Youth; **(core)**

(2) Adult Education and Family Literacy Act (AEFLA) program authorized under title II of WIOA; **(core)**

(3) Wagner-Peyser Act Employment Service **(core)**

(4) Vocational Rehabilitation (VR) program **(core)**

(5) Carl D. Perkins Career and Technical Education Career and Technical education programs at the postsecondary level

(6) Trade Adjustment Assistance activities

(7) Temporary Assistance for Needy Families (TANF) authorized under part A of title IV of the Social Security Act (unless exempted by the Governor under § 678.405(b).

(8) Senior Community Service Employment Program

(9) Community Services Block Grant Employment and training activities

(10) Department of Housing and Urban Development; Employment and training activities

(11) State Unemployment Compensation Programs

(12) Second Chance Act of 2007 Programs authorized under sec. 212 of the (42 U.S.C. 17532);

(13) Jobs for Veterans State Grants programs

(14) Migrant and seasonal farmworker programs

(15) Native American programs;

(16) Job Corps;

(17) YouthBuild;

NEGOTIATION OF INFRASTRUCTURE COSTS FOR THE INFRASTRUCTURE FUNDING AGREEMENT (IFA)

Local areas are expected to reach agreement on how infrastructure costs will be shared among required partners. One of two mechanisms for funding the infrastructure costs of comprehensive one-stop centers can be used:

1. a local funding mechanism when all required partners agree on how infrastructure costs will be shared, which is the expectation, described in § 678.715 or
2. a State funding mechanism that will be used only as a last resort when it is impossible to reach local agreement described in § 678.730.

Required partners may meet their cost sharing obligations through any of the following methods:

1. **Cash** contributions as allowed by the statutes and regulations governing each program,
2. Locally agreed upon and fairly valued **in-kind** contributions that provide tangible benefits for the local service delivery system to offset a cash contribution the partner may otherwise be asked to make.

Local Funding Mechanism

Local WDBs must attempt to engage partners in good-faith negotiations using locally identified costs and locally determined cost allocation methodologies agreed upon by the local WDB, CEOs, and one-stop delivery system partners. These costs and cost allocation methodologies comprise the Local Funding Mechanism.

State Funding Mechanism

If a local workforce development board (LWDB) is unable to come to agreement with one or more partner programs on a local infrastructure funding mechanism; notification must be given to the GWB. All documents utilized by the local area in the negotiations process, including any budgets or allocation methodologies that have been agreed upon, should be sent via email with the notice.

The GWB will be statutorily compelled to impose the State infrastructure funding mechanism as prescribed by WIOA sec. 121(h) and the Final Rules in 20 CFR Part 678, and consistent with Training and Employment Guidance Letter (TEGL) 17-16, and any subsequent revisions thereafter.

The State mechanism generally makes fewer funds available than a local agreement. The U.S. Department of Labor notes in its preamble to the WIOA Final Rules, "...while under the local-funding mechanism partner programs may contribute through any funds allowed by their authorizing statutes, under the State funding mechanism, infrastructure funds must come from administrative funds for the majority of partner programs."

COST ALLOCATION METHODOLOGY

For co-located Partners, acceptable cost allocation methodologies may include:

- Square footage;
- Full-time equivalent employee count (FTE);
- Seat/cubicle occupancy;
- Customer count; and
- Customized/Manual allocations based on local negotiations.
-

FORMULA

Co-located Partners contribution will be based on a per person seat cost.

Non-Co-located Partners payment will be determined on a negotiated contribution based on the benefit received.

The seat cost is determined by the sum of all costs necessary to operate the AJC minus the non-co-located partner contributions minus investment payments (*space rental in the AJC*) divided by the number of partner staff in the AJC.

Partner costs will be periodically reviewed and reconciled against actual costs incurred on a quarterly bases and adjusted to ensure that actual costs charged to any one-stop partners are proportionate to the use of the one-stop center and relative to the benefit received by the one-stop partners and their respective programs or activities.

An infrastructure budget for the comprehensive one-stop center will be prepared annually on a WIOA program year basis (7/1 to 6/30) and incorporated into the MOU through the amendment procedures described in the MOU. Local comprehensive one-stop center infrastructure costs to be shared among all required partners will be defined in the infrastructure budget.

Following the end of each Program Year, and after all budgeted infrastructure costs have been incurred, WSPC will assure budgeted costs by required partners are reconciled to actual costs and that any necessary adjustments are made.

Initial Meeting: WSPC, serving as the leaseholder for the designated comprehensive one-stop center, will provide the required partners with the following specific information:

- a. Information on the term of the lease,
- b. The specific items of cost covered by the lease, and
- c. Actual costs in the prior year for all line items included which are not covered by the lease.
- d. A draft budget that identifies all one-stop costs for future consideration by all required partners

Second Meeting: the required partners will review the draft budget and make all revisions agreed upon.

WSPC will prepare a final budget that allocates agreed-upon infrastructure costs equitably among required partners. These costs will be allocated among required partners in accordance with these guidelines.

The proportion of each required partner's FTE staffing dedicated to support the operation of comprehensive one-stop centers will be used as the basis for determining each required partner's share of infrastructure costs.

Third Meeting: WSPC will distribute this final budget at least two weeks prior to all of the required partners, at which time all required partners will be asked to approve the infrastructure cost budget.

BUDGET DEVELOPMENT, MODIFICATION, AND PERIODIC RECONCILIATION

An infrastructure budget for the comprehensive one-stop center will be **prepared annually** on a WIOA program year basis (7/1 to 6/30) and incorporated into the MOU through the amendment procedures described in the MOU. The budget should break down items into the cost categories and expense types used during the negotiation process, with projected/budgeted totals. Local comprehensive one-stop center infrastructure costs to be shared among all required partners will be defined in the infrastructure budget.

The MOU must include a process by which projected/budgeted costs are reconciled against actual costs incurred on a regular basis (ex. monthly or quarterly). The reconciliation process is necessary in order to ensure that each partner program is neither under- nor over-charged for their share of the costs, the cost allocation is accurate and up to date, and in compliance with the terms of the MOU. The MOU must include a reconciliation schedule, identify who will be responsible for the reconciliation, and include a process by which partners can dispute the reconciliation.

The MOU may include **an interim Infrastructure Funding Agreement (IFA)** which would include as much detail as the WSPC has negotiated with one-stop partners. If all other parts of the MOU have been negotiated, partner programs may continue to operate in the one-stop centers.

The interim Infrastructure Funding Agreement must be **finalized within 6 months** of when the MOU is signed. If the interim infrastructure funding agreement is not finalized within that timeframe, the Local WDB must notify the Governor, as described in § 678.725.

Following the end of each Program Year, and after all budgeted infrastructure costs have been incurred, WSPC will assure budgeted costs by required partners are reconciled to actual costs and that any necessary adjustments are made.

TIMELINES FOR NEGOTIATION OF MOUs AND INFRASTRUCTURE COSTS

Negotiations related to services, methods of delivery, infrastructure and other shared costs may begin at any time, but they **must be concluded by March 31** of each calendar year for the following Program Year beginning on July 1.

A 45-day period for remediation will begin on or around April 15th of each calendar year and continue through the end of May. Failure to reach agreement on comprehensive one-stop center infrastructure costs at the end of the established 45-day remediation period will trigger infrastructure funding using the State funding mechanism. Each required partner's proportionate share of infrastructure costs using the State infrastructure funding mechanism in these instances will be determined based on FTEs as previously described.

REPORTING OF FINAL NEGOTIATION OUTCOMES

1. Local boards must provide a draft budget to the individual designated by the Governor by no later than February 28th of each calendar year.
2. A final report on the outcomes of the MOU negotiations must be provided by March 31st of each calendar year to an individual designated by the Governor.

SAMPLE TIMELINE FOR MOU AND INFRASTRUCTURE NEGOTIATIONS

TIMEFRAME	ACTIVITY
JANUARY 1, 2016	Initiation of local negotiations of Memoranda Of Understanding (MOUs) and infrastructure cost sharing agreements
FEBRUARY 28 EACH YEAR	Local boards provide draft budgets (using the standard format) to the individual designated by the Governor
MARCH 31, 2016 AND BY MARCH 31 OF EACH SUBSEQUENT YEAR IN WHICH A LOCAL AREA RENEGOTIATES ITS MOU (MINIMUM OF ONCE EVERY 3 YEARS)	Local MOU negotiations end Local board chairs and chief elected officials report outcomes from local MOU negotiations to the Governor (with copy sent to all required partners)
APRIL 15 EACH YEAR	For LWDAs not reaching agreement on infrastructure costs, a 45-day remediation period begins
MAY 31, 2016 AND BY MAY 31 OF EACH SUBSEQUENT YEAR IN WHICH A LOCAL AREA RENEGOTIATES ITS MOU (MINIMUM OF ONCE EVERY 3 YEARS)	LWDAs unable to reach agreement on MOUs for reasons other than infrastructure costs are referred to the U.S. Secretary of Labor and head of any other relevant Federal agency LWDAs at an impasse about infrastructure costs are referred to the Governor's Office; the Governor will make the final determination about each required partner's proportionate share of infrastructure costs under the State funding mechanism ²
JULY 1 EVERY YEAR IN WHICH AN MOU IS NEGOTIATED	A signed MOU must be submitted to an individual designated by the Governor

COST CATEGORY/LINE ITEM	LINE ITEM DEFINITION
Facilities Costs	
Lease cost	Annual amount due for comprehensive center space costs pursuant to a lease or other contractual arrangement.
Facility maintenance	Annual costs for upkeep and maintenance of leased space, including grounds keeping, trash and shredding, if not already included as part of the lease.
Property and casualty Insurance	Annual cost of property and general liability insurance for the space, if not already included in the lease.
Security services	The cost of third-party contractors and/or camera-based surveillance, if not already included in the lease.
Cleaning services	Cost of janitorial services, if not already included in the lease.
Utilities	Electricity, water, gas and other utility costs associated with the comprehensive center space, if not included in the lease cost.
Technology Costs	
Telecommunications, including Internet	Cost of phone and internet connectivity in the resource room and other shared spaces in the comprehensive center.
Equipment and technology Costs	Costs of shared computers, printers, fax machines, copiers, postage machines utilized for the operation of the comprehensive center and related maintenance and supply costs.
Assistive technology for individual with disabilities	Cost of assistive technology enabling individuals with disabilities to utilize the resource room or other services provided at the comprehensive one-stop center.
Marketing Costs Related to Common Identifier	
Signage	One-time costs associated with new exterior and interior signage displaying the “common identifier”
Other “common identifier” Costs	Printed materials, costs of website changes, business cards and similar costs incurred to implement the “common identifier.”

COST TYPE	EXAMPLES OF POSSIBLE SHARED SYSTEM COSTS
Mandatory	
Costs related to local board functions	<ol style="list-style-type: none"> 1. Salary, benefits and other expenses associated with staffing board functions 2. Board meeting costs 3. Audit costs of incorporated boards 4. Errors and omissions insurance for board directors and officers 5. Costs associated with marketing services to employers and other customers 6. Costs of strategic data gathering and analysis projects intended to isolate area workforce needs, priorities and issues
Mandatory	
Costs to promote integration and streamlining of services	<ol style="list-style-type: none"> 1. Joint staff training, including staff of comprehensive one-stop centers 2. Customer satisfaction measurement 3. Business services 4. Receptionist at comprehensive one-stop center 5. Resource room materials and staffing costs at comprehensive one-stop centers or affiliated sites
Optional	
Shared services costs authorized for one-stop partner programs	<ol style="list-style-type: none"> 1. Any allowable cost item (e.g., initial intake or needs assessments) agreed upon by local required partners

INFRASTRUCTURE FUNDING AGREEMENT

WIOA Section 121 (h) requires all partners to use a portion of their funds to maintain the workforce delivery system, including payment of a portion of the American Job Center (AJC).

This Infrastructure Funding Agreement is between the Providence/Cranston Workforce Development Board and the following Partners:

(1) Office of the Mayor, **(2)** Exeter Job Corps, **(3)** Youth Built, **(4)** RI Indian Council, **(5)** Dept. of Labor & Training, **(6)** Dept. of Education, **(7)** Office of Rehab Services, **(8)** Comprehensive Community Action, **(9)** Prov. Housing Authority, **(10)** Local Initiative Support Corp, **(11)** Dept. Human Services, **(12)** Operation Stand Down

The requirement of WIOA 121(h) is based on the premise that joint funding of the AJC infrastructure is a necessary foundation for an integrated service delivery system. American Job Center infrastructure costs are defined as non-personnel costs that are necessary for the general operation of the American Job Center.

All required partners to the Infrastructure Funding Agreement (IFA) recognize that costs are applicable to them whether they are physically located in the AJC or not.

American Job Center infrastructure costs are defined as all non-personnel costs that are necessary for the general operation of the American Job Center. The cost categories are attached in the budget summary.

The methodology that the Providence/Cranston Workforce Development Board is using, is to apply a “seat cost” to partners who are co-located in the AJC and a negotiated contribution based on benefit received to those agencies who are not co-located.

The seat cost is determined by the sum of all costs necessary to operate the AJC minus the non-co-located partner contributions minus investment payments divided by the number of partner staff in the AJC.

The attached budget will illustrate this, and your agencies’ shared costs will be **highlighted**.

Cost Reconciliation

This budget is a living document and as such will be reconciled on a quarterly bases should infrastructure costs need to be adjusted. An invoice will be prepared for each Partner with the actual costs allocable to each Partner in accordance with the following process:

- American Job Center/Workforce Solutions will submit invoices to the Partners and send a copy of the updated budget no later than 45 days at the end of each quarter.
- Upon receipt of the invoice and adjusted budget, each Partner will review both documents and will submit payment to the American Job Center/Workforce Solutions of Providence/Cranston no later than (15) days following receipt. Payment of the invoice signifies agreement with the costs in the adjusted budget.

- Partners will communicate any disputes with costs in the invoice or adjusted budget to the American Job Center/Workforce Solutions of Providence/Cranston in writing.

Steps to Reach Consensus

All parties agree that the steps to reach consensus for this IFA will be the same as those described in the Infrastructure Funding Policy # 04-23. Partners will make a concerted effort to negotiate the IFA along with the remainder of the MOU, including overall operating budget, for the American Job Center/Workforce Solutions of Providence/Cranston.

(NOTE: The signature date on the IFA may be different from the signature date on the MOU.)

SIGNATURE TO THE INFRASTRUCTURE FUNDING AGREEMENT

Per signature, I agree to enforce the aspects of this Infrastructure Funding Agreement.

Signature

Date

Title

Stephen C. Boyle, Executive Director
Workforce Solutions of Providence/Cranston

Date

Infrastructure Budget - Providence AJC PY24

12 month MOU period
07/01/24 to 06/30/25

Cost Item

One-Stop Operator	\$45,000.00
Rent for 50 Sims	\$334,060.44
Utilities Expense	\$30,000.00
Security Services	\$80,000.00
Telecommunications	\$5,000.00
Equipment Maintenance and Repairs	\$1,500.00
Facilities & Maintenance	\$3,000.00
Miscellaneous supplies	\$20,000.00

Total Expenses **\$518,560.44**

Off Site Partners

CCAP: Community Service Block Grant	\$2,250.00
RIDE: Carl D. Perkins	\$2,250.00
Job Corp	\$6,500.00
Providence Housing Authority	\$0.00

Total Investment Payments **\$11,000.00**

Seat Cost Allocation **\$507,560.44**

quarterly invoicing

Partner Agency

Workforce Solutions	10	\$207,167.53	\$51,791.88
Youth	1	\$20,716.75	\$5,179.19
Department of Labor and Training	10	\$207,167.53	\$51,791.88
RIFLI-RIDE LITERACY	1	\$20,716.75	\$5,179.19
Office of Rehabilitation Services	1	\$20,716.75	\$5,179.19
YouthBuild	0.5	\$10,358.38	\$2,589.59
RI Indian Council			\$0.00
Department of Human Services	1	\$20,716.75	\$5,179.19

Total Seats **24.5**

Per Seat Cost **\$20,716.75** **\$507,560.44** **\$126,890.11**

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Adult & Dislocated Worker Allocation Transfer Policy			
NO. 05-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

PURPOSE

To issue the terms under which local Workforce Innovation and Opportunity Act (WIOA) formula funds may be transferred between Adult and Dislocated Worker Programs.

REFERENCES:

WIOA Section 133
WIOA Final Rule at 20 CFR 683.130

BACKGROUND:

In accordance with WIOA Section 133(b)(4), Local Workforce Development Boards may transfer up to 100% of a Program Year (PY) allocation for Adult employment and training activities and up to 100% of a Program Year allocation for Dislocated Worker employment and training activities between the two programs. The Governor’s Workforce Board is required to track, manage, and report Adult and Dislocated Worker expenditures by fund and by Program Year of each allotment at the State level. Since local fund transfers impact original state allotments, as well as local fund availability, the GWB has established procedures to manage transfers to facilitate accurate reporting to the US Department of Labor.

POLICY:

Transfer of Adult and Dislocated Worker Allocations:

While up to 100% transfer is allowable, Local Workforce Development Areas **must insure** that appropriate service levels to both Dislocated Workers and Adult customers are maintained. Requests for transfers may be made through the last working day of May of the current Program Year’s funds.

Local Workforce Development Boards may transfer up to 100% of the base Adult and Dislocated Worker allocations of the current year allocation. Youth funds **may not** be transferred. Transfer requests are to be signed by the Local Board Chair and Executive Director, submitted to the GWB Executive Director and must include the following information:

- (1) The reason for the transfer request, including current service level information,
- (2) Assurances that services for Adults and Dislocated Workers will be maintained, and
- (3) a listing of other Local Area funding available to serve Adult and Dislocated Worker populations (for example: NDWG, other federal or state funding, other special grant funding).

Once the request has been received by the GWB, it will be reviewed within five business days to determine approval or denial of the request.

Authority of State WIOA Liaison to Act on Governor's Behalf:

At the beginning of each program year, the State WIOA Liaison shall request, in writing, authority from the Governor to serve as his or her designee and act on his or her behalf for the purposes of this policy. If such authority is not granted, transfer requests shall be submitted to the Governor directly and must include the required information. A Governor may request additional information from Local Boards before rendering a decision.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Sub-Recipient vs Contractor Designation			
NO. 06-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Provider

PURPOSE:

This policy provides the guidance and establishes the procedures regarding the distinction between subrecipients and contractors as well as the roles and responsibilities for all parties of an agreement. This policy applies to all entities contracted with the Providence/ Cranston Workforce Development Board and its administrative entity, Workforce Solutions of Provide/Cranston.

REFERENCES:

(CFR) Part 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance);
 Title 2 CFR Part 2900: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Uniform Guidance);
 Title 20 CFR Chapter V Part 675 (Final Regulations)

BACKGROUND:

The Uniform Guidance, effective for federal funds awarded on or after December 26, 2014, provides additional requirements for subrecipients, contractors, and pass-through entities. Depending on the substance of individual contractual agreements, a non-federal entity may simultaneously receive federal awards as a recipient, a subrecipient, or/and a contractor. The determination of the type of legal relationship (subrecipient or contractor) must be made on a case-by-case basis prior to the creation of each individual agreement. With each determination comes specific requirements for the non-federal entities involved.

DEFINITIONS

Subcontract/Subaward/Sub-agreement: The terms subcontract, subaward, and sub agreement are used interchangeably in this policy. However, in the strictest sense they are distinct. A subaward is used when the originating award is a grant and a subcontract is used

when the originating award is a contract. A sub-agreement refers to any lower tier award of financial support from a prime recipient to a subrecipient. These documents represent legal instruments used to contract with organizations, individuals, or institutions for services that are for the direct benefit of an activity.

The instruments serve many purposes:

1. They are the legal, binding documents that state the rights and responsibilities of both parties.
2. They protect the interest of the funding agency and the prime recipient, and they "flow-down" all necessary requirements, certifications, and assurances required by the sponsor.
3. They demonstrate to the sponsor that the prime recipient has acted on its behalf and is demonstrating proper stewardship of awarded funds.

Subrecipient 2 CFR 200.93: Subrecipients are entities that perform a portion of the scope of work identified in a proposal for a funding agency (grantor). Per 2 CFR 200.330(a)(1-5) their performance is measured against whether the objectives of the federal programs are met. They also have responsibility for adherence to applicable federal program compliance requirements. Normally, a deliverable is required.

Contractor 2 CFR 200.22-23: A contractor provides goods and services but does not participate in the scope of the work itself. Under 2 CFR 200.23 and 2 CFR 200.330(b) (1-5), an organization is considered to be a contractor when it provides goods and services within its normal business operations, provides similar goods and services to many different purchasers, operates in a competitive environment, provides goods and services that are ancillary to the operation of the Federal program, and is not subject to compliance requirements of the Federal program as a result of the agreement. Payments for goods or services provided by a contractor represent a procurement arrangement and are not considered subawards to subrecipients.

SUBRECIPIENT AND CONTRACTOR DISTINCTIONS

Following is a list of the characteristics of a subrecipient versus a contractor:

Subrecipient: (2 CFR 200.330)

- Determines who is eligible to receive Federal financial assistance.
- Has its performance measured against whether the objectives of the Federal program are met.
- Has responsibility for making programmatic decisions.
- Has responsibility for adherence to applicable Federal program compliance requirements.
- Uses Federal funds to carry out a program of the organization as compared to providing goods or services for a program of the pass-through entity.

Contractor: (2 CFR 200.330)

- Provides the goods or service within its normal business operations.
- Provides similar goods or services to many different purchasers.
- Normally operates in a competitive environment.
- Provides goods or services that are ancillary to the operation of the Federal program.
- Is not subject to compliance requirements of the Federal program.

As there are exceptions to the above list of characteristics, judgment must be used in determining whether an entity is a sub-recipient or a provider of professional services/contractor. In making this determination, the substance of the relationship is more important than the form of the agreement.

GWB/DLT RESPONSIBILITIES

The Governor's Workforce Board and its administrative entity the Department of Labor and Training are bound by the regulations stated in 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The CFR requires that the prime recipient be responsible for activities of the subrecipients, monitor their performance, and review their audits. 2 CFR 200.331

Responsibilities of the pass-through entity (2 CFR 200.331) include:

1. Identifying federal awards made by informing each subrecipient of the Catalog of Federal Domestic Assistance (CFDA) title and number, the award name and number, the award year, whether the award is Research and Development (R&D), and the name of federal agency. When some of this information is not available, the pass-through entity shall provide the best information available to describe the federal award. 2 CFR 200.331(a)(1)
2. Advising subrecipients of requirements imposed on them by federal laws, regulations, provisions of contracts or grant agreements, as well as any supplemental requirements imposed by the pass-through entity. 2 CFR 200.331(a)(2-3)
3. Ensuring that an approved federally recognized indirect cost rate has been negotiated between the subrecipient and the Federal government or, if no such rate exists that either a rate negotiated between the pass-through entity and the subrecipient or a de minimis indirect cost rate is used. 2 CFR 200.331(a)(4)
4. Monitoring the activities of the subrecipients as necessary to ensure that federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements and that performance goals are achieved. 2 CFR 200.331(b)(4)(d)
5. Ensuring that subrecipients expending \$750,000 or more in federal awards during the subrecipient's fiscal year have met the audit requirements of this part for that fiscal year. 2 CFR 200.331(f)
6. Issuing a management decision on audit findings within six months after receipt of the

subrecipient's audit report and assurance that the subrecipient takes appropriate and timely corrective action. 2 CFR 200.331(d)(3) and 2 CFR 200.521(d)

7. Considering whether subrecipient audits necessitate adjustment of the pass-through entity's own records. 2 CFR 200.331(g)
8. Requiring each subrecipient to permit the pass-through entity and auditors to have access to the records and financial statements as necessary for the pass-through entity to comply with these guidelines. 2 CFR 200.331(a)

WDB/WSPC PROTOCOLS

All staff involved in the awarding or administering of the award of funds shall be required to familiarize themselves with its contents. Each file maintained in relation to an award of funds to another entity shall include this policy and a written determination, made using the above reference materials, as to whether the funded entity is a subrecipient or contractor and a brief explanation of the factors underlying this determination.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Complaint and Grievance Procedures Policy and Guidance			
NO. 07-23 Ch.1	Review Date: October 23, 2024	Issue Date:	Effective Date:

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

[X] WSPC Staff [X] AJC Partners [X] AJC Operator [X] Sub-Recipients

1. PURPOSE: This policy and related procedures covers Grievances and/or Complaints alleging violations of the requirements of Workforce Innovation and Opportunity Act (WIOA) in the operation of Local WIOA programs and activities, and transmits policy governing WIOA Title I related Grievance and Complaint procedures.

2. REFERENCES:

Section 683.600, WIOA
 Section 188, WIOA
 Section 29 CFR 38.35

3. BACKGROUND:

It is against the law for an entity who is a recipient of Federal financial assistance to discriminate against any individual on the basis of race, color, religion, sex, national origin, age, disability, genetic information, political affiliation.

Section 683.600 requires each Local area, state, and direct recipient of funds under Title I of WIOA to establish and maintain a procedure for grievances and complaints from participants and other interested parties affected by the local workforce development system, including One-Stop partners, service providers, and the Statewide workforce development programs.

4. DEFINITIONS:

A complaint is an allegation of discrimination on the grounds of race, color, religion, sex, sexual identification, national origin, age, disability, political affiliation or belief.

A grievance is a complaint about services, working conditions, wages, work assignments, etc., arising in connection with WIOA programs operated by WIOA recipients including service providers, eligible training providers, and other contractors.

5. GUIDANCE:

Applicants and participants of the (WIOA) program, including applicants for employment, and employees, have the right to enter into the grievance process to resolve disputes.

Complaint/grievances must be filed in writing within 30 days after the alleged WIOA violation took place. Individuals in grievance investigations are protected from retaliation and are permitted to have translators, interpreters, readers and/or a representative of their choice during the grievance process.

6. INFORMAL RESOLUTION

If any individual, group or organization has a complaint/grievance, the problem should first be discussed informally between those involved before a complaint/grievance is filed.

7. EQUAL OPPORTUNITY IS THE LAW

As stated by Section 188 of WIOA and section 29 CFR 38.35, WSPC and its local service providers are prohibited from discriminating on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

8. DISSEMINATION OF COMPLAINT/GRIEVANCE PROCEDURE

WSPC will provide access to Grievance/Complaint Policy to Participants, Registrants, Limited English Proficient Individuals and other interested parties affected by the Local Workforce Development system, including One-Stop partners, service providers, and the Statewide workforce development programs.

WSPC Career Counselor staff will furnish registrants, applicants, and participants with the Complaint/Grievance Notice and provide them with a verbal explanation of the process for filing such Grievance/Complaint. Additionally, Counselors will place a copy of the documents given to client in their file and record this activity in the client's case notes.

All other interested parties may access the Complaint/Grievance procedure on the WSPC web site at: providenceri.gov/oeo/workforce-solutions

9. A GRIEVANCE OR A COMPLAINT:

If a participant or any entity wishes to file a Grievance or a Complaint because they believe that they have been subjected to discrimination or they believe that they have not been provided required WIOA services, they may file a complaint no later than 30 days by contacting the person listed below.

At that point, they will receive a form and instructions which they will use to file their Grievance or Complaint.

Stephen Boyle
Executive Director
Workforce Solutions of Providence/Cranston
50 Sims Avenue
Providence, RI 02909
Email: sboyle@providenceri.gov
Phone: 401-680-5102

Workforce Solutions of Providence/Cranston WIOA Participant Grievance/Complaint
Notice

If you believe that you have been treated unfairly or if you feel you have been discriminated against because of Your National Origin; Your Race; Your Sex; Your Gender Identity; Your Color; Your religion; Your Religion, you may file a complaint within 30 days from the date of the violation by contacting:

Stephen Boyle
Executive Director
Workforce Solutions of Providence/Cranston
50 Sims Avenue
Providence, RI 02909
Phone: 401-680-5102
Email: sboyle@providenceri.gov

When you contact Director Boyle, please provide him with your name, your address, your phone number and your email address.

Upon receipt of your request, Director Boyle will send to you an informational sheet and a complaint form that you can use.

Workforce Solutions of Providence/Cranston Participant Grievance/Complaint Procedure

IMPORTANT This document contains important information about your rights, responsibilities and/or benefits. It is critical that you understand the information in this document, and we will provide the information in your preferred language.

DEFINITIONS

A **complaint** is an allegation of discrimination on the grounds of race, color, religion, sex, sexual identification, national origin, age, disability, political affiliation or belief.

A **grievance** is a complaint about services, working conditions, wages, work assignments, etc., arising in connection with Workforce Innovation Opportunity Act (WIOA) programs operated by WIOA recipients including service providers, eligible training providers, and other contractors.

WHO MAY FILE A GRIEVANCE/COMPLAINT?

If you are a current or former participant who has received services through the local workforce development system, you may file a grievance/complaint with Workforce Solutions of Providence/Cranston (WSPC). You may use these procedures if you believe there has been a violation of the requirements of the Workforce Innovation and Opportunity Act (WIOA) or if you believe you were discriminated against.

WHO IS A PARTICIPANT IN THE LOCAL WORKFORCE DEVELOPMENT SYSTEM?

Generally speaking, you may be regarded as a participant in the local workforce development system if you have:

- Taken an action (such as completing an enrollment form or application for services) demonstrating an intent to use the services of the local workforce development system;
- Met specific reporting criteria of the program;
- Been determined eligible; and
- Received services other than information-only services and self-service activities.
-

WHO IS WORKFORCE SOLUTIONS

Workforce Solutions is the Administrative Entity for the Local Area of Providence and Cranston. We administer the Adult, Youth and Dislocated Worker programs funded through the Workforce Innovation Opportunity Act (WIOA).

WHO MAY A GRIEVANCE/COMPLAINT BE FILED AGAINST

A grievance/complaint may be filed whenever a participant believes there has been a violation

of any requirement of the WIOA law. The grievance/complaint may result from any adverse interaction with the local workforce development system. This may include if you feel that you were denied enrollment into the WIOA program or any supportive services provided by the program.

WHAT IS THE TIME LIMIT FOR FILING A GRIEVANCE/COMPLAINT/COMPLAINT?

The grievance/complaint should be filed, in writing, within 30 calendar days from the date of the violation(s) which is the basis of the grievance/complaint.

TO WHOM SHOULD THE GRIEVANCE/COMPLAINT BE DELIVERED

Grievance/complaints/complaint should be sent to:

Stephen Boyle Executive Director
Workforce Solutions of Providence/Cranston
50 Sims Avenue
Providence, RI 02909
Phone: 401-680-5102
Email: sboyle@providenceri.gov

WHAT ARE THE REQUIRED CONTENTS OF A WRITTEN GRIEVANCE/COMPLAINT

Each grievance/complaint shall be in writing and should be signed by the grievant or his/her authorized representative and contain a clear, concise statement of the facts of the case, including-

- The full name, mailing address and phone number of the party filing the grievance/complaint;
- The full name, mailing address and phone number of the party or parties alleged to have committed the act;
- The date(s) on which the alleged acts which are the basis of the grievance/complaint occurred, or if continuing, when such acts began and describe the continuing nature;
- Names and addresses of persons who may have knowledge of the facts of the grievance/complaint;
- Any other factual information supporting the complaint;

Please use the attached form.

TIMELY FILING/APPARENT MERIT

If the Director finds that the grievance/complaint was properly filed in a timely manner and has apparent merit, then the grievant will be notified and the resolution process will continue.

INFORMAL RESOLUTION PROCESS

The Director will attempt to resolve any grievance/complaint informally by meeting with the parties in person or discussing the grievance/complaint with the parties by telephone, etc. If the grievance/complaint is not resolved within fifteen (15) calendar days from the receipt of the grievance/complaint, the Director will assign the grievance/complaint to a Hearing Officer.

REVIEW BY HEARING OFFICER

In the event the grievance/complaint cannot be resolved informally, the designated Hearing Officer will schedule a hearing to review the grievance/complaint. The grievant and other parties shall be notified in writing of the date and place of the hearing at least ten (10) days prior to the hearing date.

Is there a right of representation in the complaint process?

Yes. Both the grievant and the respondent have the right to be represented by an attorney or other individual of their choice.

HOW WILL THE DECISION OF THE HEARING OFFICER BE ANNOUNCED?

The decision of the Hearing Officer will be delivered via mail to each party in the grievance/complaint.

IS THERE AN APPEAL PROCESS?

Yes. An appeal may be filed with the State Department of Labor & Training if-

- No decision is reached within sixty (60) days from the date the grievance/complaint is received by WSPC; or
- Either party is dissatisfied with the local grievance/complaint decision.

You may file your complaint to:

Bryana Del Santo
State Equal Opportunity Officer
Department of Labor & Training
1511 Pontiac Avenue
Cranston, RI 02920
Phone: 401-462-8887
Email: bryanal.delsanto@dlt.ri.gov

Workforce Solutions of Providence/Cranston WIOA Participant Grievance/Complaint Form

Please read the form carefully. Print your answers. Answer each question as completely as possible. If you cannot fit your whole answer in the space provided in this form, you may add more pages. Use this form to file a **Grievance** or a **Complaint**.

Approximate Date the incident occurred:

Complainants Name

Street Address

City State ZIP

Telephone numbers where we can reach you.

Email Address

Please provide the name of the agency that you are complaining about. Please provide any contact information for the agency and /or the person who may be involved in your complaint.

Name of Agency Telephone number

Street Address City State ZIP

Email Address of the Agency

Name of the Person Job Title Email Address

=====

If you believe you were discriminated against, was it because of:
 My National Origin; My Race; My Sex; My Gender Identity; My Color;
 My Religion; Other

Continue on Page 2

Workforce Solutions of Providence/Cranston WIOA Participant Grievance/Complaint Form (page 2)

Please describe what happened. If your answer does not fit in this space, please use more pages of paper.

What remedies are you asking for or do you think are appropriate.

Print Name

Signature of Complainant

Date

Workforce Solutions of Providence/Cranston WIOA Aviso De Quejas Del Participante

Si cree que ha sido tratado injustamente o si siente que ha sido discriminado por su origen nacional; Su raza; Su sexo; Su identidad de género; Su tono de piel; Su religión; puede presentar una queja dentro de los 30 días siguientes a la fecha de la infracción comunicándose con:

Stephen Boyle
Director Ejecutivo
Workforce Solutions of Providence/Cranston
50 Sims Avenue
Providence, RI 02909
Phone: 401-680-5102
Correo electrónico: sboyle@providenceri.gov

Cuando se comunique con el director Boyle, presentarle su nombre, dirección, número de teléfono y dirección de correo electrónico.

Al recibir su solicitud, el director Boyle le enviará una hoja informativa y un formulario de queja que puede utilizar.

Procedimiento de Quejas de los Participantes de Workforce Solutions of Providence/Cranston

IMPORTANTE Este documento contiene información importante sobre sus derechos, responsabilidades y/o sus beneficios. Es crucial que comprendas la información contenida en este documento y ofrecemos la información en su idioma preferido.

DEFINICIONES – Con respecto a las quejas, hay dos definiciones distintas: por discriminación y de servicios.

1. **Una queja** (de discriminación) es una acusación de discriminación por motivos de raza, color, religión, sexo, identificación sexual, origen nacional, edad, discapacidad, afiliación política o creencias.
2. **Una queja** (de servicios) es una queja sobre servicios, condiciones laborales, salarios, asignaciones de trabajo, etc., que surgen en relación con los programas de la Workforce Innovation Opportunity Act (WIOA) operados para los beneficiarios de WIOA, incluidos proveedores de servicios, proveedores de capacitación elegibles y otros contratistas.

¿QUIEN PUEDE SOMETER UN QUEJA?

Si eres un participante actual hoy en día o anterior que ha recibido servicios a través del sistema de desarrollo de la fuerza laboral local (local workforce development), puedes presentar una queja a Workforce Solutions of Providence/Cranston (WSPC). Puedes utilizar estos procedimientos si crees que ha habido una violación de los requisitos de Workforce Innovation and Opportunity Act (WIOA) o si crees que fuistes discriminado.

¿QUIEN ES UN PARTICIPANTE EN EL SISTEMA LOCAL DE WORKFORCE DEVELOPMENT?

Generalmente, se le puede considerar participante del sistema de desarrollo de la fuerza laboral local (local workforce development) si usted ha:

- Tomado una acción (como completar un formulario de inscripción o solicitud de servicios) que demuestre la intención de utilizar los servicios del sistema de desarrollo de la fuerza laboral local;
- cumplido con los criterios específicos del programa
- Si ha sido designado elegible; y
- Recibió servicios aparte de los servicios de solo información y actividades de autoservicio.

¿QUIEN ES WORKFORCE SOLUTIONS?

Workforce Solutions es la entidad administrativa para el área local de Providence y Cranston. Nosotros administramos los programas de Adulto, Juventud y Programas de Trabajadores Desplazados fundado a través de Workforce Innovation Opportunity Act (WIOA).

CONTRA QUIÉN SE PUEDE PRESENTAR UNA QUEJA

Se puede presentar una queja (de discriminación y/o por servicios) siempre y cuando que un participante crea que ha habido una violación de cualquier requisito de la ley WIOA. La queja puede ser por el resultado de cualquier interacción adversa con el sistema local de desarrollo de la fuerza laboral. Esto puede incluir si cree que se le negó la inscripción en el programa WIOA o cualquier servicio de apoyo proporcionado por el programa.

¿CUÁL ES EL PLAZO PARA PRESENTAR UNA QUEJA?

La queja (de discriminación y/o por servicios) debe presentarse, por escrito, dentro de los 30 días calendario a partir de la fecha de la(s) infracción(es) que es la base de la queja.

A QUIEN SE LE ENTREGA LA QUEJA

Quejas (de discriminación y/o por servicios) debería ser enviado a:

Stephen Boyle
Director Ejecutivo
Workforce Solutions of Providence/Cranston
50 Sims Avenue
Providence, Rhode Island 02909
Teléfono: 401-680-5102
Correo electrónico: sboyle@providenceri.gov

¿CUÁLES SON LOS CONTENIDOS NECESARIOS EN UNA QUEJA ESCRITA?

Cada queja (de discriminación y/o por servicios) debe ser por escrito y estar firmada por el reclamante o su representante autorizado y contener una clara y concisa declaración de los hechos de su caso, incluyendo-

- El nombre completo, dirección postal y número de teléfono de quien somete la queja;
- El nombre completo, dirección postal y número de teléfono de la parte o partes que presuntamente cometieron el acto;
- La(s) fecha(s) en que ocurrieron los presuntos actos que son la base de la(s) queja(s), o si continúan, cuando comenzaron dichos actos y describir el asunto;
- Nombres y direcciones de personas que puedan tener conocimiento de los hechos de la(s) queja(s);
- Cualquier otra información relevante a la queja;

Utilice el formulario adjunto.

PRESENTACIÓN OPORTUNA / MÉRITO APARENTE

Si el director determina que la queja/queja se presentó correctamente de manera oportuna y tiene mérito aparente, entonces el agraviado será notificado y el proceso de resolución continuará.

PROCESO INFORMAL DE RESOLUCIÓN

El director intentara resolver cualquier queja/queja informalmente reuniéndose con las partes en persona o discutiendo la(s) queja(s) con los agraviados por teléfono, etcétera. Si la queja/queja no se resuelve dentro de los quince (15) días calendario a partir de la recepción de la(s) queja(s), el director asignará la(s) queja(s) a un Oficial de Audiencias.

ANALISIS POR EL OFICIAL DE AUDIENCIAS

En el evento que la(s) queja(s) no pueda resolverse informalmente, el funcionario de audiencias designado programara una audiencia para analizar la queja. El agraviado y la(s) otra(s) partes deberán ser notificadas por escrito de la fecha y lugar de la audiencia al menos diez (10) días antes de la fecha de la audiencia.

¿TENGO DERECHO A REPRESENTACIÓN DURANTE EL PROCESO DE LA QUEJA?

Sí. Tanto el reclamante como el demandado tienen derecho a ser representados por un abogado u otra persona de su elección.

CÓMO SERA ANUNCIADA LA DECISION DEL OFICIAL DE AUDIENCIAS

La decisión del Funcionario de Audiencia se entregará por correo a cada una de las partes en la(s) queja(s).

¿HAY UN PROCESO PARA APELAR?

Sí. Una apelación puede ser sometida con el State Department of Labor & Training si-

- La decisión no se ha dentro sesenta (90) días de la fecha que la queja fue recibida por WSPC; o
- Cualquiera de las partes no está(n) satisfecha(s) con la decisión.

Puedes someter tu queja a:

Bryana Del Santo
State Equal Opportunity Officer
Department of Labor & Training
1511 Pontiac Avenue
Cranston, RI 02920
Phone: 401-462-8887
Email: bryanal.delsanto@dlt.ri.gov

Formulario de Quejas de los Participantes de Workforce Solutions of
Providence/Cranston WIOA

Por favor lea atentamente el formulario. Escribe sus respuestas. Responda cada pregunta lo más completo posible. Si no puede escribir su respuesta completa en el espacio provisto en este formulario, puede agregar más páginas. Utilice este formulario para presentar una(s) **queja(s)** (de discriminación y/o por servicios)

Fecha aproximada en que ocurrió el incidente:

Nombre del Agraviado

Dirección

Ciudad

Estado

Código Postal

Números de teléfono donde podemos comunicarnos con usted.

Dirección de correo electrónico

Proporcione el nombre de la agencia de la que se queja. Proporcione cualquier información de contacto de la agencia y/o la persona que pueda estar involucrada en su queja.

Nombre de la Agencia

Número de teléfono

Dirección

Ciudad

Estado

Código Postal

Dirección de correo electrónico de la agencia

Nombre de la persona

Título de puesto de trabajo

Dirección de correo electrónico

Si cree que fue discriminado, fue por:

Mi Origen Nacional; Mi raza; Mi sexo; Mi identidad de género; Mi color; Mi religión; Otro

Continua en la página 2

Workforce Solutions of Providence/Cranston WIOA Formulario de Queja(s) (página 2)

Por favor describe lo que pasó. Si su respuesta no cabe en este espacio, utilice más páginas de papel.

¿Qué remedios pides o crees que será apropiado?

Imprimir Nombre

Firma

Fecha

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Source Documentation for Program Eligibility & Performance			
NO. 08-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

- PURPOSE:** This policy provides guidance on the acceptable documentation to support participant eligibility and performance outcomes for specific programs funded by the Workforce Innovation and Opportunity Act (WIOA). The documentation sources listed have been established based on Data Validation requirements and concerns for the accuracy, effectiveness and reliability of program reporting.
- REFERENCES:** WIOA, Sections 129, 134, 166, 167 and 189 Training and Employment Guidance Letter (TEGL) WIOA NO. 19-16, “Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules”); Training and Employment Guidance Letter (TEGL) NO. 11-11, Change 2 “Selective Service Registration Requirements for Employment and Training Administration Funded Programs”; Training and Employment Guidance Letter (TEGL) NO. 23-14, “WIOA Youth Program Transition”
- BACKGROUND:** To ensure program integrity, WIOA requires that certain eligibility determinations or reporting of reporting outcomes be accompanied by documentation confirming status.

Note that applicants are **not** required to disclose their social security numbers if they so choose. However, all other eligibility information provided by the applicant must be verified as outlined in this document. Self-certification is allowed when applicable in a manner to be determined by the local board.

Attachment A provides a comprehensive, but not exclusive list of acceptable verification and

documentation that may be relied upon to confirm certain eligibility criteria. Local Areas may accept additional documents not included on this list, provided they meet the requirements and intent as outlined in WIOA and related federal regulation.

4. CONFIDENTIALITY OF HEALTH/MEDICAL INFORMATION: Consistent with the confidentiality rules of the Americans with Disabilities Act and the Health Insurance Portability and Accountability Act, no personal health or medical information or documentation will be recorded or retained in participant case files.

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
<p>SOCIAL SECURITY NUMBER</p> <p>Assignment of pseudo Social Security Number is permissible only when applicant refuses to disclose his or her social security number.</p> <p>NOTE: An unsigned social security card is valid, and a child's social security card is valid if signed by a parent. When the child reaches working age (14 or 15), the parent can apply for another card, which can then be signed by the child.</p>	<ol style="list-style-type: none"> 1. Social Security Card/Notice of Social Security Number Assignment W-2 Form 2. DD-214, Report of Transfer or Discharge if Social Security Number is listed 3. Employment Records 4. IRS Form Letter 1722 5. Letter from Social Service Agency 6. Drivers License if Social Security Number is listed 7. Pay Stub if Social Security Number is listed 8. Social Security Benefit Documents 9. Unemployment Compensation/Insurance Records, if Name and Social Security Number are shown 10. School Records, if Name and Social Security Number are shown 	X	X	X
<p>CITIZENSHIP OR ELIGIBLE TO WORK</p> <p>DSS records of printout of a parent can be used as proof of citizenship of dependent children.</p> <p>If on the verification source, the place of birth is not in the United States, additional verification may be needed.</p> <p>* From List B of the I-9 Form, the Voter Registration Form cannot be used.</p>	<ol style="list-style-type: none"> 1. U.S. Baptismal Certificate if Place of Birth is shown 2. U.S. Birth Certificate 3. Hospital Record of Birth if Place of Birth is shown 4. U.S. Passport (either current or expired) 5. Naturalization Certification 6. Social Security Card (Work Eligible) with I. D. 7. U.S. Citizenship and Immigration Services (USCIS) Forms: https://www.uscis.gov/i-9-central/form-i-9-acceptable-documents <ul style="list-style-type: none"> - Documentation from List A; or - A combination of List B & List C documentation 8. DD-214, Report of Transfer or Discharge if Place of Birth is shown 9. Native American Tribal Document 10. Public Assistance Records 11. Letter from relevant State of Rhode Island EOHHS Agency (for Foster Child and State Custody Youth, only) 	X	X	X

AGE/BIRTHDATE	<ol style="list-style-type: none"> 1. Baptismal Record if Date of Birth is shown 2. Birth Certificate 3. DD-214, Report of Transfer or Discharge Paper 4. Driver's License 5. Federal, State or Local Government Identification Card 6. Selective Service Card 7. Hospital Record of Birth if Full Name is shown 8. Passport 9. Public Assistance/Social Service Records 10. School Records/Identification Card 11. Letter from relevant State of Rhode Island EOHHS Agency (for Foster Child and State Custody Youth, only) 12. Work Permit 	X	X	X
SELECTIVE SERVICE REGISTRANT	<ol style="list-style-type: none"> 1. Selective Service Registration Record (Form 3A) 2. Selective Service Registration Acknowledgement Card 3. Selective Service Status Information Letter 4. DD-214, Report of Transfer or Discharge 5. Stamped Post Office Receipt of Registration 6. Internet Verification/Registration (www.sss.gov) 7. Selective Service Telephone Verification (847) 688-6888 8. U.S. Passport (for non-U.S. born customers, only) 	X	X	X
VETERAN STATUS (for determining Priority of Service only). See WIN 18-03 for guidance.	<ol style="list-style-type: none"> 1. DD214, Report of Transfer or Discharge 2. Letter from Dept. of Veterans' Affairs stating applicant's veteran status 		X	X
DEPENDENT MILITARY SPOUSE	<ol style="list-style-type: none"> 1. Permanent Change of Station ("PCS") orders authorizing dependent travel 2. Military Dependent I.D. Card 		X	X

When relevant, applicants must meet at least one of the following Specific Eligibility Criteria, which consists of Individual/Family Income, Individual Status/Family Size, Cash Public Assistance, SNAP (Food Stamps), Homeless, Supported Foster Child, and Persons with Disabilities.

Documentation of the following must represent the applicant's circumstances within a period not to exceed six months prior to the application date.

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
<p>INDIVIDUAL/FAMILY INCOME</p> <p>Verification should be provided for each applicable income source. If the applicant is low-income based on meeting the definition of TANF, SNAP (Food Stamps), SSI, Homeless, or Foster Child, this must be verified.</p>	<ol style="list-style-type: none"> 1. Alimony Agreement 2. Award Letter from Veterans Administration 3. Bank Statement (Direct Deposit) 4. Compensation Award Letter 5. Court Award Letter 6. Employer Statement/Contact 7. Business Financial Records 8. Housing Authority Verification 9. Pay Stubs 10. Pension Statement 11. Public Assistance Records 12. Quarterly Estimated Tax for Self-employed Persons (Schedule C) 13. Social Security Benefits 14. Unemployment Insurance Documents and/or Printout 	<p>X</p>	<p>When used to confirm Priority of Service population</p>	

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
<p>CASH PUBLIC ASSISTANCE</p> <p>If the applicant is low-income based on meeting the definition of TANF, SNAP (Food Stamps), SSI, Homeless, or Foster Child, this must be verified.</p>	<ol style="list-style-type: none"> 1. Copy of Authorization to Receive Cash Public Assistance Copy of Public Assistance Check 2. Public Assistance Identification Card Showing Cash Grant Status 3. Public Assistance Records/Printout 4. Refugee Assistance Records 	X	When used to confirm Priority of Service population	
<p>SUPPLEMENT NUTRITION ASSISTANCE PROGRAM, "SNAP" (FOOD STAMPS)</p> <p>If the applicant is low-income based on meeting the definition of TANF, SNAP, SSI, Homeless, or Foster Child, this must be verified.</p>	<ol style="list-style-type: none"> 1. Current Authorization to receive SNAP 2. Current SNAP Letter 3. SNAP / EBT Card with Current Date 4. Postmarked SNAP Letter with Applicable Name and Address 5. Public Assistance Records/Printout 	X	When used to confirm Priority of Service population	
<p>HOMELESS/RUNAWAY</p> <p>If the applicant is low-income based on meeting the definition of TANF, SNAP, SSI, Homeless, or Foster Child, this must be verified.</p>	<ol style="list-style-type: none"> 1. Written Statement from an Individual Providing Temporary Residence 2. Written Statement from Shelter 3. Written Statement from Social Service Agency 4. Letter from relevant State of Rhode Island EOHHS Agency (for Foster Child and State Custody Youth, only) 5. Applicant Statement of Self Certification 	X	When used to confirm Priority of Service population	

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
<p>SUPPORTED FOSTER CHILD / STATE CUSTODY YOUTH</p> <p>If the applicant is low-income based on meeting the definition of TANF, SNAP, SSI, Homeless, or Foster Child, this must be verified.</p>	<ol style="list-style-type: none"> 1. Court Contact 2. Court Documentation 3. Medical Card 4. Verification of Payments made on Behalf of the Child 5. Written Statement from State/Local Agency 6. Letter from relevant State of Rhode Island EOHHS Agency (for Foster Child and State Custody Youth, only) 	X		
<p>PERSONS WITH DISABILITIES</p> <p>Note: Detailed information about the disability is not necessary.</p> <p>20 CFR 663.640 May an individual with a disability whose family does not meet income eligibility criteria under the Act be eligible for priority as a low-income adult?</p> <p>Yes, even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual is to be considered a low-income individual if the individual's own income:</p> <ol style="list-style-type: none"> (a) Meets the income criteria established in WIOA section 3(36)(A)(ii); or (b) Meets the income eligibility criteria for cash payments under any Federal, State or local public assistance program. (WIOA section 3(36)(A)(i).) 	<ol style="list-style-type: none"> 1. Self-Attestation 2. Letter from Drug or Alcohol Rehabilitation Agency 3. Letter from Child Study Team stating Specific Disability 4. Medical Records 5. Observable Condition 6. Physician's Statement 7. Psychiatrist's and/or Psychologist's Diagnosis 8. Rehabilitation Evaluation 9. School Records 10. Sheltered Workshop Certification 11. Social Service Records/Referral 12. Social Security Administration Disability Records Veterans Administration Letter/Records 13. Vocational Rehabilitation Letter 14. Workers Compensation Record 	X	When used to confirm Priority of Service population	

ENGLISH LANGUAGE LEARNER	<ol style="list-style-type: none"> 1. Self-Attestation 2. Case notes 3. Assessed by a Generally Accepted Standardized Test 4. Academic Transcript 5. School Records 	X	When used to confirm Priority of Service population	
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YOUTH BARRIERS

Youth must be within one or more of the following Youth Barriers which consist of Basic Skills Deficient, Pregnant or Parenting, School Dropout, Offender, Homeless, Runaway Youth or Foster Child, and Requires Additional Assistance. **Documentation of the following must represent the applicant's circumstances within a period not to exceed six months prior to the application date.**

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
BASIC SKILLS DEFICIENT	<ol style="list-style-type: none"> 1. Assessed by a Generally Accepted Standardized Test 2. Academic Transcript 3. School Records 	X		
PREGNANT OR PARENTING	<ol style="list-style-type: none"> 1. Self-Attestation 2. Birth Certificate of child 3. Hospital Record of Birth of child 4. Medical Card 5. Physician's Note 6. Referrals from Official Agencies 7. School Program for Pregnant/Parent Teens 8. School Records 9. Statement from Social Service Agency (<u>ex. WIC eligibility</u>) 	X		
SCHOOL STATUS: Dropout/Basic Skills Deficient/English Language Learner	Not Attending Any School – Age 16 to 17 <ol style="list-style-type: none"> 1. Self-Attestation 2. School attendance records 3. School dropout letter 	X		
	Not Attending Any School – Age 18 and above <ol style="list-style-type: none"> 1. <u>Self-Attestation</u> 			
	School Dropout <ol style="list-style-type: none"> 1. Self-Attestation 2. School attendance records 3. School dropout letter 			
	Required to attend school but not attended in most recent school year quarter - Age 14 – 17 <ol style="list-style-type: none"> 1. School records 			
	Received HS Diploma or GED and Low Income and BSD or ELL <ol style="list-style-type: none"> 1. Standardized tests 2. School 			

	Records 3. ESL provider verification			
FORMER OFFENDER	1. Self-Attestation 2. Court Documents 3. Halfway House Resident 4. Letter of Parole 5. Letter from Probation Officer 6. Police Records 7. Letter from Division of Juvenile Corrections 8. Re-Entry Representative Telephone Verification	X		
REQUIRES ADDITIONAL ASSISTANCE Out-of-School Youth must also be Low-Income	Has Missed 18 or More Days of School in the Most Recent Academic Year 1. School Records	X		
	In-School with a GPA of Less than 2.0 1. Academic Transcript / Report Card			
	One or More Grade Levels Below Age Appropriate Level 1. Assessed by a Generally Accepted Standardized Test			
	Has Left Educational Program Because of Transportation or Financial Situation 1. Letter from School Counselor/Advisor			
	Has Never Held a Job 1. Self-Attestation			
	Has Had Two or More Employment Interviews Without Being Hired in Past 60 Days 1. Self-Attestation			
	Has Lost Employment Placement in Past 30 Days 1. Termination Letter/Documentation			
	Has a Family History of Chronic Unemployment, including Long-term Public Assistance 1. Self-Attestation			
YOUTH 5% EXCEPTION	As provided in LWDB Plan	X		

DISLOCATED WORKER – the term “dislocated worker” means a person who:

- (A) has been terminated or laid off, or who has received a notice of termination or layoff, from employment; and
 - i. is eligible for or has exhausted entitlement to unemployment compensation; or
 - ii. has been employed for a *duration sufficient to demonstrate, to the appropriate entity at a one-stop center, attachment to the workforce*, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and

[**Interpretation:** 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 is less]

- iii. is *unlikely to return to a previous industry or occupation*;

[**Interpretation:** 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.

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.

Rhode Island interprets “*Occupation*” as any occupation identified in the Standard Occupational Classification System (SOC). When using the SOC system, Local Areas may use the most specific classification to reference the occupation the client is unlikely to return to.]

- (B) i. 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 any *substantial layoff* at, a plant, facility, or enterprise; or

[Rhode Island interprets “*Substantial Layoff*” as the layoff of 5 people or 10% of that employer’s workforce, whichever is less.]

- ii. is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
- iii. is employed at a facility at which the employer has made a general announcement that such facility will close;

- (C) was self-employed (including employment 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; or

[**Interpretation:** 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 may 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 a resident of Rhode Island. Individuals who wish to be eligible as a Dislocated Worker under Section (C) 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 One Stop staff with supporting documentation of the economic events. Supporting documentation may include, but is not limited to, financial statements, business correspondence, press announcements or any other documentation that supports this explanation.

- (D) is a *displaced homemaker*; or

- (E) i. is the spouse of a member of the Armed Forces on active duty, 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 ii. is the spouse of a member of the Armed Forces on active duty.

DISPLACED HOMEMAKER: The term “displaced Homemaker” means a person who provides unpaid services to family members in the home and who:

(A) (i) Has been dependent on the income of another family member but is no longer supported by that income; or

[Interpretation: Rhode Island interprets “unpaid services” as any service provided without an employer/employee relationship between family members.]

The term “family members” 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.

The term “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.

The term “basic need” means food, shelter, clothing, transportation or any other need necessary for self-sufficiency.

The term “no longer supported by that income” is defined as the removal of financial or other form 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.]

(ii) 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 991(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) of title 38, United States Code) death or disability of the member; and

[Interpretation: Rhode Island interprets “significantly reduced” as any reduction in family income due to deployment.]

(B) is unemployed or *underemployed* and is *experiencing difficulty* in obtaining or upgrading employment.

[Interpretation: 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).

Rhode Island interprets “experiencing difficulty” as being unsuccessful in finding employment or upgrading employment, as determined by self-certification.]

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 [<https://dlt.ri.gov/lmi/datacenter/qcew.php>]
 - 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.

3. Calculate percent change in earnings
 - Calculation: (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 calendar year (unit = years)

Documentation of the following must represent the applicant's circumstances within a period not to exceed six months prior to the application date.

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
<p>DISLOCATED WORKER</p> <p>Note: UI monetary determination alone does not demonstrate that the applicant is eligible for Unemployment Compensation</p>	<p>TERMINATED/LAID OFF/RECEIVED NOTICE OF TERMINATION OR LAYOFF</p> <ol style="list-style-type: none"> 1. Certification of Expected Separation 2. Layoff Letter from Employer 3. Verification from Prospective Employer 4. Verification from Employment Agency 5. Telephone verification from the employer <p>AND ELIGIBLE FOR UI</p> <ol style="list-style-type: none"> 1. UI Documents and/or Printout that demonstrates applicant is eligible for UI, has exhausted UI benefits or does not work for a covered employer <p>AND UNLIKELY TO RETURN TO PREVIOUS INDUSTRY OR OCCUPATION</p> <ol style="list-style-type: none"> 1. Applicant Statement of Self Certification (see Page 11) 2. Current Labor Market Information showing occupations in decline 3. Participation in Reemployment. Services and Eligibility Assessment (RESEA) program <p>EXPERIENCING CONTINUED DISLOCATION</p> <ol style="list-style-type: none"> 1. Application of Continuing Dislocation Methodology (see Page 13) 			X
<p>DISLOCATED WORKER</p>	<p>PERMANENT CLOSURE OF PLANT/FACILITY/ ENTERPRISE OR SUBSTANTIAL LAYOFF</p> <ol style="list-style-type: none"> 1. Certification of Expected Separation 2. Letter from Employer 3. Media Announcement with Employment Verification 4. Contact with Separating Employer 5. Public Notice as determined by the State's Rapid Response Coordination Services 6. WARN Notice to Individual with Separating Employer 7. WARN Notice to Labor Union which represents Worker 			X

DISLOCATED WORKER	GENERAL ANNOUNCEMENT OF CLOSURE 1. Verification from Media Source with employment verification 2. Employer Verification			X
DISLOCATED WORKER	FORMERLY SELF-EMPLOYED/CURRENTLY UNEMPLOYED 1. IRS Forms 2. Business Ledgers 3. Chapter 7 – Bankruptcy published in Newspaper (Date must be shown) or letter from trustee of bankruptcy court 4. Chapter 11 – Bankruptcy published in Newspaper (Date must be shown) or letter from trustee of bankruptcy court 5. Statement of Failure of Business Supplier 6. Statement of Failure of Business Customer 7. Applicant Statement of Self Certification 8. Federal/State Declaration of Disaster 9. Media Announcement related to economic conditions of disaster			X

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION and DOCUMENTATION	Youth	Adult	Dislocated Worker
DISLOCATED WORKER	<p>DISPLACED HOMEMAKER</p> <ol style="list-style-type: none"> 1. IRS Forms Court Records 2. Medical Records 3. Bank/Financial Records 4. Divorce Decree 5. Spouse Death Certificate 6. Spouse Disability check 7. Signed statement from Family member(s) <p>Military Dependent Spouse</p> <ol style="list-style-type: none"> 1. Permanent Change of Station (“PCS”) orders authorizing dependent travel 2. Military Dependent ID Card <p>UNEMPLOYED OR UNDEREMPLOYED</p> <ol style="list-style-type: none"> 1. Employment verification (previous, current or prospective depending on employment status) <p>EXPERIENCING DIFFICULTY IN OBTAINING OR UPGRADING EMPLOYMENT</p> <ol style="list-style-type: none"> 1. Applicant Statement of Self Certification 			X

PROGRAM ENTRY AND EXIT

PERFORMANCE DATA ELEMENT	DOCUMENTATION IN FILE OR CASE MANAGEMENT SYSTEM (One document required per applicable performance outcome)
DATE OF PROGRAM ENTRY	<ol style="list-style-type: none"> 1. Electronic records (i.e., case management system data) 2. Individual employment plan 3. Program intake or enrollment forms
DATE OF PROGRAM EXIT	<ol style="list-style-type: none"> 1. Electronic records (i.e., case management system data) 2. Letter to participant indicating the case was closed 3. WIOA status/exit forms 4. Attendance records 5. Service records identifying the last qualifying service with no planned gap
OTHER REASONS FOR EXIT (GLOBAL EXCLUSIONS FROM PERFORMANCE)	<ol style="list-style-type: none"> 1. Electronic records (i.e., case management system data) 2. Case notes 3. Information from partner services 4. WIOA status/exit form 5. Withdrawal form with explanation 6. Information received from an institution or long-term care facility

MEDIAN EARNINGS

PERFORMANCE DATA ELEMENT	DOCUMENTATION IN FILE OR CASE MANAGEMENT SYSTEM (One document required per applicable performance outcome)
WAGES IN SECOND QUARTER AFTER EXIT	<ol style="list-style-type: none"> 1. Cross-match with wage records 2. Cross-match with automated employment database system 3. Follow-up survey of participants 4. Pay stubs (minimum of two) or W-2 form 5. Detailed case notes verified by employer and signed by case manager 6. Document from employer attesting to earnings 7. Quarterly estimated tax for self-employed persons such as IRS form 941 8. Self-employment worksheets signed by self-employed participant

POST-EXIT EMPLOYMENT RATES (2Q and 4Q)

PERFORMANCE DATA ELEMENT	DOCUMENTATION IN FILE OR CASE MANAGEMENT SYSTEM (One document required per applicable performance outcome)
EMPLOYMENT IN POST-EXIT QUARTER	<ol style="list-style-type: none"> 1. Cross-match with wage records 2. Cross-match with automated employment database system 3. Follow-up survey of participants 4. Pay stub or W-2 form 5. Detailed case notes verified by employer and signed by case manager 6. Document from employer attesting to employment status 7. Quarterly estimated tax for self-employed persons such as IRS form 941 8. Self-employment worksheets signed by self-employed participant
YOUTH PARTICIPATION IN EDUCATION OR TRAINING ACTIVITIES IN POST-EXIT QUARTER	<ol style="list-style-type: none"> 1. Cross-match with education or training provider database 2. Copy of enrollment record 3. Case notes 4. School records 5. Transcript or report card 6. Vendor/training provider training documentation

MEASURABLE SKILL GAINS

PERFORMANCE DATA ELEMENT	DOCUMENTATION IN FILE OR CASE MANAGEMENT SYSTEM (One document required per applicable performance outcome)
ENROLLED IN SECONDARY EDUCATION (FOR DENOMINATOR)	<ol style="list-style-type: none"> 1. Case notes 2. Copy of enrollment record 3. School record 4. Transcript or report card 5. Cross-match with State's K-12 data system
PARTICIPATED IN POSTSECONDARY EDUCATION OR TRAINING DURING PROGRAM PARTICIPATION (FOR DENOMINATOR)	<ol style="list-style-type: none"> 1. Case notes 2. Copy of enrollment record 3. School record 4. Transcript or report card 5. Cross-match with postsecondary data system

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Provision of Career Services			
NO. 09-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

- PURPOSE:** This policy provides guidance on the provision of career services under the Workforce Innovation and Opportunity Act (WIOA).
- REFERENCES:** Workforce Innovation and Opportunity Act, Sec 134 (c)(2)
Training and Employment Guidance Notice No. 19-16,
WIOA Regulation 678.430
- BACKGROUND:** The Workforce Innovation and Opportunity Act (WIOA) authorizes “career services” for adults and dislocated workers. Career services replaces “core” and “intensive” services and removes the sequence of services that was required under the previous Workforce Investment Act (WIA).

There are three types of career services:

- basic career services,
- individualized career services, and
- follow-up services.

The three levels of career services can be provided in any order based on local priorities and the employment needs of job seeker customers. This policy supports integrated service delivery in the one stop center and braids funding for career services in the center.

4. POLICY: WIOA requires the one-stop system to provide universal access to “career services” to meet the diverse needs of adults and dislocated workers. Service delivery must be universally accessible, customer-centered, and job-driven. The three levels of career services—basic, individualized, and follow-up—may be provided in any order based on local priorities and the employment needs of job seeker customers.

Career services, as identified in sec. 134(c)(2) of WIOA and 678.430 of the Regulations consist of three types:

(a) BASIC CAREER SERVICES must be made available and, at a minimum, must include the following services, as consistent with allowable program activities and Federal cost principles:

- (1)** Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
- (2)** Outreach, intake (including worker profiling), and orientation to information and other services available through the one-stop delivery system. For the TANF program, States must provide individuals with the opportunity to initiate an application for TANF assistance and non-assistance benefits and services, which could be implemented through the provision of paper application forms or links to the application Web site;
- (3)** Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
- (4)** Labor exchange services, including—
 - (i)** Job search and placement assistance, and, when needed by an individual, career counseling, including—
 - (A)** Provision of information on in-demand industry sectors and occupations (as defined in sec. 3(23) of WIOA); and
 - (B)** Provision of information on non-traditional employment; and
 - (ii)** Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the one-stop delivery system;
- (5)** Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, when appropriate, other workforce development programs;

- (6)** Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—
 - (i)** Job vacancy listings in labor market areas;
 - (ii)** Information on job skills necessary to obtain the vacant jobs listed; and
 - (iii)** Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs;
- (7)** Provision of performance information and program cost information on eligible providers of education, training, and workforce services by program and type of providers;
- (8)** Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
- (9)** Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including: Child care; child support; medical or child health assistance available through the State's Medicaid program and Children's Health Insurance Program; benefits under SNAP; assistance through the earned income tax credit; and assistance under a State program for TANF, and other supportive services and transportation provided through that program;
- (10)** Provision of information and meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation.
 - (i)** "Meaningful assistance" means:
 - (A)** Providing assistance on-site using staff who are well-trained in unemployment compensation claims filing and the rights and responsibilities of claimants; or
 - (B)** Providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.
 - (ii)** The costs associated in providing this assistance may be paid for by the State's unemployment insurance program, or the WIOA adult or dislocated worker programs, or some combination thereof.
- (11)** Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.

(b) INDIVIDUALIZED CAREER SERVICES must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These services include the following services, as consistent with program requirements and Federal cost principles:

(1) Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—

(i) Diagnostic testing and use of other assessment tools; and

(ii) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

(2) Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, the eligible training providers (as described in § 680.180 of this chapter);

(3) Group counseling;

(4) Individual counseling;

(5) Career planning;

(6) Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;

(7) Internships and work experiences that are linked to careers (as described in § 680.170 of this chapter);

(8) Workforce preparation activities;

(9) Financial literacy services as described in sec. 129(b)(2)(D) of WIOA and § 681.500 of this chapter;

(10) Out-of-area job search assistance and relocation assistance; and

(11) English language acquisition and integrated education and training programs.

(c) FOLLOW-UP SERVICES must be provided, as appropriate, including: Counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.

(d) In addition to the requirements in paragraph (a)(2) of this section, TANF agencies must identify employment services and related support being provided by the TANF program (within the local area) that qualify as career services and ensure access to them via the local one-stop delivery system.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Apprenticeship Under WIOA			
NO. 10-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

PURPOSE: Registered Apprenticeship is an important workforce development strategy that the workforce system can provide to its customers, both job seekers and employers. The purpose of this policy guidance is to provide information on how WIOA funds can support Apprenticeship and how Registered Apprenticeship Programs and other models are to be included as Eligible Training Providers

REFERENCES: Workforce Innovation and Opportunity Act (WIOA),
The National Apprenticeship Act,
WIOA Regulations, 20 CFR Parts 680, 681;
TEGL 13-16, “Guidance on Registered Apprenticeship

BACKGROUND: Registered Apprenticeship is a proven model of job preparation that combines paid on-the-job training with related instruction to progressively increase workers’ skill levels and wages. Registered Apprenticeship is also a business-driven model that provides an effective way for employers to recruit, train, and retain highly skilled workers. It allows employers to develop and apply industry standards to training programs, thereby increasing productivity and the quality of the workforce. As an “earn and learn” strategy, Registered Apprenticeship offers job seekers immediate employment opportunities that pay sustainable wages and offer advancement along a career path. Graduates of Registered Apprenticeship programs receive nationally-recognized, portable credentials, and their training may be applied toward further post-secondary education.

The U.S. Registered Apprenticeship System is authorized through the National Apprenticeship Act of 1937 (29 U.S.C. 50 et seq.) and codified in Rhode Island State Law in Chapter 28-45 Apprenticeship Programs in Trade and Industry, (RIGL 28-45 et seq.) The Rhode Island Department of Labor and Training (DLT) is the federally recognized

State Apprenticeship Agency (SAA) responsible for registering apprenticeship programs that meet Federal and State standards in conjunction with U.S. Department of Labor Office of Apprenticeship (OA), as well as issuing certificates of completion to apprentices, protecting the safety and welfare of apprentices, assuring that all programs provide high-quality training, and, encouraging the development of new programs through outreach and technical assistance.

This policy is intended to describe the funding opportunities that local areas may apply to support apprenticeship programs and outline WSPC's commitment to maximize on the opportunities that WIOA provides to grow the use of apprenticeship.

DEFINITIONS:

Eligible Training Provider is a provider of training services who has met the eligibility requirements to receive WIOA Adult and Dislocated Worker funds to provide training services to eligible individuals.

Eligible Training Provider List is a statewide list of approved providers of training services who are eligible to receive WIOA title I-B funds.

Registered Apprenticeship Program means the approved program plan containing all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices including the written "apprenticeship agreement" as required under RIGL 28-45 and Title 29 C.F.R. Parts 29 and 30. The "Standards of Apprenticeship", which contain apprenticeship program plan, are registered with the Registration Agency. For state program sponsors, DLT is the Registration Agency. All Registered Apprenticeship programs consist of the following five core components –

1. direct business involvement,
2. OJT,
3. related instruction,
4. wage progression for skill gains,
5. National Occupational Post-Secondary Credential.

Apprenticeship Program Sponsors are the entities that administer registered apprenticeship programs. Registered Apprenticeship can take many forms and its sponsors are diverse, including:

- **Employers who provide related instruction:** A number of employers with Registered Apprenticeship programs provide formal in-house instruction as well as on-the-job training at the work site. In this situation, the employer is the ETP.

- **Employers who use an outside educational provider:** Under this model, Registered Apprenticeship program sponsors do not provide the related instruction or educational portion of the apprenticeship, but instead rely upon an outside educational entity to deliver the instruction. Employers can use two- or four-year post-secondary institutions, technical training schools or on-line courses for related instruction. The employer is the ETP and must identify the instructional provider(s).
- **Joint Apprenticeship Training Programs:** These programs are run by a joint labor-management committee and are comprised of employers and unions. They have an apprenticeship training center where the instructional portion of the Registered Apprenticeship program is delivered. The training schools are usually administered by the union. The Joint Apprenticeship Training Committee is the ETP.
- **Intermediaries:** Intermediaries can serve as program sponsors when they take responsibility for the administration of the Registered Apprenticeship program. They can also provide expertise such as curriculum development, classroom instruction, and supportive services, as appropriate. The intermediary is the ETP and must identify the instructional provider if an outside organization is providing the educational portion of the Registered Apprenticeship program. Intermediaries include:
 1. Educational institutions including two- and four-year post-secondary institutions or technical schools. In this model, the educational institution administers the programs, works with employers to hire apprentices, and provides the classroom or on-line instruction for the Registered Apprenticeship program;
 2. Industry associations administer the program and work with employer/members and educational entities to implement the Registered Apprenticeship program; and
 3. Community-based organizations administer the program and work with employers, educational entities and the community to implement the Registered Apprenticeship program.

POLICY: There are several ways in which WIOA training funds may be used to support participation in registered apprenticeships and other apprenticeship models. Apprenticeships, whether federal or state registered, can be funded for a combination of classroom training and on-the-job training up to the maximum individual amount. Training may be done by the sponsor, employer-of-record or a third party designated in the approved Standards of Apprenticeship. This funding allocation can be made available to a single participant utilizing any of the available funding resources below.

Individual Training Accounts (ITAs): Since all registered apprenticeships are eligible for the state Eligible Training Provider List (ETPL), an ITA may be developed for registered apprenticeship training. Local workforce areas may develop an ITA contract with any registered apprenticeship program sponsor and its participating employers. Apprentice registration can be demonstrated by an executed apprenticeship agreement.

Below is a list of methods through which registered Apprenticeships may be funded:

On the Job Training (OJTs): An OJT contract may be developed with registered apprenticeship programs for training participants. WIOA expands the potential for utilizing OJT to support apprenticeship. In certain circumstances, up to 75 percent of the apprentices' wages may be reimbursed by WIOA contributions if employers meet criteria for a designated period of time.

- Local workforce areas may develop OJT contracts with the employer. The OJT contract may be made to support some or the entire OJT portion of the apprenticeship program subject to the funding limitations outlined in the local area's OJT policy.
- In order for an apprenticeship to qualify for an OJT contract, the employer and participant are subject to the requirements of the WSPCs OJT Policy such as wage and hour thresholds
- If a participant is in a registered apprenticeship but is unemployed, OJT funds will be treated as OJTs for unemployed workers.

ITA/OJT Joint Funding: Using both ITA and OJT funds when placing participants into a registered apprenticeship program is federally allowable. Therefore, providing a combination of an ITA to cover the classroom instruction with an OJT contract for on-the-job portions of the registered apprenticeship is up to the discretion of the Local Workforce Development Board.

Customized Training (CT): CT funds can be used to support apprenticeship programs that are designed to meet the special requirements of an employer or group of employers who are willing to pay for a portion of the cost of the training and include a commitment by the employer(s) to employ an individual upon successful completion of the training.

- Local workforce areas may develop a CT contract with an employer or a training provider.
- In order for an apprenticeship to qualify for a CT contract, the employer and participant are subject to the requirements of WSPC's CT Policy such as wage and hour thresholds.

Employers should also be advised that, such to eligibility and other criteria, the Governor's

Workforce Board's Incumbent Worker Training Grant program (funded through the state Job Development Fund) may be used to assist with the training portion of an apprenticeship (but cannot be used for participant or trainer wages).

Supportive Services are also available to participants in any apprenticeship program consistent with WSPC's Supportive Services Policy and availability of funds.

Apprenticeships as Eligible Training Providers: All Registered Apprenticeship sponsors are eligible for Rhode Island's list of ETPs, though some may choose not to be included and/or remain on the list. In conjunction with the DLT Apprenticeship Office, the state may request information on the following from the registered apprenticeship program sponsor:

- (1) occupations included within the sponsor's Registered Apprenticeship program;
- (2) contact information including the name and address of the Registered Apprenticeship sponsor;
- (3) the name and address of the Related Technical Instruction provider, and the location of instruction if different from the program sponsor's address;
- (4) the method and length of instruction; and
- (5) the number of active apprentices. This is all the information that is needed for inclusion on the ETPL. As per Section 680.510(a) of the WIOA Final Rule. LWDBs cannot impose any additional requirements on Registered Apprenticeship program sponsors to be included on the State ETPL.

Registered Apprenticeship programs that do not provide the Related Technical Instruction portion of the apprenticeship (as outlined above) may be required to provide additional information about their education provider, including the cost of the instruction (this is the only time that cost information should be requested). Once on the State ETPL, registered apprenticeships will remain on the list until they are deregistered or until the registered apprenticeship program sponsor notifies the State that it no longer wants to be included on the list.

TECHNICAL ASSISTANCE: As the placement of Apprenticeship on the ETPL is a relatively new requirement, information about apprenticeship models and how they differ from traditional training programs is not easily accessible at many centers. The Department of Labor & Training will work with local boards on the provision of technical assistance and guidance to One-Stop Career Center staff on how and when to best connect with Registered Apprenticeship programs.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Provision of Youth Services			
NO. 11-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2017

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

1. PURPOSE: This policy provides the policy and procedures for the Local Workforce Development Area (LWDA) to use in providing services to WIOA Title I-B Youth Program participants, including In-School and Out-of-School youth.).

2. REFERENCES: Workforce Innovation and Opportunity Act (WIOA) of 2014 (P.L 113-128); Federal Register 20 CFR 681; and Training and Employment Guidance Letters (TEGL) 9-00, 28-11, 5-12, 5-14, 23-14, 8-15, 21-16

3. BACKGROUND: The WIOA Title I-B Youth Program provides a wide array of high-quality services, including career exploration and guidance, continued support of educational attainment, and training in in-demand industries and occupations. The program’s goal is for the youth to obtain employment along a career pathway, enrollment in post-secondary education or a Registered Apprenticeship prior to the end of participation. The Youth Program provides services to youth with barriers to employment, with a special focus on supporting the educational and career success of out-of-school youth.

4. GENERAL PROGRAM REQUIREMENTS: The LWDA must ensure that the Youth Program prepares participants to meet education and career goals. The LWDA or program provider must provide:

- Preparation for post-secondary education and training opportunities, including Registered Apprenticeship Programs;
- Strong linkages between academic instruction and occupational education;

- Preparation for unsubsidized employment opportunities along career pathways; and
- Strong connections to employers, including small employers, in-demand industry sectors, and occupations of the local and regional labor markets.

Linkages to Community and Partners

The LWDA or Youth Program provider must provide linkages to community and partners to:

- a) Ensure that parents, youth participants, and members of the community with experience in youth programs are involved in the design and implementation of the WIOA Title I-B Youth Program.
- b) Make opportunities available to individuals who have successfully participated in the Youth Program to volunteer and provide assistance to participants in the form of mentoring, tutoring and/or other services.
- c) Provide appropriate connections between the Youth Program and the One-Stop system that will foster participation with local youth and include:
 - a. Local area justice and law enforcement officials;
 - b. Local public housing authorities;
 - c. Local education agencies;
 - d. Local human service agencies;
 - e. WIOA Title II adult education providers;
 - f. Local disability-servicing agencies;
 - g. Job Corps representatives;
 - h. Representatives of other area youth initiatives, including those that serve the homeless and private youth initiatives;
 - i. Coordination and provision of youth services;
 - j. Linkages to the job market and employers;
 - k. Access for eligible youth to information and the services listed in section 6 of the policy; and
 - l. Other activities designed to meet the purposes of the Youth Program and youth services.

Local Youth Committee

The PCWDB has decided to designate the Youth Council as the Standing Youth Committee. The purpose of the Committee includes providing information to assist with planning, operations, oversight, and other issues related to the provision of the WIOA youth program.

Under the direction of the WDB, a standing youth committee may:

- a) Recommend policy direction to the local board for the design development and implementation of programs that benefit all youth;
- b) Recommend the design of the comprehensive community youth workforce development system to ensure a full range of services and opportunities for youth, including disconnected youth;
- c) Recommend ways to leverage resources and coordinate services among schools, public programs, and community-based organizations serving youth;
- d) Recommend ways to coordinate youth services and youth service providers;
- e) Provide on-going leadership and support for continuous quality improvement for local youth programs;
- f) Assist with the planning, operational and other matters related to youth; and
- g) If delegated by the LWDB after consultation with the Chief Local Elected Official, oversee eligible youth providers, as well as other youth program responsibilities.

The standing youth committee membership must reflect the needs of the local area. The committee members are appointed based on their expertise to help address the employment, training, education, human and supportive service needs of eligible youth.

When the local board chooses to have a standing youth committee, the committee must include:

- a) A member from the LWDB, who chairs the committee;
- b) Members of community-based organizations with a demonstrated record of success in serving eligible youth and other individuals with appropriate expertise who are not members of the local board;

Additional standing youth committee members may include:

- a) Representatives of agencies such as secondary and post-secondary education, training, health, mental health, disability, housing, public assistance and justice;
- b) Representatives of philanthropic or economic and community development organizations;
- c) Employers; and
- d) Parents, participants and youth.

Out-of-School Priority

Unless otherwise informed by action of the state board, LWDAAs must dedicate at least seventy-five (75%) (a recent waiver reduced this to 50%) of WIOA Title I-B Youth Program funds to provide services for Out-of-School Youth (OSY). LWDAAs must verify the youth's

dropout status at the time of WIOA Title I-B youth program enrollment. An individual who is out-of-school at the time of enrollment, and subsequently placed in any school, is an OSY for the purposes of the 50 percent expenditure requirement for out-of-school throughout his/ her participation in the program.

Referrals

The LWDA must ensure all youth who meet the eligibility criteria for the youth program receive information about the full array of services available through WSPC. One-Stop partners, and eligible youth service providers, as well as referrals to appropriate training and educational programs with the capacity to serve the applicant either on a sequential or concurrent basis. In order to meet the basic skill needs and training needs of applicants who do not meet the eligibility requirements of a particular program or cannot be served by the program, each youth provider must ensure these youth are referred:

- a) For further assessment, as necessary, and
- b) To appropriate training and education programs that have the capacity to serve them either on a sequential or concurrent basis.

5. PROCUREMENT REQUIREMENTS: WSPC may choose to provide directly some or all of the youth workforce activities; however, if WSPC chooses to award grants or contracts to youth service providers to carry out some or all of the youth workforce investment activities, the WSPC will award the grants or contracts on a competitive basis. When WSPC chooses to award grants or contracts the requirements for procuring youth service providers include:

- a) The criteria used to identify youth providers in the local plan, including, but not limited to:
 - i. The financial stability of the service provider;
 - ii. Experience in successfully providing services to disconnected youth and youth with barriers to employment, including youth with disabilities;
 - iii. Demonstrated success in serving youth, specifically youth with barriers and OSY;
 - iv. Length of time the youth service provider has been in business;
 - v. Available network of business and community partners; and
 - vi. Ability to meet the performance accountability measures based on the performance indicators for youth programs.

- b) The criteria used to identify youth training providers, including determining whether:
 - i. Training is related to in-demand occupations or career pathways identified in the state and local plans; and
 - ii. A recognized credential is awarded upon the successful completion of a training program.

- c) Conducting full and open competition to secure youth service providers according to federal procurement guidelines in the Code of Federal Regulations Part 200 and 2900- Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR parts 200 and 2900). WSPC must:
 - i. Use our own documented procurement procedures which reflect applicable city laws and regulations, provided that the procurement conforms to applicable Federal law and Federal Regulations Part 200- Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards;
 - ii. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources; and
 - iii. WSPC will maintain sufficient records that detail the history of procurement. These records must include, but are not necessarily limited to the following;
 - a) Rational for method of procurement;
 - b) Selection of contract type;
 - c) Contractor selection or rejection; and
 - d) The basis for contract price.

- d) Selecting eligible providers of youth services by awarding a grant or contract on a competitive basis may be assigned to the youth standing committee by the WDB, if applicable.

- e) If the WSPC determines there are an insufficient number of eligible youth providers in the local area, such as rural area, WSPC may award grants or contracts on a sole source basis.

- f) WSPC may implement a pay-for-performance contract strategy for the 14 program elements (see Section 204). The LWDA's must not use more than 10 percent of the total funds allocated under WIOA for pay-for-performance contracts.

6. YOUTH SERVICES: WSPC will provide Design Framework services. WSPC will describe the design framework for youth services and how the required 14 program

elements (See below) will be provided within the design framework in the WSPC plan. WIOA Title I-B funds may be used to provide design framework services prior to an eligibility determination.

Design Framework services include:

- a) Outreach and recruitment
- b) Intake and eligibility determination;
- c) Objective assessment
 - i. WSPC or youth program provider must provide an objective assessment of their choice of the academic and occupational skill levels as well as needs and strengths of each participant to identify appropriate services and career pathways for each participant and to collect information for the Individual Service Strategy (ISS).
 - ii. WSPC is not required to use tests approved by the National Reporting System (NRS), nor are they required to determine the youth's grade level or Educational Functioning Level (EFL) when determining basic skills for the objective assessment. LWDAs are also not prohibited from using these tools.
 - iii. A new objective assessment is not required if a partner program has completed an objective assessment with the participant in the last six months and its use is deemed appropriate by the WSPC.
 - iv. The objective assessment must include a review of:
 - Basic Skills (see Section 7);
 - Occupational skills;
 - Prior work experience;
 - Employability;
 - Interests (including interest and aptitudes for non- traditional jobs);
 - Supportive service needs; and
 - Developmental needs.
- d) Development of an Individual Service Strategy: WSPC or the youth program provider must develop an ISS, based on the objective assessment that outlines which of the 14 program elements are needed to assist the participant in meeting his/her educational and career goals. The objective assessment may be directly linked to one or more performance accountability measures for youth as specified in 34 CFR 463.155.
 - i. The ISS must include identification of appropriate career pathways including:
 - Educational goals;
 - Employment goals, including non-traditional employment, taking into

- consideration career planning and the results of the objective assessment; and
 - Appropriate achievement objectives and services for the participant.
 - ii. The ISS is a living document and must be frequently updated with each contact to reflect progress, status, and changes. The ISS must coincide with case notes and services.
 - iii. A new ISS is not required if a partner program has completed an ISS with the participant in the last six months and its use is deemed appropriate by the LWDA.
- e) Case Management: WSPC or youth program providers must provide case management of youth, and document the provision of services in EmployRI. Case management uses a client-centered approach in the delivery of services designed to:
- i. Prepare and coordinate the ISS for participants and ensure access to workforce development activities and supportive services;
 - ii. Provide job and career counseling during program participation and after job placement; and
 - iii. Provide service to participants for the amount of time necessary to enter postsecondary education and/ or unsubsidized employment. While there is no minimum or maximum time a youth can be served in the WIOA youth program, programs must link participation to the ISS and not the timing of the youth service provider contracts or program years.
- f) Follow up Services: All youth participants must be provided an opportunity to receive follow-up services for minimum of 12 months after the completion of participation, unless the participant declines to receive follow-up services or the participant cannot be contacted or located (see below).
- g) The following design framework services must be added to the participant case file in order to document that design framework services have been provided to the participant:
- i. Eligibility determination;
 - ii. Objective Assessment; and
 - iii. ISS.

Required Fourteen (14) Youth Program Elements: WSPC or Youth Providers will make 14 youth program elements available to participants; however, WSPC does not have to provide all 14 program elements with WIOA Title I-B funds when resources are leveraged through partner programs that already provide readily available resources. LWDA's are encouraged to partner

with existing local, State, or national entities that can provide program element(s) at no cost to the LWDA, as described at 20 CFR § 681.460(c).

WSPC will ensure there is an agreement in place with a partner organization to ensure a program element is offered when a specific element is not offered through WIOA Title I-B youth funds. WSPC will also ensure the element is closely connected and coordinated with the WIOA Title I-B youth program. The 14 program elements must not be provided to participants prior to eligibility determination.

Program Element 1: Tutoring, Study Skills Training, Instruction, Dropout Prevention Services

Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements of secondary school diploma or High School Equivalency (HSE), including certificate of attendance or similar documentation for individuals with a disabilities), or a recognized post-secondary credential

Tutoring, study skills, instruction that lead to a high school diploma are reported under this element. These services include:

- i. Providing academic support;
- ii. Helping youth identify areas of academic concern;
- iii. Assisting overcoming learning obstacles; and
- iv. Providing tools and resources to develop learning strategies.

Secondary school dropout prevent strategies that lead to a high school diploma are also reported under this element. Secondary dropout prevention strategies include services and activities that keep a young person in-school and engaged in formal learning/ or training activity. Strategies, include but are not limited to:

- i. Tutoring;
- ii. Literacy development;
- iii. Active Learning experiences;
- iv. After-school opportunities; and
- v. Individualized instruction.

Program Element 2: Alternative Secondary School Services or Recovery Services

Alternative secondary school services and dropout recovery services are provided with the goal of helping youth to re-engage and persist in education that leads to the completion of a recognized credential.

- i. Alternative secondary school services, such as basic education skills training, individualized academic instruction, and English as a Second Language, are provided to assist youth who have struggled in traditional secondary education.
- ii. Dropout recovery services are provided to youth who have dropped out of school: Services include credit recovery; counseling; and educational plan development.

Program Element 3: Work Experiences

Work experiences (WEX) are planned, structured learning experiences that take place in a workplace for a limited period of time. WEX provide the youth participant an opportunity for career exploration, work-based learning and essential skills development. High-quality work-based learning allows youth to explore career paths, apply essential skills in a real-world setting, learn work norms and culture, and build professional networks. Work-based learning must be accompanied by work readiness training and the opportunity to build essential skills through a scaffolded learning process where participants learn the skill, actively practice the skill, and reflect on the learned and applied skills through continuous coaching and mentoring.

These work experience strategies must serve as a next step in career development, whether the desired outcome is employment, or enrollment in advanced training or post-secondary education.

Work Experience Requirements:

- i. A work experience may:
 - a. Be paid or unpaid;
 - b. Provide youth with opportunities for career exploration and skill development; and
 - c. Take place in the private or public sector.
- ii. Labor standards apply in any WEX where an employee/ employer relationship exists, as defined by the Fair Labor Standards Act or applicable state laws.
- iii. WEX must have an academic and occupational component that encompasses contextual learning and is intended to help the participant learn information necessary to work in specific industries or occupations.
 - a. The academic and educational component may occur concurrently or sequentially with the WEX.
 - b. The academic and educational component may occur inside or outside of the work site
 - c. The academic and educational component may be provided by the WEX provider or may be provided separately in a classroom.
 - d. WSPC has the flexibility in determining appropriate types of academic and occupational education necessary for a WEX. However, prior to initiating the WEX, WSPC will include what the academic and educational component is and how it will be provided in the WEX contract.
 - e. Contextual learning does not include attending high school classes or their equivalent that will lead to attainment of a High School Diploma or equivalent.
 - f. Contracts are the mechanism to deliver a WEX to In- School Youth (ISY) and OSY. When the academic and educational component is not provided directly by the employer, an additional contract with the training providers is required.
- iv. WSPC may provide the following types of WEX:
 - a. Summer employment opportunities and other employment opportunities available

throughout the school year.

- i. Summer employment opportunities must provide direct linkages to academic and occupational learning, including leadership development opportunities, tutoring, occupational skills training, etc., and may provide other elements and strategies as appropriate to serve the needs and goals of the participants.
- ii. The summer employment administrator does not have to select employers through a competitive process for summer employment opportunities.
- b. Pre-apprenticeship programs: A pre-apprenticeship program is designed to prepare individuals to enter and succeed in an apprenticeship program registered under the National Apprenticeship Act and includes:
 - i. Training and curriculum that aligns with the skill needs of employers in Rhode Island or region involved;
 - ii. Access to educational and career counseling and other supportive services, directly or indirectly;
 - iii. Hands-on meaningful learning activities that are connected to education and training activities such as exploring career options and understanding how skills acquired through the coursework can be applied toward a future career;
 - iv. Opportunities to attain at least one industry- recognized credential; and
 - v. A partnership with at least one or more Registered Apprenticeship programs that assists in placing individuals who complete the pre-apprenticeship in a registered apprenticeship.
 - vi. WSPC must verify and maintain information on the type of credential offered and the pre-apprenticeship program's documented partnerships with Registered Apprenticeships.
- c. Internships and job shadowing: Job shadowing is designed to increase career awareness, help model youth behavior through examples, and reinforce the youth and young adult link between academic learning and occupational work requirements. It includes the youth conducting interviews with people in their prospective professions to learn more about those fields or participating in an expanded informational interview in the work-place.
- d. On-the-job training (OJT) opportunities: OJT is provided under a contract with an employer who is reimbursed a percentage of the wage rate of the participant being trained while engaged in productive work in a job. For more information on OJT, refer to WIOA Title I-B Training Services Policy Section 508.
- e. Other Work Experience models as described in WSPC Policy 2020-18.

Work Experience Expenditure Requirements

LWDAs must spend at least twenty percent (20%) of all funds allocated to the ISY and OSY program on paid and unpaid WEX.

- i. Allowable WEX expenditures include the following:
 - a. Wages/ stipends paid for participation in a WEX;
 - b. Staff time working to identify and develop a work experience opportunity, including

- staff time spent working with employers to identify and develop the WEX;
 - c. Staff time working with employers to ensure a successful WEX, including staff time managing the WEX;
 - d. Staff time spent evaluating the WEX
 - e. Participant WEX orientation sessions;
 - f. Classroom training or the required academic educational component directly related to the WEX;
 - g. Incentive payments directly tied to the completion of the WEX; and
 - h. Employability skills/ job readiness training to prepare the youth for the WEX.
- ii. WSPC must track the program funds spent on paid and unpaid WEX, including wages and staff costs for the development and management of work experiences, and report such expenditures as part of the local WIOA Youth Financial Report.
 - iii. WSPC must track the percentage of funds spent on WEX by calculating the total local area youth funds expended on WEX rather than by calculating the funds expended separately for ISY and OSY Youth.
 - iv. Local area administrative costs are not subject to the 20 percent minimum WEX requirement.
 - v. Leveraged resources must not be used to fulfil any part of the 20 percent minimum.

NOTE: Supportive services as an allowable work experience expenditure: TEGL 21-16 stated that “supportive services are a separate program element and cannot be counted toward the work experience expenditure requirement even if supportive services assist the youth in participating in the work experience.” However, ETA’s policy on this issue has evolved. ETA recently determined that supportive services that enable WIOA participants to participate in training can count toward training expenditures. Therefore, to be consistent with this policy, supportive services that enable WIOA participants to participate in work experience can now count toward the work experience expenditure requirement.

WSPC must ensure there is a written Worksite Agreement or contract between each employer offering the WEX to ensure compliance with WIOA and applicable regulations. The workforce site agreement must be maintained in the participant’s file and include at a minimum:

- i. The duration of the WEX;
- ii. Remuneration;
- iii. Tasks and duties;
- iv. Supervision;
- v. Health and safety standards;
- vi. Identification of the academic and educational component, including how it will be provided;
- vii. Other conditions of the WEX, such as consequences of not adhering to the agreement; and
- viii. A termination clause.

Program Element 4: Occupational Skills Training

Occupational skills training is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by a certain occupational field at entry, intermediate or advanced levels.

- i. WSPC must offer priority consideration to training programs that lead to post-secondary credentials that are aligned with in-demand industry sectors or occupations in the local area. Such training must:
 - a. Be outcome oriented and focused on an occupational goal specified in the ISS;
 - b. Be of sufficient duration to impact the skills needed to meet the occupational goal; and
 - c. Result in the attainment of a recognized postsecondary credential.
- ii. The training program must meet requirements listed in Section 202.B.
- iii. Occupational skills training must be competitively procured by contract or grant. However, OSY ages 16-24 may be issued an Individual Training Account (ITA) with a specified dollar amount to provide training using WIOA Title I-B Youth program funds based on the needs identified in the ISS. ITAs allow participants the opportunity to choose the training provider that best meets their needs. If an ITA is used to pay for the training, the training program must be listed as an approved program on the Eligible Training Provider List (ETPL). For more information on ITA requirements, see State ITA policy.
- iv. ISY must not use youth-funded ITAs. However, ISY that are 18+ may co-enroll in the WIOA Title I-B Adult Program if the youth's needs, knowledge, skills and interests align with the WIOA Title I-B Adult Program and may receive training services through an ITA funded by the adult program.

Program Element 5: Education Offered Concurrently with Workforce Preparation and Training for a Specific Occupation

Education offered concurrently with workforce preparation and training for a specific occupation is reflective as an integrated training model. LWDA's must ensure the service is only added to the S&T plan when the following services are provided at the same time:

- i. Workforce participation activities;
- ii. Basic academic skills; and
- iii. Hands-on occupational skills training connected to a specific occupational cluster, or career pathway.

Program Element 6: Leadership Development Opportunities

Leadership development encourages responsibility, confidence, employability, self-determination, and other positive social behaviors such as:

- i. Exposure to postsecondary educational possibilities;
- ii. Community and service learning projects;
- iii. Peer-centered activities, including peer mentoring and tutoring;
- iv. Organizational and team work training, including team leadership training;

- v. Training in decision-making, including determining priorities and problem solving;
- vi. Citizenship training, including life skills training such as parenting skills and work-behavior training;
- vii. Civic engagement activities, which promote the quality of life in a community; and
- viii. Other leadership activities that place the youth in a leadership position such as serving on the standing youth committee.

Program Element 7: Supportive Services

Supportive services for youth are services that enable an individual to participate in WIOA activities. For example, assistance with books, fees, transportation, etc. For additional information, refer to the WSPC Supportive Services Policy 2020-01.

Program Element 8: Adult Mentoring

LWDAs through its Youth Providers must make adult mentoring available, which may include a youth being matched with an adult mentor, an employer, or an employee of an employer.

- i. LWDAs through its Youth Providers must ensure that adult mentoring for youth:
 - a. Is a formal relationship between a youth participant and an adult mentor that includes structured activities where the mentors offer guidance, support, and encouragement to develop the competence and character of the participant;
 - b. Lasts not less than 12 months and occurs during the program year and following exit from the program; and
 - c. Matches the youth with an individual mentor with whom the youth interacts on a face-to-face basis. In addition to the face-to-face interaction, group mentoring activities and mentoring through electronic means are allowable as part of mentoring activities.
- ii. Case managers of the Youth Providers may service as mentors when adult mentors are sparse.

Program Element 9: Follow-Up Services

The purpose of follow-up services is to ensure the youth is successful in employment and/ or postsecondary education and training after exiting from the program. Follow-up services must include more than an attempt to contact the individual or contact made only to secure documentation in order to report a performance outcome. All youth participants must be provided an opportunity to receive follow-up services for a minimum of 12 months of follow-up services after the completion of participation, unless the participant declines to receive follow-up services or the participant cannot be contacted or located. Follow-up service may begin immediately following the last expected date of service in the WIOA Youth program and other WIOA partner program in which the participant is co-enrolled when no futures services are scheduled.

- i. Follow-up services may be provided beyond 12 months at the discretion of the LWDA.
- ii. The type and duration of follow-up services must be determined based on the needs of the youth participant and may vary among participants.

- iii. Follow-up services for youth may include but is not limited to:
 - a. Supportive Services, with the exception of needs-related payments;
 - b. Adult Mentoring;
 - c. Financial literacy education;
 - d. Services that provide labor market information and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling and career exploration services;
 - e. Services necessary to ensure success of the youth employment and/ or post-secondary education.
- iv. Follow-up services must be recorded in case notes promptly and accurately to ensure expediency of services. Case notes must contain documentation substantiating follow-up contact with the youth, including follow-up attempts. This may include, but is not limited to, a letter, an e-mail message or case notes based on an actual conversation, either in person or by telephone. Follow-up attempts with the participant must be made and documented on a monthly basis during the 12-month requirement.
- v. If it becomes necessary during the follow-up period to utilize WIOA services beyond those available through the follow-up component, re-enrollment into WIOA is required.

Program Element 10: Comprehensive Guidance and Counseling

Comprehensive guidance and counseling provide individualized counseling to participants.

- i. Comprehensive guidance and counseling includes but is not limited to:
 - a. Drug and alcohol abuse counseling;
 - b. Mental health counseling; and
 - c. Referrals to partner programs, as appropriate.
- ii. When referring participants to necessary counseling that cannot be provided by the local youth program, the local youth program must coordinate with the organization it refers to in order to ensure continuity of service.
- iii. When funds exist with the local program or its service providers, it is allowable to provide counseling services directly to participants rather refer the youth to partner programs.

Program Element 11: Financial Literacy Activities

Financial literacy education may include the following activities:

- i. Support the ability of participants to create budgets, initial checking and saving accounts at banks, and make informed financial decisions;
- ii. Support participants in learning how to effectively manage spending, credit, and debt, including student loans, consumer credit, and credit cards;
- iii. Teach participants about the significance of credit reports and credit scores; what their rights are regarding their credit and financial information; how to determine accuracy of a credit report and how to correct inaccuracies and how to improve or maintain good credit;
- iv. Support the participant's ability to understand, evaluate, and compare financial products, services, and opportunities and to make informed financial decisions;
- v. Educate participants about identity theft, ways to protect themselves from identity theft;

- how to resolve cases of identity theft and in other ways understand their rights and protections related to personal identity;
- vi. Support activities that address the particular financial literacy needs of non-English speakers, including providing support through the development of and distribution of multilingual financial literacy and education materials;
 - vii. Support activities that address the particular financial needs of youth with disabilities, including connecting them with benefits planning and work incentives counseling;
 - viii. Provide financial education that is age appropriate, timely and provides an opportunity to put lessons into practice, such as access to safe and affordable financial products that enable money management and savings; and
 - ix. Implement other approaches to help participants gain the knowledge, skills, and confidence to make informed financial decisions that enable them to attain greater financial health and stability by using high-quality age-appropriate, and relevant strategies and channels, including where possible, time and customized information, guidance, tools, and instruction.

Program Element 12: Entrepreneurial Skills Training

Entrepreneurial skills training addresses the basics of starting and operating a small business.

- i. WSPC, or its Youth Providers will, ensure that entrepreneurial skills training develops the skills associated with starting and operating a small business. Such skills may include, but are not limited to, the ability to:
 - a. Take initiative;
 - b. Creatively seek out and identify business opportunities;
 - c. Develop budgets and forecast resource needs;
 - d. Understand various options for acquiring capital and trade-offs associated with each option; and
 - e. Communicate effectively and market oneself and one's ideas.
- ii. Among the approaches that may be used to teach youth entrepreneurial skills are the following:
 - a. Entrepreneurial education programs that provide an introduction to the values and basics of starting and running a business, including guiding youth through the development of a business plan and using simulations of business start-up and operation.
 - b. Enterprise development which provides support and services that incubate and help youth develop their own businesses. Enterprise development programs go beyond entrepreneurial education by helping youth access loans or grants that are needed begin business operations and by providing more individualized attention to the development of viable business ideas.
 - c. Experiential programs that provide youth with the ability to gain experience in the day-to-day operation of a business. These programs may involve the development of a youth-run business, or they may facilitate placement in apprenticeship or internship positions with adult entrepreneurs in the community.

Program Element 13: Services That Provide Labor Market Information

Youth Providers have to provide services that offer labor market and employment information about in-demand industry sectors or occupations in the LWDA, such as career awareness, career counseling, and career exploration services.

- i. WSPC staff and youth providers must be familiar with state and federal Labor Market Information (LMI) data and LMI tools.
- ii. Career awareness begins the process of developing knowledge of a variety of careers and occupations available, their skill requirements, working conditions and training prerequisites; and job opportunities across a wide industry sectors.
- iii. Career exploration is described as the process in which a youth choose an educational path, training or a job which fits their interests, skills, and abilities.
- iv. Career counseling or guidance provides advice and support in making decisions about what career paths to take. Career counseling services may include:
 - a. Providing information on resume preparation;
 - b. Interviewing skills;
 - c. Potential opportunities for job shadowing; and
 - d. Long-term benefits of postsecondary education and training (e.g. increased earning power and career mobility).

Program Element 14: Postsecondary Preparation and Transition Activities

Postsecondary preparation and transition activities prepare ISY and OSY for advancement to postsecondary education after attaining a high school diploma or HSE. The services include exploring postsecondary education options including technical training schools, community colleges, 4-year colleges, universities and registered apprenticeships. Additional services, include but are not limited to:

- i. Assisting youth prepare of SAT/ ACT testing;
- ii. Assisting with college admission applications;
- iii. Searching and applying for scholarships and grants;
- iv. Filling out Financial Aid applications and adhering to changing guidelines; and
- v. Connecting youth to postsecondary education programs.

7. Youth Eligibility – Criteria: At the time of eligibility determination, youth must be an In-School Youth or Out- of-School Youth to participate in WIOA Title IB youth program services during any part of the program year.

Out-of-School Youth

A youth meets the definition of Out-of-School Youth if he or she is:

- i. Not attending school (see ‘School Status’ below)
- ii. Between 16 and 24 years old at the time of enrollment and one or more of the following:
 - a. A school dropout;
 - b. A youth who is within the age of compulsory school attendance, but has not

- attended school for at least the most recent complete school year calendar quarter
- c. A low-income individual with a secondary school diploma or its recognized equivalent and:
 - i. Basic skills deficient; or
 - ii. An English language learner;
- d. An individual who is subject to the juvenile or adult justice system;
- e. Homeless,
- f. A runaway;
- g. In foster care, has aged out of foster care, or has attained the age of 16 years old and left foster care for kinship, guardianship or adoption;
- h. A youth who has been removed from his/her home and is in an out-of-home placement;
- i. Pregnant or parenting;
- j. A youth who is an individual with a disability;
- k. A low-income individual who requires additional assistance to enter or complete an education program or to secure or hold employment, as defined by the GWB.

Participants may continue to receive services beyond the age of 24 once they are enrolled in the program.

Note: Being a recipient of high school diploma or HSE does not cancel the other barriers in the definition of out-of-school youth. A youth between 16-24 years, who is not attending school only need meet **one** of the barriers above to qualify as an out-of-school youth. For instance, if a youth with a high school diploma or HSE does not meet barrier #2 above, but has an additional barrier on the list, he or she would qualify as out out-of-school youth.

Exception for youth with disabilities. There is one exception to age eligibility for youth attending school. Youth with disabilities who have an Individualized Education Program (IEP) may be enrolled as ISY after the age of 21, if their state law allows youth with disabilities to be served by the K-12 public school system beyond the age of 21. Such youth may only be enrolled as ISY up to the age allowed by their state law to receive secondary education services.

In-School Youth

A youth meets the definition of In-School Youth if he or she is:

- i. Attending secondary school, including secondary and post- secondary school;
- ii. Between 14 and 21 years old at the time of enrollment.
- iii. A low-income individual **and** one of the following:
 - a. Basic skills deficient
 - b. An English language learner;
 - c. An offender;
 - d. Homeless youth, i.e. lacks a fixed, regular and adequate nighttime residence;
 - e. A runaway;
 - f. In foster care, has aged out of foster care, or has attained 16 years old and left foster care for kinship guardianship or adoption;

- g. A youth who has been removed from his/her home and is in an out-of-home placement;
- h. Pregnant or parenting;
- i. A youth who is an individual with a disability; or
- j. Requires additional assistance to enter or complete an education program or to secure or hold employment, as defined by the GWB (see WIN 17-02).

If a youth turns 21 years old during participation, he/ she may continue to receive services.

Note: Individuals who are 22 years and older attending postsecondary education do not meet the age requirement for ISY (14-21 years old) and do not meet the WIOA Title I-B Youth Program eligibility requirements. However, these individuals may be served by the WIOA Title I-B Adult Program.

Eligibility Barrier Definitions

- i. A youth is Basic Skills Deficient when that youth:
 - a. Has English, writing, or computation skills at or below the 8.9 grade level; or
 - b. Is an English Language Learner; or
 - c. Lacks a high school diploma or high school equivalent and is not enrolled in secondary education; or
 - d. Is enrolled in a Title II Adult Education/Literacy program; or
 - e. Lacks basic computer literacy or basic financial literacy skills
- ii. English Language Learner (ELL) is defined as an individual who has limited ability in reading, writing, speaking or comprehending the English Language, and whose:
 - a. Native language is other than English; or
 - b. Who lives in a family or community environment where a language other than English is the dominant language.
- iii. Dropout is defined as an individual who is no longer attending school and who has not received a secondary diploma or its recognized equivalent. Individuals who have dropped out of postsecondary education are not considered “drop out” for purposes of WIOA Title I-B Youth Program eligibility.
- iv. Offender is defined as an adult or juvenile who:
 - a. Is or has been subject to any stage of the criminal justice process, and for whom services under this act may be beneficial; or
 - b. Requires assistance overcoming artificial barriers to employment resulting from a record of arrest or conviction.
- v. Parenting includes either a custodial or non-custodial mother or father. When a youth is within the WIOA Title I-B Youth Program age eligibility requirements, the age the youth became a parent does not factor into the definition of parenting.

- vi. A pregnant individual only includes the expectant mother.

School Status

School status is determined at the time of enrollment. The enrollment process may occur over a period of time, as such WSPC staff will determine school status during the time the eligibility determination portion of the program enrollment is made. Once the school status of the youth is determined, that school status remains the same throughout the youth’s participation.

- i. Youth who are temporarily not attending school because the school is on break (Winter, Spring, Fall or Summer Break) but are enrolled to continue school after the school break are considered to be attending school and may only be enrolled as ISY. The same applies if the youth is planning to attend a different school after the break.
- ii. When a youth is in the WIOA Title I-B Youth Program between high school graduation and postsecondary education, the youth is considered in-school if they have registered for classes, even if the youth has not yet begun postsecondary classes at the time of the WIOA Title I-B Youth Program enrollment. However, if the youth graduates high school and registers for postsecondary education, but does not ultimately follow through with attending postsecondary education, then such a youth would be considered an OSY.
- iii. For purposes of WIOA Title I-B Youth Program, providers of adult education under Title II of WIOA, YouthBuild programs, the Job Corp program, HSE programs, and dropout re-engagement program are not considered schools for purposes of determining school status. An exception exists for HSE programs, including dropout re-engagement funded by the public K-12 school system that are classified by the school system as still enrolled in school are considered ISY.
- iv. Youth who are participating in online secondary and postsecondary school online are considered to be attending school. Likewise, youth who are homeschooled, or attending public, private or chartered secondary/ postsecondary schools are considered to be attending school
- v. When a youth is enrolled in any credit-bearing postsecondary education classes including credit-bearing community college classes and credit-bearing continuing education classes, then they are considered attending postsecondary education and therefore, an ISY. If the youth is only enrolled in non-credit bearing postsecondary classes, he or she would not be considered to be attending postsecondary school, and therefore is an OSY.

Needs Additional Assistance Criterion

WSPC will ensure that an ISY enrolled in a program year based solely on eligibility because he or she “requires additional assistance to enter to complete an educational program or to secure and hold employment” criterion is limited to no greater than five percent (5%) of ISY. WSPC will track ISY enrolled in the program each year to ensure that no more than five percent are enrolled using this criterion.

Low-Income Requirements

- i. All In-School Youth must be low-income unless included in the five percent low-income

exception described below.

- ii. Low-income eligibility requirements apply to Out-of-School Youth only if the identified eligibility barrier is one of the following:
 - a. They are recipients of secondary school diplomas or its recognized equivalent and are at least one of the following:
 - i. Basic skills deficient;
 - ii. An English language learner; or
 - b. In need of additional assistance (see WIN 07-02) to enter an educational program or to secure employment.

Non-Low-Income Youth

LWDAs must not serve more than five percent of youth who do not meet low income requirements but who meet all of the other eligibility requirements. The five percent is calculated using the combined total of In-School and Out-of-School youth. The percentage of non-low-income youth will be calculated based on the percent of newly enrolled youth in a LWDA's WIOA Title I-B Youth Program in a given program year who would ordinarily be required to meet the low-income criteria.

8. Youth Eligibility – Documentation: LWDAs must ensure timely documentation is collected in regards to eligibility determination. Attempts to secure documentation and the outcome must be recorded in the case notes promptly and accurately.

Determining Low-Income Status

- i. A low-income youth is an individual who:
 - a. Receives, is a member of a family that receives, or has received in the past six months, cash payments under a federal, state, or local income-based public assistance program (e.g. Temporary Assistance to Needy Families (TANF));
 - b. Receives annual income in relation to family size that does not exceed the higher of the federal poverty guidelines or 70 percent of the United States Department of Labor (USDOL) Lower Living Standard Income Level (LLSIL) for each program year
 - c. Receives, is a member of a family that receives, or has received in the past six months, assistance through the Supplemental Nutrition Assistance Program (SNAP);
 - d. Qualifies as a homeless individual who lacks a fixed, regular and adequate nighttime residence;
 - e. Is a foster child for whom state or local government payments are made;
 - f. Is a member of a family whose income does not meet low- income requirements, but is an individual with a disability, and therefore can be counted as a family of one so that individual income meets the low-income requirement;
 - g. Receives Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI);
 - h. Receives, is a member of a family that receives, or has received within the past six months, assistance through the Refugee Cash Assistance (RCA), a federally-funded need- based cash benefit for refugees and other eligible beneficiaries, who

- are not eligible for other cash assistance programs, such as TANF.
 - i. Receives, or is eligible to receive, a free or reduced-price lunch; or
 - j. Is a youth who lives in a high poverty area, as determined by the American Community Survey.
- ii. Family is defined as two or more related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:
- a. A married couple and dependent children;
 - b. A parent or guardian and dependent children; or
 - c. A married couple (20 CFR 675.300).

Note: When an individual is not living in a single residence with other family members, the individual is not considered a member of the family for the purpose of WIOA Title I-B income calculation.

- iii. For the definition of family-
- a. Dependent is defined as a child who is:
 - i. Age 18 and under at the end of the previous calendar year; or
 - ii. Age 18 and under at the end of the previous calendar year and was a student.
 - b. Regardless of residence and/ or citizenship, anyone claimed as a dependent on another person's Federal income tax return for the previous year must be presumed part of the person's family for the current year. To negate this assumption the person who was claimed as the dependent for income tax purposes is required to provide information that demonstrates the person is no longer financially dependent.
 - c. Runaway youth, emancipated youth and court adjudicated youth separated from family through an involuntary temporary residence elsewhere (e.g. institutionalized, incarcerated, placed as result of court order) must not be classified as a dependent.

NOTE 1: The individual was a student if he or she was enrolled as a full-time student during any of the 5 months of the previous calendar year. The course must have been provided by a school, state, county or local government. A school includes technical and mechanical schools, but does not include OJT.

I. Unemployment Insurance compensation and child support are not excluded from income calculations in determining low-income status.

High Poverty Areas

Youth living in high poverty areas are automatically considered low income individuals. WIOA defines a high poverty area as a census tract, set of continuous census tracts, an American Indian reservation, Oklahoma Tribal Statistical area (as defined by U.S. Census Bureau), Alaska Native Village, or Alaska Native Regional Corporation Area, Native Hawaiian Village Homeland Area, or other tribal land as defined by the USDOL Secretary in guidance or county with a poverty rate of at least 25 percent, as set every five years using the American Community Survey five-year data.

Selective Service Requirements

Each LWDA is responsible for determining the Selective Service status of male youth prior to program enrollment. Information regarding Selective Service requirements are found in WIN 05-06.

9. Youth Eligibility – Registration, Enrollment, and Data Entry: WIOA addresses an important distinction between registration in EmployRI and enrollment into the WIOA Title I-B Youth Program, which includes the circumstances when a youth must be registered in EmployRI and when youth must be enrolled in the WIOA Title I-B Youth Program.

Registration, Enrollment and Data Entry Requirements

- i. Enrollment into the Youth Program includes:
 - a. Eligibility determination;
 - b. The provision of an objective assessment;
 - c. Development of an individual service strategy; and
 - d. Participation in any of the 14 WIOA Title I-B Youth program elements.

Co-Enrollment

Co-enrollment means enrollment in more than one program at a time. As a result, the **WSPC** must be responsive to the needs of these programs and their customer groups. Co-enrollment allows for additional resources for training and financial support, enhanced service delivery and increased customer support which results in greater participant outcomes.

- i. Youth age 18 and older may be co-enrolled in the WIOA Adult or Dislocated Worker Programs. WSPC will:
 - a. Ensure the youth meets eligibility criteria for both the Youth and Adult Program or the Youth and Dislocated Worker Program to co-enroll participants;
 - b. Determine the appropriate level of service and combination of Youth, Adult, Dislocated Worker and other services that will be provided to youth age 18-24 based on the service needs of the participant and if the participant is career-ready based on the objective assessment of the occupational skills, prior work experience, employability and participant's needs;
 - c. Identify and track the funding streams for youth who are enrolled concurrently in the Youth/ Adult Program or the Youth/ Dislocated Worker Program;
 - d. Ensure services are not duplicated; and
 - e. Ensure previous foster care youth who have been co- enrolled in WIOA Title I-B Youth Program and Adult/Dislocated Worker Program and are now adults continue to remain eligible for both the Youth Program and

Adult Program services and do not require re-determination of eligibility.

- ii. WIOA Title I-B youth participants may also have co-enrollment with the following partner programs:
 - a. Adult Education and Literacy Programs;
 - b. Migrant Seasonal Farm Workers Program (MFSWs) at the point of entry to the One-Stop system to assure equity of services is provided;
 - c. TANF;
 - d. Youth Build;
 - e. Job Corps;
 - f. Supplemental Nutrition Assistant Employment and Training (SNA E&T); or
 - g. Other employment related programs.

10. Youth Incentive Payments: LWDA's may use incentive payments for recognition and achievements directly related to training activities and work experiences. WSPC has written policies and procedures governing the awarding of incentive payments. See WSPC Policy 2021-01.

11. Youth Program Exits: Youth who have not received a service funded by the WIOA Title I-B Youth program or funded by a partner program for 90 consecutive calendar days, from the date of last service and is not scheduled for future services is considered to have exited the program.

- i. Exits Excluded from Participation: The date of exit is the last date a service was provided to a participant. Case notes must include the reason for exit and documentation may be uploaded into EmployRI. When documentation is not uploaded, the documentation must be retained in the participant's program file.
 - a. The participant will not be counted in performance if they exit the program for any of the following reasons:
 - i. Deceased- participant died during participation in a WIOA Title I-B program;
 - ii. Institutionalized- participant is residing in a correctional institution or facility providing 24-hour support, such as a prison or hospital, and is expected to remain institutionalized for at least 90 calendar days;
 - iii. Health/Medical- participant is receiving medical treatment that precludes entry into unsubsidized employment or continued participation in a WIOA program. This does not include temporary conditions expected to last for less than 90 calendar days;
 - iv. Entered into Active Military duty- participant who is a reservist and has been called to active duty or participant enlists and reports for active duty which prevents participation in WIOA Title I-B Youth Program; and
 - v. Foster Care-participant is in the foster care system as defined in 45 CFR 1355.20 (a), and exits the program because the participant has moved from the LWDA as part of such a program or system.
 - b. When a participant receives services from multiple programs, the most recent service end date is the date of exit. Follow-up services provided to youth do not

extend the exit date.

- ii. Gaps in Service: A youth participant may be placed in a gap in service when a situation arises that will temporarily prevent program participation for greater than 90 consecutive calendar days. The gap in service will provide time for youth to address barriers to continued participation without exiting the program. Eligibility does not need to be re-determined at the end of the gap in service.
 - a. A gap in service extends a participant's exit date for 90 calendar days from the time he or she is placed into the gap. The gap in service must be related to:
 - i. A delay before the beginning of training;
 - ii. A delay or postponement of the availability of services related to an emergency or disaster, including the novel coronavirus pandemic (alternatively referred to as COVID-19) which was characterized as pandemic on March 11, 2020 by the World Health Organization;
 - iii. A health/medical condition, or providing care for a family member with a health/medical condition; or
 - iv. A temporary move from the area that prevents the individual from participation in services, including National Guard or other related military service.
 - b. A gap in service may be extended for an additional 90 consecutive calendar days (for a total of 180 consecutive calendar days) to resolve the issue that is preventing a participant from completing program services. The extended gap in service must be related to:
 - i. A health/medical condition, or providing care for a family member with a health/medical condition; or
 - ii. A temporary move from the area that prevents the individual from participation in services, including National Guard or other related military service.
 - iii. All gaps in service must be referenced in case notes detailing the reason for the gap in service.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: One-Stop Certification			
NO.12-23 Ch.1	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2018

Applicable Funding Streams: Adult Dislocated Workers Youth

1. PURPOSE: The purpose of this policy is to provide guidance and a timeline regarding the certification of one-stop career centers and the one-stop delivery system that is to be conducted by Local Workforce Development Boards, and to set criteria for the development of a local policy for one-stop certification.

2. REFERENCES: WIOA Sec. 101(d)(6)(a);
 Sec. 121 (g);
 20 CFR 678.800;
 34 CFR 361.800 and 34 CFR 463.800;
 TEGL 16-16

3. BACKGROUND: WIOA specifies in Section 101(d)(6) and 121(g)(1) that the State Board must establish the minimum criteria for certification of One-Stop Centers and the One-Stop delivery system. CFR § 678.800 further requires that the State Board review and update the criteria every two years. CFR § 678.800 further states that a Local Board may establish additional criteria beyond those in state policy every two years.

4. POLICY

General Certification Timelines:

CFR § 678.800 requires that certification of One-Stop Centers and the One-Stop delivery system based on established criteria and standards must be completed by the Local Board at least once every three (3) years in order to receive One Stop infrastructure funding.

The most recent certification of the One-Stop in the Providence/Cranston Area was completed in June of 2021.

The next certification for that area should be completed by June of 2024; however, the

State Board provided additional time for One Stop Certifications due to health and safety conditions as a result of Covid-19.

5. GENERAL CERTIFICATION CRITERIA:

Certification Criteria Categories

The certification criteria for the One Stop center are listed separately in Attachment A in the following categories:

a. Effectiveness

- Program Services
- Service Delivery
- Partner Coordination

b. Accessibility

- Programmatic Accessibility
- Physical Accessibility
- Other Building Requirements

c. Continuous Improvement

- Staff Development
- Continuous Improvement Evaluation

d. Customer Feedback

e. Infrastructure Cost Sharing Agreement

6. Certification Procedures:

One-Stop Certification Team

A One-Stop Certification Team (OSCT) will be established by the PCWDB and made responsible for conducting independent and objective evaluations of One-Stop sites and making certification recommendations to the WDB.

The OSCT will consist of five (5) Board Members. To align the OSCT with the business majority requirements as stated in WIOA, the OSCT should consist of:

- A minimum of three (3) OSCT members who are representative of local businesses;

- The balance of team members should be representative of the community, labor, state agencies, or other non-business representative on the board.
- The OSCT will select a Chairperson.

Certification team members should be free of conflicts of interest. The certification team may utilize experts from the state level or outside the local area to ensure evaluations are objective. They may also utilize local experts who represent targeted populations but have no financial ties with the One-Stop site.

In lieu of the OSCT, the PCWDB has determined that the WIOA Oversight Sub-Committee will act as the OSTC.

One-Stop Certification Process

The OSCT team will provide the One -Stop Manager with a notification of the certification Requirement and a copy of the One-Stop certification Criteria and the Requirements Worksheet to be completed by the Manager. The AJC manager will insure that the center is assessed annually for physical and programmatic accessibility, in accordance with WIOA section 188.

The One-Stop Certification Team will review the self-assessments and schedule a site visit to the center. The visit will include a review of the self-assessment, discussion on the extent to which service delivery is integrated, and review of customer feedback. The site visit leader will note any deficiencies against the approval criteria and make recommendations for coming into compliance.

The OSCT will present the results of the site visit to the full Board and a decision will be made to grant full certification, provisional certification or to deny certification.

- **Full Certifications** shall be granted for three years.
- **Provisional Certifications** shall be granted on a year by year basis with the One Stop center providing a report to the Board on progress towards correcting deficiencies as required by law. Provisional certifications must be accompanied by a detailed description of the issues/concerns identified to provide the One-Stop Operator with sufficient information around which to develop required action plans and timelines.
- **A determination not to certify**, a One-Stop site must be accompanied by a detailed description of the deficiencies, including an explanation as to why the

certification team believed the deficiencies could not be addressed or resolved provisionally.

Monitoring of One Stop Centers Required

WIOA Section 121(a)(3), states: “Consistent with an approved State plan, the local board for a local area, with the agreement of the chief elected official for the local area, shall... conduct oversight with respect to the One-Stop delivery system in the local area.” 20 CFR 679.370(i)(1) further states that the local board must partner with chief elected official(s) to “conduct oversight...the entire one-stop delivery system in the local area.”

20 CFR 678.800 outlines the requirements to ensure that the local workforce development board fulfills its role to ensure that the one-stop center and one-stop delivery systems are certified for effectiveness, physical and programmatic accessibility, and continuous improvement once every three years.

Since there is potential overlap between one-stop delivery system monitoring and the one-stop certification process and to avoid duplication of efforts, the PCWDB will use this One-Stop Certification Policy to fulfill its One-Stop delivery system monitoring responsibilities.

Annual Assessment for Accessibility for Individuals with Disabilities

The State Board has an additional responsibility to ensure all one stop centers are assessed annually for physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990.

To prevent duplication of efforts, certification criteria under this policy also includes annual assessment requirements. The One Stop Operator and the leadership of the AJC is instructed to coordinate these assessments with the Statewide Equal Opportunity Officer and other entities with similar requirements to physically and/or programmatically inspect the one-stop centers. The AJC cannot become fully certified until it is in compliance; however, it may be provisionally certified while working towards compliance as required by law.

7. Appeals Process for One-Stop Certification Determination:

A One Stop Operator may choose to appeal the non-certification or decertification of a site in writing to the PCWDB. Those appeals will be subject to the processes and procedures outlined herein.

Within fourteen (14) days of written notification of the decision, the Operator must submit the appeal in writing, either by mail or email, to the Executive Director of the PCWDB.

The appeal must include the justification for the appeal in the request. The Operator has the right to request a hearing to discuss the appeal.

The appeals procedure will allow for a review before the One-Stop Certification Team, if requested, and a decision will be made within sixty (60) days of appeal. If the Operator requests a hearing to discuss the appeal, the Board will notify the Operator of a hearing date and time. The hearing will be scheduled to occur within sixty (60) days of the appeal and will take place before the One-Stop Certification Team.

The decision made by the One-Stop Certification Team upon appeal will be the final decision and the site will be unable to request certification for one (1) year from the date of final decision.

If an existing One-Stop site is ultimately not certified following a standard or “for-cause” evaluation, the Board and the Operator must have a plan to ensure continuity of service between the time a site is not certified, and a new Operator is procured.

NOTE

If the Local Board is also the One-Stop Operator, the Certification of the Local One-Stop will rest with the State Workforce Development Board (SWDB). The PCWDB can still follow the provisions of this Policy for AJC Certification as a preliminary effort prior to the One-Stop Certification by the State.

Accordingly, Appeals will be made to the SWDB.

State of Rhode Island One-Stop Certification

Certification Criteria Requirements

Program Services

Career Services provided to job seekers and coordinated with core partners.

Employer Services provided to employers and coordinated with core partners.

Labor Market Information readily available and used by career service providers to assist clients in making informed choices.

Access to training services provided through approved eligible training providers.

Staff provides access to additional programs and activities carried out by partners through referrals.

Accepts referrals from affiliate and network partners.

Yes	No	Description

Service Delivery

Physical location and program information is easily obtainable online and at least listed on the P/C website.

Staff is available full-time during regular business hours.

Customers can receive direct service from a staff member during their first site visit, either a complete assessment or an actionable next step.

Customers can directly serve themselves from available resources in the center.

Front-line staff can perform an initial review of one-stop partner programs that may be applicable to the customer.

Yes	No	Description

Partner Coordination

Yes	No	Description

Employer/Business Services are coordinated among the partners under a locally developed business outreach plan.

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Participant outreach is coordinated among the partners under a locally developed outreach plan.

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Coordinated on-site intake process/initial interview is available.

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Cost Effectiveness

Yes	No	Description

Center operates in a cost-efficient manner, as attested to by funding partner(s)

Programmatic Accessibility

Yes	No	Description

Reasonable accommodations are available for individuals with disabilities and services are delivered in the most integrated setting appropriate

Electronic materials are 508 compliant.

Assistive technology is available.

Materials are printed in English and Spanish.

Electronic materials available in English and Spanish.

Translation/interpretation services are available when needed.

Programmatic assessment is performed/updated annually.

Physical Accessibility

Yes	No	Description

Center is physically accessible for individuals with disabilities and assessment is performed/updated annually.

Other Building Requirements

Yes	No	Description

Signage is highly visible and includes common identifier of America's Job Center.

Private Room for Counseling is available.

Conference room with technology for audio/video available.

On or near public transportation route.

Open normal State business hours.

Other hours or methods of service are encouraged to meet customer needs (if applicable)

Customer Feedback

Customers are provided the opportunity to provide real-time feedback electronically or in writing.

Complaints are accepted and acted upon.

Yes	No	Description

Staff Development

Regular cross-training for all partner staff is provided.

Up-to-date training and referral resources are available and readily accessible

Yes	No	Description

Continuous Improvement Evaluation

Program performance outcomes are made publicly accessible.

Program performance meets/exceeds negotiated performance expectations.

Review of customer feedback from individuals and employers/businesses is completed at least quarterly and improvement plans are developed/implemented.

Review of data on serving individuals with barriers to employment is discussed quarterly by partners and improvement plans are developed/implemented.

Yes	No	Description

Infrastructure Cost-Sharing Agreement

A MOU with all partners, including an infrastructure cost sharing agreement is signed.

Yes	No	Description

One-Stop/American Job Center Certification Narrative

Taking into consideration all of the requirements and related assessments above, describe whether the One Stop Center, overall, fully meets, partially meets, or does not meet the Criteria for certification:

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Local Area Allocations			
NO. 13-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

1. PURPOSE:

The purpose of this policy is to inform the Providence/Cranston Workforce Development Board (PCWDB) how Workforce Innovation and Opportunity Act Title I formula funds are allocated to local areas.

2. BACKGROUND

The Governor must allocate WIOA formula funds allotted for services to youth, adults and dislocated workers to Local Areas after consultation with chief elected officials and Local WDBs in each of the local areas.

3. REFERENCES:

WIOA Sec. 133(b)(B)(iii)
WIOA Regulations §683.120

4. DEFINITIONS

(a) The allocation percentage of a Workforce Development Area for a program year shall be the percentage of funds allocated to the Local Workforce Development Area (LWDA) as described in this Policy.

(b) The term "economically disadvantaged adult" means an adult who received an income or is a member of a family that received a total family income that, in relation to family size, does not exceed the higher of:

- the official poverty line (as defined by the Office of Management and Budget) or
- 70 percent of the lower living standard income level (LLSIL);

(c) The term "economically disadvantaged youth" means an individual who is age 16 through 21 and who received an income, or is a member of a family that, received a total family income (exclusive of unemployment compensation, child support payments, and welfare payments) that, in relation to family size, does not in exceed of the higher of:

- the official poverty line (as defined by the Office of Management and Budget) or
- 70 percent of the lower living standard income level;

(d) The term Area of Substantial Unemployment or "ASU" means any area of sufficient size and scope to sustain a program of workforce investment activities and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months as determined by the Secretary. Determinations of areas of substantial unemployment shall be made once each fiscal year.

In calculating ASU's, the largest appropriation unit is to be used. This may consist of a state, county, town, a Local Workforce Development Area or census tracts.

The LMI unit of Rhode Island Department of Labor and Training provides the State Governors Workforce Board with ASU data.

(e) The term "excess number" means, used with respect to the excess number of unemployed individuals within a State, the higher of:

- the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the Workforce Development Area.

From the above definition, Governors may use the excess as it relates to the entire LWDA or the excess as it relates to ASUs within the LWDA. In order to determine which method to use, the Governor will use the same method utilized by the DOL to determine allotments to States; that is the excess that is the greater of the two.

(f) The term minimum percentage - A local area shall not receive an allocation percentage for a program year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years.

(g) The term state reserve. Of the WIOA formula funds allotted for services to Adult, Youth, and Dislocated Workers, the Governor must reserve not more than 15 percent of the funds from each of these sources to carry out statewide activities. Also, the Governor reserves an additional 25 percent from the Dislocated Worker funds for Rapid response activities. Based on this State set-aside, **85% of the State's Adult and Youth, allocation will be distributed to the Local Areas** and 60% of the State's Dislocated Worker allocation will be distributed to the Local Areas.

5. CALCULATION OF THE 3 PART FORMULA FOR TITLE I ADULTS

(a) Unless the Governor elects to distribute funds in accordance with the discretionary allocation formula,

(i) $33\frac{1}{3}$ percent shall be allocated on the basis of the relative number of unemployed individuals residing in areas of substantial unemployment in each LWDA as compared to the total number of such unemployed individuals in all such areas of substantial unemployment in the State.

(ii) $33\frac{1}{3}$ percent shall be allocated on the basis of the relative excess number of unemployed individuals who reside in each LWDA as compared to the total excess number of unemployed individuals in all LWDAs in the State

(iii) $33\frac{1}{3}$ percent shall be allocated on the basis of the relative number of economically disadvantaged **adults** within each LWDA as compared to the total number of economically disadvantaged **adults** in the State.

(b) Discretionary adult allocation formula. In lieu of making the formula allocation described in paragraph (4)(g) of this section, the State may allocate adult funds under a discretionary formula.

Under this discretionary formula, the State must allocate a minimum of 70 percent of adult funds not reserved on the basis of the formula in paragraph (4)(g), and may allocate up to 30 percent on the basis of a formula that:

(i) Incorporates additional factors (other than the factors described in paragraph (5)(a) of this section) relating to:

- Excess poverty in urban, rural and suburban local areas; and
- Excess unemployment above the State average in urban, rural and suburban local areas.

6. CALCULATION OF THE 3 PART FORMULA FOR TITLE I YOUTH

a) Unless the Governor elects to distribute funds in accordance with the discretionary allocation formula,

(i) $33\frac{1}{3}$ percent on the basis of the relative number of unemployed individuals in

areas of substantial unemployment in each local area, compared to the total number of unemployed individuals in all areas of substantial unemployment in the State;

(ii) $33\frac{1}{3}$ percent on the basis of the relative excess number of unemployed individuals in each local area, compared to the total excess number of unemployed individuals in the State; and

(iii) $33\frac{1}{3}$ percent on the basis of the relative number of disadvantaged youth in each local area, compared to the total number of disadvantaged youth in the State.

(b) Discretionary youth allocation formula. In lieu of making the formula allocation described in paragraph (4)(g) of this section, the State may allocate youth funds under a discretionary formula.

Under this discretionary formula, the State must allocate a minimum of 70 percent of youth funds not reserved on the basis of the formula in paragraph (6)(a) of this section, and may allocate up to 30 percent on the basis of a formula that:

(i) Incorporates additional factors (other than the factors described in paragraph (6)(a) of this section) relating to:

- Excess youth poverty in urban, rural and suburban local areas; and
- Excess unemployment above the State average in urban, rural and suburban local

7. CALCULATION OF THE FORMULA FOR DISLOCATED WORKERS

(a) The remainder of dislocated worker funds not reserved under paragraph (4)(g) of this section must be allocated on the basis of a formula prescribed by the Governor that distributes funds in a manner that addresses the State's dislocated worker needs. Funds so distributed must not be less than 60 percent of the State's formula allotment.

(b) The Governor's dislocated worker formula **must** use the most appropriate information available to the Governor, including information on:

- Insured unemployment data;
- Unemployment concentrations;
- Plant closings and mass layoff data;
- Declining industries data;
- Farmer-rancher economic hardship data; and
- Long-term unemployment data.

A state may assign zero weight to a factor only where the state is able to demonstrate

it does not have an appropriate data source to accurately reflect state needs for a given data factor. For example, the Bureau of Labor Statistics no longer produces the plant closing and mass layoff data, one of the six data factors WIOA requires. ETA recognizes that an accurate source of such data is no longer available at the national level. Some states have sub-state administrative data available and others do not. In order to assign a weight of zero to a data factor, such as the plant closing and mass layoff data factor, the state must include the following information in their State Plan:

- An inventory of available national or state-level data sources germane to the data factor,
- A discussion of why the available data sources are inadequate for the purposes of assigning a weight to a given data factor; and
 - A description of how the Governor's formula is appropriate to distribute funds equitably throughout the state.

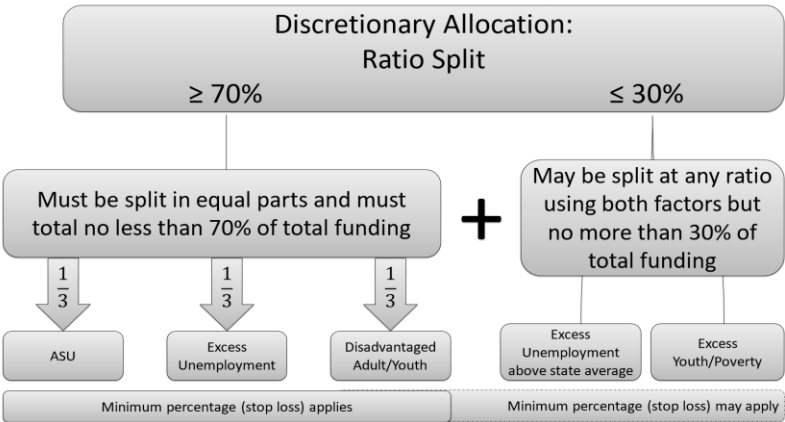
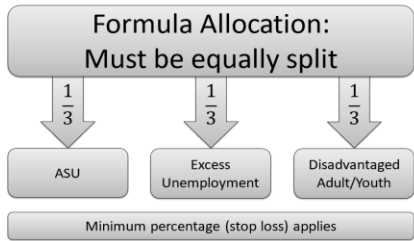
(Note that weighting a data factor at zero percent is not allowable under any other circumstance.)

The Governor **may not** amend the dislocated worker formula more than once for any program year.

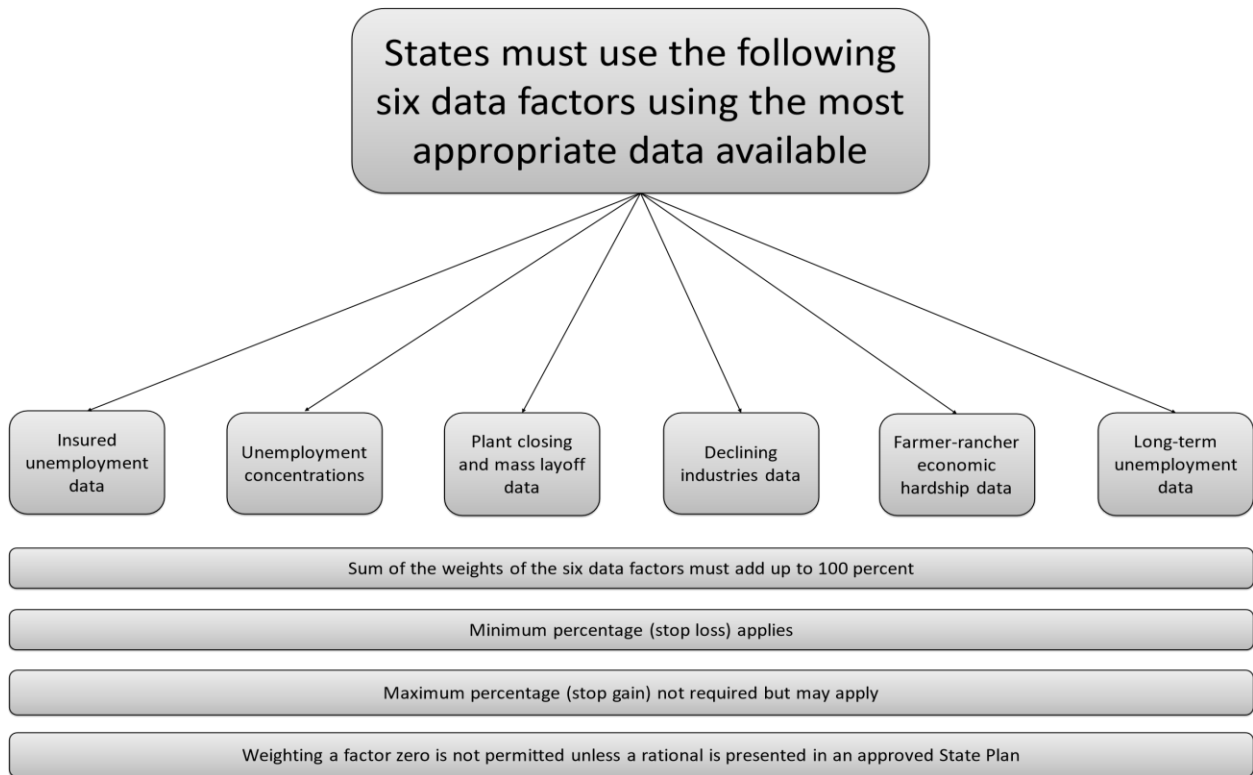
See Attachment C for graphic illustration of Formula Allocations.

WIOA Youth and Adult Sub-State Allocations:
*Must be allocated to local areas per
Formula or Discretionary rules*

States must choose one of
these allocation methods



WIOA Dislocated Worker Sub-State Allocations: Must be allocated to the Local Areas per Formula created be the Governor.



P/C PY-23 ALLOCATIONS						
PY – 23	STATE	15%/40%	85%/60%	P/C		DIFFERENCE
	ALLOCATION	SET-ASIDE	TO WDAs	%	AVAILABILITY	
ADULT	\$2,871,414	\$430,712	\$2,440,702	41.73%	\$1,018,505	
YOUTH	\$3,321,932	\$498,290	\$2,823,642	43.69%	\$1,233,649	
DISLOCATED WORKER	\$3,257,943	\$1,303,177	\$1,954,766	26.72%	\$522,313	
TOTALS	\$9,451,289		\$7,219,110		\$2,774,467	

P/C PY-24 ALLOCATIONS						
REVISED W/ 6 FACTORS + HOLD HARMLESS (BENCHMARKED)						
PY - 24	STATE	15%/40%	85%/60%	P/C		DIFFERENCE
	ALLOCATION	SET-ASIDE	TO WDAs	%	AVAILABILITY	PY-23/PY-24
ADULT	\$2,585,364	\$387,805	\$2,197,559	46.83%	\$1,029,117	\$10,612
YOUTH	\$2,991,317	\$448,698	\$2,542,619	47.88%	\$1,217,406	(\$16,243)
DISLOCATED WORKER	\$3,120,263	\$1,248,105	\$1,872,158	33.29%	\$623,241	\$100,928
TOTALS	\$8,696,944		\$6,612,337		\$2,869,764	\$95,297
	(\$754,345)		(\$606,773)		\$95,297	

Compared to PY-23, the total state allocation for PY-24 was down by \$754,345. This caused the total availability for distribution to the Locals to decrease by \$606,773. However, when applying the 3-part formula to determine Local allocations, PC had an increase in funds in the Adult and Dislocated Worker category and a decrease in the Youth category. The net effect was an overall increase of \$95,297 as compared to PY-23 funds.

Workforce Solutions of Providence/Cranston Policy Issuance			
Subject: Cost of Meals, Food, Coffee, Refreshments			
NO. 14-23	Review Date: June 18, 2024	Issue Date: June 27, 2024	Effective Date: July 1, 2015

Applicable Funding Streams: Adult Dislocated Workers Youth
 =====

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

5. PURPOSE:

To provide information and guidance for Workforce Innovation and Opportunity Act (WIOA) on the allowability of meals, food, coffee or other refreshments.

6. REFERENCES:

Uniform Guide 200.403; 200.404; 200.423; 200.474(b); 41CFR 301-74.7

7. BACKGROUND

Along with questions regarding direct food aid for participants, several WIOA providers have asked for clarity regarding food/meals for events, activities, and internal employees. This document is intended to provide guidance regarding all such food and beverage costs.

Meals and Refreshments for Events (ex. Job Fairs, Open Houses, Graduation Events)

The costs of meals and refreshments for events **are allowable** as a budgeted program costs with conditions. In accordance with federal regulation, costs can be incurred only when necessary and reasonable for the proper and efficient performance and administration of a grant award. While the allowability of such costs is determined on a case-by case basis, it is important that the grantee:

- Consider the reasonableness of the individual and aggregate costs to demonstrate that the grantee acted in a prudent and cost-effective manner;
- Review aggregate costs periodically (Ex. over a 12-month period) to identify any necessary policy changes in order to avoid incurring individual and aggregate costs that appear excessive or lavish;

- Remember that tips/gratuities are not an allowable cost and cannot be paid with WIOA funds;
- Maintain sufficient documentation including itemized receipts of all food and beverages purchased.

Examples of when a reasonable need arises to incur such costs include, but are not limited to:

- An all-day meeting is scheduled that will not cover all necessary grant-related technical information unless the information is provided during a time when a meal would normally be consumed;
- Grant-related technical information needs to be provided on a date when the only time that attendees are available to attend is during a mealtime;
- It is necessary to hold a grant-related event or provide grant-related technical information during a time when a meal would normally be consumed, and attendance would be reduced if a meal were not provided; or
- Disruption of a scheduled event would occur if a meal were not provided (ex. determining that attendees are unlikely to return to an event if they needed to obtain their own meal or refreshments).
- The allowability of such costs in accordance with applicable cost principles;
- The number of attendees;
- To whom the meals or refreshments were made available to (e.g., agenda, sign-in sheet, hours worked and roles); and
- Other documentation that verifies the expenditure amount and appropriateness to the grant (e.g., grant related subjects that were discussed).

Furthermore, grantees must remember that:

- Tips/gratuities are not an allowable cost
- The cost of each meal must be included in the total supportive services amount provided to each participant and cannot exceed the LWDB's supportive service limits for such costs.

Meals and Refreshments for Employees (ex. Staff lunch, Staff functions, morning coffee and donuts)

8. Food and Beverages:

The cost of food and beverages will not be considered an allowable cost unless the cost serves a public purpose. Alcoholic beverages are disallowed under any circumstances¹⁰.

A. Food and Beverages Provided During Conferences¹¹:

Costs of meetings and conferences, the primary purpose of which is the dissemination of technical information, **are allowable**. This includes costs of meals if the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award¹².

Agencies sponsoring a conference may provide light refreshments to agency employees attending an official conference. Light refreshments for morning, afternoon, or evening breaks are defined to include, but are not limited to: coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips or muffins.

B. Expenses During Travel¹³:

Furthermore, costs incurred by employees and officers for travel—to include subsistence and incidental expenses—must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the non-federal entity. Costs for meals during travel must justify that:


- Participation of the individual in necessary to the federal award; and
- The costs are reasonable and consistent with the non-federal entity's established travel policy.

C. Working Lunches:

The cost of a "working lunch", with external customers and other colleagues, is only considered reasonable and necessary when there is adequate documentation for the necessity of having a meeting during a meal time instead of during normal business hours. This validating documentation should specify:

- Which employment, training, and administration-related subjects (e.g. technical assistance components) were discussed;
- Include a list of participants; and
- Dated, itemized meal cost receipts.

¹⁰ 2 CFR 200.423 ¹¹ 41 CFR 301-74.7 ¹² 2 CFR 200.404 ¹³ 2 CFR 200.474(b)

	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-01 Ch.2 Effective Date: July 1, 2023</p>
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SUPPORTIVE SERVICE POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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 Sections 3(59), 134(d)(2)-(3), and 129(c)(2)(g);
 20 CFR 680.900 through 20 CFR 680.970;
 Training and Employment Guidance Letter 19-16;
 State Workforce Innovation Notice 05-08

BACKGROUND

Supportive services are designed to provide a participant with the resources necessary to enable their participation in career and training services, or to assist them in securing employment. Supportive services may be made available to any Adult, Dislocated Worker, or Youth participating in Title I career services or training activities that is unable to obtain supportive services through other programs providing such services.

State Workforce Innovation Notice 05- 08 directs each local workforce development area to develop rules, policies, and procedures for the request, documentation, and approval or denial of support services. Said rules, policies, and procedures must include a process by which the determination that all other resources have been explored and/or exhausted prior to the request being made may be documented.

POLICY

This policy is applicable to Adults and Dislocated Workers receiving WIOA Individualized Career Services or Training services and eligible Youth based upon the Youth's Objective Assessment and ISS (Individual Service Strategy).

Supportive services are not entitlement services or automatic assistance. Supportive services are to be provided to participants who are unable to obtain supportive services through other programs and when necessary to enable Adults, Dislocated Workers or Youth to participate and persist in WIOA Title I activities.

Funds for supportive services are intended to support participant's efforts in WIOA Individualized Career Services or Training activities. The guiding principle for the provision of supportive services shall be based on the participant's demonstrated need that would otherwise result in creating barriers to participating in, and completing, the program. To be eligible for supportive services, an individual must be participating in career or training services as defined in WIOA secs. 134(c)(2) and (3).

It is the responsibility of WIOA program staff or authorized service provider to ensure allowable, reasonable, and appropriate utilization of supportive services. The determination of need for supportive services must be documented in the participant's case notes.

An eligible WIOA participant may receive up to a **maximum of \$2000** for qualified supportive services, subject to availability of funding. The Executive Director of WSPC **can increase the maximum amount to \$3500** based upon documented need and fund availability. Requests for an increase must be made by the Career Counselor and include a verifiable reason for the increase.

Title I WIOA-funded assistance for supportive services cannot be provided to participants receiving follow-up services.

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

ALLOWABLE SUPPORTIVE SERVICES:

Allowable supportive services include, but are not limited to:

Child or Dependent Care Assistance:

May be provided when it has been determined that the lack of child or dependent care is a barrier to completing intensive career services or training activities. Funds may only be used to pay for child or dependent care assistance provided by an individual or center that is licensed or registered with the State of RI. Payments will be made directly to the

vendor upon receipt of invoice and documentation of child's attendance. Child or dependent care assistance must meet the following conditions:

- Determination of RI DHS eligibility must be made.
- Documentation that the participant is not eligible for Federal, State, or local supported child or dependent care services must be provided.
- There is not an available legally responsible adult in the home.
- Childcare payments are limited to the rates established annually by DHS.

Healthcare/Medical Assistance:

Including, but not limited to: physical exams, immunizations, eye exams, eye glasses, drug testing, and safety equipment required to enter into or complete a training program or obtain employment.

Background Checks (BCI):

When necessary for the participant to enter into or complete a training program or obtain employment.

License-Related Costs:

Costs of occupational license processing fees and related testing fees if not covered by the training provider or to obtain employment.

Books:

When books are not included in the cost of training and required for participant to successfully complete a training program.

Emergency Housing Assistance:

Financial assistance to secure or retain housing if required for participant to successfully complete a training program or obtain employment.

Emergency Utility Assistance:

Financial assistance with utility expenses, including telephone and internet, if required for participant to successfully complete a training program or obtain employment.

Tools, Equipment and Uniforms

May be provided when required for a participant to attend a WIOA-funded training program or obtain employment. The Participant must be enrolled in training or have an employment offer. The following documentation must be provided:

- a) In the case of employment, letter of commitment to hire;
- b) Proof that the training program or employer does not supply the tools, equipment or uniforms;

- c) An itemized list of the required tools, equipment or uniforms from the training provider or employer;
- d) A maximum of four (4) uniforms and one (1) pair of shoes will be reimbursed.

NOTE: In using this Supportive Service, the service provider must exercise caution when approving WIOA funds for the purchase of tools to ensure such tools will not be used to capitalize a business.

The definition of Tools and Equipment includes the purchase of a computer if required to attend a WIOA-funded training program or obtain employment. The maximum assistance that can be provided for the purchase of a computer cannot exceed \$500.00.

Job Search Allowance:

Financial assistance with other expenses necessary to conducting a job search including but not limited to: interview clothing and professional attire, appropriate shoes, parking allowance, and personal grooming and hygiene cost.

Legal Aid Services:

Legal aid services meant to reduce barriers to employment and establish employment eligibility such as by helping secure a driver's license, expunging criminal records, and addressing debts or credit reporting issues. Legal Aid services does not include payment of fines, fees, or penalties.

Transportation Assistance:

May be used in cases where assistance is required for a participant to travel to and from training, work, or other WIOA-related activities. Automotive repairs will also be defined as transportation assistance when the repairs are deemed necessary to continue with the training program.

Public transportation costs to and from training and/or work site are reimbursable. This may include the purchase of bus passes.

Mileage Reimbursement: (including taxies and ride-sharing services [e.g. Uber, Lyft]) for driving expenses will be made in the amount of the federal business mileage rate as set by the US Internal Revenue Service for mileage reimbursements. If assistance is provided for personal/self-transportation, participant must maintain a valid driver's license, have access to a vehicle that has a valid registration and insurance, and provide copies of all documents.

Mileage reimbursement may only be paid for:

- The actual days that the participant attended the training and/or worked or until the counselor determines that the participant has become self-sufficient. A signed attendance sheet or payroll sheet is required for attendance documentation.
- Other related costs such as parking or bridge tolls required for the Participant to travel to the training and/or work site or until the counselor determines that the participant has become self-sufficient.


FOOD:

Food may be used with proper justification which shall be defined as an individual that has demonstrated a need and when it is documented that the provision of food will assist or enable the participant to participate in WIOA Youth and Work Experience program activities and to reach their employment goals. Case notes must also document that the provision of food was necessary for the participant to remain engaged in program activities. If all of the requirements are met, the following guidelines must be followed when executing the food Supportive Service Policy:

- The allowable cost per individual shall not exceed \$25.00 per meal up to 5 meals;
- Receipts and contracts to support the costs must be collected and submitted in Case Notes and recorded in EmployRI;
- Purchase of food cannot include tips/gratuities, alcohol, or non-food items.

PROVISION OF SUPPORTIVE SERVICES:

Supportive services may be authorized and provided by WIOA program staff or a third-party provider approved by the Providence/Cranston Workforce Development Board, provided that any authorized third-party shall comply the provisions of this policy.

	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-06 Ch-1 Effective Date: February 1, 2024</p>
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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
All records pertinent to complaints/grievances, appeals, and resolutions.	Date the complaint/grievance is closed following final settlement of the case.

In any case where a litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. In these cases, a new three-year retention period will begin on the day the litigation, claim, or audit finding is deemed to be resolved.

In cases where the federal awarding agency (USDOL) requires an extended retention period, the State Board require an extended retention period of its grantees and/or subrecipients.

Costs related to records retention are allowable costs.



**WORKFORCE DEVELOPMENT AREA
POLICY ISSUANCE NO. PY 2020-10 Ch-2**
Effective Date: March 15, 2023

CONTRACTED TRAINING

Applicable Funding Streams: Adult Dislocated Workers Youth

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 contracted training 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.
3. When the Local WDB determines that there is a training services program of demonstrated effectiveness offered in the area by a community-based organization or another private organization to serve individuals with barriers to employment, as listed below. The Local WDB must develop criteria to be used in determining demonstrated

effectiveness, particularly as it applies to the individuals with barriers to employment to be served.

As required under WIOA, the PCWDB has developed criteria that will be used to determine demonstrated effectiveness, particularly as it applies to individuals with barriers to employments to be served

If training is going to be provided by an entity other than Eligible Training Provider, the provider must meet the following criteria for demonstrated effectiveness, including, but not limited to:

- Financial stability of the organization;
 - 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.
4. 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.
5. When the Local WDB is considering entering into a Pay-for-Performance contract, and the Local WDB ensures that the contract is consistent with § 683.510 of this chapter.

If a Local Workforce Development Board determines, under 20 CFR 680.320, that it would be appropriate to engage contract-based training (CBT) activities, they may enter into a reimbursement-based contract with a provider.

- a) In selecting a training provider LWDBs may use: providers listed on the Eligible Training Provider (ETP) List, a workforce development partnership identified by the state workforce development board (currently known as “Real Jobs RI partnerships” or “Real Pathways RI partnerships”), or other training providers.

CONTRACTED TRAINING

Contracted Training must be competitively solicited in accordance with applicable federal and state laws, rules and policies;

Contracts must at a minimum document the following:

- i. The type of training provider (e.g., non-profit, private career school, college, etc.).
- ii. The type of training program and credential.
- iii. How the provider will record and report participant information and expenditures.
- iv. Information about costs and payments.
- v. Outcome and performance measures to be used.
- vi. An agreement to adhere to state and local policies.
- vii. Any required boilerplate language

For the purposes of item 2 above, and to insure sufficient customer choice, the Local Workforce Development Board for the Providence/Cranston area has determined that contracts for training services for a specific occupation may be utilized whenever there are **fewer than three (3) programs** and providers for such occupation on the Eligible Training Provider List. In such instances, the Board determines that there are an insufficient number of training options to accomplish the purpose of the system of ITAs.

Furthermore, the Board determines that, since the participant has self-selected to enroll in the training, the training selected will have been deemed to have satisfied the customer choice requirements of WIOA paragraph 680.340.

For purposes of this policy, barriers to employment as noted in paragraph 3 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 2020-12 Ch. 1
Effective Date: July 1, 2015

PRIORITY OF SERVICE POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

BACKGROUND AND PURPOSE

Local Workforce Development Areas are required to have Adult priority of service policies and procedures in place that include the following:

1. Local procedures for determining priority during the eligibility process and enrollment;
2. How the local area will define “low income” and the relevant data used to establish the definition;
3. What criteria and procedures will be used to assess priority for basic skills deficient individuals;
4. Local procedures for internal monitoring of the prioritization of adult participants from the target groups.

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 Definition: Priority of service means that individuals in the targeted groups (public assistance recipients, other low-income individuals, individuals who are basic skills deficient, and underemployed who are also low-income) are given priority over other individuals for receipt of individualized career services and training services funded by the Title I Adult program. Veterans within these groups receive priority over non-veterans. Adult priority is determined for the targeted groups during eligibility and enrollment.

Priority of service does not mean that individuals outside of targeted groups cannot access services. Rather it means that individuals in such targeted groups should receive access to services earlier in time than those who are not. If a resource is limited, then

individuals in the targeted groups should access the service instead of, or before, those who are not. For a service such as classroom training, priority of service applies to the selection procedure, as follows:

First, if there is a waiting list for the formation of a training class, priority of service is intended to require individuals in the targeted groups to go to the top of that list.

Second, priority of service applies up to the point at which an individual is both approved for funding and accepted or enrolled in a training class. Therefore, once an individual outside of targeted groups has been approved for funding and accepted/enrolled in a training class, priority of service is not intended to allow an individual from the targeted groups who is identified subsequently to “bump” the previously approved individual from that training class

POLICY

Priority of Service Order: The priority of service for veterans and eligible spouses always applies across all qualified employment and training programs. The priority of service for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient is a statutory priority that applies only to the receipt of individualized career services and training services in the WIOA Title I Adult program. Priority of service for the Title I Adult program must be applied in the following order to all individuals that otherwise meet Adult program eligibility:

1. Veterans and eligible spouses who meet the statutory priority (public assistance recipient, other low-income individuals including the underemployed, or basic skills deficient) must receive the highest level of priority for services;
2. Other individuals (not veterans or eligible spouses) who meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient) then receive the second level of priority for services;
3. All other veterans and eligible spouses then receive the third level of priority for services;
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient), but who are individuals with barriers to employment as defined by this policy or who meet local discretionary priority, then receive the fourth level of priority for services.
5. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient) who are not individuals with barriers to

employment as defined by this policy nor meet the local discretionary priority, then receive the fifth level of priority for services.

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;
- Native Americans, 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 - Defined

An individual that is basic skills deficient is 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.

Basic Skills Deficient – Determination

When using formal assessment tests to determine basic skills deficient, 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.**

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 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.

Internal Monitoring

The WSPC Internal Monitoring Unit will garner information from the participants' application to determine that the prioritization of adult participants from the target groups has occurred.

	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-14 CHANGE 3 Effective Date: July 1, 2015</p>
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TRAINING SERVICES POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

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

REFERENCES:

Workforce Innovation and Opportunity Act
 Training and Employment Guidance Letter No. 19-16,

BACKGROUND: The Workforce Innovation and Opportunity Act is designed to provide employment and training opportunities to those who can benefit from, and are in need of, such opportunities. WIOA reinforces that training services can be critical to the employment success of adults and dislocated workers. Training services may include occupational skills training that leads to an in-demand workforce credential, on-the-job training (OJT), registered apprenticeship, incumbent worker training, pre-apprenticeship training, workplace training, skill upgrading and retraining, entrepreneurial training, and other forms of training.

POLICY: The Providence/Cranston Workforce Development Board strongly supports provision of training services to job seekers in need of such training. Training services should be linked to in-demand occupations and industries in the state. Selection of training services should maximize customer choice, be linked to in-demand occupations, and be informed by performance of training providers. Individuals should be provided with performance reports for training providers on the state’s eligible training provider list (ETPL) who provide a relevant program, when requested. Training services should be funded by WIOA Title I when other sources of grant assistance are unavailable to the individual.

There is no sequence of services requirement and staff may determine that training is appropriate **regardless of whether** an individual has received basic or individualized career services. Individuals may receive training services after an interview, evaluation, or, assessment, and career planning, if the one-stop partner determines the individual is

unlikely or unable to obtain or retain employment by receiving only career services. Case files must document the participant eligibility for training services and explain how the determination was made in order to justify the need for training services. There is no requirement that career services (including basic skill assessments) be provided as a condition to receipt of training services; however, if career services are not provided before training, the Career Counselor Board must document the circumstances that justified its determination to provide training without first providing the services.

A Local Board may not be the provider of training services unless the Governor grants a waiver. The intent of any waiver is to provide the option for Local Boards to provide training services in extenuating circumstances only, such as rural areas with limited training providers.

WIOA focuses on serving “individuals with barriers to employment” and establishes priority for these populations. The a one-stop delivery system provides a priority for adult funds to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient, consistent with WIOA. Veterans and eligible spouses also receive priority of service, consistent with state policy and federal law.

PROCEDURE: Local Boards shall identify the priorities, procedures, and monitoring of the provision of all training services through policy, documents and manuals, or their Local Plan.

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.

- 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.

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. 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	Licensing cost
Fees	Books
Licensing cost	Certificate Fees
Graduation fees	Uniforms
Tools	Registration Fees
Supplies	

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 WSPC Director for approval prior to referral to training.

The cost of training described above **shall not exceed a maximum of up to \$15,000** per approved individual



WORKFORCE DEVELOPMENT AREA POLICY
ISSUANCE NO. PY 2020-18 Ch.1
Effective Date: January 1, 2021

YOUTH WORK EXPERIENCE POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

[X] WSPC Staff **[]** AJC Partners **[]** AJC Operator **[X]** Sub-Recipients

1. PURPOSE:

To provide guidance and clarification regarding the provision of Work Experiences for WIOA Youth.

2. REFERENCES:

Training and Employment Guidance Letter (TEGL) No. 21-16,
Training and Employment Guidance Letter (TEGL) No. 08-15;

3. BACKGROUND:

The vision for work-based learning encompasses a diverse range of learning opportunities and experiences. Work-based learning is “an essential component of a student’s career pathway, building on their classroom knowledge with practical experience in the workplace and interaction with industry and community professionals.”

Paid and unpaid work experiences are examples of work-based learning and are one of the 14 program elements for the WIOA youth program. Per federal guidance and state policy, WIOA Youth Service Providers have some flexibility in how they meet this requirement and provide the Work Experience required service element. This policy provides guidance and clarification regarding the provision of Work Experiences for WIOA Youth consistent with the state’s vision for work-based learning.

4. Allowable Expenditures:

State and local areas are expected to meet the minimum 20% of Youth Program funds work experience requirement. Providers are reminded that expenditures on this program element may include more than just wages paid to youth. Allowable expenditures may also 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; and
- 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.

Supportive services as an allowable work experience expenditure: TEGl 21-16 stated that “supportive services are a separate program element and cannot be counted toward the work experience expenditure requirement even if supportive services assist the youth in participating in the work experience.” However, ETA’s policy on this issue has evolved. ETA recently determined, as stated in TEGl 09-22, that supportive services that enable WIOA participants to participate in training **can count** toward training expenditures. Therefore, to be consistent with this policy, supportive services that enable WIOA participants to participate in work experience can now count toward the work experience expenditure requirement.

§ 681.570 further clarifies that “uniforms or other appropriate work attire and work-related tools” are considered a Supportive Service.

5. Types of Work Experiences

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 (*but are not limited to*) 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.

In addition, per the State Board's Guidance on Work Based Learning Activities, work experiences can also include activities like Service-learning, a School (or CBO)-based enterprise, or an Industry project, among others. All work experiences should meet the stipulations in the Guidance linked above.

Work experiences must include academic and occupational education which:

- Refers to contextual learning that accompanies a work experience;
- May occur concurrently or sequentially with the work experience;
- May occur inside or outside the work site;
- Includes information needed to understand and work in specific industries or occupations; and
- Can be provided by the employer, or may be provided separately in the classroom or through other means.

6. Virtual Work Experiences: Virtual work experiences are allowable under the WIOA youth program.

“Paid and unpaid work experience is one of the 14 program elements for the WIOA youth program. A work experience is a planned, structured learning experience that takes place in a workplace and provides youth with opportunities for career exploration and skill development. A work experience may take place in the for-profit, nonprofit, or public sector. Work experience is required to take place in the workplace, which ideally means on a work site where youth are in a work setting interacting with other workers in a specific industry and occupation. When due to the rural nature of a local area or during times of a pandemic (such as COVID-19), if it is not possible to provide work experiences on a work site, it is acceptable to provide remote or virtual work experiences for youth.”

Online, remote or virtual work experiences, including related academic and occupational learning activities, may be provided to appropriate participants. The Work Experience must still be a structured learning experience that provides participants with meaningful work activities.

7. Considerations for Program Design – Work Experiences

Worksites: Employers committed to helping participants attain work experiences that will provide them with career pathway opportunities are optimal partners. When worksites match participants' interests and goals both the employers and youth benefit. A combination of public sector, private sector, and non-profit employers, as well as

summer and year-round employment opportunities will help in meeting participants' needs.

A Youth Provider may itself serve as the worksite for a work experience for no more than 50% Youth WIOA participants participating in a work experience during the program year. Providers may request a waiver from that limitation from the local board on per participant basis. In requesting a waiver, the Provider should describe:

- (1) The reason for the waiver request including a description of the work experience and why exceeding the 50% limit is necessary and beneficial to the youth participant; and
- (2) Assurances that services for other youth participants will be maintained and not impacted by the waiver request

Hours: The maximum length of a work experience shall not exceed 250 hours per participant per worksite. Providers may request a waiver from that limitation from their local board on per participant basis. In requesting a waiver, the Provider should describe:

- (1) The reason for the waiver request including a description of the work experience and why exceeding the 250-hour limit is beneficial to the youth participant and/or employer; and
- (2) Assurances that services for other youth participants will be maintained and not impacted by the waiver request.

Compensation: When compensating youth with wages or stipends for work experiences, local workforce areas or employers of record are expected to adhere to Internal Revenue Service (IRS) guidelines. Understanding the difference between a stipend and wage has specific implications in relation to IRS deductions. The classification of a participant, specifically the employer-employee relationship, is a key factor used by the IRS to determine whether withholding taxes is applicable. Other related factors which impact payments in the form of wages or stipends associated with work experience are that they are counted as earnings when a participant is currently collecting Unemployment Insurance (UI). The income from these wages or stipends may affect the amount and duration of a participant's UI claim in the same manner as regular wages. Compensations may include:

- **Wages:** A wage is generally a payment for services rendered where an employer/employee relationship exists. This form of compensation is usually paid through a payroll system and subject to the taxes applicable to the employer of record and participants. Paying a wage usually indicates that a program views the youth as an employee or a trainee. Paid work experiences and internships may fall under the Fair Labor Standards Act (FLSA). The FLSA implemented by the DOL's Wage and Hour Division requires that individuals must be compensated

under the law for the services they perform for an employer. To determine whether a paid work experience or internship falls under the FLSA, contact DLTs Wage and Hour Division offices.

- **Stipends:** A stipend is an allowable payment for participation in activities such as work experience or classroom activities, including work readiness or employability skills training.
- **Incentives:** Incentive payments are allowable to youth participants for recognition and achievement directly tied to training activities and work experience, such as a successful completion of a work experience. WSPC has written policies and procedures in place governing the award of incentives and must ensure that such incentives payments are:
 - (a) tied to the goals of the specific program;
 - (b) outlined in writing before the commencement of the programs that may provide incentive payments;
 - (c) align with the local program's organizational policies; and
 - (d) in accordance with the requirements contained in 2CFR part 200.

The purpose of offering an incentive is to induce behavior toward achievement of a specific goal. In order for an incentive to be effective, participants must:

- be aware of the existence of such incentive, and
 - understand the terms and standards of its award to improve the likelihood of success and lead to a successful outcome or achievement of grant performance measures.
- **Withholdings:** When determining whether to pay taxes on incentives or stipends, local areas should adhere to IRS guidelines. IRS publication 525 provides information on taxable and nontaxable income.

RESOURCES

More information on work experiences can be found in the following Training and Employment Guidance Letters (TEGLs).

- **TEGL No. 23-14** provides information on the expansion of work experience, its designation as a critical component under the 14 program elements, and how to calculate expenditures to meet the requirement.
- **TEGL No. 8-15** provides details on allowable expenditures for work experience activities.
- **TEGL No. 21-16** further defines the work experience program element and elaborates on allowable expenditures for work experience activities.



WORKFORCE DEVELOPMENT AREA POLICY
ISSUANCE NO. PY 2020-20 Ch.5
 Effective Date: July 1, 2025

LOWER LIVING STANDARD INCOME LEVEL 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 update the 2025 Lower Living Standard Income Level (LLSIL) and self-sufficiency guidelines.

BACKGROUND

The LLSIL guidelines are used to determine eligibility based on family income for youth and for “priority of service” adults. The self-sufficiency guidelines are used to determine eligibility based on a lack of a self-sufficient wage for employed individuals.

WIOA defines the term “low income individual” as one who qualifies under various criteria, including individuals in a family with total income below either the federal poverty level or 70% of the lower living standard income level (LLSIL). WIOA-funded training and other services may be made available to employer individuals if, among other criteria, their current employment does not provide for ‘economic self-sufficiency.’ The federal Poverty Level Guidelines and Lower Living Standard Income Levels (LLSIL) are published in the Federal Register on an annual basis.

The 2025 poverty level and LLSIL guidelines were published in the Federal Register on January 17, 2025.

DETERMINATION OF INCOME LEVEL FOR PY 2025

In order to determine **100 percent of LLSIL**, reference is made to the spreadsheet made available with the USDOL LLSIL Guidelines: <https://www.dol.gov/agencies/eta/llsil>)

100 percent of the LLSIL is shown below:

Family Size	1	2	3	4	5	6
Total Income	\$20,032	\$32,830	\$45,058	\$55,623	\$65,646	\$76,764

In order to determine **70 percent of LLSIL**, reference is made to the spreadsheet made available with the USDOL LLSIL Guidelines: <https://www.dol.gov/agencies/eta/llsil>

Rhode Island is listed in the Northeast Metro Jurisdiction. Tab two indicates that for the Northeast Metro region **70 percent of LLSIL**, based on family size, is as follows:

Family Size	1	2	3	4	5	6
Total Income	\$15,650	\$22,981	\$31,541	\$38,936	\$45,952	\$53,735

To determine 70 Percent of the LLSIL for family size greater than six, subtract the LLSIL of a family of five from a family of six. Use the difference of a family of five and six (\$7,783) as the income will add to each income after a family of six.

In order to determine the **Federal Poverty Level**, refer to the 2025 HHS Poverty Guidelines made available with the USDOL, LLSIL Guidelines. Rhode Island falls with the category of the “Contiguous 48 States and the District of Columbia.” The 2025 **Federal Poverty Level**, based on family size, is as follows:

Family Size	1	2	3	4	5	6
Total Income	\$15,650	\$21,150	\$26,650	\$32,150	\$37,650	\$43,150

To determine the Federal Poverty Level for families/households with more than 6 persons, add \$5,500 for each additional person.

Because the Federal Poverty level for a family size of one is \$15,650, it is greater than LLSIL for a family of one, \$14,022 at 70% of the LLSIL, the Federal Poverty Level of \$15,650 will be used to establish low income status for a family of one. For all other family sized, the LLSIL is to be utilized as it exceeds the poverty guidelines:

DETERMINATION OF SELF-SUFFICIENCY FOR PY 2024

The Providence/Cranston Workforce Development Board as defined Self-sufficiency as employment that pays 175% of the LLSIL.

175 percent of the LLSIL is show below:

Family Size	1	2	3	4	5	6
Total Income	\$35,056	\$57,453	\$78,852	\$97,340	\$114,881	\$134,337



WORKFORCE DEVELOPMENT AREA POLICY
ISSUANCE NO. PY 2020-24 Ch. 1
Effective Date: November 1, 2022

MONITORING POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff AJC Partners AJC Operator Sub-Recipients

1. PURPOSE: To establish monitoring standards for the Workforce Innovation and Opportunity Act (WIOA) Title I funding. Local Boards are responsible for conducting local monitoring within their local workforce development area.

2. REFERENCES: WIOA Section 184;
§683.200; §683.220; §683.400; §683.410; §683.420; §683.430; §683.440; CFR §200

3. BACKGROUND:
Workforce Development Boards, (WDB) on behalf of the Chief Elected Official(s) for the Local Workforce Development Area, must conduct on-site monitoring of all service providers and sub-recipients at least annually. WDBs must also ensure that the use, management, and investment of funds for workforce development activities is consistent with 2 CFR 200 and maximize performance outcomes under Section 116 of WIOA.

Unlike audits, **monitoring is current and preventative** and focuses on review of activities and transactions occurring during the period of performance. One intent of monitoring is to identify issues and address them immediately. With effective and timely resolution, issues identified through monitoring can be addressed before they become audit findings. Program monitoring does not require following the exact procedure every time it is conducted. Monitoring focus may change from year to year allowing reviewers to focus on specific issues or trends identified during quarterly reviews or risk assessments.

WDBs must develop and implement local monitoring policies addressing their sub-recipient oversight and monitoring process and how they will be engaged in local monitoring and oversight activities, including resolution of any findings. WDBs are required to issue a formal report of their monitoring activities.

4. LOCAL LEVEL MONITORING

Workforce Development Boards, on behalf of the Chief Elected Official(s) for the Workforce Development Area, must conduct on-site monitoring of all service providers and sub-recipients at least annually or, for contracts lasting less than one year, once during each contract term for financial and programmatic compliance. WDBs must also ensure that the use, management, and investment of funds for workforce development activities is consistent with 2 CFR 200 and maximize performance outcomes under Section 116 of WIOA. **(See attachment 1 for Oversight Areas and Frequency)**

Monitoring is essential to ensure the integrity of the WIOA system and WIOA funds, to assess compliance with applicable laws and regulations and identify successful and positive methods and practices that serve to enhance the system as a whole.

To do so, monitoring activities to:

1. Ensure programs achieve intended results;
2. Ensure resources are efficiently and effectively used for authorized purposes and are protected from waste, fraud, and abuse; and
3. Ensure reliable and timely information is captured and reported to serve as the basis to improve decision-making.

5. POLICY:

a. Scope of Monitoring Reviews

Monitoring activities will encompass both financial and programmatic monitoring. Program and fiscal monitoring activities include on-site visits, offsite desk-level reviews, and analyses of both financial and program outcomes to help identify potential weaknesses before such weaknesses result in substandard performance or questioned costs.

1. **Workforce Development Programs.** This review area includes, but is not limited to, an evaluation of the programs and services to eligible participants pursuant to WIOA Title I requirements and related federal and state legislation, regulations, policies and guidance.
- 2 **Monitoring will utilize random sampling** to examine Title I Adult, Dislocated Worker, and Youth participant files for proper maintenance and content, inclusion of pertinent forms and data, appropriate and adequate case notes to ensure continuity from time of application through completion of services, as well as verification that all relevant data has been entered into the case management system. On-site visits and interviews with provider staff, and clientele may be conducted.

b. Access to Records

It is a requirement that all providers, grantees, contracted entities, etc., permit access to records, financial statements, facilities and participants.

c. Additional Review / Technical Assistance

In addition to the annual on-site review, some monitoring activities may be conducted remotely, by phone, through desk reviews of documents and reports, and by such other means as deemed necessary. If an area of concern or practice is identified at any point, the technical assistance may be offered as needed.

d. Monitoring Reports

Monitoring Reports will be issued summarizing the results of monitoring activities. The documents may include the observations, items to address, findings, and recommendations of the monitoring and any responses from the recipients, workforce service providers and other grantees and contractors.

6. DEFINITIONS

COMPLIANCE REVIEW - An annual examination to ensure the entity complies with applicable laws, regulations, contracts, grant agreement provisions, state policies, and local procedures related to the WIOA. This includes appropriate reviews of procurement, performance, and resolution of findings that involve the entity under review. The compliance review should target the following risk areas: expenditures; internal control structures; eligibility and participation requirements; service delivery to Youth, Adults, and Dislocated Workers; On-the-Job Training; support payments; non-discrimination; the protection of personally identifying information; and a review of the conflict of interest policy.

CONFLICT OF INTEREST - A circumstance in which a Board member, Board employee, workforce service provider, or workforce service provider's employee is in a decision-making position and has a direct or indirect interest, particularly a substantial financial interest that influences the individual's ability to perform job duties and fulfill responsibilities.

DISALLOWED COSTS - Disallowed costs may also be identified as a finding in the Monitoring Report. Disallowed Costs include any expenses of WIOA grant or contract funds that are determined to be un-allowable, un-allocable or unreasonable based upon federal or state law or regulations.

FINDING(S) - A finding is any violation of law, regulation, formal guidance, award agreement condition, or policy and requires immediate corrective action. A finding is any violation of:

- The Workforce Innovation and Opportunity Act
- Program, administrative, and financial regulations identified in:
 - The WIOA final rule 20 CFR 651 through 688; and
 - The Uniform Guidance 2 CFR 200
- Violation of any formal guidance issued by USDOL, including:
 - TEGs-Training and Employment Guidance Letters;
 - The USDOL Core Monitoring Guide;
 - The TAG-Technical Assistance Guide;
- Violation of any stipulation in the award/contract agreement between the PCWDB and Subcontractors
- Violation of any State WIOA policy
- Violation of any PCWDB policy issued for its local area.

When a finding is identified, the report must cite the specific law, regulation, contract condition, guidance letter, or policy being violated and must identify the specific action required to resolve the finding. Monitoring reports that identify findings require a formal response explaining the required actions that have been taken and or will be taken and the date by which the finding will be resolved.

The core monitoring guide provided by USDOL references the **4 Cs** as requirements pertaining to documentation of findings; stating that the explanation for each finding should contain four items: **condition, criteria, cause, and corrective action.**

Condition – *describes and documents the problem identified.*

Cause – *documents and determines the cause of the which may stem from lack of training to inappropriate documentation.*

Criteria – *specifies the statutory, regulatory, or state or local policy/procedure that was not met.*

Corrective Action – *identifies the corrective action steps the subrecipient must take to remedy the problem and the timeframe for completing them.*

Area of Concern. is a potential violation of law, regulation, guidance, or policy and can result from unawareness of, or failure to abide by, established internal fiscal controls or procedures.

A concern may arise from significant variance between planned and actual services, or lack of evidence that requirements of a service provider award agreement are not being implemented.

A concern does not require a formal response; however, when identifying a concern, the reviewer must fully explain the concern and provide suggested action steps or offer technical assistance that will permit the grantee to adequately address the concern.

Findings and required actions must utilize the 4 Cs explained, providing a citation for the violation and the clearly stating the required actions that must be taken for the finding to be resolved. The required action must include specific steps to be taken, identify who must take them, and by when they must be completed.

NOTED/BEST PRACTICE - Any approach to service delivery or process that is identified as being a unique or effective approach that offers increased services to customers or greater efficiency and effectiveness in service delivery or administration. These will be identified in the monitoring report.

QUESTIONED COSTS - Costs questioned by the monitor as being unallowable, un-allocable or unreasonable. Questioned costs are costs which

- resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a PCWDB award,
- where the costs, at the time of the monitoring visit, are not supported by adequate documentation (un-allocable); or
- where the costs incurred appear unreasonable and do not reflect the actions a prudent person would take in the circumstances (unreasonable).

Questioned costs will be resolved in one of two ways:

- Questioned Costs that are determined to have been allowable, allocable and reasonable are considered allowed; or
- Questioned Costs that are determined to be unallowable, un-allocable or unreasonable will be disallowed.

TECHNICAL ASSISTANCE - To identify areas for improvement in the program and in recipient and sub-recipient operations during monitoring and compliance review visits. May include assistance in developing a performance improvement plan.

Local Level Monitoring

As stated above; Workforce Development Boards, on behalf of the Chief Elected Official(s) for the Workforce Development Area, must conduct on-site monitoring of all service providers and sub-recipients at least annually or, for contracts lasting less than one year, once during each contract term for financial and programmatic compliance. WDBs must also ensure that the use, management, and investment of funds for workforce development activities is consistent with 2 CFR 200 and maximize performance outcomes under Section 116 of WIOA. **(See attachment 1 for Oversight Areas and Frequency)**

7. APPEAL PROCESS

Sub-recipients, grantees, contractors and other providers will have 30 days to appeal any finding or adverse observations in the monitoring report it feels are inaccurate or improper. The appeal must be filed within 30 days from the issuance date of the final determination. The sub-recipient may appeal final determinations to the;

Executive Director
Workforce Solutions of Providence/Cranston
50 Sims Avenue
Providence, RI 02909

Attachment 1

PROVIDENCE/CRANSTON WORKFORCE DEVELOPMENT BOARD

COMPLIANCE ANNUAL SCHEDULE

OVERSIGHT AREA	FREQUENCY
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MAJOR OVERSIGHT AREA: OVERSIGHT OF TRAINING/SERVICE PROVIDERS

On-the-Job Training (OJT) Programs	Minimum of two reviews. One within 4 weeks of the start of the program and one toward to middle of the program
Customized Training Programs	Minimum of two reviews. One within 4 weeks of the start of the program and one toward to middle of the program
Class-Sized Skills Training Programs	Minimum of two reviews. One within 4 weeks of the start of the program and one toward to middle of the program
In-School and Out-of-School Youth Programs	First visit after three months into the program and the second six months later
Other Training/Service Providers	To be determined when contracts are developed

MAJOR OVERSIGHT AREA: LOCAL BOARD GOVERNANCE AND COMPLIANCE AREA

Local Board Composition	Semi-annually
Open Meeting Requirements	Semi-annually
Compliance with Required WIOA Duties and Responsibilities of a Local Board	Semi-annually
Local Board Planning	Once every four years
Conflict of Interest	Semi-annually

MAJOR OVERSIGHT AREA: ONE-STOP SYSTEM

Compliance with the Establishment of a Comprehensive American Job Center	Annually following an initial compliance review
Formal Memoranda of Understanding in Place with Required WIOA Partners to include Infrastructure Funding of the One-Stop System	Annually
One-Stop Operator Selection Process Documentation	Following the Issuance of a Request for Proposals for a One-Stop Operator

One-Stop Certification	Once every three years following the certification process initiated by the PCWDB
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MAJOR OVERSIGHT AREA: PARTICIPANT FILE REVIEW

Adult and Dislocated Worker Participant Files	Semi-Annually
Youth Participant Files	Consistent with the compliance reviews of Youth Service Provider contracts.

MAJOR OVERSIGHT AREA: ADMINISTRATIVE SYSTEMS REVIEW

Compliance with Statewide Policy Issuances	Quarterly
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MAJOR OVERSIGHT AREA: FISCAL MANAGEMENT AND INTERNAL CONTROLS

Adherence to the Policies and Procedures in the WSPC Accounting Manual	Quarterly
Audits and Audit Resolution	Following the completion of the WSPC Single Audit
Procurement	Compliance reviews will be made immediately following the completion of all Request for Proposals processes and other means of competitively sought programs and services.

	<p style="text-align: center;">WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. 2020-26 Ch.2 Effective Date: September 25, 2024</p>
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ON THE JOB TRAINING

Applicable Funding Streams: Adult Dislocated Workers Youth

DISTRIBUTION

WSPC Staff [] AJC Partners AJC Operator [] Sub-Recipients

1. PURPOSE: This policy provides guidance on the provision of On-the-Job Training under the Workforce Innovation and Opportunity Act (WIOA). This change allows for reimbursements from 50% to 75% depending on the size of the employer. It moves from the Upper Entry Wage to the Self-Sufficient Wage.

2. REFERENCES:

Workforce Innovation and Opportunity Act, Sec. 3 (44)
 Training and Employment Notice No. 19-16
 WIOA Regulations 680.700, 680.710, 680.720, 680.730, 680.740, 680.750

3. BACKGROUND: On-the-Job Training (OJT) is defined in WIOA sec. 3(44) as: Training by an employer that is provided to a paid participant while engaged in productive work in a job that –

- (A) Provides knowledge or skills essential to the full and adequate performance of the job;
- (B) Is made available through a program that provides reimbursement to the employer of up to a maximum of up to 75 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H), for the extraordinary costs of providing the training and additional supervision related to the training; and
- (C) Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

OJT provides assistance to participants that:

- Are unable or unlikely to obtain or retain employment without training;
- Need to earn a self-sufficient wage while learning an occupational skill;
- Have barriers to self-sufficient wage employment;
- Can learn the skills necessary for the occupation more easily through on the job; and/or
- Need supervision as they learn specific skills for an occupation.

OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs for the OJT portion of the registered apprenticeship program. Depending on the length of the registered apprenticeship and State and local policies, OJT funds may cover some or all of the registered apprenticeship training.

POLICY:

1. EMPLOYER ELIGIBILITY

Any private-for-profit, private non-profit, or public sector employer not in violation of local, State or Federal laws and/or regulations which prohibit its ability to contract, and who is in compliance with such entity's rules for lawful business operation, is a potentially eligible OJT employer.

In general, employers are eligible to participate as an OJT employer if they have been unable to meet their skilled labor force needs through normal recruiting procedures.

OJT employers must meet the following guidelines:

1. In good faith, the employer commits to provide long-term employment for successful OJT trainees.
2. Employers must be equal opportunity and ADA compliant and comply with the non-discrimination and equal opportunity provisions of WIOA law and regulations.
3. The employer must provide information such as their Federal Employer Identification Number (FEIN) to demonstrate that they are a legitimate employer, with full-time employees, and conducting their trade or business at an appropriate work site.
4. The employer must not be involved in a current labor dispute and must not have a history of frequent layoffs.
5. The employer must not utilize an OJT contract to displace currently employed workers or to reduce the hours of those employed below their normal schedule.
6. An OJT contract cannot be written for a position in which a worker is currently

on layoff or for a position that will deny a current worker promotional opportunity.

7. OJT must be conducted at the employer's place of business, or off-site, under the supervision of the employer's personnel, and may not be subcontracted.
8. (A) For new hires, the employer must express that the individuals hired and trained under the OJT contract would not have been hired in the occupation specified in the absence of such a contract.

(B) For currently employed workers, the employer must express that the OJT relates to the introduction of new technologies, introduction to new production or service procedures, or upgrading to a new position that requires additional skills, and is aligned with an associated wage progression.

9. OJT contracts **will not** be written with 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.
 - a. An employer has relocated if any of its operations have moved from facilities located in one labor market area within the United States and its territories to a new or expanding facility in another labor market.
 - b. If the relocation has not caused unemployment, the Providence/Cranston workforce development area is permitted to develop a contract. However, WIOA regulations require that no OJT contracts can be written within the first one- hundred twenty (120) days of the employer's relocation.
10. The training of an individual in circumstances where there is a sole proprietor may be allowed if the employer can demonstrate that sufficient training and supervision will be afforded the OJT employee/trainee.
11. An employer with four (4) or less employees may be considered for one (1) OJT trainee; this requirement may be waived by the Executive Director with proper justification.
12. OJT contracts **will be permitted** with a company where current and/or past members of the workforce board for the Providence /Cranston workforce development area are employed, or otherwise have a financial or personal interest. The Executive Director shall be informed about the type and number of these contracts.

13. If the employer has a collective bargaining agreement, the OJT contract must not impair existing contracts for services or collective bargaining agreements. The employer must provide written concurrence from the appropriate labor organization before the OJT activity begins.
14. To assure that trainees are receiving instruction and feedback on work performed, at least one current non-OJT employee shall be listed on the OJT Application and shall be accessible in person to the trainee at the work site a minimum of fifty (50%) percent of a standard work day throughout the training period.
15. **An employer must pay trainees the same rate as employees who are similarly situated in similar occupations, and who have similar training experience and skills.** Trainees must also receive the same working conditions and benefits (including health benefits) as those in similar employment. The anticipated reimbursement of wages must not be used to provide higher wages to trainees than employees in similar positions not covered by the OJT program.
16. The employer must not be presently debarred, suspended, proposed for disbarment, declared ineligible or voluntarily excluded from participation in transactions by USDOL or the State of Rhode Island.
17. Employers must not have any outstanding civil, criminal or administrative fines or penalties owed or pending to the State of Rhode Island.
18. OJT trainees may not be hired by and/or supervised by a relative of the trainee.
19. If the employer was previously involved in an OJT training program or similar training activity, prior performance will be utilized to assist in determining contract approval. The specific criteria to be used are as follows:
 - a. The employer will provide information regarding the status of participants trained under these contracts. This will include:
 - i. The number of individuals who participated in programs; and
 - ii. The number of participants who completed training and continued employment with employer.

If appropriate, the employer will be asked to provide a narrative to explain a lower retention rate of participants compared to other employees in a similar position. For example, participants may have quit voluntarily or may have been terminated for cause or unforeseeable changes in business conditions.

- b. In determining employer eligibility for multiple contracts, the following circumstances need to be considered:
 - i. The employer has demonstrated “satisfactory performance” in previous OJT or other training programs;
 - ii. For employers wishing to obtain more than five **(5) OJT contracts** within a program year, satisfactory performance will be measured by an employer retaining at least eighty **(80%) percent** of its trainees beyond the length of the OJT contract or verifiable employment for those clients who leave the employer prior to the OJT contract period.
- c. OJT contracts must not be entered into with an employer who has received payments under previous contracts under WIOA or WIA if the employer has exhibited a pattern of failing to provide OJT participants with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees doing the same type of work.

If the employer has exhibited a pattern of **failing to** provide participants with long-term employment or comparable wage, the employer will be disqualified from the OJT program for one (1) year. After the one (1) year disqualification, the employer may again be evaluated for OJT program participation if a good faith effort has been made to correct previous problem.

2. OCCUPATIONAL QUALIFICATIONS

OJT is defined in WIOA Sec. 3(44) as training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- provides knowledge or skills essential to the full and adequate performance of the job
- provides reimbursement to the employer for extraordinary costs of providing the training and additional supervision related to the OJT
- is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, the participant’s academic and occupational skill level, the prior work experience of the participant and the service strategy of the participant, as appropriate.

In general, occupations that require a period of significant training and instruction to acquire specific skills and knowledge are eligible for OJT. The following guidelines will determine occupations that are eligible for OJT.

1. The occupation must be one in which there is current and/ or anticipated demand.
2. The occupation must be one in which specific occupational training is a prerequisite for employment. The occupation must require at least four (4) weeks of training to reach a level of performance, which indicates that the trainee is progressing toward an acceptable level of productivity. Priority should be given to high skill occupations appropriate for participants who require long-term training.
3. The OJT position must provide a minimum thirty (30) hours per week.
4. The OJT position **must** provide an hourly wage equivalent to the “**economic self-sufficiency standard**” for a family of one (1) as determined annually by the Department of Labor of Training and consistent with WSPC Policy 2020-20 Ch.4. This figure will be adjusted at the beginning of each program Year (July 1st)
5. Maximum allowable reimbursement is \$10 above the hourly wage equivalent to the “**economic self-sufficiency standard**” for a family of one (1) as determined annually by the Department of Labor of Training and consistent with WSPC Policy 2020-20 Ch.4. This figure will be adjusted at the beginning of each program Year (July 1st).

Following are instances in which OJT **will not** be approved:

1. Seasonal, intermittent, part-time, or temporary jobs.
2. Occupations where commissions, piece rates and/or tips are the primary source of income.
3. Occupations that involve political or religious activities, or support political or religious organizations.
4. Occupations which would result in the displacement of any currently employed worker in that facility.
5. Occupations for which continued employment is dependent upon a test (i.e. Civil Service Test or physical exam).
6. OJT funds will not be used to directly or indirectly assist, promote or deter union organizing.

3. TRAINEE ELIGIBILITY

4. LENGTH OF TRAINING

An OJT contract 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. In determining the

appropriate length of the training, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience and the participant's IEP.

- The length of training shall be no less than four (4) weeks and no more than twenty- six (26) weeks. Maximum training hours shall be 1040.
- The following should be taken into consideration when determining the length of an OJT:

OJT training is provided to enable an individual to become skilled and knowledgeable while on-the-job and competitive with co-workers. It is not intended to necessarily last until the individual is 100% productive or proficient in the occupation.

Under no circumstances shall the amount of OJT reimbursement exceed six (6) months of total training hours (not including unavoidable and/or authorized absences including holidays, vacations, illness, temporary plant shutdowns) or 499 hours for part-time training, including any additional time spent in related classroom training during which wages are paid to the OJT trainee by the OJT employer. Part time training would only apply to disabled individuals unable to work full time.

The OJT program will not reimburse wages beyond 40 hours per week. A waiver may be considered for employers whose standard workweek exceeds 40 hours (e.g. 12-hour shifts, split weeks, etc.). However, total program training hours will be computed as though the trainee worked a standard 40-hour week. There is no reimbursement for paid holidays, vacation days, sick days, overtime pay, or commissions.

5. TRAINING OUTLINE

For each OJT position, a Training Outline must be created. The training outline is a written program of structured job training that will provide the participant with an orderly combination of instruction, employment competencies, learning objectives and occupationally specific skills and knowledge, including the approximate number of training hours that will enable the participant to work toward self-sufficiency.

If appropriate, skills and knowledge should be listed in the sequence in which they are to be taught. The OJT Specialist and employer work together to develop the Training Outline.

Employers may attach a job description with the signed OJT Contract. The Training Outline should address the elements and skills to be learned as it relates to the job description provided by the employer.

6. OJT CONTRACT

The OJT contract must be executed prior to the trainee commencing employment.

OJT contracts must be reviewed and approved by the Executive Director prior to the

trainee commencing training.

OJT contracts may require changes for which a Contract Modification is necessary. Modifications are allowed to:

- a. Extend the end date of the Contract
- b. De-obligate funds
- c. Change signatories

Modifications are **Not** allowed to:

- a. Change the training outline elements under the OJT contract
- b. Increase the number of contracted training hours for the OJT trainee

7. INVOICES and PAYMENTS

Payments to employers should be managed by an invoice system that clearly documents the number of hours worked each day by the participant and rate of pay for the time period. Invoices must be signed by the employer and accompanied by documentation (payroll register preferred; time sheets/time cards) signed by the participant and reconciled to the invoice. Also, a participant evaluation sheet should be forwarded along with payment system material.

Employers will be reimbursed the following rates based on their size:

- 50 or fewer employees: up to seventy-five percent (**75%**) on-the-job training employer reimbursement (or the maximum allowable reimbursement of \$26.25, whichever is less);
- 51 employees+: up to fifty percent (**50%**) on-the-job training employer reimbursement (or the maximum allowable reimbursement of \$26.25 whichever is less);

Reimbursement is based on trainee hours worked only. There is no reimbursement for paid holidays, vacation days, sick days, overtime pay or commissions.

At the conclusion of the contract, all unexpended funds will be deobligated.

8. MONITORING

Periodic evaluations are part of the OJT contract documents and are necessary for the fulfillment of performance accountability. Monitoring includes oversight of the participant training and corresponding employer payroll records. On-site monitoring of OJT employers ensures the validity and propriety of the reimbursement amounts claimed and that the training for which the contract is written is delivered. The on-site monitoring must include documentation of information received directly from the participant with the participants supervisor's perspective about how the training is progressing, as well as a review of the employer payroll records.

- The initial on-site review will be conducted within thirty (30) days after the OJT contract start date. Any additional monitoring visits shall be on an as needed basis for the duration of the contract.

9. TRAINING CONCLUSION

Upon conclusion of an OJT Contract, Career Counselor staff will record the OJT training outcome.

ON-THE-JOB TRAINING ATTACHMENTS:

OJT Forms may be developed, changed, modified added or removed as needed by WSPC to ensure all current requirements of federal, state, local, contract clauses, and policies/ procedures are included.



**WORKFORCE DEVELOPMENT AREA
POLICY ISSUANCE NO. PY 2021-01Ch.1**
Effective Date: July 1, 2021

YOUTH INCENTIVE POLICY

Applicable Funding Streams: Adult Dislocated Workers Youth

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
Enrollment in postsecondary school	Allowable. Postsecondary training or education does not have to be	Copy of course schedule

	started or completed but must be planned.	
In education during the 1 st , 2 nd , 3 rd , and 4 th quarter of follow-up.		Copy of report card or transcript.
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 st , 2 nd , 3 rd , and 4 th quarter of follow-up.	Allowable	Pay stub(s)
In occupational skills training in the 1 st , 2 nd , 3 rd , or 4 th 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	Progress report from the employer or training provider who is providing the training.

	<p>apprenticeship. Length of time to track progress must be reasonable and established prior to the start of training.</p>	
<p>Pre-Apprenticeship program completion</p>	<p>Allowable for completing a recognized pre-apprenticeship program.</p>	<p>Copy of certificate or other official documentation showing completion of program.</p>
<p>Apprenticeship Achievements</p>	<p>Allowable for attaining an apprenticeship, or milestones such as completing a year or the entire apprenticeship.</p>	<p>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.</p>



WORKFORCE DEVELOPMENT AREA
POLICY ISSUANCE NO. PY 2021-02 Ch.1
Effective Date: July 1, 2015

CUSTOMIZED TRAINING POLICY

Applicable Funding Streams: Adult Dislocated Workers Youth

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 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.

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.

PRE-AWARD REVIEW

The process for the pre-award review will be as follows and will include:

- a. Names under which the establishment does business, including predecessors and successors in interest;
- b. The Federal Employer Identification Number (FEIN);
- c. The name, title, and address of the company official certifying the information; and
- d. Whether WIOA assistance is sought in connection with past or impending job losses at other facilities, including a review of whether WARN notices relating to the employer have been filed.

The pre-award review may include:

- e. Determining whether the employer has exhibited a pattern of failure, i.e. has not met their agreed-upon requirements for past participants;
- f. Any additional information specified by the local board in local policy; and
- g. Consultations with labor organizations and others in the affected local area(s)

PRE-AWARD REVIEW FOR RELOCATING EMPLOYERS

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

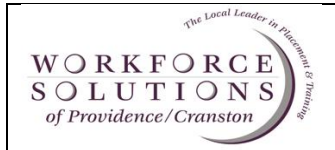
- Whenever there is an inquiry from a new employer that has relocated from another state regarding the development of a customized training contract, the Pre-Award process conducted.
- The purpose of this review is to ascertain whether the relocating employer has caused a loss of employment at its original 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.

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.

Previously Adopted WSPC Policies (Still in Effect)

NOTE: The following Workforce Solutions of Providence/Cranston (WSPC) policies were adopted prior to June 2024 and remain in full force and effect.

The 2020-2021 policies are included below for reference and have not been modified.



**WORKFORCE DEVELOPMENT AREA
POLICY ISSUANCE NO. PY 2020-03**
Effective Date: January 1, 2021

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:
 - Was the failure to register done deliberately and intentionally?
 - 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:

_____ 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) _____

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-04 Effective Date: January 1, 2021</p>
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PERSONALLY IDENTIFIABLE INFORMATION (PII) 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 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 of 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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-05 Effective Date: January 1, 2021</p>
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LABOR MARKET INFORMATION 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 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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-07 Effective Date: January 1, 2021</p>
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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.

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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-08 Effective Date: January 1, 2021</p>
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CONFLICT OF INTEREST and CODE OF CONDUCT POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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.

	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-09 Effective Date: January 1, 2021</p>
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REASONABLE ACCOMMODATION AND MODIFICATION FOR INDIVIDUALS WITH DISABILITIES POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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/ITTYs, 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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-10 Ch-1 Effective Date: March 15, 2023</p>
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**CRITERIA FOR SELECTING TRAINING PROVIDERS OTHER THAN AN ITA
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 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.

6. When the training is on-the-job training (OJT), customized training, incumbent worker training, or transitional jobs.
7. 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.
8. For the purposes of item 2 above, and to insure sufficient customer choice, the Local Workforce Development Board for the Providence/Cranston area has determined that contracts for training services for a specific occupation may be utilized whenever there are fewer than three (3) programs and providers for such occupation on the Eligible Training Provider List. In such instances, the Board determines that there are an insufficient number of training options to accomplish the purpose of the system of ITAs.


Furthermore, the Board determines that, since the participant has self-selected to enroll in the training, the training selected will have been deemed to have satisfied the customer choice requirements of WIOA paragraph 680.340.

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

PY 2020-13 - Individual Employment Plan (IEP)

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-13 Effective Date: January 1, 2021</p>
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INDIVIDUAL EMPLOYMENT PLAN (IEP) POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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)

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-15 Effective Date: January 1, 2021</p>
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CUSTOMER CONFIDENTIAL POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-17 Effective Date: January 1, 2021</p>
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FOLLOW-UP 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 on follow-up services for Workforce Innovation and Opportunity Act (WIOA) Adult, and Dislocated Worker program excisers.

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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-19 Effective Date: January 1, 2021</p>
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REQUESTING SIGN LANGUAGE INTERPRETER 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 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

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-21 Effective Date: January 1, 2021</p>
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ZERO TOLERANCE 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 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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-23 Effective Date: January 1, 2021</p>
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CASE NOTES POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-25 Effective Date: January 1, 2021</p>
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DUAL ENROLLMENT POLICY AND GUIDANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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.

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-27 Effective Date: January 1, 2021</p>
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BARRIERS TO EMPLOYMENT

Applicable Funding Streams: Adult Dislocated Workers Youth

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

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2020-28 Effective Date: January 1, 2021</p>
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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:

- (N) Veteran or eligible spouse as defined in paragraph 2(a) of Jobs for Veterans Act
- (O) Displaced homemakers
- (P) Low-income individuals
- (Q) Indians, Alaska Natives, and Native Hawaiians
- (R) Individuals with disabilities
- (S) Older individuals
- (T) Ex-offenders
- (U) Homeless individuals
- (V) Youth who are in or have aged out of the foster care system
- (W) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers
- (X) Eligible migrant and seasonal farmworkers
- (Y) Individuals within two years of exhausting lifetime eligibility under part A of title IV of the Social Security Act
- (Z) Single parents (including single pregnant women)
- (AA) Long-term unemployed individuals
- (BB) Such other groups as the Governor involved determines to have barriers to employment

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2021-03 Effective Date: July 1, 2021</p>
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Provision of Incumbent Worker Training Services

Applicable Funding Streams: Adult Dislocated Workers Youth

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

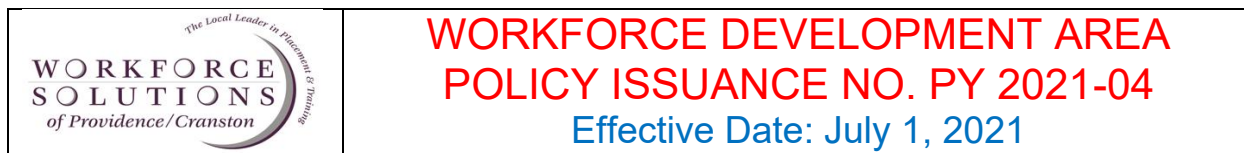
Incumbent workers are currently employed workers whose employers have determined that the worker requires training to increase the competitiveness of the employee or the employer. The worker must have an established employment history with the employer for six (6) or more months and employed in a situation 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

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"> • Standardized assessment
In school youth (ISY) per WIOA Section 129(a)(1)(C)(iv)(I) or	<ul style="list-style-type: none"> • 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)
Out of school youth (OSY) per WIOA Section 129(a)(1)(B)(iii)(III)(aa)	<ul style="list-style-type: none"> • 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)

Adult Program Priority of service categories 1 & 2	Options to determine and document BSD:
Basic skills deficient per WIOA Section 134(c)(3)(E)	<ul style="list-style-type: none">• 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>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2021-05 Effective Date: July 1, 2021</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:

	Additional Assistance - Educational Barriers
In-School Youth	• Has missed 18 or more days of school in the most recent academic year (secondary only)
	• In school (secondary or postsecondary) with a GPA of less than 2.0.
Out of School Youth	• Has left educational program because of transportation or financial situation (secondary only)
In-School and Out of School Youth	• One or more grade levels below age appropriate level
	Additional Assistance - Employment Barriers
	• Has never held a job
	• Has had two or more employment interviews without being hired in past 60 days
	• Has lost employment placement in past 30 days
	• Has a family history of chronic unemployment, including long-term public assistance.

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.

ELIGIBILITY CRITERIA	ACCEPTABLE VERIFICATION
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

 <p>WORKFORCE SOLUTIONS of Providence/Cranston</p>	<p>WORKFORCE DEVELOPMENT AREA POLICY ISSUANCE NO. PY 2021-06 Effective Date: October 1, 2021</p>
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STEVENS AMENDMENT COMPLIANCE

Applicable Funding Streams: Adult Dislocated Workers Youth

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 Employment and Training Administration of the US Department of Labor as part of an award of [total federal allocation] with [xx%] financed from non-governmental sources.