



## **Workforce Services Guidance – LWDA Supportive Services Policy Update Requirements - WIOA**

**Effective Date:** May 8, 2017

**Duration:** Indefinite

**To:**

Local Workforce Development Boards (LWDBs), Chief Local Elected Officials (CLEOs) WIOA Partners (WIOA Title I, WIOA Title II, WIOA Title III, WIOA Title IV Vocational Rehabilitation and Temporary Assistance for Needy Families (TANF) and other non-mandated Partners operating in the One-Stop system).

**Subject:**

This document provides guidance for LWDBs to develop a supportive services policy for WIOA participants.

**Purpose:**

The purpose of this guidance is to explain what information should be included in each LWDB supportive services policy and to ensure each LWDA utilizes supportive services for eligible WIOA participants.

**Scope:**

Office of the Governor, Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee Department of Education (TNED); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Title I – Adult, Dislocated Worker, and Youth Programs, Title II – Adult Education and Family Literacy Act Program(AE); Title III – Wagner-Peyser Act Program (WP); Title IV – Vocational Rehabilitation Program (VR); Regional Planning Council (RPC); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); American Job Center (AJC); One-Stop Operator (OSO); Workforce System Sub-Recipients (Sub-Recipients); Workforce System Partners (Partners)

**Background:**

The Local Workforce Development Boards (LWDBs) and CLEOs, in consultation with One-Stop Partners and other community service providers in each planning region, must engage in a regional planning process that results in the coordination of supportive services<sup>1</sup>. Supportive programs offer services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under WIOA. All WIOA-enrolled adults, dislocated workers, out-of-school and in-school youth are eligible for

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<sup>1</sup> WIOA Section 106(c)(1)(F)

supportive services<sup>2</sup>. Needs-Related Payments are a form of supportive service available only to adults, dislocated workers, and out-of-school youth (OSY) aged 18-24 who are currently enrolled in training. Supportive services are limited and must be leveraged with other local and state resources.

**I. Limits to the Amount or Duration of Supportive Services:**

The following must be outlined in the local policy developed for each LWDA:

- LWDBs may establish limits on the provision of supportive services or provide the One-Stop operator with the authority to establish limits, including a maximum amount of funding and maximum length of time for supportive services to be available to participants.
- Procedures should also be established to allow One-Stop operators to grant exceptions to the limits established.
- The appropriate documentation required from the participant for each of the supportive services provided.
- Determine how payments will be disbursed.
- Procedure in place documenting the steps to be taken by staff when supportive services are needed.

**II. Participants Who May Receive Supportive Services:**

Funds allocated to a local area<sup>3</sup> may be used to provide supportive services to adults and dislocated workers who:

- Are participating in programs with activities authorized in **WIOA Section 134(c)(1)(A)(ii)** or **WIOA Section 134(c)(1)(A)(iii)**;
- Have exited and need post-program support services as follow-up (for up to 12 months after exit); and
- Are unable to obtain such supportive services through other programs providing 3 such services. These services may include, but are not limited to<sup>4</sup>:
  - Linkages to community services
  - Assistance with transportation
  - Assistance with child care and dependent care
  - Assistance with housing
  - Needs-related payments
  - Assistance with educational testing
  - Reasonable accommodations for individuals with disabilities
  - Legal aid services
  - Referrals to health care
  - Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear
  - Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes
  - Payments and fees for employment and training-related applications, tests, and certifications

Supportive services for youth<sup>5</sup> are services that enable an individual to participate in WIOA activities. These services may include<sup>6</sup>:

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<sup>2</sup> WIOA Section 3(59)

<sup>3</sup> WIOA Section 133

<sup>4</sup> 20 CFR 680.900

- Linkages to community services
- Assistance with transportation
- Assistance with child care and dependent care
- Assistance with housing • Needs-related payments
- Assistance with educational testing
- Reasonable accommodations for youth with disabilities
- Legal aid services
- Referrals to health care
- Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear
- Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes
- Payments and fees for employment and training-related applications, tests, and certifications.

Supportive services should only be provided when the services are not available elsewhere, since WIOA is considered funding of last resort. Supportive services are not entitlements and must be supported by demonstration of financial need. The participant's need for the provided service must be documented in the case file; participants enrolled in individualized career or training services must demonstrate need in the Individual Employment Plan (IEP) or Individual Service Strategy (ISS). The cost of supportive services must be reasonable and competitive in price. When multiple options are available for receiving supportive services, documentation must show a reasonable effort was made to determine and choose the lowest, competitively priced service available. **Each LWDA must have a supportive services policy in place for participants in their programs.**

### III. Needs-Related Payments:

One-Stop centers provide financial assistance as a supportive service for the purpose of enabling participants to engage in training<sup>7</sup>. Funds allocated to a local area for adults<sup>8</sup> and funds allocated to the local area for dislocated workers<sup>9</sup> may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation.

#### A) To Receive Need-Related Payments: Adults and Out of School Youth (OSY) Aged 18-24 Must:

- Be unemployed;
- Not qualify for, or have ceased qualifying for, unemployment compensation; and
- Be enrolled in a program of training services under WIOA Section 134(d)(4).

The payment level for adults must be established by the LWDB.

#### B) Dislocated Workers Must:

- ##### A) Be unemployed, and<sup>10</sup>:

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<sup>5</sup> WIOA Section 3(59)

<sup>6</sup> 20 CFR 681.570

<sup>7</sup> WIOA Section 134(d)(3)

<sup>8</sup> WIOA Section 133(b)(2)(A) or WIOA Section 133(b)(3)

<sup>9</sup> WIOA Section 133(b)(2)(B)

<sup>10</sup> 20 CFR 680.950

- 1) Have ceased to qualify for unemployment insurance or trade readjustment allowance under TAA; and
  - 2) Be enrolled in a program of training services<sup>11</sup> by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months; or
- B) Be unemployed and unable to qualify for unemployment insurance or trade readjustment assistance under TAA and be enrolled in a program of training services<sup>12</sup>.

The level of a needs-related payment made to a dislocated worker shall not exceed the greater of<sup>13</sup>—

- A) The applicable weekly level of unemployment insurance compensation for participants who were eligible for unemployment insurance compensation as a result of a qualifying dislocation; or
- B) The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of the qualifying layoff. The weekly 5 payment level must be adjusted to reflect changes in total family income, as determined by Local WDB policies.

#### IV. **Unallowable Support Services:**

Support services may not be used to pay for expenses incurred prior to the participant's enrollment into the WIOA program. Program Management approval is required and should be documented. Advances against future payments are not allowed. Examples of unallowable services include, but are not limited to:

- Fines and penalties such as traffic violations, late finance charges, and interest payments
- Entertainment, including tips
- Contributions and donations
- Vehicle or mortgage payments
- Refund deposits
- Alcohol or tobacco products
- Pet food
- Items to be purchased for family or friends
- Out-of-state job search and relocation expenses that will be paid by the prospective employer

#### V. **Priority of Service:**

Participants in WIOA programs who face significant barriers to employment – such as recipients of public assistance, low-income individuals, or individuals who are basic skills deficient – should be given service according to their level of need. Please refer to the TDLWD's **Priority of Service Guidance** concerning the order of service delivery which can be accessed at: <http://www.tn.gov/workforce/article/wioa-technical-assistance>

#### VI. **Duplication of Services:**

Funds for supportive services should be monitored to ensure that they are spent in a manner that avoids redundancy. Please refer to the TDLWD's **Duplication of Services Guidance** for more

<sup>11</sup> WIOA Section 134(d)(4)

<sup>12</sup> WIOA Section 134(c)(3)

<sup>13</sup> 20 CFR 680.970

information concerning co-enrollment of participants in multiple programs and best practices to leverage resources for maximum benefit. This document can be accessed at: <http://www.tn.gov/workforce/article/wioatechnical-assistance>

**References:**

20 CFR 680.900; 20 CFR 680.950; 20 CFR 680.970; 20 CFR 681.570; WIOA Section 3(59); WIOA Section 106(c)(1)(F); WIOA Section 133; WIOA Section 133(b)(2)(B); WIOA Section 133(b)(3); WIOA Section 134(c)(3); WIOA Section 134(d)(3); WIOA Section 134(d)(4); WIOA Section 134(c)(1)(A)(ii); WIOA Section 134(c)(1)(A)(iii).

**Contact:**

For any questions related to this policy, please contact the Program Integrity Unit at [Workforce.Board@tn.gov](mailto:Workforce.Board@tn.gov).



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**Revised: February 4, 2020**