



CITY OF OAKLAND



OFFICE OF ECONOMIC AND WORKFORCE DEVELOPMENT

OAKLAND WORKFORCE DEVELOPMENT BOARD

DIRECTIVE No: 23-001
TO: WIOA Service Providers
EFFECTIVE: Retroactive to July 1, 2023
SUBJECT: OWDB Supportive Services Policy

PURPOSE

The purpose of this policy is to address the issuance of supportive services available to WIOA participants of the OWDB, and provide guidance to service providers when assessing the need and providing supportive services to participants. The provision of any and all supportive services is contingent upon the availability of funding.

The Workforce Innovation and Opportunity Act (WIOA) provides program guidelines for supportive services for Adults, Dislocated Workers and Youth as defined in WIOA Sections 3(59) and 134(d)(2) and (3). Supportive services for youth as defined in WIOA Section 129(c)(2)(G) can additionally include assistance with educational testing, reasonable accommodations for youth with disabilities, and referrals to health care. Needs-Related Payments (NRPs) may also be allowed per the conditions set forth under 20 CFR 680.930, 680.940, 680.950, 680.960.

All WIOA-enrolled adults, dislocated workers, and out-of-school (OSY) and in-school youth (ISY) are eligible for supportive services as defined in WIOA Section 3(59).

POLICIES

1. Supportive services may be provided to participants enrolled in WIOA when it is determined **necessary** to enable participation in such programs and when the participants cannot afford to pay for such services on their own.

2. Supportive Services should be provided to participants to:
 - Enable them to participate in career and/or training services; or
 - Obtain or retain employment; or
 - Provide accommodations as needed to aid in training, education or employment.

3. Supportive services as defined in WIOA sec. 3(59), are services that enable an individual to participate in WIOA activities. These services include, but are not limited to, the following:
 - 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; and
 - Payments and fees for employment and training-related applications, tests, and certifications.

4. Prior to issuing any supportive services, program staff must verify that these same services are not available through the following:
 - Non-WIOA funded sources;
 - Special Project funded sources
 - Due diligence or resource research should be documented in case notes and within the supportive services request. WIOA Supportive Services should only be the participants' **final option** after exhausting all other available resources.

5. The attached Supportive Services Matrix (ATTACHMENT A) lists the allowable supportive service types available for WIOA participants of OWDB funded programs. Non-Allowable Supportive Services are listed at the end of this policy.

6. Payments may not be requested for expenses incurred prior to enrollment of any WIOA program.

7. When the policy specifies "one-time only" payment, the service provider requesting the one-time payment must verify the participant is able to make subsequent payments.

8. WIOA participants who have been exited may receive supportive services for the 12-month follow-up period when necessary to enable the participant to participate in follow-up services.

NEEDS-RELATED PAYMENTS (NRPs)

Needs-Related Payments (NRPs) provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for NRPs a participant must be enrolled in training and meet the following requirements below:

Needs-Related Payments Eligibility Requirements

WIOA Adult participants must:

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

WIOA Dislocated Worker (DW) participants must:

- a) Be unemployed; and
- b) Have ceased to qualify for unemployment compensation or trade readjustment allowance under TAA; and
- c) Be enrolled in a program of training services under WIOA sec. 134(c)(3) by the end of the 13th week after 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
- d) Be unemployed and did not qualify for unemployment compensation or trade readjustment assistance under TAA and be enrolled in a program of training services under WIOA sec. 134(c)(3).

WIOA Youth (ages 18-24) participants must:

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

The following conditions of NRPs are set for the purpose of providing such financial assistance within the guidelines of WIOA when sufficient funding exists. Funding will be reviewed on a yearly basis to determine the availability of fund for NRPs.

Needs-Related Payments Conditions

1. NRPs shall not exceed the applicable level of unemployment compensation (UC) for which the participant ceased qualifying for; OR

2. If the participant did not qualify for UC, an amount equal to the *Poverty Guidelines published by the US Department of Health and Human Services (HHS) in the Federal Register on January 19, 2023 and set forth by the California Employment Development Department (EDD) and California Workforce Development Board (CWDB) through Directive WSD21-06.
3. NRPs shall not exceed the amount divided monthly from the Poverty Guidelines annual amount.
4. NRPs may only be provided to the participant 30 days prior to the start of training and up until completion, OR up until the participant obtains employment during the training period.

SUPPORTIVE SERVICES PROCESS

Service providers must assess the participant to determine if supportive services are needed. If need is demonstrated, service provider staff must complete the following:

1. Document supportive service need in case notes. This should include the reason for the need and verification that participant and service provider has either exhausted all other funding opportunities and WIOA supportive services are being utilized as a last resort.
2. Supportive Services Request Form (include any supporting documentation if applicable): Forms must include signature and date lines for both service provider staff, site/program manager and participant. *(See "Required Documentation for Supportive Services" section);*
3. Supportive Service Logs: For additional supportive services in which the participant may be issued. Logs must include areas to initial and date by the service provider. *(See "Required Documentation for Supportive Services" section);*
4. Enter appropriate service activity code and supportive service activity code in CalJOBS.
5. Submit all documentation (including print-outs of the supportive activity code) to fiscal manager/staff for invoicing.

Reimbursements to Participants

Service providers may allow participants to submit reimbursements for purchases made by the participant under the following conditions:

1. Supportive service need was determined prior to the participant submitting receipts for reimbursement; and
2. Service provider verifies the participant's financial hardship of covering other basic living expenses may be affected; and
3. Service providers may only reimburse participants up to the maximum amount allowable of the supportive service type listed in the Supportive Services Matrix.

REQUIRED DOCUMENTATION

Documentation of supportive services for participants relies solely on the service providers and must include the supportive services requests, approval, and verification of documents.

1. *Supportive Service Request Form (Service Provider Generated Form)*

The Supportive Service Request Form is necessary when requesting supportive services reimbursements (both participants and service providers). All Supportive Service requests must be submitted with accompanying supportive documentation.

2. *Supportive Services Logs (Service Provider Generated Form)*

Service providers must maintain all Supportive Services Logs to track participants' supportive services in order to monitor the appropriateness of issuance. Service providers may combine this and the supportive service request form into one document, however, if so, supportive service logs must include areas for service providers to initial for each supportive service provided.

SUPPORTIVE SERVICES WAIVER REQUESTS

Supportive Services Waiver Requests must be submitted to OWDB and documented for each item when the following applies:

- a) The service is not on the Supportive Services Matrix; or
- b) The cost of the service exceeds the maximum amount indicated on the Matrix

A Supportive Service Waiver must be approved by OWDB staff **prior** to providing the supportive services to the participant. This may be provided in the form of an e-mail with the Service Provider Site or Program Manager CC'd and should include the following explanations:

- a) Justification for the need of the supportive service type and how it relates to the participant's WIOA services and goals listed in their Individual Services Strategy/Individual Employment Plan (ISS/IEP);
- b) What other forms of funding were exhausted or were not available to pay for the supportive service item requested;

Review of such supportive service waiver requests are subject to the Uniform Guidance Title 2 Code of Federal Regulations (CFR) Part 200: "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards". OWDB staff will respond with an approval or denial along with a reason if a denial is issued.

NON-ALLOWABLE SUPPORTIVE SERVICES

WIOA does not allow the following to be provided through Supportive Services:

- Bad debts such as late services charges, penalties, tickets and/or fines;
- Payments for participant memberships, dues, or subscriptions unless it is a specific requirement of a training program or necessary and reasonable as a condition of employment;
- Interest payments;
- Child support;
- Taxes;
- Contributions or donations;
- Entertainment, meals (including food gift cards/vouchers), alcohol, tobacco products, and tips;
- Firearms or ammunition;
- Refundable deposits;
- Out-of-State job search costs;
- Immigration assistance;
- Bail or Restitution;
- Purchase of goods or services illegal under any federal state, local, or municipal law or statute
- Utilizing Bus, Bart or Gas Cards as “incentives” to continue or participate in WIOA;
- Payments to parents and/or other family members or friends.

References

- WIOA Section 3(59)
- WIOA Section 134(c)(3)
- WIOA Section 134(d)(2)
- 20 CFR 680.330, 680.900, 680.910 and 980.920 – Adult and Dislocated Workers
- WIOA Section 129(c)(2)(G) – Youth
- 20 CFR 681.570 – Youth
- 20 CFR 680.930, 680.940, 680.950, 680.960 – Needs Related Payments
- Title 2 Code of Federal Regulations (CFR) Part 200: Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards
- [WSD21-06](#) - 70 Percent LLSIL and Poverty Guidelines for 2022

Any discrepancies arising between OWDB policy and or procedures with federal and state provisions due to current or future revisions will default to the current minimum federal and state regulations and guidance available. OWDB policy and or procedures may set forth stricter requirements than provided by federal and state guidance, but in no case will OWDB policy and or procedures not meet minimum federal and state policy.

Action Required:

This information should be disseminated to all current OWDB WIOA service providers and their staff.

Inquiries:

Questions regarding this policy should be directed to the Oakland Workforce Development Board:

City of Oakland Economic & Workforce Development

c/o Executive Director – Workforce Development Board

250 Frank Ogawa Plaza, Suite 3315

Oakland, CA 94612

OWDB@oaklandca.gov

Attachments:

23-001-a – Supportive Services Matrix