



Workforce Investment Board
Reaching Business



CITY OF OAKLAND
OFFICE OF ECONOMIC AND WORKFOCE DEVELOPMENT
OAKLAND WORKFORCE INVESTMENT BOARD

DIRECTIVE NO: 01-12
TO: WIA Service Providers
EFFECTIVE: July 1, 2012
SUBJECT: Oakland WIB Supportive Services Policy

REFERENCES:

- ✓ Workforce Investment Act (WIA) Sections 101 (46), 134 (d)(2)(H), 134 (e)(2)(3)
- ✓ Title 20 Code of Federal Regulations (CFR) 663.800 and 663.815
- ✓ Preamble to the Workforce Investment Act, Section 134(2)(3)(5b)
- ✓ Federal Register Subpart H – Supportive Services, Sections 664.440

BACKGROUND:

Workforce Investment Act (WIA) regulations allow Workforce Investment Boards to establish limits on the provision of supportive services, including a maximum amount of funding and maximum length of time for supportive services (including needs-based payments for adults) to be available to customers. Additionally, WIA regulations mandate that post-employment follow-up services must be made available for a minimum of 12 months after registered customers are placed into unsubsidized employment. Follow-up services may include supportive services, provided the services are clearly documented in a registered customer’s case file. Needs-based payments are not allowed as a post-employment follow-up service.

In Section 134 of the Preamble to the Workforce Investment Act of 1998, supportive services are defined as: 1) allowable for eligible clients enrolled in a case management component during program participation and after job placement, 2) may be provided to clients who are unable to obtain such supportive services through other programs and 3) may be provided when necessary to enable individuals to participate in Title I activities, such as the mandated follow-up services.

PURPOSE:

This directive provides policy and guidelines for provision of Workforce Investment Act (WIA) supportive services. These guidelines incorporate the requirements of the WIA, Department of Labor (DOL) Regulations, State Employment Development Department (EDD) Directives, and Office of Economic and Workforce Development (OEWD) policies.

DEFINITIONS:

Supportive Services — Supportive services are those necessary to enable an individual to participate in activities authorized under Title I of the Workforce Investment Act. Supportive Services may only be provided to individuals who are:

- Participating in Core B, Intensive or Training Services; and
- Unable to obtain supportive services through other programs providing such services.

Supportive Services are not “entitlements.” This means that although a participant may be eligible for supportive services, participants do not have an unrestricted right to such supportive services. All supportive services should be considered individually as a unique request, based upon individual client need, and as documented in the Individual Service Strategy (ISS) or the Individual Employment Plan (IEP). Receipt of supportive services is dependent upon the availability of adequate funding.

POLICY:

Supportive Services may only be provided to WIA customers who are participating in WIA programs and who are unable to obtain supportive services through other programs. No service provider may provide supportive services by a WIA-funded program until other local area programs (that generally provide the supportive service needed by the client) have been contacted. If a non-WIA-funded program is capable of providing the supportive service needed by a client, a referral will be made by the WIA-funded service provider. However, if an alternative resource cannot be found, then supportive services will be provided using WIA funds if it is necessary to enable eligible individuals to participate in intensive services, training, or other program activities under WIA. Supportive service may include such services as:

Transportation: To be used in cases where assistance is required in order for a customer to commute to and from work, training or other training or work-related WIA activities. Mileage reimbursements will be made at the rate equal to the City of Oakland’s amount per mile or public transportation when appropriate, whichever is less. In order to receive the reimbursement, the client must document the travel completed along with a copy of the training program attendance sheet(s). The attendance sheet must be signed by the instructor, show the dates of the training, and include the address of the training site.

Child Care: May be provided when it has been determined that there is a need for child care support and that the lack of child care is a barrier to WIA activities. Childcare assistance is only available for the period of time when an enrolled client is in training at a WIA-funded training provider. The child care arrangement must be pre-approved with details specified regarding child care provider, rates for service, and time and dates of child care matched with the time and dates of the WIA-funded training (with an additional 45 minutes before and after the actual training time to allow the client enough time to drop-off and pick-up their children). Clients are cautioned not to make any childcare arrangements outside of the agreed upon child care arrangement as the City is not committed to paying for any additional childcare services outside of the preapproved services.

Books: Book assistance should only be provided when it has been determined that the customer has a definite need for such assistance in order to participate in training. The books shall coincide with the classes being taken for training.

Meals: Meals should only be provided when it has been determined that the customer has a definite need for such assistance in order to participate in training. Meals can only be provided for those who are receiving training out of their local area. They are reimbursed at a rate equivalent to the City of Oakland policy on per diem.

Financial Counseling: Financial counseling, for the most part, should involve in-kind assistance, although referral to credit counseling should be considered in extreme cases.

Tools: Tools may be provided only when they are a requirement for the customer's successful completion of training or when the customer has:

- A bona fide job offer; and
- The new hourly rate is not less than the average wage at placement; and
- It has been documented that the employer does not supply the tools.
- Such tools will not be used to capitalize a business.

NOTE: the purchase of guns is not allowable under this policy.

Clothing: Clothing is only to be provided when it has been determined that the customer has a definite need for such assistance in order to secure a job. Costs for clothing will be determined on a case-by-case basis. These services should only be provided after other resources such as family, friends and other agencies have been exhausted.

Cash Payments (participants in youth programs only) — Cash payments, such as incentives and stipends, would be considered allowable if the payments met the conditions of supportive services as described in the WIA and its regulations. If the youth needs the incentive of cash payments in order to succeed in and complete the WIA program, those payments could be allowable under WIA.

Needs Based Payments: There will not be any needs based payments.

Limitations

1. Other types of supportive services not included in the recognized categories addressed above may be provided to WIA customers as long as they meet the definition of a supportive service as stated in the Act. Accordingly, these supportive services must also be determined to be reasonable and necessary for an individual to complete training or obtain or retain permanent employment.

2. Neither eligibility for, nor participation in a WIA-funded program, creates an entitlement to services, and nothing in the Act shall be construed to establish a private right of action for a customer to obtain services described in their objective assessment or IEP or ISS.

Supportive services may be provided either in-kind or through cash assistance. In order to obtain payment for any supportive service, the customer or the service-providing vendor must provide appropriate documentation. Such documentation will include at a minimum the following:

- Justification for the need of supportive service (which may include training attendance records, documentation of miles traveled, receipts, etc.);
- A description of the supportive service provided and why the supportive service could not be obtained through other programs and;
- An invoice or receipt for payment received (itemized and dated) for the supportive service.

PROCEDURE:

Considerations for Appropriateness of Supportive Services

When considering the appropriateness of providing Supportive Services, subcontractors should consider the following criteria:

Participant Status

Only participants actually enrolled in Core B, Intensive or Training services will be eligible for assistance under this policy. All requests for support must be documented, and approved in a participant's ISS or IEP.

Documentation of Need

The supportive service provided must be "necessary" for the participant to effectively begin or continue training, or for the participant to obtain a specific employment or educational goal or objective. Need for supportive services must be clearly addressed during the assessment process, and documented in the participant's ISS/IEP plan. Case notes should document effectiveness and /result of supportive service provided. Supportive services needs determined subsequent to ISS/IEP development are documented in the client's case notes.

Subcontractors must assure that accounting and tracking systems are in place for the distribution of supportive services made on behalf of WIA participants.

Alternative Sources of Supportive Service

The use of WIA funds for supportive services is allowable only if those services are necessary for the individual to participate in WIA activities, and the individual is unable to obtain those supportive services through other programs.

Effectiveness of Service

Provision of a supportive service should effectively contribute to removing or addressing a specified barrier to employment and/or educational goals as specified in the ISS/IEP. Supportive services are not intended to be a temporary solution to a long term problem.

Reasonableness of Service

The costs of the supportive service must be commensurate with the benefits of the service. Special consideration must be taken to ensure that costs are not excessive. Additionally, cases may arise where it is appropriate for costs to be shared between the WIA program and the participant. This may be particularly apparent in cases where the request for support services appears to exceed a reasonably "adequate" level of supportive service.

Probability of Benefit

Supportive services should only be provided when there is a reasonable expectation that the participant will fully use and benefit from the service. Such expectations should be based upon the participant's history of performance and cooperation with WIA subcontractor staff and/or other well-founded criteria obtained during the assessment process.

POST-EXIT SUPPORTIVE SERVICES FOR YOUTH PARTICIPANTS:

The Department of Labor’s Training and Employment Guidance Letter 17-05 defines “exit” when “a participant does not receive a service funded by the program or funded by a partner program for 90 consecutive calendar days and is not scheduled for future services.”

Post –exit supportive services, as an adjunct to follow-up services, can be provided, if necessary, to sustain youth participants who exit the WIA-funded program with one of the following positive outcomes:

- Entered employment,
- Entered post-secondary education,
- Entered advanced training, including apprenticeships,
- Attained recognized certificate/diploma/degree (only for younger youth who exit outcome is “attain a HS diploma or equivalent”).

Prior to using WIA Title I funds to provide post-exit supportive services the Youth program provider must document that:

- The post-exit supportive service is necessary to sustain the positive exit outcome; and
- The need for and type of post-exit supportive service is documented in the ISS; and
- There has been a determination that the supportive service is unavailable from another funding sources; and
- The post-exit supportive service is necessary to continue in the follow-up service component.

ACTION:

The Office of Economic and Workforce Development (OEWD) and its service providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.