ATTACHMENT 1.

List of Comprehensive, Affiliate, Specialized and Other Centers and One Stop Operators

ATTACHMENT 1
ONE STOP CENTERS

FULL EMPLOYMENT COUNCIL
KANSAS CITY & VICINITY

COMPREHENSIVE SERVICE **One-Stop Career Centers**
Missouri Career Center **FULL EMPLOYMENT COUNCIL** **CENTRAL CITY/ Central Kansas City** 1740 Paseo Boulevard Kansas City, MO 64108 Telephone: (816) 471-2330, Ext. 1256 / Fax: (816) 471-0132

ONE STOP PARTNERS & SERVICES PROVIDED

- Kansas City, Missouri School District - Secondary school services, tutoring, study skills, training and instruction, leadership service strategies, comprehensive guidance and counseling career readiness training, short term occupational skills training, post secondary educational preparation and follow up, educational training and HiSet testing
- Missouri Department of Higher Education and Workforce Development– Wagner-Peyser activities, Re-employment Services and Eligibility Assessment (RESEA), Veterans Services, Trade Adjustment Act services
- Non-custodial child support program
- KCATA - Kansas City area Transportation Authority: Transportation Services
- Metropolitan Community College-Penn Valley – Computer Training
- Missouri Family Services Division – SkillUp and Job League
- KC Scholars
- KC Degrees
- Job Corps: Represents Job Corps programs providing residential training services for economically disadvantaged 16-21 year olds, Youth Services
- Missouri Division of Vocational Rehabilitation
- Jewish Vocational Services – Career Services Program: Provides case management, enrollment services and follow up services for economically disadvantaged Adults, Dislocated Workers, Youth, and persons with disabilities
- Health Alliance of MidAmerica – healthcare intermediary for the Health Profession Opportunities Grant (HPOG)
- UAW-LETC – One-Stop Operator
- Economic Development Councils:
  - Clay County Economic Development Council
  - Platte County Economic Development Council
  - Economic Development Corporation of Kansas City (Intermediary for Information Technology, Advanced Manufacturing, Healthcare and Financial Services)

Cass County Corporation of Economic Development
Richmond Chamber of Commerce
Liberty Partnership for Community Growth & Development
Downtown Council of Kansas City MO
Greater Kansas City Chamber of Commerce
Full Employment Council
Division of Workforce Development
Business & Technology Campus, MCC
Evergy
Missouri Enterprise

Services Provided: WIOA Title I Adult, Dislocated Worker and Youth Programs; MWA (Missouri Worker Assistance program), RESEA, SkillUp, Trade Adjustment Act services, Job League, TechHire, America's Promise, WIOA 15% projects, Environmental Protection Agency Brownfields project, Jobs For Neighborhoods, Choice Neighborhoods, Show Me Heroes, Automotive Apprenticeship.

COMPREHENSIVE SERVICE **One-Stop Career Centers**
KANSAS CITY SOUTH **South Kansas City/Southern Jackson County** 6025 Prospect Avenue Kansas City, MO 64130 Telephone: (816) 448-7602 / Fax: (816) 394-2205

- Missouri Department of Higher Education and Workforce Development– Wagner-Peyser activities
- Independence School District – Serves as Adult Education and Literacy (AEL) provider, assisting participants with obtaining the HiSet
- Health Alliance of MidAmerica – Healthcare intermediary for the Health Profession Opportunities Grant (HPOG)
- Economic Development Corporation of Kansas City – Intermediary for Information Technology, Advanced Manufacturing, Healthcare and Financial Services

Services Provided: WIOA Title I Adult, Dislocated Worker and Youth Programs; MWA (Missouri Worker Assistance program), RESEA, SkillUp, Job League, TechHire, America's Promise, WIOA 15% projects, Environmental Protection Agency Brownfields project, Jobs For Neighborhoods, Choice Neighborhoods, Show Me Heroes, Automotive Apprenticeship.

COMPREHENSIVE SERVICE One-Stop Career Centers
NORTHLAND HUMAN SERVICES CENTER **Clay/Platte County/ Kansas City North** **Located on Maple Woods College Campus** 3100 N.E. 83rd Street, #2100 Kansas City, MO 64119-4465 Telephone: (816) 468-8767 / Fax: (816) 468-8785

CLAY/PLATTE
Northland Human Services Center

- Jewish Vocational Services - Jewish Vocational Services – Career Services Program: Provides case management, enrollment services and follow up services for economically disadvantaged Adults, Dislocated Workers, Youth, and persons with disabilities
- Missouri Department of Higher Education and Workforce Development– Wagner-Peyser activities, Veterans, Trade Adjustment Act services
- Missouri Office of Workforce Development– Wagner-Peyser activities, Re-employment Services and Eligibility Assessment (RESEA), Veterans Services, Trade Adjustment Act services
- KCATA - Kansas City area Transportation Authority: Transportation Services
- Missouri Family Services Division – SkillUp and Job League
- Job Corps: Represents Job Corps programs providing residential training services for economically disadvantaged 16-21 year olds, Youth Services
- Health Alliance of MidAmerica – healthcare intermediary for the Health Profession Opportunities Grant (HPOG
- UAW-LETC – One-Stop Operator
- Economic Development Councils:
  - Clay County Economic Development Council
  - Platte County Economic Development Council
  - Economic Development Corporation of Kansas City (Intermediary for Information Technology, Advanced Manufacturing, Healthcare and Financial Services)
  - Richmond Chamber of Commerce
  - Liberty Partnership for Community Growth & Development
  - Greater Kansas City Chamber of Commerce
  - Full Employment Council
  - Missouri Office of Workforce Development
- North Kansas City School District - AEL
- Tri-County Mental Health– mental health services
- Head Start

Services Provided: WIOA Title I Adult, Dislocated Worker and Youth Programs; MWA, RESEA, Trade Adjustment Act services, SkillUp, Job League, TechHire, America's Promise, WIOA 15% projects, Environmental Protection Agency Brownfields project, Show Me Heroes, Automotive Apprenticeship

ONE STOP CENTERS

FULL EMPLOYMENT COUNCIL
KANSAS CITY & VICINITY

AFFILIATE One-Stop Career Centers
FULL EMPLOYMENT COUNCIL **Ray County/RICHMOND** 103 East North Main Street; Richmond, MO 64085 (816) 776-7245 (816) 776-3920 Telephone: (816) 776-3920 / Fax: (816) 776-3116

- **State Fair Community College - AEL**

Services Provided: WIOA Title I Adult, Dislocated Worker and Youth Programs, MWA Program, AEL services, Job League, TechHire, America's Promise

AFFILIATE One-Stop Career Centers
FULL EMPLOYMENT COUNCIL
Platte County Resource Center 11724 NW Plaza Circle, Ste. 500 Kansas City, MO 64153 Telephone: (816) 464-4620 / Fax: (816) 464-4613

Services Provided: WIOA Title I Adult, Dislocated Worker and Youth Programs, TechHire, America's Promise

AFFILIATE One-Stop Career Centers
WEST CENTRAL MISSOURI COMMUNITY ACTION AGENCY (WCCAA) – Cass County, Raymore 208 W. Walnut, Raymore, MO 64083 (816) 318-3922 (816) 318-3922 Telephone: (816) 322-0502 / Fax: (816) 318-3905

- Women's Health,
- Housing, Energy Assistance, and
- Family and Community Development
- Economic Development Councils:
  Cass County Corporation of Economic Development

Services Provided: WIOA Title I Adult services: Recruitment, case management, follow-up services.

ATTACHMENT 2.

Local One-Stop Partner Information Form

KCV Partner Contact List

Name: Mardy Leathers
Agency: Department of Higher Education and Workforce Development
P.O. Box 1087
Jefferson City, MO 65102
Telephone: (573) 751-3349
Email: mardy.leathers@dhewd.mo.gov
WIOA Adult Program (Title I)
WIOA Dislocated Worker Program (Title I)
WIOA Youth Program (Title I)
Wagner-Peyser labor-exchange/employment services
Trade Adjustment Assistance
Jobs for Veterans State Grants

Name: Teresa King
Agency: Missouri Department of Vocational Rehabilitation- Persons with Disabilities
650 E. 13th Street, #G3
Kansas City, MO 64108
Telephone: (816) 889-2581
Email: Teresa.king@vr.dese.mo.gov
Vocational Rehabilitation (VR)

Name: Nicholas Salerno, Assistant National Director
Agency: AARP
601 E. Street NW
B4-433B
Washington, DC, 20049
Email: nsalerno@aarp.org
Phone: 202-434-2754, 202-579-4157
The Senior Community Service Program

Name: Chris Slinkard, Director
Agency: Department of Labor
421 E. Dunklin
Jefferson City, MO 65101
Telephone: (573) 751-3262
Email: chris.slinkard@labor.mo.gov
State Unemployment Compensation Law activities

Name: Jeriane Jaegers
Agency: Department of Social Service
Jeriane.jaegers@dss.mo.gov
Temporary Assistance for Needy Families (TANF)

Community Services Block Grant Activities

Name: Paulette Lewis, Director
Agency: Job Corps
701 St. Louis Avenue
Excelsior Springs, MO 64021
Telephone: (816) 629-3156
Email: lewis.paulette@jobcorps.org
Job Corps (WIOA Title I)

Name: Edwin Lowndes, Director
Agency: Housing Authority of the City of Kansas City
920 Main Street, Suite 17
Kansas City, MO 64105
Telephone: (816) 968-4100
Email: elowndes@hakc.org
YouthBuild (WIOA Title I)
U.S. Dept. of Housing and Urban Development employment and training activities.

Christine Campbell, Executive Director of American Indian Council
310 Armour Road, #205
North Kansas City, MO 64116
Telephone: (816) 921-3366
Email: ccampbell@indiancouncil.net
WIOA Indian and Native American (INA)programs

Name: Shirley P. Aviles, Farmworker Program Manager
Agency: United Migrant Opportunities Services
2701 S. Chase Ave, Milwaukee, WI 53207
Office: 414-389-6203, cell: 414-587-4672
WIOA Migrant and Seasonal Farmworker Programs

Name: Matthew Fritz, CFO
Agency: North Kansas City Schools
2000 NE 46th Street
North Kansas City, MO 64116
Telephone: (816) 321-5000
Email: matt.fritz@nkcschools.org
Adult Education and Literacy (AEL) (Title II)

Name: Dr. Kimberly Beatty, Chancellor
Agency: Metropolitan Community Colleges
3200 Broadway Boulevard
Kansas City, MO 64111
Telephone: (816) 604-1000

Email: Kimberly.Beatty@mcckc.edu
Perkins Career and Technical Education

Name: Ken Chapman, Reentry Manager
Agency: Missouri Department of Corrections, Office of the Director
2729 Plaza Drive
Jefferson City, Missouri 65109
Telephone: (573) 522-1206
Email: ken.chapman@doc.mo.gov
Reintegration programs for eligible offenders

Name: Ginger McCabe, Director
Agency: Fort Osage Career & Tech Center
2102 N Twyman
Independence, MO 64058
Telephone: 816-650-7180
Email: gmccabe@fortosage.net
Perkins Career and Technical Education

Name: Jeanette Flanner, Director
Agency: Cass Career Center
1600 E Elm
Harrisonville, MO 64701
Telephone: 816-380-3253
Email: jeanette.flanner@harrisonvilleschools.org
Perkins Career and Technical Education

Name: Melanie Schockley, Audit and Community Education Coordinator
Agency: Excelsior Springs Area Career Center
Telephone: 816-630-9240 ext 1
614 Tiger Dr, Excelsior Springs, MO 64024
Email: mshockley@ga.essd40.com
Perkins Career and Technical Education

Name: Rashawn Caruthers, Director
Agency: Manual Career Technical Center
2901 Troost
Kansas City, MO 64109
Telephone: 816-418-5200
Email: rcaruthe@kcpublichschools.org
Perkins Career and Technical Education

Name: Dr. Michael Reik, Superintendent
Agency: Northland Career Center
998 Platte Falls Rd
Email: reikm@platteco.k12.mo.us

Phone: 816-858-5420
Perkins Career and Technical Education

ATTACHMENT 3. Memorandum of Understanding with IFA and Cost Sharing Budgets with All Partner Signatures

ATTACHMENT 4.

Sub-state Monitoring Plan and Policy

Workforce Innovation and Opportunity Act (WIOA) Policy

SUB-STATE MONITORING POLICY FOR WIOA ADULT, DISLOCATED WORKER AND YOUTH PROGRAMS

POLICY NUMBER: 2017-014, Modification 3

EFFECTIVE DATE: 01-12-2017
MODIFICATION DATE: 12-06-2019

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES
Questions about this issuance should be addressed by email to Latrina Collins, Director of Program Development/Evaluation, at lcollins@feckc.org, who shall disseminate the agency response after consultation with Full Employment Council Officers.

PURPOSE
The purpose of this Issuance is to establish a protocol for programmatic monitoring as described in the Workforce Development Board (WDB)-approved Local Plan, Missouri Division of Workforce Development Issuances and to outline the monitoring tools used. This Issuance also establishes policy and procedures to programmatically monitor stand-alone special programs for Youth.

BACKGROUND
This issuance is statutorily required and implements the WIOA (Workforce Innovation and Opportunity Act) Program Monitoring Policy. This issuance replaces Issuance No. 2017-014, Modification 2. This issuance is based on Missouri Office of Workforce Development (OWD) Issuance No. 12-2019, Statewide Sub-State Monitoring Policy. **Changes in this OWD policy are found in points "5. Compliance" and "6. Risk Assessment," both on page 2 of the OWD issuance. Additionally, Data Validation procedures are required quarterly instead of annually in point "9. Data Element Procedures" on page 3 of the OWD issuance.** Data elements utilized in this policy are obtained from a master monitoring workbook obtained from monitoring personnel at the Missouri Office of Workforce Development on June 24, 2019.

POLICY

I. PROGRAM MONITORING

The purpose of WIOA monitoring is to provide administrative, financial and programmatic monitoring for all formula funded programs including pertaining to WIOA. Monitoring is conducted by a non-program staff or independent monitors. The monitor will monitor Workforce Development Board operations, One-Stop Partners and sub-recipients regarding compliance with guidelines contained in the state of Missouri's Division of Workforce Development (DWD) Issuance No. 15-2017 and other pertinent issuances or amendments. This process ensures compliance with WIOA requirements. Bi-annual (twice yearly) programmatic and financial monitoring reviews are conducted and reported to The Chief Executive Officer (CEO) and the Workforce Development Board. These programmatic and financial reviews, conducted during program operation, include comprehensive reviews of participant files, selected using random sampling techniques, compliance issues, questionnaires and on-site visits as appropriate and financial monitoring to include accounting processes.

DWD Issuance No. 15-2017, this Issuance, and other pertinent Issuances shall be utilized. Monitoring is to include periodic review to assure compliance regarding program practices and expenditures.

II. MONITORING PROCESS

1. Monitoring shall be performed by competitive bid or by non-programmatic staff of the Workforce Development Board who are not engaged in the delivery of services to employers and job seekers. If Workforce Development Board personnel are performing monitoring functions, they are subject to the conforming to the Workforce Development Board's Conflict-of-Interest policies.

2. Monitoring shall be performed twice yearly (bi-annually), and the results of the monitoring shall be presented in a Monitoring Report to the CEO and the Budget and Oversight Committee of the Workforce Development Board (WDB), who shall make a report to the entire WDB at the appropriate WDB meeting.

3. Monitoring shall determine the compliance of programs with applicable federal, state, and WDB policies.

4. Monitoring shall be performed on monitoring worksheets in Excel and are presented in Tables 1, 2, 3, 4, 5 and 6 of this Issuance.

5. Sampling Techniques: The monitoring entity must use random sampling techniques in participant file review to test eligibility in every funding stream. WIOA Adult and WIOA Dislocated Worker files will be combined together in a sample for the purpose of monitoring by service (Classroom training, On-the-Job training, etc.). Each Program Year, a bi-annual monitoring will be performed to comprise an annual statistically valid sample of WIOA career service enrollments, and an additional statistically valid sample of Adult and Dislocated Worker participants enrolled in the following services:

- Classroom Training,
- On-the-Job Training,
- Work experience/Internship/Apprenticeship,
- Support Services/Needs-related payments,
- Any other services that result in a Direct Payment being made to or on behalf of a Participant.

The following sample sizes are required, at a minimum, depending on the universe to be reviewed. These guidelines are applicable for every sample to be reviewed. Samples will be drawn from a population comprised of participants who registered during the quarters to be monitored, with the random sampling to be performed by the independent monitor.

Universe Sample Size

1 – 200	69
201 – 300	78
301 – 400	84
401 – 500	87
501 – 1,000	96
1,001 – 2,000	100
2,001 – 10,000	105

This table is based on random sampling with a confidence level of ninety percent (90%), plus or minus eight percent (8%).

For instances of a sample size of less than 69 in the first sample size grouping of 1-200, a sample size monitored shall be at least 35%.

6. Procedures for Interviewing Customers, Employers, Trainers, and American Job Center Staff: The monitoring process should include questionnaires and procedures for interviewing customers, employers, trainers, and Career Center staff. The monitoring process should include on-site visits to subsidized employer worksites (i.e., sites of summer youth work experiences, other work experiences or On-the-Job Training). The independent monitor will randomly select for interviewing a sub-sample of customers whose files are included in the bi-annual monitoring.

7. On-site Review of Employment Worksites: The staff review of worksites should include on-site visits to subsidized employer worksites (i.e., sites of summer youth work experiences or On-the-Job Training). Quality assurance reviews of employment worksites will be performed by Workforce Development Executives using review instruments issued by the Workforce Development Board to comply with policies of the Missouri Division of Workforce Development. On-site workforce monitoring will be performed by Workforce Development Executives in order to reduce the number of personnel interacting with employers. One of the complaints from employers utilized in the public workforce system is the number of external personnel making inquiries about participants referred by the public workforce system. These onsite visits will also be accompanied by desk reviews performed by internal Workforce Development Board personnel who do not serve that particular employment

worksite. Worksite monitoring reports performed by Workforce Development Executives will be supplied to the independent monitor for all participants whose files are being reviewed during the monitoring period. These reports shall than be reviewed by independent staff or an independent contractor to assess conformance of On-the-Job practices with federal, State and local Workforce Development Board policies.

8. Financial Monitoring Reviews (FMR) Contractor/One Stop Operator sub-recipients: This review is to ensure the adequacy of internal controls and the reliability of the sub-recipient's financial management system as they relate to the contract. To ensure that the sub-recipient meets the terms and conditions of the contract, fiscal goal or requirements, and that amounts reported are accurate, allowable, supported by documentation, and properly allocated. The FMR includes, but is not limited to, reviews of the following accounting processes:

    - Financial Reporting
    - Internal Controls
    - Source Documentation
    - Cost Allocation
    - Cash Management
    - Interest Earned on Advances
    - Program Income/Stand-in/In-Kind Costs
    - Procurement

    See Issuance No. 2017-01, Modification 1, for Financial Monitoring Review, Process, and Monitoring Tools used to monitor the Contractor/One Stop Operator or sub-recipients' financial management system and financial transactions.

III. PARTICIPANT RECORDS

At a minimum, participant records are to be reviewed for (1.) enrollment into Wagner-Peyser, (2.) documentation of participant eligibility and/or priority for the programs and services received, (3.) orientation to services, (4.) a signed acknowledgement form from the participant that notification of complaint and grievance rights and procedures was received, (5.) justification for the provision of services, (6.) method of assessment, (7.) employment planning, (8.) Individual Training Accounts, (9.) the appropriateness and accuracy of participant payments (i.e., Supportive Services), (10.) a resume is posted in MoJobs, (11.) all services are posted in MoJobs correctly, (12.) appropriate data entry and posting of outcomes, including the attainment of a degree or certificate and any supplemental employment data, must be reviewed, and (13.) required case notes, documenting customer activities.

IV. SUB-STATE MONITORING

Sub-State monitoring addresses policies and practices related to written policies, reporting matters of compliance, sampling techniques, client documents and administrative practices. The following elements are reviewed for Sub-State monitoring:

Table 1: Sub-State Monitoring Worksheet

Is the Local Plan available online (via their website or a link in jobs.mo+A1:A43.gov? Find the most current plan to review. YES / NO
Who performs oversight functions and monitoring activities for the LWDA? YES / NO
Are written procedures on file? YES / NO
Was an annual report submitted to the Board and CEOs? YES / NO
Was subcontractor and performance reviews submitted to Board and CEOs?
Does the report address adequacy of assessment? YES / NO
… Planning of activities and Services YES / NO
…Coordination with One-Stop System Partners YES / NO
…Customer Outcomes YES / NO
Are the polices and programmatic oversight effectively measuring compliance? YES / NO
What corrective measures were taken to resolve issues? YES / NO
Have those corrective measures proven effective? YES / NO
Did the LWDA use random sampling to test eligibility in every funding stream for which a DWD contract is present? YES / NO
Was a statistically valid sample reviewed for both WIOA Adult and DW in the following programs:
Classroom Training: YES / NO
On-the-Job-Training: YES / NO
Work-Experience/Internship/Apprenticeship: YES / NO
Supportive Services/Needs-related payments: YES / NO
Any services resulting in a direct payment being made to or on behalf of a participant: YES / NO
How are you ensuring you get a statistically valid sample size?
At a minimum, were participant records reviewed for the following:
Documentation of eligibility/priority of programs? YES / NO
Orientation to services? YES / NO
Complaint and Grievance procedures? YES / NO
Justification for Individualized Career Services or Training services? YES / NO
Method of Assessment? YES / NO
Employment Planning? YES / NO
Individual Training Accounts? YES / NO
Appropriateness and accuracy of participant payments (Supportive Services and needs-related)? YES / NO
Appropriate data entry? YES / NO

Posting of Outcomes, attainment of degree/certificate, and supplemental data? YES / NO
Is the Youth program being monitored for the following:
Out of school 75% expenditure requirement 50% until 2020? YES / NO
20% work based learning? YES / NO
5% limit on In-School Youth enrolled as "Requires additional assistance"? YES / NO
5% over income exception? YES / NO
Misc. Youth Program and Design Questions
Does the LWDA have a Youth Committee? YES / NO
If yes, Is a member of the LWDB on it? YES / NO
According to the Youth census, are all Youth populations being served? 681.110 and 681.120 YES / NO
If no, what marketing strategies are being implemented to increase participation?
Is there evidence that all 14 youth program services are being provided? 681.460 YES / NO
If no, what is being done to provide those services?
Does the LWDA, have a policy that states what Basic Skill Deficiency testing methods will be used? YES / NO
What is the plan for reasonable accommodations for Youth with disabilities? 681.290
Additional Questions
Who funds the One-Stop Operator?
Is the Role of the One-Stop Operator per policy?
If the Board or Sub-Recipient is the employer is there firewall policy acceptable? YES / NO
Are WIOA Programs in House? YES / NO
If yes, is there firewall policy acceptable? YES / NO
If yes, does their local plan address it in their conflict of interest? YES / NO
Does the Board participate in hiring of sub-recipients and/or disciplinary action? YES / NO
If yes, what is their policy?
Is the Board conducting Risk Assessment on its subrecipients? YES / NO

V. WAGNER-PEYSER MONITORING

Wagner-Peyser Monitoring entails review and reporting of client contact and services provided to clients and associated documentation. Elements involved in Wagner –Peyser Monitoring entail the following:

Table 2: Wagner-Peyser Monitoring Worksheet

Enrollment
Enrollment Date:
WP enrollment accurate? YES / NO
If there a SNAP Referral were they enrolled or note stating they refused? YES / NO
Is there a resume posted in MoJobs? YES / NO
O*Net listed for desired job? YES / NO
Skills selected and adequate work history to match to jobs? YES / NO
Appropriate Job Referrals Made? YES / NO
Referred to other programs if applicable? YES / NO / NA
Are all other services/activities posted correctly? YES / NO
Are there appropriate Case Notes, including mandatory initial case note? YES / NO

VI. WIOA ADULT MONITORING

1. Eligibility. Eligibility for Low-Income Adults shall be reviewed. This is outlined in Issuance 2017-011, Modification 1. Eligibility shall consist of review of the following:

- Citizenship or Eligible Non Citizenship status,
- Presence of a document showing Social Security number,
- Registration in Selective Services for males age 18 and over, born after December 31, 1959, unless otherwise exempt (e.g. acquisition of citizenship or naturalization status after turning age 26),
- Document showing age,
- Proof of address,
- Family size and income, OR Applicant Statement with attesting witness signature, OR documentation showing receipt of public assistance (currently receiving Food Stamps or a member of a family receiving Food Stamps, or documentation Food Stamps have been received by applicant or family in the past 6 months), OR documentation of homelessness.

2. Classroom Training. Classroom training must meet guidelines, such as:
   - The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
   - The training is listed as approved in the Eligible Training Provider list in MoJobs, with documentation.

3. On-the-Job Training (OJT) and other Work-Based Training.
   - The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
   - Employer Agreement with required data elements,
   - Signed timesheets must be in the file and approved by the authorized signatory,
   - Worksite monitoring documents must be in the file.

4. Work Experience / Internship / Apprenticeship.
   - The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
   - Employer Agreement with required data elements,
   - Signed timesheets must be in the file and approved by the authorized signatory,
   - Worksite monitoring documents must be in the file.

5. Supportive Services.
   - Required documentation of Supportive Services, if provided (per Issuance No. 2017-041, Supportive Services for WIOA Dislocated Worker and Adult Policy and per Issuance No.

2017-018, Modification 3, Supportive Services, Post-Employment and Payments for Outcomes WIOA Youth Policy).

6. Any other services that result in a Direct Payment being made to or on behalf of a Participant.
   - Requires case note and associated documentation in file.

Table 3: WIOA Adult Classroom Training Monitoring Worksheet

Eligibility (Issuance 04-2017)
Is there a resume posted in MoJobs? YES / NO
Enrollment Date:
Is there a completed Wagner-Peyser enrollment? YES / NO
What was School status at participation in Wagner-Peyser? YES / NO
If there was a SNAP referral did they complete the enrollment or case note the participant refused? YES / NO / NA
WIOA enrollment date:
Was social security number verified? YES / NO
Was date of birth documented? YES / NO
Was "Selective Service" documented in MoJobs? YES / NO
Was Citizenship/Alien Status documented? YES / NO
If applicable, was Veteran status documented? YES / NO / NA
If Show Me Hero, is there documentation of Military Separation within one year? 5 YEARS (EFFECTIVE 8-28-18) YES / NO / NA
Did the WIOA school status match the Wagner-Peyser School Status? YES / NO
Was Employment status at participation documented? YES / NO
For Dislocated Worker, was appropriate eligibility documentation obtained? YES / NO / NA
Is there proof of Dislocation Date on file? YES / NO / NA
Is there proof in the record for all individual barriers selected on the Barriers tab? YES / NO / NA
Does the O*NET listed under the 301 service match the O'NET listed on the training plan? YES / NO
Did the training align with the Area's identified Sector Strategies? YES / NO
Was the Comprehensive Assessment (213) service posted? YES / NO
After reviewing the Employer Case Notes, were the appropriate Employer Services given? YES / NO
If appropriate, was the Closure Tab completed? YES / NO / NA
Does the Area need to explain why the training was not completed? YES / NO
Employment Plan Services (Issuance 18-2017)
Does the Employment Plan have both short and long-term goals? YES / NO
Does the Employment Plan have objectives required to meet the goals? YES / NO
Does the Employment Plan have a justification why the goals are appropriate based on assessment, skills gap, and barriers? YES / NO / NA
Are the goals supported by assessment, career counseling, or vocational exploration activities? YES / NO

Are there appropriate Case Notes, including the mandatory initial Case Note (Issuance 02-2017)? YES / NO
Was the Employment Plan Service (205) Posted? YES / NO
Was there documentation in a Case Note to prove (Issuance 21-2017):
Unable to obtain or retain employment that leads to economic self-sufficiency through career services? YES / NO
In need of training? YES / NO
Has the skills and qualifications to successfully complete training? YES / NO
Unable to obtain other grant assistance? YES / NO
Chosen training that is linked to employment opportunity in local area? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO
Hard copy file should include:
ITA? YES / NO
WIOA Equal Opportunity and Grievance Procedure form (Issuance 16-2017)? YES / NO
Training program approved on the ETPS by the local region and printout in the file? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO

Table 4: WIOA Adult On-The-Job Training / Work Experience Monitoring Worksheet

Eligibility (Issuance 04-2017)
Is there a resume posted in MoJobs? YES / NO
Enrollment Date:
Is there a completed Wagner-Peyser enrollment? YES / NO
What was School status at participation in Wagner-Peyser? YES / NO
If there was a SNAP referral did they complete the enrollment or case note the participant refused? YES / NO / NA
WIOA enrollment date:
Was social security number verified? YES / NO
Was date of birth documented? YES / NO
Was "Selective Service" documented in MoJobs? YES / NO
Was Citizenship/Alien Status documented? YES / NO
If applicable, was Veteran status documented? YES / NO / NA
If Show Me Hero, is there documentation of Military Separation within one year? 5 YEARS (EFFECTIVE 8-28-18) YES / NO / NA
Did the WIOA school status match the Wagner-Peyser School Status? YES / NO
Was Employment status at participation documented? YES / NO
For Adult, was low income status documented? YES / NO / NA
Is there proof in the record for all individual barriers selected on the Barriers tab? YES / NO / NA
Does the O*NET listed under the 301 service match the O'NET listed on the training plan? YES / NO
Did the training align with the Area's identified Sector Strategies? YES / NO
Was the Comprehensive Assessment (213) service posted? YES / NO
After reviewing the Employer Case Notes, were the appropriate Employer Services given? YES / NO
If appropriate, was the Closure Tab completed? YES / NO / NA
Does the Area need to explain why the training was not completed? YES / NO
Employment Plan Services (Issuance 18-2017)
Does the Employment Plan have both short and long-term goals? YES / NO
Does the Employment Plan have objectives required to meet the goals? YES / NO
Does the Employment Plan have a justification why the goals are appropriate based on assessment, skills gap, and barriers? YES / NO / NA
Are the goals supported by assessment, career counseling, or vocational exploration activities? YES / NO
Are there appropriate Case Notes, including the mandatory initial Case Note (Issuance 02-2017)**? YES / NO**
Was the Employment Plan Service (205) Posted? YES / NO

Was there documentation in a Case Note to prove (Issuance 21-2017):
Unable to obtain or retain employment that leads to economic self-sufficiency through career services? YES / NO
In need of training? YES / NO
Has the skills and qualifications to successfully complete training? YES / NO
Unable to obtain other grant assistance? YES / NO
Chosen training that is linked to employment opportunity in local area? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO
Hardcopy file includes (Issuance 21-2017):
Timesheets- signed and dated if no electronic timesheet or signature on invoice? YES / NO
OJT Invoices-signed and dated? YES / NO
Monitoring form (mid-point and end point)? YES / NO
If completed mid-point monitoring and/or completed OJT, was the MSG posted? YES / NO
Is the WIOA Equal Opportunity and Grievance Procedure form on file (Issuance 16-2017)? YES / NO
Did the OJT Agreement include (Issuance 21-2017):
Employer Contact Info, including FEIN or UI number? YES / NO
Training Operator Contact Info? YES / NO
Beginning and End date of OJT? YES / NO
Number of Workers provided full-time employment? YES / NO
Total fixed price? YES / NO
Employer Attestation of Workforce Status? YES / NO
If applicable, concurrence of the collective bargaining agent? YES / NO
E-verify enrollment with affidavit of work authorization? YES / NO
General Assurances? YES / NO
Legal Certifications? YES / NO
WIOA Complaint and Grievance/EO (Issuance 01-2014)? YES / NO
At a minimum, did the OJT Training plan include (Issuance 21-2017):
Name of Participant? YES / NO
State ID? YES / NO
Occupation? YES / NO
O'NET code? YES / NO

SVP Range? YES / NO
Start and Ending dates? YES / NO
Number of hours per week? YES / NO
Initial wage rate and schedule raises (if any)? YES / NO
OJT Wage and % of reimbursement? YES / NO
Maximum OJT obligation? YES / NO
Clear and concise job description? YES / NO
Specific skills to be learned? YES / NO
Signature of trainee (dated)? YES / NO
Signature of employer/trainer (dated)? YES / NO
In determining the appropriate length of the contract, were the following considered (Issuance 21-2017)**:**
Skill requirements of the occupation? YES / NO
Academic and occupational skills of participant? YES / NO
Prior work experience? YES / NO
Skills gap? YES / NO
Participant's Employment Plan? YES / NO

VII. WIOA DISLOCATED WORKER MONITORING

1. Eligibility. Eligibility for Dislocated Workers shall be reviewed. This is outlined in Issuance 2017-011, Modification 1. Eligibility shall consist of review of the following:

- Citizen ship or Eligible Non Citizenship status,
- Presence of a document showing Social Security number,
- Registration in Selective Services for males age 18 and over, born after December 31, 1959, unless otherwise exempt (e.g. acquisition of citizenship or naturalization status after turning age 26),
- Document showing age,
- Proof of address,
- The customer is a permanently laid-off individual, with documentation showing lay off or termination, Unemployment Insurance status, and Unlikely to return to a previous industry or occupation, OR
- Permanent business closure or substantial layoff, OR
- Self-Employed and dislocated due to business failure, OR
- Unemployed or underemployed Displaced Homemaker, who was previously relying upon the income as a dependent of another family member, and that income is no longer available.

2. Classroom Training.

- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- The training is listed as approved in the Eligible Training Provider list in MoJobs, with documentation.

3. On-the-Job Training and other Work-Based Training.

- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- Employer Agreement with required data elements,
- Signed timesheets must be in the file and approved by the authorized signatory,
- Worksite monitoring documents must be in the file.

4. Work Experience / Internship / Apprenticeship.

- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- Employer Agreement with required data elements,
- Signed timesheets must be in the file and approved by the authorized signatory,
- Worksite monitoring documents must be in the file.

5. Supportive Services.
    - Required documentation of Supportive Services, if provided (per Issuance No. 2017-041, Supportive Services for WIOA Dislocated Worker and Adult Policy).

6. Any other services that result in a Direct Payment being made to or on behalf of a Participant.
    - Requires case note and associated documentation in file.

Table 5: WIOA Dislocated Worker Classroom Training Monitoring Worksheet

Eligibility (Issuance 04-2017)
Is there a resume posted in MoJobs? YES / NO
Enrollment Date:
Is there a completed Wagner-Peyser enrollment? YES / NO
What was School status at participation in Wagner-Peyser? YES / NO
If there was a SNAP referral did they complete the enrollment or case note the participant refused? YES / NO / NA
WIOA enrollment date:
Was social security number verified? YES / NO
Was date of birth documented? YES / NO
Was "Selective Service" documented in MoJobs? YES / NO
Was Citizenship/Alien Status documented? YES / NO
If applicable, was Veteran status documented? YES / NO / NA
If Show Me Hero, is there documentation of Military Separation within one year? 5 YEARS (EFFECTIVE 8-28-18) YES / NO / NA
Did the WIOA school status match the Wagner-Peyser School Status? YES / NO
Was Employment status at participation documented? YES / NO
For Dislocated Worker, was appropriate eligibility documentation obtained? YES / NO / NA
Is there proof of Dislocation Date on file? YES / NO / NA
Is there proof in the record for all individual barriers selected on the Barriers tab? YES / NO / NA
Does the O*NET listed under the 301 service match the O'NET listed on the training plan? YES / NO
Did the training align with the Area's identified Sector Strategies? YES / NO
Was the Comprehensive Assessment (213) service posted? YES / NO
After reviewing the Employer Case Notes, were the appropriate Employer Services given? YES / NO
If appropriate, was the Closure Tab completed? YES / NO / NA
Does the Area need to explain why the training was not completed? YES / NO
Employment Plan Services (Issuance 18-2017)
Does the Employment Plan have both short and long-term goals? YES / NO
Does the Employment Plan have objectives required to meet the goals? YES / NO
Does the Employment Plan have a justification why the goals are appropriate based on assessment, skills gap, and barriers? YES / NO / NA
Are the goals supported by assessment, career counseling, or vocational exploration activities? YES / NO

Are there appropriate Case Notes, including the mandatory initial Case Note (Issuance 02-2017)? YES / NO
Was the Employment Plan Service (205) Posted? YES / NO
Was there documentation in a Case Note to prove (Issuance 21-2017):
Unable to obtain or retain employment that leads to economic self-sufficiency through career services? YES / NO
In need of training? YES / NO
Has the skills and qualifications to successfully complete training? YES / NO
Unable to obtain other grant assistance? YES / NO
Chosen training that is linked to employment opportunity in local area? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO
Hard copy file should include:
ITA? YES / NO
WIOA Equal Opportunity and Grievance Procedure form (Issuance 16-2017)? YES / NO
Training program approved on the ETPS by the local region and printout in the file? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO

Table 6: WIOA Dislocated Worker On-The-Job Training / Work Experience Monitoring Worksheet

Eligibility (Issuance 04-2017)
Is there a resume posted in MoJobs? YES / NO
Enrollment Date:
Is there a completed Wagner-Peyser enrollment? YES / NO
What was School status at participation in Wagner-Peyser? YES / NO
If there was a SNAP referral did they complete the enrollment or case note the participant refused? YES / NO / NA
WIOA enrollment date:
Was social security number verified? YES / NO
Was date of birth documented? YES / NO
Was "Selective Service" documented in MoJobs? YES / NO
Was Citizenship/Alien Status documented? YES / NO
If applicable, was Veteran status documented? YES / NO / NA
If Show Me Hero, is there documentation of Military Separation within one year? 5 YEARS (EFFECTIVE 8-28-18) YES / NO / NA
Did the WIOA school status match the Wagner-Peyser School Status? YES / NO
Was Employment status at participation documented? YES / NO
For Dislocated Worker, was appropriate eligibility documentation obtained? YES / NO / NA
Is there proof of Dislocation Date on file? YES / NO / NA
Is there proof in the record for all individual barriers selected on the Barriers tab? YES / NO / NA
Does the O*NET listed under the 301 service match the O'NET listed on the training plan? YES / NO
Did the training align with the Area's identified Sector Strategies? YES / NO
Was the Comprehensive Assessment (213) service posted? YES / NO
After reviewing the Employer Case Notes, were the appropriate Employer Services given? YES / NO
If appropriate, was the Closure Tab completed? YES / NO / NA
Does the Area need to explain why the training was not completed? YES / NO
Employment Plan Services (Issuance 18-2017)
Does the Employment Plan have both short and long-term goals? YES / NO

Does the Employment Plan have objectives required to meet the goals? YES / NO
Does the Employment Plan have a justification why the goals are appropriate based on assessment, skills gap, and barriers? YES / NO / NA
Are the goals supported by assessment, career counseling, or vocational exploration activities? YES / NO
Are there appropriate Case Notes, including the mandatory initial Case Note (Issuance 02-2017)**? YES / NO**
Was the Employment Plan Service (205) Posted? YES / NO
Was there documentation in a Case Note to prove (Issuance 21-2017):
Unable to obtain or retain employment that leads to economic self-sufficiency through career services? YES / NO
In need of training? YES / NO
Has the skills and qualifications to successfully complete training? YES / NO
Unable to obtain other grant assistance? YES / NO
Chosen training that is linked to employment opportunity in local area? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017**):**
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO
Hardcopy file includes (Issuance 21-2017)**:**
Timesheets- signed and dated if no electronic timesheet or signature on invoice? YES / NO
OJT Invoices-signed and dated? YES / NO
Monitoring form (mid-point and end point)? YES / NO
If completed mid-point monitoring and/or completed OJT, was the MSG posted? YES / NO
Is the WIOA Equal Opportunity and Grievance Procedure form on file (Issuance 16-2017**)? YES / NO**
Did the OJT Agreement include (Issuance 21-2017)**:**
Employer Contact Info, including FEIN or UI number? YES / NO
Training Operator Contact Info? YES / NO
Beginning and End date of OJT? YES / NO
Number of Workers provided full-time employment? YES / NO
Total fixed price? YES / NO

Employer Attestation of Workforce Status? YES / NO
If applicable, concurrence of the collective bargaining agent? YES / NO
E-verify enrollment with affidavit of work authorization? YES / NO
General Assurances? YES / NO
Legal Certifications? YES / NO
WIOA Complaint and Grievance/EO (Issuance 01-2014)? **YES / NO**
At a minimum, did the OJT Training plan include (Issuance 21-2017)**:**
Name of Participant? YES / NO
State ID? YES / NO
Occupation? YES / NO
O'NET code? YES / NO
SVP Range? YES / NO
Start and Ending dates? YES / NO
Number of hours per week? YES / NO
Initial wage rate and schedule raises (if any)? YES / NO
OJT Wage and % of reimbursement? YES / NO
Maximum OJT obligation? YES / NO
Clear and concise job description? YES / NO
Specific skills to be learned? YES / NO
Signature of trainee (dated)? YES / NO
Signature of employer/trainer (dated)? YES / NO
In determining the appropriate length of the contract, were the following considered (Issuance 21-2017)**:**
Skill requirements of the occupation? YES / NO
Academic and occupational skills of participant? YES / NO
Prior work experience? YES / NO
Skills gap? YES / NO
Participant's Employment Plan? YES / NO

VIII. WIOA OUT-OF-SCHOOL YOUTH MONITORING

Out-of-School Youth, Ages 16-24

(Attending an Adult Education and Literacy (AEL) program is <u>not</u> considered being in school).

Monitoring must also ensure that WIOA regulations are followed for Out-of-School Youth:

1. Eligibility. Eligibility for Youth shall be reviewed. This is outlined in Issuance 2017-006, Modification 1. Eligibility shall consist of review of the following:

- Citizen ship or Eligible Non Citizenship status,
- Presence of a document showing Social Security number,
- Registration in Selective Services for males age 18 and over, born after December 31, 1959, unless otherwise exempt (e.g. acquisition of citizenship or naturalization status after turning age 26),
- Document showing age,
- Proof of address,
- Out-of-School Youth: Possess at least **one** barrier:
  (1.) High school dropout,
  (2.) Supposed to be in school but did not attend the last calendar quarter,
  (3.) Low-Income high school graduate **and** <u>is an individual who is basic skills deficient or an English language learner</u>,
  (4.) Is subject to the Juvenile or Adult Justice System,
  (5.) Homeless or a run-away,
  (6.) Parenting or pregnant Youth,
  (7.) Individual with a disability,
  (8.) Homeless,
  (9.) Foster child or aged out of foster care.

Additionally, the Local Board has identified these locally defined barriers as Needs Additional Assistance. One or more may be utilized for eligibility determination. **No more than five percent (5%) of all Youth participants may be made eligible under the Needs Additional Assistance barrier.** These barriers are:

(1.) Little or no successful work experience;
(2.) Unemployed and has been involved in a long and unsuccessful work search for more than six months;
(3.) Little if any exposure to successfully employed adults;
(4.) Has been fired from a job in the last six (6) months;
(5.) Has below average grades;
(6.) Previously dropped out of an educational program;
(7.) Is placed at least one grade level behind given age;
(8.) Significant personal or family problems;
(9.) Limited English proficiency;

(10.) Limited access to reliable transportation, i.e. public transportation is beyond one walkable mile from residence;
(11.) Is an individual who is a first generation college student,
(12.) Is a child of an incarcerated parent.

It is required that at least a minimum of 75% of all Youth expenditures be on Out-of-School Youth. The 75% of funds is based on the amount of formula funds minus Administrative costs (for example if Administrative Costs are 10 percent, the 75% requirement would pertain to the remaining 90 percent of the Youth formula funds (TEGL 23-14, p. 8). For example, out of $1 million of WIOA Youth formula funds, $900,000 is subject to the 75% requirement, meaning $675,000 would be the required expenditure amount for Out-of-School Youth.

2. Classroom Training for Out-of-School Youth.

- An Objective Assessment must be included as part of the assessment process,
- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- The training is listed as approved in the Eligible Training Provider list in MoJobs, with documentation,

3. On-the-Job Training and other Work-Based Training.

- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- Employer Agreement with required data elements,
- Signed timesheets must be in the file and approved by the authorized signatory,
- Worksite monitoring documents must be in the file.

4. Work Experience / Internship / Apprenticeship.

- A Youth may be enrolled into a Classroom training program as a stand-alone activity, however **Work-based training must have Classroom training as a plan component of the Youth's activity, documented as planned to occur either before, during or after the Work-based training.**
- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- Employer Agreement with required data elements,
- Signed timesheets must be in the file and approved by the authorized signatory,
- Worksite monitoring documents must be in the file.

- There is a 20% work-based learning expenditure requirement, with an educational component requirement (classroom training). The 20% expended on work-based expenditures consist of participant wages as well as staffing costs for the development and management of work experiences. The 20% is derived from non-administrative the total amount of formula funds. Administrative costs are not included in the calculation. There is no separate funding required for Out-of-School Youth and In-School Youth (TEGL 23-14, p. 8). For example, "if a local area received $1 million in local WIOA youth funds, and spent $100,000 (10 percent) on administrative costs, the minimum work experience expenditure requirement would be based on the remaining $900,000. In this case, local areas would need to spend a minimum of $180,000 (20 percent) on the work experience program element" (TEGL 23-14, p. 9).

5. Supportive Services.
   - Required documentation of Supportive Services, if provided (per Issuance No. 2017-018, Modification 1, Supportive Services, Post-Employment and Payments for Outcomes for WIOA Youth Policy).

6. Any other services that result in a Direct Payment being made to or on behalf of a Participant.
   - Requires case note and associated documentation in file.

Table 7: Out-of-School Youth Monitoring Worksheet

Eligibility (Issuance 05-2017)
Enrollment Date:
Is there a completed Wagner-Peyser enrollment? YES / NO
What was School status at participation in Wagner-Peyser? YES / NO
If there was a SNAP referral did they complete the enrollment or case note the participant refused? YES / NO
Was social security number verified? YES / NO
Was Citizenship/Authorization to Work documented? YES / NO
Was age/date of birth documented? YES / NO
If applicable, was selective service documented? YES / NO / NA
Is the WIOA Equal Opportunity and Grievance Procedure form on file (Issuance 16-2017)? YES / NO
If out-of-school, does the youth meet all the criteria?
Did the WIOA school status match the Wagner-Peyser School Status? YES / NO
Is there a resume posted in MoJobs? YES / NO
Employment Plan Services (Issuance 03-2015)
Was the Objective Assessment (OA) (412) completed and posted? YES / NO
Basic Skills Assessment (reading, math and lang.) (Issuance 14-2016)? YES / NO
Was the participant determined Basic Skills Deficient? Out of School Only (Issuance 14-2016)? YES / NO
Occupational Skills? YES / NO
Prior Work Experience? YES / NO
Employability? YES / NO
Interests? YES / NO
Aptitudes? YES / NO
Supportive Service Needs? YES / NO
Developmental Needs
Was the Individual Service Strategy (ISS) (413) completed and posted? YES / NO
Does the ISS identify a career pathway? YES / NO
Does ISS address all barriers identified on OA? YES / NO
Are there appropriate Case Notes, including the mandatory Initial Case Note (Issuance 02-2017)? YES / NO
Does the record contain case notes documenting Youth's progress? YES / NO
Does the record contain case notes indicating the need for additional services? YES / NO
Do the case notes indicate regular contact with the youth? YES / NO
Indicate with a "Yes" if the following Employment Plan services were provided and if they were posted correctly (Issuance 18-2017):
(400) Summer Youth Employment Opportunities (Uncommon) YES / NO

(401) Education for Workforce Preparation YES / NO
(406) Tutoring, study skills, instruction… YES / NO
(408) Internship - Unpaid YES / NO
(409) Job Shadowing YES / NO
(410) Leadership Development YES / NO
(411) Adult Mentoring YES / NO
(415) Alternative secondary school services YES / NO
(416) Occupational Skills Training YES / NO
(417) Comprehensive guidance and counseling YES / NO
(418) Adult Education (AEL) YES / NO
(420) Scholars YES / NO
(425) Work Experience - Paid YES / NO
(426) Work Experience - Unpaid YES / NO
(427) Internship - Paid YES / NO
(428) On-the-Job Training Opportunities YES / NO
(430) Occupational Skills Training-non approved provider YES / NO
(431) Prepare post-secondary education Opportunity/Employment Opportunity YES / NO
(433) Pre-Apprenticeship Programs YES / NO
(434) Financial Literacy YES / NO
(435) Entrepreneurial Skills YES / NO
(436) Labor Market Information YES / NO
(480-486) Supportive Services
Did the Youth receive an Incentive Payment (487)? YES / NO
If yes, was it in accordance with the LWDA's Youth Incentive Policy and 681.640? YES / NO / NA
(F01-F19) Follow-up services YES / NO
If applicable, were the services closed appropriately? YES / NO / NA
Were there any services posted that should not have been? YES / NO
Are there case notes to correspond with all services posted to the Employment Plan? YES / NO
Were any services provided that were not posted to the Employment Plan? YES / NO
Occupational Skills Training
Did the Youth participate in Occupational Skills Training? YES / NO
Is the training program approved on the ETPS by the local region and printout in the file? YES / NO
Is there an ITA in the file? YES / NO
Does the Area need to explain why the training was not completed? YES / NO
Work Experience (Issuance 11-2015)
Did the Youth participate in a Work Experience? YES / NO
If yes, does the record contain a specific and detailed Training Plan? YES / NO NA
Was the I-9 completed properly? YES / NO
Was an E-verify case created prior to or within 3 days of start date? YES / NO

Are properly completed Timesheets in the record? YES / NO
Equal Opportunity/Complaint and Grievance form signed by the worksite found in the file? YES / NO
Case notes to support the development and the placement of the Youth? YES / NO
If in a work experience, does the ISS address the required academic goals? YES / NO / NA
Does the Area need to explain why the training was not completed? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO
Performance Review (Issuance 05-2017)
Was the "Employment Status at Participation" accurately reported on the Employment Tab? YES / NO
Was the "School Status at Participation" accurately reported on the Education Tab? YES / NO
If appropriate, was the Closure Tab completed? YES / NO
If Exited, was "School Status at Exit" reported accurately on the Closure Tab? YES / NO / NA
If Exited, was "Youth Placement-2nd Qtr." reported accurately on the Follow -Up tab? YES / NO
Was a Measurable Skill Gain earned and posted accordingly? YES / NO
If yes, was proof in the file? YES / NO
Was attainment of degree or certificate reported on the Credentials Tab? YES / NO
If yes, was proof in the file? YES / NO / NA
Does the Area need to explain why a credential was not obtained? YES / NO
If applicable, was the Youth provided Follow-up services as required (Issuance 03-2015)? YES / NO / NA

IX. WIOA IN-SCHOOL YOUTH MONITORING

In-School Youth, Ages 14-21

(Attending Any Secondary or Post-Secondary Training: College, university, vocational technical training, any other training leading to a recognized credential or certificate, <u>except</u> Adult Education and Literacy (AEL) classes)

Monitoring must also ensure that WIOA regulations are followed for In-School Youth:

- Attending any school (except AEL classes),
- **Meet the low income guidelines for the customer or family,**
- Possess at least one of these Barriers:
  (1.) Basic skills deficient,
  (2.) English language learner,
  (3.) Is subject to the Juvenile or Adult Justice System,
  (4.) Homeless or a run-away,
  (5.) Parenting or pregnant Youth,
  (6.) Individual with a disability,
  (7.) Homeless,
  (8.) Foster child or aged out of foster care.

Additionally, the Local Board has identified these locally defined barriers as Needs Additional Assistance. One or more may be utilized for eligibility determination. **No more than five percent (5%) of all Youth participants may be made eligible under the Needs Additional Assistance barrier.** These barriers are:

(1.) Little or no successful work experience;
(2.) Unemployed and has been involved in a long and unsuccessful work search for more than six months;
(3.) Little if any exposure to successfully employed adults;
(4.) Has been fired from a job in the last six (6) months;
(5.) Has below average grades;
(6.) Previously dropped out of an educational program;
(7.) Is placed at least one grade level behind given age;
(8.) Significant personal or family problems;
(9.) Limited English proficiency;
(10.) Limited access to reliable transportation, i.e. public transportation is beyond one walkable mile from residence;
(11.) Is an individual who is a first generation college student,
(12.) Is a child of an incarcerated parent.

2. Classroom Training for In-School Youth.

- An Objective Assessment must be included as part of the Assessment process,
- The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
- The training is listed as approved in the Eligible Training Provider list in MoJobs, with documentation,

3. On-the-Job Training and other Work-Based Training.
   - The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
   - Employer Agreement with required data elements,
   - Signed timesheets must be in the file and approved by the authorized signatory,
   - Worksite monitoring documents must be in the file.

4. Work Experience / Internship / Apprenticeship.
   - A Youth may be enrolled into a Classroom training program as a stand-alone activity, however **Work-based training must always have Classroom training as a plan component of the Youth's activity, documented as planned to occur either before, during or after the Work-based training.**
   - The training is for an approved high-demand occupation (Currently sectors consist of healthcare, information technology, advanced manufacturing, business services, construction and warehouse/logistics/transportation. This may change, depending upon labor market conditions),
   - Employer Agreement with required data elements,
   - Worksite monitoring documents must be in the file,
   - **There is a 20% work-based learning expenditure requirement, with an educational component requirement (classroom training). The 20% expended on work-based expenditures consist of participant wages as well as staffing costs for the development and management of work experiences. The 20% is derived from non-administrative the total amount of formula funds. Administrative costs are not included in the calculation. There is no separate funding required for Out-of-School Youth and In-School Youth (TEGL 23-14, p. 8). For example, "if a local area received $1 million in local WIOA youth funds, and spent $100,000 (10 percent) on administrative costs, the minimum work experience expenditure requirement would be based on the remaining $900,000. In this case, local areas would need to spend a minimum of $180,000 (20 percent) on the work experience program element" (TEGL 23-14, p. 9),**
   - **By regulation, Youth expenditures on In-School Youth cannot exceed 25% of all Youth expenditures.**

5. Supportive Services.
   - Required documentation of Supportive Services, if provided (per Issuance No. 2017-018, Modification 1, Supportive Services, Post-Employment and Payments for Outcomes for WIOA Youth Policy).

6. Any other services that result in a Direct Payment being made to or on behalf of a Participant.
    - Requires case note and associated documentation in file.

Table 8: In-School Youth Monitoring Worksheet

Eligibility (Issuance 05-2017)
Enrollment Date
Is there a completed Wagner-Peyser enrollment? YES / NO
What was School status at participation in WP? YES / NO
If there was a SNAP referral did they complete the enrollment or case note the participant refused? YES / NO
Was social security number verified? YES / NO
Was Citizenship/Authorization to Work documented? YES / NO
Was age/date of birth documented? YES / NO
If applicable, was selective service documented? YES / NO / NA
Is the WIOA Equal Opportunity and Grievance Procedure form on file (Issuance 16-2017**)? YES / NO**
If in-school, does the youth meet all the criteria? YES / NO
Did the WIOA school status match the Wagner-Peyser School Status? YES / NO
Is there a resume posted in MoJobs? YES / NO
Employment Plan Services (Issuance 03-2015)
Was the Objective Assessment (OA) (412) completed and posted? YES / NO
Basic Skills Assessment (reading, math and lang.) (Issuance 14-2016)? YES / NO
Occupational Skills? YES / NO
Prior Work Experience? YES / NO
Employability? YES / NO
Interests? YES / NO
Aptitudes? YES / NO
Supportive Service Needs? YES / NO
Developmental Needs
Was the Individual Service Strategy (ISS) (413) completed and posted? YES / NO
Does the ISS identify a career pathway? YES / NO
Does ISS address all barriers identified on Objective Assessment? YES / NO
Are there appropriate Case Notes, including the mandatory Initial Case Note (Issuance 02-2017)? **YES / NO**
Does the record contain case notes documenting Youth's progress? YES / NO
Does the record contain case notes indicating the need for additional services? YES / NO
Do the case notes indicate regular contact with the youth? YES / NO
Indicate with a "Yes" if the following Employment Plan services were provided and if they were posted correctly (Issuance 18-2017):
(400) Summer Youth Employment Opportunities (Uncommon) YES / NO
(401) Education for Workforce Preparation YES / NO
(406) Tutoring, study skills, instruction… YES / NO
(408) Internship - Unpaid YES / NO

(409) Job Shadowing YES / NO
(410) Leadership Development YES / NO
(411) Adult Mentoring YES / NO
(415) Alternative secondary school services YES / NO
(416) Occupational Skills Training YES / NO
(417) Comprehensive guidance and counseling YES / NO
(418) Adult Education (AEL) YES / NO
(420) Scholars YES / NO
(425) Work Experience - Paid YES / NO
(426) Work Experience - Unpaid YES / NO
(427) Internship - Paid YES / NO
(428) On-the-Job Training Opportunities YES / NO
(430) Occupational Skills Training-non approved provider YES / NO
(431) Prepare post-secondary education Opportunity/Employment Opportunity YES / NO
(433) Pre-Apprenticeship Programs YES / NO
(434) Financial Literacy YES / NO
(435) Entrepreneurial Skills YES / NO
(436) Labor Market Information YES / NO
(480-486) Supportive Services
Did the Youth receive an Incentive Payment (487)? YES / NO
If yes, was it in accordance with the LWDA's Youth Incentive Policy and 681.640? YES / NO / NA
(F01-F19) Follow-up services YES / NO
If applicable, were the services closed appropriately? YES / NO / NA
Were there any services posted that should not have been? YES / NO
Are there case notes to correspond with all services posted to the Employment Plan? YES / NO
Were any services provided that were not posted to the Employment Plan? YES / NO
Occupational Skills Training
Did the Youth participate in Occupational Skills Training? YES / NO
Is the training program approved on the ETPS by the local region and printout in the file? YES / NO
Is there an ITA in the file? YES / NO
Does the Area need to explain why the training was not completed? YES / NO
Work Experience (Issuance 11-2015)
Did the Youth participate in a Work Experience? YES / NO
If yes, does the record contain a specific and detailed Training Plan? YES / NO NA
Was the I-9 completed properly? YES / NO
Was an E-verify case created prior to or within 3 days of start date? YES / NO
Are properly completed Timesheets in the record? YES / NO
Equal Opportunity/Complaint and Grievance form signed by the worksite found in the file? YES / NO

Case notes to support the development and the placement of the Youth? YES / NO
If in a work experience, does the ISS address the required academic goals? YES / NO / NA
Does the Area need to explain why the training was not completed? YES / NO
If applicable, were the Supportive Services (Issuance 13-2017):
Is the participant in an allowable WIOA activity? YES / NO
Reasonable and necessary? YES / NO
Participant was unable to obtain first through other programs providing such services? YES / NO
Documented under Activities/Services? YES / NO
Case Note including: Type, amount, timeframe, justification, and lack of resources? YES / NO
Follow local plan? YES / NO
Performance Review (Issuance 05-2017)
Was the "Employment Status at Participation" accurately reported on the Employment Tab? YES / NO
Was the "School Status at Participation" accurately reported on the Education Tab? YES / NO
If appropriate, was the Closure Tab completed? YES / NO
If Exited, was "School Status at Exit" reported accurately on the Closure Tab? YES / NO / NA
If Exited, was "Youth Placement-2nd Qtr." reported accurately on the Follow -Up tab? YES / NO
Was a Measurable Skill Gain earned and posted accordingly? YES / NO
If yes, was proof in the file? YES / NO
Was attainment of degree or certificate reported on the Credentials Tab? YES / NO
If yes, was proof in the file? YES / NO / NA
Does the Area need to explain why a credential was not obtained? YES / NO
If applicable, was the Youth provided Follow-up services as required (Issuance 03-2015)? YES / NO / NA

X. DATA ELEMENT VERIFICATION REVIEW

Per Training and Employment Guidance Letter (TEGL) 7-18 and Missouri Division of Workforce Development Issuance No. 16-2018, Data Element Validation (DEV) review must be performed to ensure the integrity of performance outcomes. This means data reported is valid, accurate, reliable, and comparable across programs. Missouri Office of Workforce Development Issuance No. 12-2019, Statewide Sub-State Monitoring Policy, requires that data element validation be performed quarterly.

Files will be selected by MIS personnel using random sampling techniques and a sample obtained within 30 days after the end of each quarter. Resulting data will be provided to monitors for review.

Depending on the amount of records that exited the prior program year, the corresponding number of sample records shown below, at a minimum, must be examined. These guidelines are applicable for every review:

Exited Record Set Size	Sample Size
1–200	69
201–300	78
301–400	84
401–500	87
501–1,000	96
1,001–2,000	100
2,001–10,000	105

XI. PARTICIPANT RELATED PAYMENTS REIVEW

The fiscal policy of the FEC requires that all payments follow the internal control procedures of the organization. These procedures include proper review and approval of Participant Related Payments, proper budget obligations, expense limit authorization, sufficient and appropriate approval forms, Individual Training Account Vouchers (ITA), supporting case notes, invoices, dual signature on check payments, and other supporting documents, etc. In addition, transactions should be properly described, identified and coded to the correct program and funding stream. During this monitoring period, independent monitors will randomly select a 20% sample related to no more than 15 clients for testing of the total number of WIOA expenses incurred for COT, OJT, Support Services and other program expenses. FEC will send the quarterly Expenditures General Ledger (GL) Detail to the independent monitor, who will select the appropriate sample.

XII. FIVE PERCENT (5%) OVER-INCOME EXCEPTION FOR YOUTH

There is a 5% over-income exception (enrollments over-income Youth may not exceed 5%).
To determine the 5% low-income exception, "A program must calculate the five percent based on the percent of newly enrolled youth in the local area's WIOA youth program in a given program year who would ordinarily be required to meet the low-income criteria. It is not based on all youth since many of the OSY categories do not require low-income status" (TEGL 21-16,
p. 6**).**

An example from TEGL 21-16, p. 6 is of a Workforce Development Board that enrolled 200 Youth. Of these:

100 were Out-of-School Youth who were not required to meet the low income criteria,
50 were Out-of-School Youth who were required to meet the low-income criteria,
50 were In-school Youth (all who must meet the low-income criteria).

Given this scenario, the 50 Out-of-School Youth required to be low-income and the 50 In-School Youth (all who must meet the low income criteria) are the only ones factored into the 5% income exception.

"Therefore, in this example, 5 of the 100 youth who ordinarily would be required to be low-income do not have to meet the low-income criteria based on the low-income exception.

This percent is calculated at the end of ta program year based on new enrollees in that program year" (TEGL 21-16, p. 6).

XIII. TRENDS AND OUTCOMES

Trends and outcomes shall be noted by independent monitors regarding such observations that certain types of findings are occurring frequently, whether customers who obtain employment are attaining a wage that moves beyond a median wage for the region, and other observations that are relevant to program design, services, delivery and outcomes.

ATTACHMENT 5.

Chief Elected Officials Consortium Agreement (optional), membership and bylaws

ATTACHMENT 6.

Local WD Board Membership List, Standing Committees, & Certification Letter

July 1, 2019

The Honorable Sly James
Mayor of Kansas City
29th Floor, City Hall
414 East 12th
Kansas City, Missouri 64106

Ellen Fairchild, Chair
Kansas City and Vicinity Workforce Development Board
Kansas City Power & Light Company
1200 Main Street, 31st Floor
Kansas City, Missouri 64109

Dear Mayor James and Ms. Fairchild:

I am pleased to inform you that the member list submitted for the Kansas City and Vicinity Workforce Development Board, received June 14, 2019, meets local Workforce Development Board requirements for recertification. The following Kansas City and Vicinity Workforce Development Board membership list is approved.

Board Members:

Ellen Fairchild	George Satterlee	Alise Martiny	Kimberly Beatty
Ed Desoignie	Ajamu Webster	Patrick Dujakovich	Alicia Stephens
Robert Hughes, Jr.	Tim VanZandt	Scott Rettig	Gayle Hobbs
Bridgett Williams	Carlos Gomez	Brian Garrett	Brent Stewart
Tammy Edwards	Deryk Powell	Dan Hink	Edwin Lowndes
Herb Sih	Rocco Marinaccio	Deborah Briggs	Clifton Campbell
Will McCarther	Tony Reinhart	Teresa King	Chris Thompson
Ron Borst	James Hampton	Lisa Elrod	

Please inform us of changes to your Board membership as soon as possible following a change so that we may keep our database current. Should you have questions or comments on this process, please feel free to contact Debra Lee at (573) 751-7822 or debra.lee@ded.mo.gov. We look forward to working with you and your Board.

Sincerely,

Mardy Leathers
Director

ML/YW/DL/CB

c: Clyde McQueen
Franciena King
DWD Senior Staff

Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services are available at 711.

1740 Paseo Blvd. • Kansas City, MO 64108

816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

June 14, 2019

Debra Lee, Lead Planner
Division of Workforce Development
Truman State Office Building
301West High Street, Suite 870 | PO Box 1087
Jefferson City, MO 65102-1087

Dear Debra,

Attached is the signed Attestation Form for the **Kansas City & Vicinity Region** Workforce Development Board Membership Certification or Recertification required by the Workforce Innovation and Opportunity Act (WIOA) for the board term of July 1, 2019 – June 30, 2021.

If you have any questions or need further clarification, please call me at 816-691-2256. Thank you for your cooperation and support.

Sincerely,

Clyde McQueen
President/CEO
Full Employment Council
Kansas City & Vicinity Area
Workforce Development Board
Administrative Entity/ / Fiscal Agent

CM: FK

Enclosures

Local Workforce Investment Board Membership Certification or Recertification Form

Local Workforce Investment Board: KANSAS CITY & VICINITY REGION (2019 – 2021)

Appointee's Name & Title	Member Category*	Nominating Organization	Appointee's Company or Organization, Mailing address, phone #, fax # and email address	FEIN ** for Business Nominees Only	Member Being Replaced (if applicable)
Ellen Fairchild, ***Chairperson*** Vice President / Corporate Secretary / Chief Compliance Officer	Business	Economic Development Corporation of Kansas City	Ellen Fairchild Vice President / Corporate Secretary Kansas City Power & Light Company 1200 Main Street Kansas City, MO 64109 816- 556-2083 Email: ellen.fairchild@kcpl.com	44-0308720	
Ed DeSoignie, ***Vice Chairman*** Executive Director	Business	Economic Development Corporation of Kansas City	Heavy Constructors Association 1100 Walnut, Suite 2950 Kansas City, MO 64106 (816) 753-6443 Email: erdes@swbell.net	44-0563901	
Robert Hughes, Jr., ***Treasurer*** President	Business	Economic Development Corporation of Kansas City	Universal Management Co. Replacement 2420 E. Linwood, #109 Kansas City, MO 64109 816-861-2982 Email: rhughes@umikc.com	74-2812768	
Bridgett Williams, ***Secretary*** Chairman	Business/ Economic Development (Dual Hat)	Economic Development Corporation of Kansas City	Economic Development Corporation 3101 Broadway Kansas City, MO 64111 816-753-6443 Email: bwilliams@heavyconstructors.org	44-0563901	
Alise Martiny, ***Parliamentarian*** Business Manager	Organized Labor	Greater Kansas City AFL-CIO	K. C. Building and Construction Trades Council 400 S. Main Independence, MO 64050 816-836-8485 or Cell# 816-674-2997 Email: alise@alisemartiny.com		

Tammy Edwards Vice President	Business	Economic Development Corporation of Kansas City	Federal Reserve Bank – Kansas City 1 Memorial Drive Kansas City, Missouri 64198 816-881-2123 Email: Tammy.Edwards@kc.frb.org	44-0545874	
Herb Sih Managing Partner	Business	Economic Development Corporation of Kansas City	Think Big Partners 1800 Baltimore, 4th Floor Kansas City, Missouri 64108 816-842-5244 Email: herb.sih@thinkbigpartners.com	21-3814222	
Will McCarther Vice President	Business	Economic Development Corporation of Kansas City	Research Medical Center 6601 Rockhill Road Kansas City, Missouri 64131 816-276-8527 or Cell# 838-7250 Email: will.mccarther@hcamidwest.com	54-2092552	
Ron Borst President	Business	Economic Development Corporation of Kansas City	Clay & Bailey Manufacturing Co. 6401 E. 40th Street Kansas City, MO 64129 816-924-3900 Email: rborst@claybailey.com	44-0362120	
George Satterlee Vice-President of Administration	Business	Economic Development Corporation of Kansas City	Stowers Institute for Medical Research 1000 E. 50th Street Kansas City, MO 64110 Email: gls@stowers.com	43-1684454	
Ajamu Webster Owner	Business	Economic Development Corporation of Kansas City	Dubois Consultants 5737 Swope Parkway Kansas City, MO 64130 816-333-7700 Email: awebster@duboisengrs.com	43-1494206	
Tim VanZandt Vice President Government and Community Relations	Business	Economic Development Corporation of Kansas City	Senior Vice-President of Public Affairs St. Luke's Hospital 10920 Elm Avenue Kansas City, MO 64111 816-932-2000 Email: nseelen@saint-lukes.org	43-1747502	
Carlos Gomez Executive Director	Business	Economic Development Corporation of Kansas City	Hispanic Chamber of Commerce 2001 Grand Blvd. – Suite 700 Kansas City, MO 64108 816-472-6767 Email: cgomez@hccgkc.com		

Brent Stewart President	CBO/ Philanthropic	Full Employment Council	United Way of Kansas City 801 W. 47th , Suite 500 Kansas City, MO 64112 816-559-4602 Email: brentstewart@uwgkc.org		
Kimberly Beatty Chancellor	Higher Education Partners Community College/Education	KCMO Appointment	Metropolitan Community College 3200 Broadway Kansas City, MO 64111 816-604-1011 Email: Kimberly.beatty@mcckc.edu		
Edwin Lowndes Executive Director	Housing/ Section 8 Agency	Full Employment Council	Housing Authority of Kansas City 920 Main Street, Suite 701 Kansas City, MO 64105 816-968-4100 Email: elowndes@hakc.org		
Clifton Campbell Executive Director & CEO	CBO/Community Action Agency	United Services Community Action Agency	United Services Community Action Agency 6323 Manchester Ave. Kansas City, MO 64133 816-743-8301 or 816-560-7788 Email: ccampbell@unitedservicescaa.org		
Deryk Powell President	Business	Platte County Economic Development Council	Velociti 4780 NW 41st Street – Suite 500 Riverside, MO 64150 816-551-0123 Email: deryk.powell@velociti.com	01-0751936	
Patrick Dujakovich President, Greater KC AFL/CIO	Organized Labor	Greater Kansas City AFL-CIO	Fire Fighters #3898 1021 Pennsylvania Kansas City, MO 64105 816-221-6163 Mobile: 564-3013 Email: duke@kcaflcio.org		
Scott Rettig Business Manager	Organized Labor	Greater Kansas City AFL-CIO	Operating Engineers Local Union #101 6601 Winchester – Suite #280 Kansas City, MO 64133 816-737-8600 Email: sr@iuoelocal101.org		
Brian Garrett President/Director of Training	Organized Labor	Greater Kansas City AFL-CIO	Ironworker's Local 10, MoKan Ironworker's Training Fund 105 W. 12th Ave. North Kansas City, MO 64116 816-595-4134 Email: bgarrett@buildersassoc.com		

Dan Hink Apprenticeship Coordinator	Organized Labor	Greater Kansas City AFL-CIO	International Union of Painter's and Allied Trades (IUPAT) District Council 3 Office 9902 E. 67th Street Raytown, MO 64133 816-358-2440 Email: dhink@buildersassoc.com		
Rocco Marinaccio Director, Modular Assembly	Business	Platte County Economic Development Council	Martinrea 5233 NW 41st Street Riverside, MO 64150 816-581-9999 Email: marinaccio@martinrea.com	46-5517635	
Alicia Stephens Executive Director	Business/ Economic Development (Dual Hat)	Platte County Economic Development Council	Platte County Economic Devel. Council 11724 NW Plaza Circle, Suite 400 Kansas City, MO 64153 816-270-2119 Email: astephens@plattecountyedc.com		
Teresa King District Supervisor	Voc Rehab/ Labor/ Workforce (Dual Hat)	Missouri Department of Elementary & Secondary Education	Vocational Rehabilitation 615 E. 13th Street Kansas City, MO 64106 816-889-6929 Email: teresa.king@vr.dese.mo.gov		
Lisa Elrod Assistant Director, Programs & Services	Mo DWD/ Wagner Peyser	Division of Workforce Development	Division of Workforce Development 421 E. Dunklin Jefferson City, MO 65102 (573) 526-8263 Email: lisa.elrod@ded.mo.gov		
Deborah Briggs Adult Education Director	Adult Education & Learning (AEL)	Missouri Department of Secondary & Elementary Education	Independence Adult Basic Education 201 N. Forest Independence, MO 64050 816-521-5507 Email: Deborah_briggs@isdschools.org		
Gayle Hobbs President/Chief Executive Officer LINC	TANF	Local Investment Commission	LINC 3100 Broadway, Suite. 1100 Kansas City, MO 64111 (816) 889-5050 ext. 1223 Email: ghobbs@kclinc.org		
Christopher Thompson President & CEO		West Central Missouri Community Action Agency	West Central Missouri Community Action Agency 106 W. 4th St., POB 125		

			Appleton City, MO 64724 (660) 476-2185		
James Hampton Executive Director		Clay County Economic Development Center	Clay County Economic Development Center 110 N.W. Barry Rd., Ste. 210 Kansas City, MO 64155 (816) 468-4989		
Tony Reinhart Director, Regional Government Affairs	Business	Ford Motor Co.	Ford Motor Co. 1201 Briarcliff Parkway #315 Kansas City, MO 64116 (816) 472-6500	38-0549190	

*Include the names of all ex-officio, non-voting members of the board appointed to the board by the CEO:

†Categories include: Business, Small Business, Workforce (Labor/Apprenticeship/Employees-Workforce), AEL, VR, Wagner/Peyser (DWD), Higher Education, Economic Development, TANF/MWA, or OTHER additional categories designated by the Chief Elected Official. If "OTHER," specify the category or reason for the appointment. If a member is "double hatting" (resenting two board categories) list both categories that person represents.

‡Use the Federal Employee Identification Number (FEIN) issued by the U.S. Internal Revenue Service *for the business the nominee represents*, not a person FEIN.

ATTESTATION

I, Sylvester James, the undersigned Chief Local Elected Official (CLEO) or CLEO Consortium Chair (as applicable) of the

(PLEASE PRINT OR TYPE)

Kansas City, Missouri Local Workforce Development Area, do hereby state that the information provided within this Local Workforce Development Board certification application is complete and accurate to the best of my knowledge. I also certify that all applicable provisions of the Workforce Innovation and Opportunity Act and any additional requirements by the State of Missouri have been followed in the selection process of the appointee(s) listed above.

(CLEO or CEO Consortium Chair signature)

6/13/19
(Date)

For information about Missouri Division of Workforce Development services, contact a Missouri Job Center near you.
Location and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627).
Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aide and services are available upon request to individuals with disabilities

ATTACHMENT 7.

Local WD Board By-Laws and Attestation Form - Form provided

AMENDED AND RESTATED BYLAWS OF

KANSAS CITY AND VICINITY WORKFORCE INVESTMENT BOARD

ARTICLE I

NAME AND GENERAL AUTHORITY

Section 1: There shall be a Kansas City and Vicinity Workforce Investment Board composed of at least 51% business representatives, with the remainder representing educational entities, labor organizations, community-based organizations, economic development agencies, and one-stop partners, in accordance with the Workforce Investment Act of 1998 (the "Act"). The membership shall also be representative of the Consortium's geographic service area.

Section 2: The name of this organization shall be the Kansas City and Vicinity Workforce Investment Board (the "KCV WIB").

Section 3: The KCV WIB and its actions shall conform to the provisions of the Act and the Kansas City and Vicinity Workforce Investment Board / Local Elected Official Agreement.

Section 4: The KCV WIB shall be a full partner in the development of and have concurrent authority in the approval of the local plan in accordance with the Act and the local operating procedure.

ARTICLE II

MEMBERSHIP

Section 1: The KCV WIB shall consist of no more than fifty-one (51) members. The appointments are to be made in accordance with the Consortium Agreement made and entered into by and among the City of Kansas City and the Counties of Cass, Clay, Platte and Ray, all in Missouri.

The KCV WIB shall have the following representation as required by Section 117 of the Act:

a. Business Representatives shall constitute a majority of the membership of the KCV WIB.

b. The remaining members of the KCV WIB shall represent educational entities, labor organizations, community-based organizations, economic development agencies, and one-stop partners, in accordance with the Act.

The Chairperson and Vice-Chairperson of the KCV WIB shall be elected from among the business representatives on the KCV WIB.

Section 2: Members shall be appointed for fixed and staggered terms and may serve until their successors are appointed. Initially, members shall serve staggered terms. Thereafter, all terms shall be two years. Any vacancy shall be filled in the same manner as in Article II, Section 1.

Section 3: Following the initial appointments, the number of members on the KCV WIB may be increased or decreased proportionally to Article I, Section 1, after thirty days notice of intent by the Chairperson and a two-thirds majority vote of the appointed KCV WIB members.

Section 4: All members of the KCV WIB shall serve without compensation or refund of personal expenses except as otherwise authorized by the KCV WIB.

Section 5: Removal of a member from the KCV WIB may be made by the vote of two-thirds (2/3) of the members of the entire KCV WIB at any duly convened regular meeting. Such removal shall be reported to the Chief Elected Officials and such report should include the reasons for the removal. Failure to attend three consecutive scheduled meetings during the calendar year, or failure to otherwise actively participate in the activities and affairs of the KCV WIB may be considered reasons for such removal.

ARTICLE III

QUORUM

Section 1: Except where indicated otherwise in the Bylaws, all actions of the KCV WIB shall be by a majority vote, a quorum being present and voting.

Section 2: A quorum is required in order for the KCV WIB to conduct business. A quorum is defined as a majority of appointed members present at a KCV WIB meeting **with at least 51% of those members present being business members.** Proxies may not be used to establish a quorum.

ARTICLE IV

OFFICERS

Section 1: The Chairperson shall be elected to serve for a term of two years and may succeed himself or herself as Chairperson.

Section 2: The Chairperson of the KCV WIB shall preside over meetings, shall sign all acts or orders necessary to carry out the will of the KCV WIB, shall be eligible to vote on all matters before the KCV WIB and shall have the generally recognized powers and duties of the office of Chairperson of the KCV WIB.

Section 3: Copies of all KCV WIB minutes shall be distributed to the Chief Elected Officials

Section 4: A Vice-Chairperson shall be elected bi-annually by the members to preside at meetings in the absence of the Chairperson.

Section 5: A Secretary shall be elected bi-annually by the members.

Section 6: A Treasurer shall be elected bi-annually by the members.

Section 7: The aforementioned officers, along with other members, shall comprise the Executive Committee.

ARTICLE V

MEETINGS

Section 1: **The KCV WIB shall establish at the minimum regularly-scheduled quarterly meetings at such time and place as determined by the Chairperson.** Additional meetings of the KCV WIB may be held at such time and place as determined by the Chairperson. **A quorum is required in order for the KCV WIB to conduct business. A quorum is defined as a majority of appointed members present at a KCV WIB meeting with at least 51% of those members present being business members.**

Section 2: Special meetings may be held if in the judgment of a majority of the Executive Committee there exists a situation requiring action of the KCV WIB and notice is given to all Board members. At any special meeting, a quorum shall be a majority of the appointed KCV WIB members **with at least 51% of those members present being business members** and any action taken shall be by a majority vote thereof.

Section 3: Notice giving the time, date, place and agenda for annual and regular meetings of the KCV WIB shall be mailed or electronically transmitted to each member at least five (5) days prior to the meeting date. Notice giving the time, date, place and agenda for special meetings of the KCV WIB shall be mailed or electronically transmitted to each member at least three (3) days prior to the meeting date.

Section 4: Minutes of the KCV WIB's meetings shall be the responsibility of the secretary.

Section 5: To the extent required by law, meetings of the KCV WIB and its committees shall be open to the public. Meetings or segments of meetings may be closed to the general public by the KCV WIB Chairperson or committee chairperson in compliance with exemptions granted by public law.

ARTICLE VI

STANDING COMMITTEE AND SPECIAL COMMITTEES

Section 1: The Chairperson may appoint from among its members one or more standing or temporary committees. The KCV WIB shall be composed of four (4) standing committees and

as many other committees as the Chairperson may deem necessary. The standing committees shall be the Executive / Strategic Planning Committee, Youth Council Committee, Operations Committee and Budget and Oversight Committee.

Section 2: The Chairperson shall have the power at any time to increase the number of members of the committees, or to fill vacancies on them.

Section 3: All standing committees shall have a minimum of five members of which at least three shall be business representatives.

Section 4: Each standing committee shall be chaired by a member of the Executive Committee.

Section 5: All standing committees, except the Executive Committee, shall meet on a regular basis subject to call of its Chairperson. Each committee shall meet at least quarterly except the Executive Committee. The Executive Committee shall meet at least quarterly and/or in advance of any regular or special KCV WIB meeting.

Section 6: A simple majority of committee members shall constitute a quorum **with at least two of the committee's business members present.** Any member missing three consecutive committee meetings shall be replaced subject to the vote of two-thirds (2/3) of the appointed KCV WIB members.

ARTICLE VII

CONFLICT OF INTEREST

No director, officer or employee of the corporation shall have nor shall acquire any interest, direct or indirect, in any project which the corporation is promoting, or in any contract or proposed contract for materials or services, or in any lease, mortgage, sale, or contract of any nature whatever relating to any such project or to the corporation, without forthwith making written disclosure to the corporation of the nature and extent of his interest, and such disclosure shall be entered in writing upon the minute book of the corporation. No director who has such an interest shall vote on any matter relating to such interest. Any vote, including abstentions, on any issue which includes a conflict or potential conflict of interest for a director shall be recorded in the minutes of that meetings. No director shall cast a vote on the provision of services by that director (or any organization which the director directly represents) or vote on any matter which would provide direct financial benefit to that director within the meaning of the Workforce Investment Act of 1998 (the "Act") as amended from time to time.

ARTICLE VIII

GENERAL PROVISIONS

Section 1: Depositories and Checks. The monies of the corporation shall be deposited in such banks or trust companies as the director may designate and shall be held and drawn out by checks signed in such manner as may be provided by resolution adopted by the Board of Directors.

Section 2: Bonds. In addition to the bond, if any, required of the Treasurer, any other officer or employee handling money of the corporation may be bonded at the corporation's expense in such amounts as may be determined by the Board of Directors.

Section 3: Custodian of Securities. The Board of Directors may from time to time appoint one or more banks or trust companies to act for reasonable compensation as custodian of all securities and other valuables owned by the corporation, and to exercise in respect thereof such powers as may be conferred by resolution of the Board of Directors. The Board of Directors may remove any such custodian at any time.

Section 4: Certain Loans Prohibited. The corporation shall not make any loan to any officer or director of the corporation.

Section 5: Indemnification of Directors and Officers. To the extent permitted by law, by the corporation's Articles of Incorporation, and herein, each director of officer, or former director or officer, of the Corporation and his legal representative, shall be indemnified by the corporation against liabilities, expenses, counsel fees and costs reasonably incurred by him or his estate in connection with, or arising out of, any action, suit, proceeding or claim in which he is made a party by reason of his being, or having been, such director or officer; and any person who, at the request of the corporation, served as director, officer, employee, or agent or of another enterprise in which the corporation had an interest and his legal representative, shall in like manner by indemnified by the corporation; provided that in neither case shall the corporation indemnify such director or officer with respect to any matters as to which he shall be finally adjudged in any such action, suit or proceeding to have been liable for negligence or misconduct in the performance of his duties as such director or officer. The indemnification herein provided for, however, shall apply also in respect of any amount paid in compromise of any such action, suit, proceeding or claim asserted against such director or officer (including expenses, counsel fees and costs reasonably incurred in connection therewith), provided the Board of Directors of the corporation shall have first approved such proposed compromise settlement and determined that the director or officer involved was not guilty of negligence or misconduct; but in taking such action any director involved shall not be qualified to vote thereon.

In determining whether or not a director or officer was guilty of negligence or misconduct in relation to any such matters, the Board of Directors may rely conclusively upon an opinion of independent legal counsel selected by the Board of Directors. Unless otherwise provided by law, any compromise settlement authorized herein shall be effective without the approval of any court. The right to indemnification herein provided shall not be exclusively of any other rights to which such director or officer may be lawfully entitled.

No director or officer of the corporation shall be liable to any other director or officer or other person for any action taken or refused to be taken by him as director or officer with respect to any matter within the scope of his official duties except such action or neglect or failure to act shall constitute negligence or misconduct in the performance of his duties as director or officer.

Section 6: Fiscal Year. The fiscal year of the corporation shall begin on the first day of July and end on the last day of June or on such other dates as may be fixed from time to time by the Board of Directors.

ARTICLE IX

AMENDMENTS OF THE BYLAWS

Section 1: The Bylaws may be amended at any regular meeting of the KCV WIB with previously written notice having been given to all appointed members at least thirty days in advance. Two-thirds of the appointed KCV WIB members are required to approve any amendment to the Bylaws. Any amendments to these Bylaws shall supercede in their entirety any previous Bylaws of the KCV WIB.

ARTICLE X

EFFECTIVE DATE

Section 1: These Bylaws and any amendments thereto shall become effective immediately upon adoption and shall remain in continuous effect from that date until otherwise amended.

CERTIFICATE

The foregoing Bylaws were duly adopted as and for the Bylaws of the Kansas City and Vicinity Workforce Investment Board at its first meeting held on April 3, 1984, were thereafter amended, and are hereby amended and restated at a meeting of the Board held on **January 14, 2014.**

Brigitte Williams

Secretary

ATTACHMENT 8. Conflict of Interest Policy - Local WDB, Staff, and Contracted Staff

KANSAS CITY & VICINITY AREA

Workforce development Board

ONE STOP OPERATOR/FISCAL AGENT'S ISSUANCE NO. 2017- 102

DATE: March 13, 2017

TO: All Service Providers, One-Stop Partners, Partnership Staff & Staff at the Full Employment Council, Administrative Entity & Fiscal Agent

FROM: Clyde McQueen, President/CEO
Full Employment Council, Administrative Entity & Fiscal Agent

SUBJECT: **Conflict of Interest Policy/Code of Ethical Standards Kansas City and Vicinity Workforce Development Board**

EFFECTIVE DATE: March 13, 2017

PURPOSE: To provide guidance on maintaining the highest level of ethical standards for members of the FEC staff, the Kansas City & Vicinity Workforce Development Board (WDB), and any sub-recipients, partners and vendors funded under the Workforce Investment Opportunity Act (WIOA) of 2014.

ACTION: It is FEC's responsibility, as Administrative Entity and Fiscal Agent, as well as that of its Officers, Managers, One-Stop Partners, and Program Operators (e.g., sub recipients and contractors) to inform all staff and board members of the policy and ensure adherence and accountability of its contents.

QUESTIONS: Questions may be directed to Monique Johnston, Director of Program Development & Evaluation, at (816) 471-2330 extension 1408.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.
All voice telephone numbers may be reached by persons using TTY/TDD equipment via the Missouri Relay Service at 711.

CONFLICT OF INTEREST

PURPOSE

To provide guidance on maintaining the highest level of ethical standards for staff of the FEC Administrative Entity and Fiscal Agent, Kansas City and Vicinity Workforce Development Board (WDB), and any sub-recipients and contractors funded under the Workforce Investment Opportunity Act (WIOA) of 2014.

BACKGROUND

A Conflict of Interest Policy is required to ensure that individuals or representatives of organizations entrusted with public funds will not personally or professionally benefit from the award or expenditure of such funds. Grantees, sub-recipients, and contractors funded under WIOA, whether in whole or in part, must abide by WIOA Regulations, all applicable Office of Management and Budget (OMB) circulars, and State of Missouri and WIOA policies regarding conflict of interest.

ATTACHMENTS – Code of Conduct, Conflict of Interest Statement Forms

- Attachment: Kansas City & Vicinity Workforce Development Board
- Attachment: FEC Employees, Administrative Entity & Fiscal Agent
- Attachment: Definition of Key Terms

CONFLICT DISCLOSURES

Conflict of interest, real or perceived, will not be tolerated. Any duality of interest or conflict of interest, real or perceived, on the part of any Workforce Development Board (WDB) members, staff and contractors shall be disclosed to the Chair of the WDB or the President/CEO of FEC as the administrative entity and fiscal agent, and made a matter of record when the interest becomes a matter of Board action. A member must publicly declare that a possible conflict of interest exists before the agenda item in question is introduced. A member must disclose the nature of the conflict. The person chairing the meeting will then acknowledge the declaration. Members involved in an acknowledged conflict of interest must refrain from all discussion and abstain from all voting relative to the affected agenda item. The minutes of the meeting shall reflect that a disclosure was made as well as the abstention from voting and the discussion.

The conflict of interest policy shall be reviewed annually at a meeting of the Board to provide information and guidance to the members. Any new members of the Board shall be advised of the policy upon entering the duties of his/her office and shall sign the Conflict of Interest Statement annually.

REQUIREMENTS

1. Individuals in a decision-making capacity shall not engage in any activity, including participation in the selection, award, or administration of a sub-grant or contract supported by WIOA funds, if a conflict of interest (real, implied, or apparent) would be involved.

2. WDB members or committee members should refrain from casting a vote on or participating in any decision-making capacity on the provision of services by such a member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to the member or a member of his immediate family. The U.S. Department of Labor's Final Rule defines to "participate in a decision-making capacity' includes to discuss an issue and to influence, or try to influence, other WDB or committee members or staff to take a position for or against an issue.

3. A conflict of interest under paragraph 1 and 2 would arise when:

    - An individual; i.e., employee, officer, or agent,
    - Any member of the individual's immediate family (partners, spouse, children, or Siblings),
    - The individual's partner, or an organization which employs, or is about to employ an individual (individual has received a job offer from the organization) who has financial or other interest, either through ownership or employment, and participates in the selection or award of funding for that organization or firm.

4. Members of the WDB and committees will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. The WDB may set minimum rules where the gift is an unsolicited item of nominal intrinsic value.

5. Neither membership on the WDB nor the receipt of WIOA funds to provide training or other services shall be construed, by itself, to violate these conflict of interest provisions of the Act or Regulations.

6. Workforce Development Board Members and FEC Employees shall not be financially invested in any contract made by them in their official capacity or in any contract mad by the WDB. If a member or staff has a remote interest in a contract that member shall disclose such interest to the WDB so that the interest can be noted in the official records; shall not influence or try to influence another member to enter into the contract or not enter into the contract; and shall not vote concerning whether the WDB should enter into the contract.

7. When the President/CEO determines that he/she should not make a governmental decision because he/she has a disqualifying interest in that decision, the President/CEO shall disclose his/her determination and disqualifying interest in writing to the Chairperson of the WDB.

8. When an employee (other than the President/CEO) or a consultant determines that s/he should not make a governmental decision because s/he has a disqualifying interest in that decision, that person shall disclose his/her determination and disqualifying interest in writing to the President/CEO.

9. If an employee is notified or becomes aware that a potential conflict of interests exists with respect to a member, employee, or Contractor the employee will so inform the President/CEO. If the potential conflict involves an employee, the President/CEO will dismiss the employee from all matters related to the potential conflict. If the potential conflict involves a member, the President/CEO will consult with the Chairperson of the WDB.

10. Any member who believes a conflict of interest exists with respect to another member can declare so during the appropriate meeting, if the issue is challenged or disputed by the affected member, the Chairperson of the meeting will refer the matter to the Executive Committee for final determination, and the agenda item will be tabled pending final opinion from the committee.

11. All instances of nonparticipation due to declared conflicts of interest shall be duly recorded in the minutes of the appropriate board or committee meeting, and shall serve as documentation of compliance with this policy. Instances in which a member has chosen not to be present at a meeting where a conflict of interest might arise shall likewise be recorded in the minutes.

12. All WDB members must participate in an annual Ethics and Conflict of Interest training.

13. All WDB members, committee members must have a Conflict of Interest Form, signed annually, on file.

REFERENCES

Law

- Workforce Innovation and Opportunity Act of 2014 (WIOA). Section 107(h); WIOA (Public Law 113-128 – Section 121(d) (4);
- **Federal Guidance**
- Workforce Innovation and Opportunity Act Labor Only Final Rule: 29 CFR 95.42, 29CFR 97.36(b)(3)

KANSAS CITY AND VICINITY WORKFORCE DEVELOPMENT BOARD, AND SUBSIDIARIES

CODE OF ETHICAL STANDARDS AND BUSINESS PRACTICES AND CONDUCT

I. Introduction

It has always been the policy of Full Employment Council, Inc. and its subsidiaries and affiliates (hereinafter called "the Company") to conduct its business transactions in accordance with a strict and specific Code of Ethics. Every Board Member, Officer, Manager, Coordinator and associate of the Company has an obligation to abide by this Code. The purpose of this document is to set forth the Company's policy of Ethical Standards and Business Practices.

II. General Business Guidelines

a. Compliance with Laws: All associates of the Board shall conduct their business affairs in accordance with all applicable laws of the United States and other governmental jurisdictions in which the Board does business and shall observe the highest standards of business ethics. The use of the Company's funds, services, or assets for any unlawful or improper purpose is strictly prohibited. No individual shall engage in the practice of purchasing privileges or special benefits on behalf of the Company through the payment of bribes, gratuities, or other forms of payoff. No individual shall accept payments from domestic or foreign companies in violation of any law.

b. Political Contributions: No Company funds or services shall be paid or furnished to any political party or any candidate for, or incumbent in, any public office.

c. Payments to Government Personnel: No payment shall be made directly or indirectly to obtain favorable action by a government agency. Gifts or services to, or paid entertainment of, government personnel are prohibited since they can be construed as attempts to influence government decisions in matters affecting the Company.

d. Commercial Bribery: No associate or agent of the Company shall engage in soliciting, receiving, or accepting, either directly or indirectly, any gift or gratuity, or any bribe, kickback or other improper payment from any associate or agent of any supplier, landlord, lessee, competitor, or other entity dealing with the Company.

e. Use of Vendors: Full Employment Council, Inc. will not knowingly engage in business with vendors, suppliers or manufacturers who are in violation of local; state and federal laws with regard to the production, manufacture or distribution of goods, services or products. In assessing business practices, Full Employment Council, Inc. will endeavor to insure that laws affecting labor usage, civil rights, child labor and safety are in compliance with such laws. Full Employment Council, Inc. does not knowingly or willingly do business with vendors, suppliers, manufacturers who are in violation of city, county, state, and federal laws with regard to the production, manufacture or distribution of products.

III. Professional Conduct

1. Dealings with Individuals or Companies Who Supply the Company with Merchandise, Services, Real Estate, Building or Contract Services (Suppliers):

a) Acceptance of Gifts: Company policy prohibits the acceptance from suppliers of gifts or gratuities, whether in the form of money, merchandise, services, lavish entertainment, travel, or any other form. If such gifts or gratuities are received, it is the associate's obligation and responsibility to inform the Chief Executive Officer (CEO) of such gift. The CEO shall determine the disposition of such gift, and the associate shall request the supplier to refrain from giving such gifts in the future.

b) Entertainment: Acceptance of reasonable entertainment in accordance with customary practice is not forbidden, but in no event should an associate accept travel or vacation arrangements or similar favors or gratuities.

c) Investing in Suppliers: No associate shall invest in any security (stocks, bonds, options, short sales, etc.) or lend money or otherwise invest in a supplier, its parent company, or any subsidiaries, where the Company's relationship with the supplier is a significant one. An investment in broad based mutual funds that may invest in companies prohibited by this policy is not deemed to be a violation. Associates shall report any current investments in suppliers to CEO, who will decide, with the associate, on disposing of such investments. For the purposes of this paragraph, the term "invest" or "investment" includes any investment personally owned or beneficially owned by family members, nominees, or others where the effect is that the individual associate derives any benefit from such investment.

d) Selection of Vendors and Suppliers of Goods and Services: Shall be coordinated in accordance with the policies and procedures. The selection of a vendor or other supplier of goods and services to the Company must be based on quality, need, performance, and cost. In dealing with vendors, it is the responsibility of all associates to promote the best interests of the Company, within legal limits, through aggressive attention to opportunities and the obtaining of fair terms and treatment for the Company, without any favoritism based on friendship, race, color, sex, national origin, age, religion, disability, or other prohibited criteria.

2. Consultants: Agreements by the Company with agents, representatives, and consultants shall clearly set forth the actual services to be performed, the basis for earning the fee involved, and all other terms and conditions. Payments must be reasonable in amount and bear a reasonable relationship to the value of the services rendered. The Company shall not knowingly permit such agents, representatives, and consultants to take actions on behalf of the Company that would be in violation of these Ethical Standards and Business Practices.
3. Competition: The Company believes in fair and open competition. All associates are prohibited from entering into arrangements with competitors affecting pricing, marketing, or labor policies.
4. Accurate Records: All assets, liabilities, expenses, and other transactions shall be recorded in the Company's regular books of account. No undisclosed or unrecorded fund or asset of the Company, its subsidiaries, or affiliates shall be established or maintained for any purpose. Documentation of all business transactions shall describe the pertinent events. No false or artificial entries shall be made in the books and records of the Company for any reason, and no associate shall engage in any arrangement that results in any transaction or act prohibited

by these Ethical Standards and Business Practices. No payment shall be approved or made with the intention or understanding that any part of such payment is to be used for any purpose other than that described by the document supporting the payment.

5. Disclosure of Confidential Information: No associate during his/her employment or after he/she leaves the Company's employ may use or disclose to others any confidential information relating to the Company, or any of the Company's suppliers, clients and customers regardless of the source of such information or the method of its acquisition. Violation may result in prosecution of the individual under any applicable civil or criminal statute.
6. Outside Interest: Any position with the Company represents a full-time commitment. Therefore, it is expected that a member of management, in general, will not own or operate a business that requires active participation. While it may be hard to define what "active participation" is, it is not the intention of this paragraph to prohibit casual and off-hour employment in a business. However, if such employment or business does require your active involvement, then there may be a conflict, and if such employment or business interferes with your duties and obligations to the Company, then there is a conflict.

IV. Intellectual Honesty

As each of us experiences more personal accountability, we must ensure that we maintain the highest level of intellectual honesty in our daily responsibilities. Examples of conduct that are considered to violate this standard include but are not necessarily limited to:

- Knowingly failing to bring to senior management's attention violations of any provision of the Code of Ethics to which you become aware
- Knowingly issuing or approving a report or document containing incorrect or misstated data.
- Deliberate disregard for policies or procedures in order to improve a result regardless of whether or not the effect is positive or negative upon the Company.

  Obviously, all situations cannot be covered by a policy statement. Good judgment coupled with a high sense of personal integrity is the best policy. Where situations arise that appear "gray," it is best to consult with your immediate supervisor first, or the CEO.

V. Confidentiality of Information

The Company believes that information pertaining to personal health, performance evaluations, promotability, and compensation data must be maintained in a confidential manner for the protection of individual privacy. Access to this type of information has been severely restricted to individuals so authorized. In the case of performance, promotability, and salary data, this access is limited to the Officers, the Human Resource Manager, and management personnel when deemed appropriate.

As such, in order to ensure the ongoing confidentiality of this type of information, it is our policy and the obligation of each management associate to protect and preserve the

confidentiality of these types of data. Individually you are required to protect the confidentiality of your own personal data and are also prohibited from inquiring about such data regarding anyone other than those reporting to you in the chain of command. Individuals who request data from you who are not in your chain of command and therefore not authorized for that data should not be given that information. You are required to decline to provide data and to notify your immediate supervisor of that request. Confidentiality of material also applies to information regarding Company business plans, the terms and conditions of our contractor arrangements, our financial data, and other types of confidential data that individuals come in contact with in the course of their daily employment. Individuals are prohibited from sharing these types of information without prior approval from an Officer. Because the Company views this critical information as highly confidential material, individuals who violate our policy may be subjected to disciplinary action up to and including termination of employment. In addition, individuals who terminate their employment or who are terminated are bound to maintain the confidentiality of this material.

VI. Compliance With Standards and Practices

1. Exceptions: Any exception from the specific policies set forth in these Ethical Standards and Business Practices must have the prior written approval of the CEO.
2. Disclosure of Violations: Any associate of the Company having any information or knowledge regarding the existence of any violation of these Ethical Standards and Business Practices shall immediately report the same to the CEO.
3. Enforcement: All management personnel of the Company shall be responsible for the enforcement and compliance with these Ethical Standards and Business Practices. Such responsibilities shall include, but not be limited to, the periodic distribution of these Ethical Standards and Business Practices to and the review thereof with associates under their supervision to ensure associate knowledge and compliance.
4. Audit Procedures: The Finance and Budget Committee of the Board of Directors or President/Chief Executive Officer may, at their discretion, from time to time establish and disseminate additional accounting and financial policies and procedures to monitor and to test compliance with these Ethical Standards and Business Practices.
5. Certification: Officers and all other management associates of the Company will be required, on an annual basis, to certify their compliance with the requirements of these Ethical Standards and Business Practices. Certification requires executing a Certificate of Compliance by the date indicated each year. Exceptions must be requested or approved within the same time frame. Failure to initiate a Compliance form or request an exception will be deemed refusal to comply and may result in disciplinary action up to and including termination.
6. Sanctions: Any associate who has received a copy of these Ethical Standards and Business Practices (or additional specific policies and procedures issued hereunder) who shall be found to have violated the foregoing shall be subject to immediate disciplinary action, including reassignment, demotion, or, where appropriate, dismissal, and to legal proceedings to recover the amount of any improper expenditures and any other losses that the Company may have incurred as a result of such violation. Violations of these Ethical Standards and Business Practices may also result in prosecution of the individual under any applicable criminal statutes.

7. Interpretation: All questions regarding the interpretations, scope, and application of the policies set forth herein shall be referred to the President/CEO, who shall consult with the Company's legal counsel for resolution.

VII. Information Systems Security

The Company's information systems and the data they contain are critical to the daily operation and success of our organization. Access to computer systems and networks impose certain responsibilities and obligations on the user. Users have the responsibility to assure that electronic documents and files are protected from unauthorized use and they also have an obligation to report instances where unauthorized access has been gained to any confidential data. In making acceptable use of information resources, the following guidelines must be adhered to:

- Information resources are to be used only for authorized business purposes.
- Access should be made only to files and data that are your own, to which you have been given authorized access or are intended for public availability.
- User IDs and passwords should be kept confidential and changed on a regular basis. Users are responsible for all activities on their user ID or that originate from their system.
- Only legal versions of copyrighted software should be used in compliance with vendor license requirements. Duplicating software or violating the licensing agreement is considered to be a violation of these standards.

The above general guidelines obviously cannot cover all situations; protection and security of data maintained electronically is everyone's responsibility and requires good judgment.

VIII. Conducting Business on FEC Premises.

- No employee shall conduct business on FEC premises with whom he or she is directly or indirectly affiliated with under no circumstances

ATTACHMENT 1: DEFINITION OF TERMS

Definitions of Key Terms

Conflict of Interest refers to the conflict between the public obligation and the private interests of the persons or entities identified in the Purpose Section of this Policy.

Member refers to a member of the WDB or any Committees, unless otherwise specified.

Employee refers to an employee of the FEC, or employee of FEC contractors (where applicable) unless otherwise specified.

Financial Interest includes possible disadvantage to a competitor of the business or nonprofit entity which the member represents

Immediate Family consists of the individuals' parents (including stepparents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an "in-law")

Individual is (1) an individual; i.e., officer, or agent, or (2) any member of the individual's immediate family (spouse, partner, child, or sibling), or (3) the individual's business partner.

ATTACHMENT 2:

KANSAS CITY AND VICINITY WORKFORCE DEVELOPMENT BOARD

CODE OF CONDUCT

CONFLICT OF INTEREST STATEMENT

SIGNATURE PAGE FOR BOARD MEMBERS

KANSAS CITY AND VICINITY WORKFORCE DEVELOPMENT BOARD
CODE OF CONDUCT
CONFLICT OF INTEREST STATEMENT
As referred on page 2 of the
Kansas City and Vicinity Workforce Development Board
Conflict of Interest Policy, 2017-102

The Kansas City & Vicinity Workforce Development Board ("KCV WDB") seeks to create and sustain an ethical business climate, which is critical to the success of the KCV WDB and in the best interests of the KCV WDB. Each director of the KCV WDB must observe the highest standards of ethical business conduct, including strict adherence to this Code. For purposes of this Code, Each director of the KCV WDB must comply with the letter and the spirit of this policy by signing this document annually, and in doing so agrees to comply with the following:

1. **Conflict of Interest**

   a. Scope –
   This statement of policy with respect to conflict of interest applies to all directors of the KCV WDB. It is intended to serve as guidance for each director.

   b. Fiduciary Responsibilities / Disclosure –
   All decisions of the Board and recommendations are to be made solely on the basis of a desire to promote the best interests of the KCV WDB. The KCV WDB's integrity must be protected and advanced at all times.

   It is each director's responsibility to insure that the Board is made aware of situations that involve personal, family or business relationships that could be construed as a conflict of interest. Thus, the Board requires that each director (1) annually review this policy, (2) promptly disclose any possible personal, family or business relationships that reasonably could give rise to a conflict involving the KCV WDB by advising the Chairperson of the Board at the time the director first becomes aware of such possible conflict of interest and (3) annually acknowledge by his or her signature on the signature page below that he or she is in compliance with the intent and spirit of this policy. Each director shall sign the attached signature page and complete and file with the Chairperson of the Board, a Disclosure Form (the "Disclosure Form"), if applicable, on an annual basis on or about December 1st of each year. New directors shall be provided with a copy of this Policy and a Disclosure Form immediately upon taking office and shall complete and sign the form and return it to the KCV WDB within 30 days of taking office.

   c. Definition of Conflict of Interest –
   A director shall be considered to have a conflict of interest if: (1) such director has existing or potential financial or other interests which impair or might reasonably appear to impair such person's independent, unbiased judgment in the discharge of his or her responsibilities to the KCV WDB; (2) such director is aware that a member of his/her family (which for purposes of this paragraph shall be a spouse, parents, siblings, children and any other relative if the latter reside in the same household as the director), or any organization in which such director (or

member of his or her family) is an officer, director, employee, member, partner, trustee or controlling owner, has such existing or potential financial or other interests; or (3) such director or any organization in which such director (or member of his or her family) is an officer, director, employee, member, partner, trustee or controlling owner, has existing or potential financial or other interests that are adverse to a stated goal or undertaking of the KCV WDB and that could reasonably subject the KCV WDB to criticism, embarrassment or liability. A financial interest shall not be deemed to constitute a conflict of interest if it is less than $10,000 in the aggregate in any given year.

In considering whether a conflict of interest may exist in a given situation, the KCV WDB shall consider the fact that each director represents his or her company and industry and that such company or industry may have a financial stake in the outcome of a particular issue being considered by the KCV WDB. The very purpose of having representation on the Board from various industries and professionals is to encourage full debate and to foster accomplishment of the KCV WDB's mission of "obtaining public and private sector employment for the unemployed and underemployed residents of the Greater Kansas City area". As a result, notwithstanding the definition set forth above, a conflict of interest will not be deemed to exist if the organization in which such director (or member of his or her family) is an officer, director, employee, member, partner, trustee or controlling owner, is affected financially by a decision of the KCV WDB, so long as the financial impact is the same on such company as it is on other companies in that industry.

Any director who is uncertain whether a conflict of interest may exist in any matter may request the Board or the Finance and Audit Committee to resolve the questions by majority vote.

d. Restraint on Voting –
Directors who have a conflict of interest or potential conflict of interest may, after disclosing the conflict, participate in discussion of the proposed recommendation or transaction but shall not vote on any such recommendations or proposed transactions.

2. **Code of Conduct –**

Each director pledges to:

a. Recognize that to serve as a director of the KCV WDB is to commit oneself to achieving the stated mission of the KCV WDB with vision and perspective.

b. Devote time, energy, thought and study to the duties and responsibilities of his or her office so that he or she may render effective and creditable service to the KCV WDB and the community.

c. Work with his or her fellow Board members, as applicable, in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debates of points of issue. Directors shall not engage in attacks which are purely personal in nature and shall not attack the integrity of individuals without factual foundation. Directors shall promote mutual respect among one another and among all KCV WDB employees and shall not use his or her position to embarrass, intimidate or threaten other directors

or KCV WDB employees. Directors are leaders in the community and in each of their professional disciplines, and their conduct is important to the KCV WDB and all constituents.

d. Base his or her decisions upon all available facts in each situation and vote his or her honest conviction in every case, being unmoved by partisan bias of any kind.

e. Remember at all times that, as an individual, he or she has no legal authority to act or speak for the KCV WDB outside his or her position; therefore, each director must conduct his or her relationships with the community, the KCV WDB employees and the press on the basis of this fact and not engage in any private action that will compromise the KCV WDB.

f. Resist influencing the vote or other action of other directors or the actions of any employee, through threat, promise of award, deception, and exchange of vote or by means other than legitimate open discussion.

g. Forward to the President any request for information about the KCV WDB or any inquiry or contact from inside or outside the KCV WDB, about any issue pending before the Board.

h. Bear in mind that the primary function of: (1) the board is to establish effective policies for the KCV WDB and to delegate authority for the administration of these policies and the conduct of KCV WDB business to the President and his staff.

i. No director, Officer or staff member shall accept any loan or borrow any funds from the KCV WDB, directly or indirectly.

I have carefully read the KCV WDB Code of Ethics and Conflict of Interest Policy for the Board of Directors and hereby acknowledge that I understand and agree to comply with the Code and its provisions.

_____

Signature

_____ _____

Printed Name **Date**

_____

Company/Organization **Title**

ATTACHMENT 3:

KANSAS CITY AND VICINITY WORKFORCE DEVELOPMENT BOARD

CODE OF CONDUCT

CONFLICT OF INTEREST STATEMENT

SIGNATURE PAGE

FOR

FULL EMPLOYMENT COUNCIL EMPLOYEES

KANSAS CITY AND VICINITY WORKFORCE DEVELOPMENT BOARD
FULL EMPLOYMENT COUNCIL, INC.
ADMINISTRATIVE ENTITY AND FISCAL AGENT
CODE OF CONDUCT, CONFLICT OF INTEREST STATEMENT
FOR
FULL EMPLOYMENT COUNCIL EMPLOYEES
As referred on page 2 of the
Kansas City and Vicinity Workforce Development Board
Conflict of Interest Policy, 2017-102

I hereby certify that I have read and understand the Code of Ethical Standards and Business Practices and Conduct of Full Employment Council, Inc., Administrative Entity and Fiscal Agent dated _____, 20___ and certify that I have complied with, and I pledge that I will continue to comply with, these requirements, except as noted below:

If you believe there are exceptions that pertain to you, please indicate by checking the exception line below and supplying all details. The exceptions will be reviewed by the President/Chief Executive Officer of the Full Employment Council, Administrative Entity and Fiscal Agent. You will be advised of the determination regarding any exceptions indicated

___ I believe that the attached exceptions pertain to me (see details attached).

Signature: _____

Print Name: _____

Job Title: _____

Location: _____

Date: _____

Please return this Certificate of Compliance to:

Full Employment Council, Administrative Entity and Fiscal Agent
Manager of Human Resources
1740 Paseo Blvd.
Kansas City, MO 64108

ATTACHMENT 9.
Local Fiscal Agent

Full Employment Council, Inc
1740 Paseo Boulevard
Kansas City, MO 64108

Clyde McQueen
President & CEO
Full Employment Council, Inc.
Office: 816-691-2256
Email: cmcqueen@feckc.org **Website:** www.feckc.org

Tirhas Kidane
VP/Chief Fiscal Officer
Phone # 816-691-2249
Fax # 816-471-3828
tkidane@feckc.org

ATTACHMENT 10.
Financial Procurement Policy / Financial (General) Policy

1740 Paseo Blvd. • Kansas City, MO 64108

816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Development Board Policy

PROCUREMENT POLICY – KANSAS CITY AND VICINITY POLICY AND PROCEDURE

POLICY NUMBER: 2017- 103, MODIFICATION 2

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APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Tirhas Kidane, Chief Financial Officer, at tkidane@feckc.org, who shall disseminate the agency response to Workforce Development Board staff.

PURPOSE: To communicate Full Employment Council (FEC's) methods for the procurement of goods and services obtained with Workforce Investment Opportunity Act (WIOA) funds and sets forth the requirements provided by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule Title 2 of the Code of Federal Regulations; 2 CFR 200.

The Procurement Policy will be included in the FEC Fiscal Policy and Procedures Manual and implemented immediately. It is generated to assist in maintaining appropriate administrative and fiscal procedures for the Full Employment Council, Inc., and its subcontractors as applicable.

ACTION: FEC staff and contractors should add this issuance to their Policy and Procedures Manuals.

PROCUREMENT POLICY – EASTERN JACKSON COUNTY POLICY AND PROCEDURE

Policy No. 2017-103, Modification 2

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I. 320.1 Procurement Policy

A. General Procurement Standards

FEC will use documented procurement procedures that reflect State and local laws and regulations, provided that the procurements conform to applicable Federal law and standards identified in 2 CFR Parts 200.317 through 200.326.

FEC will maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

FEC's Code of Conduct and Conflict of Interest Policy provides standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real, perceived or potential conflict of interest. Conflicts of interest must be disclosed in writing when known in advance or announced to the voting body. The party must excuse themselves from any further discussion and/or vote on the matter in question. Violations of such standards are subject to disciplinary actions provided in FEC's Code of Conduct and Conflict of Interest Policy.

FEC's procurement procedures will avoid acquisition of unnecessary or duplicative items and promote cost-effective use of shared services by entering into state and local intergovernmental agreements for procurement or use of common or shared goods and services where appropriate.

FEC will 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.

FEC will maintain records sufficient to detail the history of procurement. These records will include, but are not limited to:

- Rationale for the method of procurement,
- Selection of contract type,
- Basis for contractor selection or rejection, and
- the basis for the contract price

B. Competition (2 CFR 200.319)

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards provided in section 200.319 of 2 CFR 200. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that

develop or draft specifications, requirements, statements of work or invitations for bids or requests for proposals must be excluded from competing for such procurements.

FEC procurement transactions will contain no requirements that unduly restrict competition as specified in 200.319(a) and (b).

FEC procurement procedures will ensure that all solicitations:

- Incorporate a clear and accurate description of the technical requirements for the Material, product, or service to be procured in a manner that does not unduly restrict competition; and
- Identify all requirements which the offerors must fulfill and all other factors to be used in

Evaluating bids or proposals.

FEC will ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free completion. FEC will not preclude potential bidders from qualifying during the solicitation period.

C. Methods of Procurement (2 CFR 200.320)

FEC may use one of the following methods of procurement:

1. **Micro-purchases** (purchases of $1 - $5,000): Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (currently $5,000, see Micro-purchase definition). To the extent practicable, FEC will distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if FEC considers the price to be reasonable.
    a. **Small Purchases** (purchases of $5,001 - $50,000): Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold (as of the publication of 2 CFR Part 200, the Simplified Acquisition Threshold is $50,000 but is periodically adjusted for inflation.) If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. A cost price analysis will be performed.

2. **Competitive Proposals** (purchases of $50,000– and above): The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
    a. Purchase over $50,000 must be approved by the Fiscal Agent/Administrative Entity.
    b. Requests for proposals must be publicized in at least one local newspaper and identify all evaluation factors and their relative importance. Any response to

publicized requests for proposals must be considered to the maximum extent practical; Proposals must be solicited from an adequate number of qualified sources;

c. FEC will follow its written method for conducting technical evaluations of the proposals received and for selecting recipients;
d. Contracts will be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered;

3. **Sealed Bids (Formal advertising)** (purchases of $50,000 – and above): Bids are publicly solicited and a firm fixed price or cost-reimbursement type contract is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.
    a. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time and the invitation for bids must be publically advertised;
    b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
    c. All bids will be opened in the presence of the evaluation committee.
    d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest.
    e. Any or all bids may be rejected if there is a sound documented reason.
4. **Noncompetitive Proposals (Sole Source)**: Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
    a. The item is available only from a single source; or
    b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; or
    c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
    d. After solicitation of a number of sources, competition is determined inadequate.

D. Contracting with Small and Minority Businesses, Women's Business Enterprises, (2 CFR 200.321)

FEC will take necessary affirmative steps to ensure that minority businesses, and women's business enterprises, are used when possible.

E. Procurement Review 2 CFR §200.324—Federal awarding agency or pass-through entity review.

(a) FEC will make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition

(b) FEC will make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when the circumstances detailed in 200.323(b) apply.

(c) FEC is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) FEC may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;

(2) FEC may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

H. Bonding Requirements : 2 CFR §200.325

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold (currently $50,000), the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

§200.326—Contract provisions. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. Procurement Review (2 CFR 200.324)

I. Contract Provisions (2 CFR 200.326)

FEC's contracts must contain the applicable provisions described in Appendix II to Part 200 of 2 CFR 200.326 – "Contract Provisions for non-Federal Entity Contracts under Federal Awards."

J. Sub recipient and Contractor Determinations (2 CFR 200.330)

FEC will make a case-by-case determination whether each agreement it makes for the disbursement of Federal program funds casts the party receiving the funds in the role of a sub recipient or a contractor (see Sub recipient and Contractor in the Definitions section of this policy).

In determining whether an agreement between FEC and another non-Federal entity casts the latter as a sub recipient or a contractor, the substance of the relationship is more important than the form of agreement. FEC will use judgment in classifying each agreement as a sub award or a procurement contract.

In compliance with 2 CFR 200.330, FEC will classify eligible providers of WIOA Adult, Dislocated Worker and Youth services as sub recipients.

K. Selection of One-Stop Operators [WIOA Sec. 121(d)]

The local board, with the agreement of the chief elected official, is authorized to designate or certify one-stop operators and to terminate for cause the eligibility of such operators. To be eligible to receive funds made available under this subtitle to operate a one-stop center, an entity:

1. Shall be designated or certified as a one-stop operator through a competitive process; and

2. Shall be an entity (public, private, or nonprofit), or consortium of entities (including a consortium of entities that, at a minimum, includes 3 or more of the one-stop partners describes in subsection 121(b)(1), of demonstrated effectiveness.

FEC will ensure that in carrying out activities under this title, one-stop operators-

1. Disclose any potential conflicts of interest arising from the relationships of the operators with particular training service providers or other service providers;

2. Do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training and education services; and

3. Comply with Federal regulations, and procurement policies, relating to the calculation and use of profits.

L. Suspension and Debarment (2 CFR 2900)

Non–federal entities and contractors are subject to the non-procurement debarment and suspension regulations implementing Executive orders 12549 and 12689, 2 CFR part 180. These regulations restrict awards, sub awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

II. 320.2 - Initiating Purchase for Services, Goods, Commodities and Office Supplies

General Policies

1. All expected purchases greater than $50 require the generation and submission of an approved purchase requisition.

2. No Employee is authorized to procure goods, services or other incidental expenses on behalf of FEC without the approval of the PRESIDENT or his designee. Such authorization must be obtained by completing the purchase request form before taking any action that will obligate the organization.

3. For purchases greater than $500, A Purchase Order is generally the only legal means under which a vendor has the authority to ship or provide service and invoice for goods or services specified on the order. The only other legal means are a formal letter signed by the President or his designee. President/CEO must approve all purchases over $500.

4. All contracts/lease agreements, irrespective of the dollar amount will be signed ONLY by the PRESIDENT.

5. Any purchase made outside of this procedure will be rejected unless approved by the PRESIDENT.

6. All purchases request properly completed should be directed to the Fiscal Department. The Chief Fiscal Officer (CFO) will review request and assign it to the appropriate individual. The CFO will forward all Purchases greater than $5,000 directly to designated Procurement Staff to be processed.

7. **For purchases greater than $5,000** and less than $50,000 three written competitive prices are required to be obtained unless the request for proposals is publically advertised. A price analysis shall be made for the special items to determine the lowest bidder. All items requested shall be procured and distributed within five working days of receipt of the request.

8. All purchases greater than $50,000 requires a sealed written formal public bid; a proposal, publicly advertised in at least one local newspaper. Preparation of detailed product or service specifications, solicitation of bids and awarding of such Purchase Orders is the responsibility of the Administration Department.

III. 321.0 – Preparation of Purchase Requisitions

All purchases of goods and services greater than $50 must be requested on an approved Purchase Request Form. Except for Office Supplies that have its own separate requisition.

Requisitions must include the suggested vendors name, phone number, appropriate approval signatures, initiator name, complete specifications, and an estimate of the price quotation if obtained by requester and expected delivery date. The requesting department must complete the Requisition in its entirety to assure clarity of information. All requisitions may be approved by the appropriate division officer or their designee before submitting to Fiscal. Requisitions under $500 require approval from two (2) Officers (two of any of the Chief Financial Officer, the Chief Executive Officer, or the Chief Operating Officer). Requisitions of $500 or greater require the signature of three (3) Officers.

IV. 321.1 – Office Supplies

Office supplies can be requested by completing an office supplies requisition form. Each item has a 4-digit item code (e.g., 2015 is metal roller black ink pen). The measuring unit indicates whether each, by box or by pack, should requisition that item. Do not change the measuring unit on the form, as it would affect the expenditures charged. FEC is currently under a contract for office supplies with Corporate Express. All departments should have the Office Supply Order Forms. The order forms are on hand in the Admin/Fiscal Department along with the catalog. The order forms are submitted to the Fiscal Department for placement.

All Office Supplies Requisition Forms returned by the contracted vendor shall be filed in separate files, chronologically, by month, to establish documentation.

Items not on the requisition form but in the Office Supplies Catalog, a copy of which is distributed to each Secretary, may be requested by writing in the area marked "SPECIAL ORDER FORM", and indicating the "stock number" and description in the Office Supplies catalog.

However, if the unit price for the item not in stock is $100.00 or more, the requisition must be made by Purchase Request e.g. Printer, Fax, etc., and follow the procedures in Section 321 above. Otherwise, the request will be rejected.

All Purchases other than office supplies shall originate with a Purchase Request, prepared by user Department.

The Office Supplies Requisition must be approved by the division officer or designee before submitting to Accountant. In the absence of Section Director, the CFO will approve the request for emergency *cases*.

V. 322.0 – Purchase Orders

PURPOSE

To define the general methods followed in the processing of Requisitions by the Fiscal & Administration Department to create Purchase orders (See Attachment A).

All Purchase Request will be directed to the CFO. Purchase Request greater than $5,000 will be forwarded to the Designated Procurement Staff for processing. All procurement related with training service provider will be the responsibility of the Administrative/Planning Unit. The Fiscal Department will process Purchase Request less than $5,000. The Accounts Payable (AP) Associate is assigned to act as purchasing agent to collect information and coordinate purchases under $5,000 with direct supervision of the CFO.

Upon receipt of an approved Purchase Request, the assigned Purchasing Agent (Fiscal or Administration) will review the requisition and determine the necessary action i.e., select a vendor or solicit price quotes as required by the procurement procedures and/or Federal Guidelines.

The Fiscal Department issues a Purchase Order after thorough review to determine the following:

1. Completeness of requisition;
2. Approval has been secured;
3. Accurate and thorough description of item to be purchased;
4. When necessary, are supporting documents and/or quotations attached?
5. Is the item(s) on pre-negotiated contract (s) or blanket orders

The Purchase Order is printed in the Fiscal Department and signed by the CFO. Substitutions, changes in prices and anticipated delivery problems will be reviewed with the Requester and confirmed prior to order placement.

Purchase Order Distribution

Purchase Requisitions, which pass all of these approval steps, will result in the issuance of an approved Purchase Order. New Purchase Orders are distributed as follows:

1. The white copy will be mailed to the vendor
2. The Pink copy is to be used as the Receiving Report. The receiving employee has to sign on this copy and this will be attached with the invoice at the point of payment.
3. The Yellow copy remains with the Fiscal file containing all documents associated with the order.

Purchase Order numbers are called into the approved vendor by the Fiscal Department. In the event the vendor is not available, the Office of Purchasing will fax a hard copy to the vendor. The Office of Purchasing will secure a delivery date from the vendor. The date could change due to

product availability. If timely delivery is not made, the Fiscal Department must be contacted for additional delivery information. The Fiscal Department should be contacted if the condition or timing of the product or services is not satisfactory.

Blanket Purchase Orders

The Administrative Department will issue Blanket Purchase Orders (contracts) for goods for services where it is advantageous from a pricing point of view and where there is a need to eliminate repetitive requisitions. A Blanket Purchase Order is issued to cover merchandise or service requests limited to a specific time period from a particular vendor. The intent of Blanket Purchase Orders is to eliminate small repetitive requests for expendable supplies or services. Its usage will reduce paperwork and expedite individual transactions. Currently, we have printing contracts with Antioch, Office Supplies with Corporate Express, Supportive Services with Wal-Mart, and Life Uniforms. This selection of vendors should follow FEC procurement policy and Federal guidelines.

VI. 323.0 – Authorized Approval Procedures

A. User department prepares "Purchase Request" approval by Division Director/Vice President and forwarded to the Fiscal Department.

The CFO reviews the purchase request and determines the following:

1. Allowable cost
2. Available Funds
3. Determines appropriate procedural process.
4. Necessary approval signatures are checked.

It is then:

1. Forwarded to an AP Associate for processing where the accountant follows procurement procedures and prepares purchase order for approval by the Chief Fiscal Officer.
2. Upon receipt of the same, the user department signs receiving slip and forwards to the Fiscal Department.
3. Designated Inventory/fixed Asset Staff Tags inventory (if necessary), prepares equipment memorandum form for WIOA and update computer database.
4. Invoice(s) is/are routed directly to Accounts Payable Associate.
5. This Accounts Payable Associate re-verifies invoice(s) with the receiving slip and compares price with Purchase Order and re-computes the invoice calculations.
6. The Accounts Payable Associates then prepares payment voucher for payment.

All Purchase Orders shall be submitted to the CFO for approval along with the following documents:

1. Purchase Request, duly approved
2. Three written bids and the basis of award for purchases of $5,000 and above, but less than $50,000.

3. Proof of formal advertised competitive bid process and Request for Proposal (RFP) for procurement of any purchase of $50,000 or more and forward RFP to more than three vendors.

The COO shall approve the purchase order, and the CFO after ensuring compliance of the procurement procedures, sings and forward purchase order to the President/CEO.

VII. 324.0 – Request for Proposals

A. Distribution of RFP. RFP shall be distributed to vendors on FEC vendor list. RFP shall be advertised. The RFP shall be sent to anyone responding to the advertisement. Additionally, FEC shall also send it to known vendors exceeding three (3) in an attempt to get as many bids as possible. Prospective bidders will be given a minimum of 30 days to respond to any solicitation.

B. Form Evaluation Committee (for Service Provider Selection/Major Purchase Only). An evaluation committee must be formed with at least three members. The number of members and the makeup of the committee should be such that there is no actual or appearance of impropriety. The CEO shall select committee.

C. Hold a Pre-Bid Conference. Unless the RFP is extremely straightforward or simple. It is advisable to hold a meeting with the prospective bidders to answer questions and clarify issues. This conference may disclose the need for written amendments to correct or clarify the original RFP.

D. Receive and Log Bids. Bids received shall be time-stamped, logged and placed under lock until the bid opening. Bids received after the closing time should be returned unopened to the bidder. A receipt will be issued for hand delivered bids.

E. Open Bids. Bids must not be opened prior to the stated closing time and date. The bids should be opened by at least two people and the bids forwarded to the members of the Evaluation Committee. Committee members must read all bids before meeting as a group.

F. Evaluate the Bids. The committee shall schedule a meeting to evaluate the bids with the first item of business to determine if each bid is responsive. Responsive bids are those which conform to the essential elements of the solicitation including procedural requirements (regarding submission of offers) and substantive requirements (regarding technical substance and delivery). Non-Responsive bids may be omitted from further analysis. A written report deeming each bidder either responsive or non-responsive must be prepared with adequate documentation of the reasoning for any bid deemed non-responsive. Second, the responsive proposals should be analyzed in accordance with the evaluation criterion established in the RFP. Third, the Committee must make the contract award(s) decision based upon their evaluation. The Committee will either make the award, if empowered to do so, or make a recommendation to the program. Fourth, the committee shall prepare a formal report on the award, recommendation for award or lack thereof. Competitive – Formal Advertised Competitive Bid Process does

not have a minimum number of proposals required; however, should only one be received or deemed responsive, it is imperative that reasonableness of cost and price analysis be completed.

G. Award. Either the committee as indicated above or the appropriate authority shall issue an award notice to the successful bidder. The appropriate authority may take the committee's recommendation; re-evaluate the bids based on all applicable requirements included in the procurement system guidelines or reject all bids received if there is an overriding documented factor.

I. Items Exempt From Competitive Procurement Sole Source Exemption. Exempt procurements must follow requirements outlined in VI A.B.C. and D., 4 Attachment C, the Waiver Request Form is not required to be submitted to DWD for items in this section.

1. The following types of procurement are exempt from the guidelines in V. A, B, C, or D. Selection shall be made from known vendor(s).

    a) Magazine
    b) Books
    c) Periodicals
    d) Newspapers
    e) Direct Advertising space and time, unless there are multiple businesses in the area to provide the same services to the same coverage area needed and same demographics.
    f) Conferences ~ the cost of attending or participating is exempted. The cost of putting together a conference is not exempted.
    g) Training sessions and seminars ~ related to the individuals profession or program
    h) Copyrighted materials such as films, filmstrips, books, pamphlets, videotapes or audio tapes (computer software is not included in this category). Copyrighted materials are defined as those that are available for purchase only from the publisher owning an exclusive franchise from the publisher.
    i) Updates of computer software that the agency already owns.
    j) Repair services and operational supplies from original manufacturer, if such repairs/parts/services/supplies must be performed or obtained by the original manufacturer or by the manufacturer's authorized service center, because (1) the nature of the repair, service or supplies are available only from the original manufacturer as a result of a lawful patent, or (2) the technical nature of the repair or service can only be performed by the original manufacturer due to a patented design or technical manufacturing process, or (3) repairs of such equipment would violate the terms of, or part of, the equipment warranty or purchase agreement.

2. As a member of the state of Missouri Procurement Cooperative, FEC is eligible to buy from State of Missouri/Federal Contractors. Such procurement may be done without any additional procurement practices.

3. FEC may contract with Federal government, states and other units of government without bid processes and their agencies or institutions and public bodies without any additional procurement practices. DWD to provide statewide coordinated services; MOJOBS, State of Missouri, Department of Elementary and Secondary Education (DESE) to provide coordinated ITA services.

4. FEC may contract with Federal government, states and other units of government without bid processes and their agencies or institutions and public bodies without any additional procurement practices. DWD to provide statewide coordinated services; MOJOBS, State of Missouri, Department of Elementary and Secondary Education (DESE) to provide coordinated ITA services.

J. Reasonableness of Cost and Price Analysis. As outlined in Section IV, every procurement, including contract modifications, whether competitive or noncompetitive, is required to have a written estimate of the cost of the procurement. The estimate must be prepared by the procuring agency staff having knowledge of the type of procurement to be made, and approved by authorized agency staff of sufficient authority for the level of procurement to be made. The estimate must be made before soliciting bid or receiving bids or proposals.

K. Reasonableness of Cost Determination Reasonableness of cost determination from each procurement transaction, including contract modifications, must be documented in writing prior to award and be based on a cost or price analysis of the offeror. The method and degree of cost of price analysis depends on the facts surrounding the particular procurement and pricing situation and must be documented in writing. A comparison to service providers in other areas could be used as a reasonableness justification. Every agency shall develop a written policy on how they will determine reasonableness of cost. It is acceptable for the policy to include more than one method. The following list of ways to justify reasonableness of cost is provided for informational purposes and is not inclusive of all methods, which could be used to justify the reasonableness of cost.

    i. Comparison of previous local experience.
    ii. Comparison of similar proposals
    iii. Comparison of national and/or state averages
    iv. Analysis of projected budget for a new and unique program.
    v. Comparison to experience by another similar AE.

L. Cost, Which Exceeds the Cost Comparison. A cost, which exceeds the cost comparison, should be evaluated to determine if special conditions exist to justify additional cost (i.e. large hard-to-serve population, extensive geographic area, or additional follow-up requirements). A detailed budget could be used to support the price, however this will require explanation of the need for each item.

1. A price analysis to determine price reasonableness is not necessary when price reasonableness can be established on the basis of a documented catalog or market price of a commercial product sod in substantial quantities to the general public or based on prices set by law or regulation.

2. A cost price analysis is required to determine price reasonableness; when the offeror is required to submit the detailed elements of the estimated cost; when adequate price competition is lacking; and for all such bids exceeding $5,000 that, to the best of their knowledge and belief, the cost data are accurate, complete and current prior to the contract or bid award. Contracts or modifications negotiated in reliance on such data should provide the awarding agency a right to a price adjustment to exclude any significant sum by which the price was increased because the contractor had submitted data that was not accurate, complete or current as certified.

3. A price analysis shall be used in all other instances to determine the reasonableness of the proposed contract or bid award.

M. WIOA Procurement's Shall Not Permit Excess Program Income. WIOA procurement's shall not permit excess program income (for nonprofit and governmental entities) or excess profit (for private for-profit entities). If profit or program income is included in the price, the awarding agency shall negotiate profit or program income as a separate element of the price for each contract in which there is no price competition, and in all cases where cost analysis is performed. To establish a fair and reasonable profit or program income, consideration shall be given to:

   a. The complexity of the work to be performed;
   b. The risk borne by the contractor,
   c. The contractor's investment;
   d. The amount of sub-contracting;
   e. The quality of the contractor's record of past performance;
   f. Industry profit rates in the surrounding geographical area for similar work and
   g. Market conditions in the surrounding geographical area.

VIII. 324.1 E – Verify SOLICITATION REQUIREMENTS

The Missouri Revised Statues, Sections *285.525 – 285.550 RSMo*, require that all vendors, contractors, and subcontractors paid from state-funded organizations or programs must enroll in the Employment Eligibility Verification Program (E-Verify). In line with this Statue, As a condition for the award of any service contract in excess of five thousand dollars by the Full Employment Council, Inc. to a business entity, shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Every such business entity shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. Any entity contracting with the Full Employment Council, Inc. shall only be required to provide the affidavits required in this subsection to the FEC on an annual basis. During or immediately after an emergency, the

requirements of this subsection that a business entity enroll and participate in a federal work authorization program shall be suspended for fifteen working days. As used in this subsection, "emergency" includes the following natural and manmade disasters: major snow and ice storms, floods, tornadoes, severe weather, earthquakes, hazardous material incidents, nuclear power plant accidents, other radiological hazards, and major mechanical failures of a public utility facility.

1. Section 285.530, RSMo pertains to all solicitations for services over $5,000. Section 285.530, RSMo does not apply to solicitations for commodities only. If a solicitation is for services and commodities, section 285.530, RSMo applies if the services portion of the solicitation is over $5,000.

   a. Section 285.530, RSMo does not pertain to purchases that will be paid using exempt object codes.

   b. Section 285.530, RSMo does not apply to procurements in which an agency contracts with a Missouri state agency or federal governmental entity. Section 285.530, RSMo does pertain to procurements in which an agency contracts with a Missouri school, a Missouri university, an out of state agency, an out of state school, an out of state university, all political subdivisions, an instate vendor, an out of state vendor, or a foreign vendor.

2. Written Solicitation – All solicitation documents for services over $5,000 must include the AFFIDAVIT OF WORK AUTHORIZATION AND DOCUMENTATION bidder language, CONTRACTOR'S PERSONNEL contractor language with the additional highlighted language, SUBCONTRACTOR USAGE or SUBCONTRACTOR USAGE – NO PRIOR APPROVAL contractor language with the additional highlighted language [NOTE: Include Subcontractor Usage or Subcontractor Usage – No Prior Approval contractor language if awarded contract may include a subcontractor(s).] and the BUSINESS ENTITY CERTIFICATION, ENROLLMENT DOCUMENTATION, AND AFFIDAVIT OF WORK AUTHORIZATION EXHIBIT.

As a vendor, contractor, or subcontractor of the Full Employment Council, They must complete the documents, referenced below, to comply with your contract. Registration could be done by going to https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES

New Registration:

1. A copy of the E-Verify MOU
2. Affidavit of Work Authorization
3. Business Entity Certification with Box A (Non-Business Entity) or Box B (Business Entity) completed.

Renewal of Registration:

1. Affidavit of Work Authorization Annual Renewal.
2. Business Entity Certification with Box C (Affidavit on File – Current Business Entity Status) completed

3. Non-Written Solicitation –Section 285.530, RSMo needs to be addressed if solicitation for services is over $5,000. Proceed to Non-Written Solicitation under EVALUATION REQUIREMENTS below.

4. All solicitation documents for services over $5,000 must include

• AFFIDAVIT OF WORK AUTHORIZATION AND DOCUMENTATION bidder language (using contractor in place of the reference to bidder),

• CONTRACTOR'S PERSONNEL contractor language with the additional highlighted language, and

• BUSINESS ENTITY CERTIFICATION, ENROLLMENT DOCUMENTATION, AND AFFIDAVIT OF WORK AUTHORIZATION EXHIBIT

EVALUATION REQUIREMENTS

1. Written Solicitation – Review and evaluate bids company responses to determine if bidders contractors have provided the following with their bids company responses or through follow-up clarification prior to award:

BUSINESS ENTITY CERTIFICATION, ENROLLMENT DOCUMENTATION, AND AFFIDAVIT OF WORK AUTHORIZATION EXHIBIT – The bidder company must certify their current business status by completing Box A, Box B, or Box C.

Box A Completed:

a. If bidder company has completed Box A, the bidder company has certified that the bidder does not currently meet the definition of a business entity as defined in section 285.525, RSMo pertaining to section 285.530, RSMo. By completing Box A, the bidder company is responsive regarding section 285.530, RSMo and is not required to enroll and participate in the E-Verify federal work authorization program, is not required to submit the required E-Verify documentation, and is not required to submit a completed, notarized Affidavit of Work Authorization to be considered for an award.

b. If awarded a contract and the contractor's business status changes during the life of the contract to become a business entity as defined in section 285.525, RSMo pertaining to section 285.530, RSMo, then the contractor shall, prior to the performance of any services as a business entity under the contract,:

1) Enroll and participate in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services required in the contract; AND

2) Provide documentation affirming the contractor's enrollment and participation in the E-Verify federal work authorization program. Documentation shall include a page from the E-Verify Memorandum of Understanding (MOU) listing the contractor's name and the MOU signature page completed and signed, at minimum, by the contractor and the Department of Homeland Security

– Verification Division. If the signature page of the MOU lists the contractor's name and company ID, then no additional pages of the MOU must be submitted.; AND

3) Complete and submit a notarized Affidavit of Work Authorization dated on or after September 1, 2009.

Box B Completed:

a. If bidder company has completed Box B, the bidder company has certified that the bidder company does meet the definition of a business entity as defined in section 285.525, RSMo pertaining to section 285.530, RSMo. By completing Box B, the bidder company must:

1) Enroll and participate in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services required in the RFQ document; AND

2) Provide documentation affirming said companies/individual's enrollment and participation in the E-Verify federal work authorization program. Documentation shall include a page from the E-Verify Memorandum of Understanding (MOU) listing the bidder's name and the MOU signature page completed and signed, at minimum, by the bidder company and the Department of Homeland Security – Verification Division. If the signature page of the MOU lists the bidder's name and company ID, then no additional pages of the MOU must be submitted.; AND

3) Complete and submit a notarized copy of the Affidavit of Work Authorization dated on or after September 1, 2009.

b. If a bidder company provides the documents stated in paragraphs a2) and a3) above prior to award of a contract, then the bidder meets the requirements of section 285.530, RSMo. NOTE: Confirm notarization on Affidavit of Work Authorization by checking for notary's black ink rubber stamp seal or notary's engraved embosser seal for a State of Missouri notary. If non-Missouri notary, absence of a seal may or may not be an issue. Confirm notary's commission has not expired by checking the expiration date entered on the affidavit or stated in the notary's seal. A copy of a completed, notarized Affidavit of Work Authorization may be accepted, if dated on or after September 1, 2009

c. If a bidder does not provide the documents stated in paragraphs a2) and a3) above prior to award of a contract, then the bidder is non-responsive. The bidder company cannot be considered for award.

Box C Completed:

1) If bidder/offeror has completed Box C, the bidder/offeror company has certified that the bidder/offeror company does meet the definition of a business entity as defined in section 285.525, RSMo pertaining to section 285.530, RSMo. By completing Box C, the bidder/offeror has:

a) Enrolled and participate in the E-Verify federal work authorization program with respect to the employees hired after enrollment in the program who are proposed to work in connection with the services required in the RFP document

b) Provided documentation affirming said companies/individual's enrollment and participation in the E-Verify federal work authorization program. Documentation shall include a page from the E-Verify Memorandum of Understanding (MOU) listing the bidder's/offeror's name and the MOU signature page completed and signed, at minimum, by the bidder/offeror and the Department of Homeland Security – Verification Division. If the signature page of the MOU lists the bidder's/offeror's name and company ID, then no additional pages of the MOU must be submitted.

c) Completed and submitted a notarized copy of the Affidavit of Work Authorization dated on or after September 1, 2009.

2) If Box C is completed, check the spreadsheet located G:\E-verify\subcontractor for documentation. If bidder/offeror Company is not listed on the spreadsheet, then the documents will need to be requested from the agency noted in Box C. If agency is unable to supply documentation, the bidder/offeror must be contacted to provide a copy.

2. Non-Written Solicitation – If solicitation is over $5,000, the BUSINESS ENTITY CERTIFICATION, ENROLLMENT DOCUMENTATION, AND AFFIDAVIT OF WORK AUTHORIZATION EXHIBIT must be faxed/mailed to the potential awardee. The potential awardee must be instructed to certify their current business status by completing Box A or Box B on the exhibit.

IX. 325.0 Procurement Protest / Dispute Procedures

Protests and disputes for goods, services, supplies, and other non-participant service programs shall be appealed to the Procurement Committee for review. The Procurement Committee shall hear the appeal of the procurement award and make its recommendation to the President/CEO who shall make the final decision.

Protests and disputes involving subrecipient awards shall appeal to the Chairman of the Eastern Jackson County Workforce Development Board, who will appoint a committee to review the decision. The committee shall decide by a majority vote to uphold or reverse the decision of the Procurement Committee regarding the subrecipient award.

A protester having exhausted all administrative remedies with FEC shall pursue the protest to WIOA. Violation of law will be referred for action to the Department of Labor, Office of the Inspector General and other appropriate local and state authorities having proper jurisdiction.

The Office Supply Requisition must be approved by Division Vice President before submitting to Accounting Department.

The Chief Fiscal Officer shall review and approve all special orders. Only requests deemed necessary and allowable will be approved.

X. 325.1 Responsibilities

The Fiscal Department & Administration Department has the following operational responsibilities:

- To purchase quantities of commodities, equipment, and services as requested by the various Operations units, at the lowest price consistent with required quality, from suppliers who will deliver purchased items at the specified time and place.

- To conduct the preliminary negotiations with suppliers, to locate sources of supply, to obtain price quotations through formal procedures, to select vendors, and to place purchase orders (See Attachment A).

- To follow-up on purchase orders, except departmental purchase orders, continuous or standing purchase orders and procurement cards, to ensure that the vendor fulfills the purchase agreement on delivery, and that the carrier delivers the shipment promptly and in good condition.

- To handle, directly with the vendor, all correspondence concerning purchases, including price adjustments, the return of defective or incorrect materials, additional shipments to fill shortages, purchase order cancellation, and to present claims for shortages and damages.

- To furnish prices and estimates of cost for materials, equipment, and services to operation units.

- To suggest changes that will improve product quality, promote better availability, or provide greater economies in purchase or application.

- To maintain or obtain catalogues and other data about vendors, materials, and services for campus units to use in determining their needs. Such data may include information that is necessary to determine the overall responsibility of a vendor.

XI. 325.2 Payment Terms

FEC policy is to pay vendors net 30 days after an invoice has been received at the Fiscal Department. This assumes proper delivery and functioning of goods and services. If, in the event special terms or prepayment are necessary, the Fiscal Department must be contacted in advance.

Attachment A:

Purchase Request

PURCHASE REQUEST

Goods and/or Services

FEC FORM F1A

☐ PO Needed

(FOR INTERNAL USE ONLY)

Requested

Vendor Name:	**Vendor Phone #:**	**Requested By:**
Rangel	**(816) 842-7933**	**April Law**
	Vendor Fax #:	**Ext. 1281**
		Date: 26-Mar-19

Quantity		Unit Cost	
1	SOHO Task Chair (Black)		120.00
	New Hire -		-
			-
			-
			-
			-
			-
			-
			-
			-
			-
			-
			-

Function or Program intended for: **MIS Department**

NEED FOR THE ITEM(S) REQUIRED FOR THE FUNCTION OR PROGRAM:

Estimated Cost **$ 120.00**

(Fiscal Use Only)
Actual Cost: $ _____

☐ ***(Fiscal Use Only)***
Advised Requester of Approval

Approved by: _____
Manager Date

Approved by: _____
Senior Vice President/Chief Operations Officer Date

Approved by: _____
Vice President/Chief Fiscal Officer Date

Approved by: _____
President/Chief Executive Officer Date

Manager must approve all purchases. Two Officers (CEO, SVP/COO, CFO)must approve all purchase requests.

*President/CEO must approve **all** purchases over $500.*

The Full Employment Council is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers may be reached by persons using TTY/TDD equipment via the Missouri Relay Service at 711. Revised: June 25, 2018.

Attachment B:

Purchase Order

FULL EMPLOYMENT COUNCIL
Equal Opportunity Employer

PURCHASE ORDER

FEC № 2933

Please quote our P.O # on your invoice

Ship to: (The same billing address if left blank.)

To: _____

_____

_____

_____

Bill To: Full Employment Council, Inc.
1740 Paseo, Suite D
Kansas City, MO 64108
(816) 471-2330

Date: _____

Quantity	Unit	Description & Account Code	Unit Cost	Total Cost

_____ _____

COO / President CFO

White - Vendor Yellow - Finance Pink - Receiving FEC-0009

ATTACHMENT 11.
Planning Budget Summaries (PBS)

ATTACHMENT 12. Complaints and Grievance Policy – Nondiscrimination, Programmatic

1740 Paseo Blvd. • Kansas City, MO 64108
816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

PROGRAM COMPLAINT AND DISCRIMINATION PROCEDURES POLICY

POLICY NUMBER: 2013-02, Modification 4

EFFECTIVE DATE: 3-3-2016

MODIFICATION DATE: 1-27-20

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this Issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

This issuance is to address the process by which all discrimination and all program complaints must be processed.

BACKGROUND

The Workforce Development Board must be in compliance with State and Federal regulation as it relates to the Workforce Innovation and Opportunity Act. Mandatory training is required for all staff concerning nondiscrimination of FEC/Missouri Career Center employees and participants by implementing sound Equal Opportunity program and workplace practices and to provide all staff with the information they need to avoid discrimination and provide information to comply with Federal EEO laws. This modification updates Grievance and Equal Opportunity forms. This Issuance is based upon Missouri Division of Workforce Development Issuance 16-2017, *Disseminating Notices for Equal Opportunity Complaints and WIOA Complaints and Grievances*, and Missouri Division of Workforce Development Issuance 09-2012, *Workforce Investment Act Complaint Resolution Policies.*

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

POLICY

I. PROGRAM COMPLAINT PROCEDURES

Every recipient of funds under Title I of the Workforce Innovation and Opportunity Act (WIOA) must maintain a written procedure for grievances and complaints in accordance with 20 CFR 667.600, *et seq*. As such, this policy will govern the Division of Workforce Development's (DWD) processing of WIOA complaints and grievances.

General Program Complaints may be made up to one (1) year from the date of the event or condition alleged to be a violation of WIOA. The appropriate resolution process to be followed depends on the nature of the complaint. General WIOA complaints fall into the following two categories:

1. Complaints involving local WIOA programs, agreements, or local Workforce Development Board policies and activities; or
2. Complaints involving State WIOA policies, programs, activities, or agreements.

If FEC does not have the jurisdiction of a program complaint then the complainant will be referred to the appropriate entity (e.g. Family Services Division (Food Stamps), Division of Workforce Development (Unemployment Insurance) etc.

A complaint may be amended or withdrawn at any time prior to a scheduled hearing.

The Local WIOA Equal Opportunity (EO) Manager who processes a WIOA Program Complaint will keep information that could lead to the identification of the person filing the complaint confidential, to the extent practical. The identity of any person who furnishes information related to, or assisting in, and investigation will also be kept confidential to the extent possible.

FEC and its One-Stop partners will not discharge, intimidate, retaliate, threaten, coerce, or discriminate against any person because such person files a complaint, opposes a prohibited practice, furnishes information, assists, or participates in any manner in an investigation or hearing.

A. General Program Complaints

Included in the body of this Issuance is the General Program Complaint Form that will be used as a complaint intake tool. Any complaint received in writing will be accepted and handled in the same manner as if it were made on the General WIOA Complaint Form. The log shall include: the name and address of the complainant; the basis for the complaint; a description of the complaint; the disposition and date of disposition of the complaint; and any other pertinent information.

The procedures are as follows:

Who may file a complaint concerning programming with WIOA Title I?

Any applicant, employee, participant, service provider, program recipient, or other interested party may file a complaint alleging a violation of local WIOA programs, agreements or Workforce Development Board policies and activities.

B. Complainants with Disabilities

Complainants by persons with disabilities will be accommodated as needed so that they may file complaints. Alternate formats will be used on request to notify the complainant of hearings, results, and any other written communication. Auxiliary aides and services, such as deaf interpreters or assistive listening devices, on request for negotiations, hearings and any other meetings where aural communication occurs. An accessible location will be used for hearings and other meetings on request.

Time and Place for Filing?
Complaints may be filed with the local administrative entity or the service provider within one (1) year from the date of the event or condition alleged to be a violation of WIOA (365 days).

C. Resolution Process

Initial Review: Step One - If the complaint alleges a violation of any statute, regulation, policy, or program that is not governed by WIOA, the WIOA EO Manager or service provider may refer the complaint to the appropriate organization for resolution. In such cases, the local administrative entity or service provider will notify the complainant of the referral.

Once the local WIOA EO Manager or the service provider receives the complaint from the complainant or the complainant's designated representative, the FEC will log the complaint. The local WIOA EO Manager or service provider will then establish a complaint file containing the following:

1. Application and enrollment forms;
2. Completed General WIOA Complaint Form (or complainant's written statement);
3. Chronological log of events or conditions alleged to be a violation of WIOA;
4. Any relevant correspondence; and
5. Record of the attempted informal resolution

Informal Resolution: Step Two - The local WIOA EO Manager or service provider will attempt to informally resolve the complaint to the satisfaction of all parties. The informal resolution process must be completed within ten (10) business days from the date the complaint is filed. If all parties are satisfied, the complaint is considered resolved, and the terms and conditions of the resolution must be documented in the complainant's file. The local administrative entity will review the complaint file and investigate it further if necessary.

Formal Resolution: Step Three - When an informal resolution is not possible, the local WIOA EO Manager will issue a determination within twenty (20) calendar days from the date the complaint was filed. If the complainant does not request an appeal of the determination, the complaint is considered resolved, and the local administrative entity or service provider will document this in the complaint file. Any party dissatisfied with the

determination may request a hearing within seven (7) calendar days of the date of the determination.

Hearing: Step Four - A complainant may amend or withdraw his or her complaint at any time period prior to a scheduled hearing. If the complaint is not withdrawn, the local WIOA EO Manager will designate a hearing officer to ensure the complaint receives fair and impartial treatment. The hearing must be conducted within forty-five (45) calendar days from the date the complaint was filed. The hearing officer will schedule a formal hearing and mail a written notice to the complainant, the respondent, and any other interested party at least seven (7) business days prior to the hearing.

The notice will include the date, time, and place of the hearing. Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or any other designated representative(s) may represent each party. All testimony will be taken under oath or affirmation. The hearing will be recorded either in writing or by audiotape.

The hearing officer's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based. The hearing officer will also concur with the chief local elected official (CLEO) toward reaching consensus on the recommended resolution to the complaint. If consensus cannot be reached, the hearing office will initiate a request to the state for resolution.

Final Decision: Step Five - The local administrative entity will review the recommendation of the hearing officer and issue a final decision within sixty (60) calendar days from the date the complaint was filed.

Daniel Smith, Equal Opportunity Manager
Full Employment Council, Inc.
1740 Paseo Boulevard
Kansas City, Missouri 64108
Phone: (816) 471-2330
Email: dsmith1@feckc.org

Appeal: Step Six - Any party dissatisfied with the local administrative entity's final decision, or any party who has not received either a final decision or a resolution within sixty (60) calendar days from the date the complaint was filed, may request an appeal. The appeal must be received by the DWD within ninety (90) calendar days from the date the complaint was filed at the following address:

Danielle Smith, State Equal Opportunity Officer
Missouri Department of Higher Education and Workforce Development – Office of Workforce Development
301 W. High Street
PO Box 1087
Jefferson City, MO 65102
Phone: (573) 751-2428, Fax (573) 751-4088
Missouri Relay Services at 711

DWD will review the complaint file, the hearing record, and all applicable documents and issue a final decision on the appeal within thirty (30) calendar days from the date the appeal was received.

Full Employment Council (FEC) / Workforce Innovation Opportunity Act (WIOA)

Program Complaint Form

General WIOA complaints fall into the following two categories:

1. Complaints involving local WIOA programs, agreements, or local Workforce Development Board policies and activities; or
2. Complaints involving State WIOA policies, programs, activities, or agreements.

Complaint (person filing the complaint)

Name:			
Address:	City:	State:	Zip Code:
Telephone:	Email:		

Complainants with disabilities will be accommodated during the complaint process. If an accommodation is required in communication or accessibility of location, please indicate the kind of accommodation required, e.g. accessible location, deaf interpreter (please indicate type of sign language), notification of results and/or hearing dates in alternative format such as Braille, large print or cassette.

Name:			
Address:	City:	State:	Zip Code:
Telephone:	Email:		

Location of office where the complaint occurred.
Respondent (person/entity complaint filed against)
Provide a clear and brief statement of the facts. Include relevant dates that will assist in the investigation and resolution of the complaint. If additional space is needed, use reverse side of this form or attach additional sheets.

The above information is true and correct to the best of my knowledge.

_____ _____

Signature of Complainant Date

(Page 2)

Program Complaint Form

FOR OFFICIAL USE ONLY		
Person Receiving Complaint:	Title:	
Address:	City:	State:
Telephone:	E-Mail:	

The Full Employment Council is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

Diagram of FEC Program Complaint Process

Program Complaint Received by Program Operator

0 days

Initial Written Notice

The EEO Officer has 7 days from receipt of the grievance to investigate and provide a written decision to the 1)complainant 2) respondent 3) Local EO Manager.

7 days

If program operator unsatisfactorily resolves the grievance, the complainant has 5 days from the receipt of the written decision to request an impartial hearing and review of that decision.

30 days

If impartial hearing is requested then the Program Operator must ensure that a qualified hearing officer conducts an impartial hearing within 30 days of the original receipt of the grievance.

The complainant and respondent (if not the program operator) will be provided a written notice of the 1.) Date 2.) Time 3.) Place of the hearing and all parties will have the opportunity to present evidence and to be represented by an attorney or other individual of his/her choice.

60 days

The qualified hearing officer is to present a written decision within 60 days of the original receipt of the written grievance to the program operator who in turn, issues a decision to the Complainant/respondent

10 days

Still not resolved? STATE REVIEW.
Complainant must submit for State Review and be received by DWD within 10 days after written decision from program director or within 15 days this written decision should have been made.

Notice of Final Action

60 days

DWD will respond to all parties within 60 days of receiving the request for a state review.

For more information on the references for this reference sheet please refer to the following: 29 CFR 37.25(d); and 37.70-37.80. See also 37.7(e)] or follow the link provided below http://www.dol.gov/oasam/programs/crc/citations.html#29cfr37-25-d

II. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS

The Workforce Development Board will full comply with the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act, including the Nontraditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended, Title IX of the Education Amendments of 1972, as amended, and the Americans with Disabilities Act, as amended, and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 34, and incorporate this language into all service contracts and agreements.

III. DISCRIMINATION COMPLAINT PROCEDURES

The Workforce Development Board will follow the Missouri Division of Workforce Development Issuance 16-2017, *Disseminating Notices for Equal Opportunity Complaints and WIOA Complaints and Grievances*, and Missouri Division of Workforce Development Issuance 09-2012, *Workforce Investment Act Complaint Resolution Policies*, which outline the dissemination of notices and complaint resolution practices. Forms provided in the body of this Issuance shall be utilized for receiving complaints.

Equal Opportunity is the LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex (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.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I - financially assisted program or activity;
- providing opportunities in, or treating any person with regard to, such a program or activity; or
- making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Danielle Smith, State Equal Opportunity Officer
Missouri Department of Higher Education and Workforce Development - Office of Workforce Development
301 W. High Street
PO Box 1087
Jefferson City, MO 65102
danielle.smith@dhewd.mo.gov
Phone: (573) 751-2428 | Fax: (573) 751-4088
Missouri Relay Services at 711

The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.

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

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

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

Sub-State Agency/Local Equal Opportunity Officer:

Name: _Daniel Smith_____

Address: _1740 Paseo KCMO 64108_____

Telephone: ___816-471-2330_____

To learn more about filing a claim, visit
jobs.mo.gov/equalopportunity

jobs.mo.gov
A proud partner of the americanjobcenter network

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

DWD-102 (10-2019)

La Igualdad De Oportunidad es la LEY

La ley prohíbe que este beneficiario de asistencia financiera federal discrimine por los siguientes motivos: contra cualquier individuo en los Estados Unidos por su raza, color, religión, sexo (incluyendo el embarazo, el parto y las condiciones médicas relacionadas, y los estereotipos sexuales, el estatus transgénero y la identidad de género), origen nacional (incluyendo el dominio limitado del inglés), edad, discapacidad, afiliación o creencia política, o contra cualquier beneficiario, solicitante de trabajo o participante en programas de capacitación que reciben apoyo financiero bajo el Título I de la ley de Inversión y Oportunidad en la Fuerza Laboral (WIOA, por sus siglas en inglés), debido a su ciudadanía, o por su participación en un programa o actividad que recibe asistencia financiera bajo el Título I de WIOA.

El beneficiario no deberá discriminar en los siguientes áreas: decidiendo quién será permitido departicipar, o tendrá acceso a cualquier programa o actividad que recibe apoyo financiero bajo el Título I de WIOA; proporcionando oportunidades en, o tratar a cualquier persona con respecto a un programa o actividad semejante; o tomar decisiones de empleo en la administración de, o en conexión a un programa o actividad semejante.

Los beneficiarios de asistencia financiera federal deben tomar medidas razonables para garantizar que las comunicaciones con las personas con discapacidades sean tan efectivas como las comunicaciones con los demás. Esto significa que, a petición y sin costo alguno para el individuo, los recipientes están obligados a proporcionar ayuda auxiliar y servicios para individuos con discapacidades calificados.

QUE DEBE HACER SI CREE QUE HA SIDO DISCRIMINADO

Si usted piensa que ha sido discriminado en un programa o actividad que recibe apoyo financiero bajo el Título I de WIOA, usted puede presentar una queja no más de 180 días después de la fecha en que ocurrió la presunta violación, ya sea con: El oficial de igualdad de oportunidad del recipiente (o la persona que el recipiente haya designado para este propósito);

Danielle Smith, State Equal Opportunity Officer
Department of Education and Workforce Development - Office of Workforce Development
301 West High Street
P.O. Box 1087
Jefferson City, MO 65102
danielle.smith@dhewd.mo.gov
Teléfono: (573) 751-2428 I Fax: (573) 751-4088
Relay Missouri: 711

o:

Director, Civil Rights Center (CRC), U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123, Washington, DC 20210
o electrónicamente como indica el sitio web del CRC www.dol.gov/crc

Si usted presenta una queja con el recipiente, usted debe esperar hasta que el recipiente emita una decisión final escrita o que pasen por lo menos 90 días (lo que ocurra primero), antes de presentar una queja con el Centro de Derechos Civiles (CRC, por sus siglas en inglés) a la dirección mencionadam previamente. Si el beneficiario no le entrega una decisión final escrita dentro de 90 días después de la fecha en que presento su queja, usted puede presentar su queja con el CRC antes que reciba la decisión final. Sin embargo, es necesario presentar su queja con el CRC dentro de 30 días después de la fecha límite de 90 días (en otras palabras, dentro de 120 días después de la fecha en presento la queja con el recipiente). Si el recipiente emite una decisión final escrita, pero usted no está satisfecho con él resultado o resolución, usted puede presentar una queja con el CRC. Usted debe presentar su queja con el CRC dentro de 30 días después que reciba la decisión final escrita.

Agencia de Sub-Estado/Oficial de Oportunidades Igualitarias

Nombre: Daniel Smith

Direción: 1740 Paseo KCMO 64108

Teléfono: 816-471-2330

Para más información sobre cómo presentar una reclamación, visite
jobs.mo.gov/equalopportunity

Programa de Empleadores que Brindan Oportunidades Igualitarias

Se ofrece apoyo y servicios auxiliares a las personas con discapacidades que lo soliciten.

DWD-102-S (10-2019)

Equal Opportunity

Missouri Office of Workforce Development

Equal Opportunity Is the Law Notice

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex (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.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I - financially assisted program or activity;
- providing opportunities in, or treating any person with regard to, such a program or activity; or
- making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Danielle Smith, State Equal Opportunity Officer
Missouri Department of Higher Education and Workforce Development - Office of Workforce Development
301 W. High Street
PO Box 1087
Jefferson City, MO 65102
danielle.smith@dhewd.mo.gov
Phone: (573) 751-2428 | Fax: (573) 751-4088
Missouri Relay Services at 711

The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.

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

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

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

Program Complaints and Grievances Acknowledgement

WIOA regulations require each state to establish a procedure for grievances and program complaints received from participants being served by the workforce system. To seek a formal resolution, you must first file your complaint locally. This process is intended to allow for a resolution of the issue at the most local level. You must start the process by submitting your complaint within your local workforce system, either through your local One-Stop Job Center or local workforce development board. You have up to one year to file a grievance. The Office of Workforce Development encourages informal resolution prior to the filing of a written complaint. If the complainant is not satisfied with the attempt at informal resolution, he or she should be encouraged to complete a General WIOA Complaint Form.

The complainant should be allowed sufficient time and technical assistance to provide a complete and clearly written explanation on his or her complaint form. If the complainant is unable to write, staff may transcribe his or her words onto the form; staff shall take care not to alter the language of the complainant. When a written complaint is received, the employee taking the complaint should review it immediately to insure completeness Care should be taken to assure the following information has been provided, especially if the complaint is not received on the General WIOA Complaint Form.

The grievance should include the following

1. Full name, telephone number and address of the person making the complaint;
2. Full name and address of the respondent; and
3. Statement of the facts (including dates) that constitutes the alleged violation(s)
4. A statement of how you would like the matter to be resolved (e.g. if the agency finds in your favor what you would like to see happen or to receive);
5. Any applicant, employee, participant, service provider, program recipient, or other interested party may file a complaint alleging a violation of local WIOA programs, agreements or LWB policies and activities.

You may file your grievance with the Local Workforce Board Grievance Officer at

NAME/TITLE Daniel C. Smith

ADDRESS 1 1720 Paseo, Kansas City, MO 64108

ADDRESS 2

PHONE/FAX 816-471-2330

EMAIL dsmith1@feckc.org

Within 60 calendar days of filing your grievance, WIOA requires the local area to provide a formal hearing, if the issue is not resolved informally prior to the hearing. If you find the local hearing decision unsatisfactory, or if the local area does not respond to you in the allotted 60 days, you will have the opportunity to file a request for review by the State. At the State level, WIOA requires an opportunity for an informal resolution and hearing to be completed within 60 calendar days of the filing. If the State does not respond within the 60 days, or either party wants to appeal, WIOA allows for a formal appeal to the U.S. Department of Labor (DOL). Federal appeals must be made within 60 calendar days of the receipt of the decision being appealed. DOL will make a final decision no later than 120 days after receiving a formal appeal. DOL will only investigate grievances and complaints arising through the established procedures. WIOA does not allow for federal intervention until the formal procedure has been followed.

Retaliation: *No OWD employee, recipient or sub-recipient may discharge, intimidate, retaliate, threaten, coerce or discriminate against any individual because the individual has filed a discrimination complaint or otherwise participated in the investigation of a discrimination complaint.*

I have read this form and understand that I have a right to file discrimination or programmatic complaint if I feel that my rights were violated by the WIOA Title I financially assisted program or activity.

I acknowledge receipt of copies of the following Notice of Rights

1. Equal Opportunity Notice and Acknowledgement
2. WIOA Program Complaint and Grievance Notice and Acknowledgement

This information was provided in the following language/format

☐ English ☐ Spanish ☐ Other Language (Specify) _____

☐ Alternate Format (Specify) _____

[Staff Note: Indicate the correct line by checking one box below, appropriate to the individual, before presenting for a signature]

☐ **Participant Name** _____ _____
Print Name Signature

☐ **Recipient** _____ _____ _____
Organization Name Print Name/Title Signature

☐ **Applicant for Employment** _____ _____
Print Name Signature

☐ **Employee** _____ _____
Print Name Signature

Participant means the individual or individuals intended by Congress to receive aid, benefits, services, or training from a recipient.

Recipient means entity to which financial assistance under Title I of WIOA is extended, directly from the Department or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient).

Applicant for employment means a person or persons who make(s) an application for employment with a recipient of Federal financial assistance under WIOA Title I.

For additional information about Missouri Office of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at jobs.mo.gov or 1-888-728-JOBS (5627).

The Missouri Department of Higher Education and Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.

jobs.mo.gov
A proud partner of the americanjobcenter network®

missouri job center
A proud partner of the americanjobcenter network®

Attachment A:

Missouri Division of Workforce Development Issuance 16-2017,

Disseminating Notices for Equal Opportunity Complaints and

WIOA Complaints and Grievances

Missouri Division of Workforce Development
DWD Issuance 16-2017

Issued: December 15, 2017
Effective: December 15, 2017

Subject: **Disseminating Notices for Equal Opportunity Complaints and WIOA Complaints & Grievances**

1. Purpose:

This Issuance updates, supersedes, and rescinds previous guidance[1] identifying who must receive notification of the right to pursue complaints or grievances related to Equal Opportunity (EO) issues or programmatic delivery of programs and services. This Issuance identifies those persons from whom workforce staff must obtain and retain a signed acknowledgement of notification of those rights. It also incorporates changes in federal and State laws, regulations, and policies that have become effective since the previous guidance. At a future date, the final, adopted version of Missouri's *Nondiscrimination Plan*[2] (formerly known as the *Methods of Administration*) will incorporate the guidance in this Issuance.

2. Background:

The regulations[3,4] implementing the Section 181(c)[5] [Grievance Procedure] and the Section 188[6] [Nondiscrimination] provisions of the Workforce Innovation and Opportunity Act (WIOA)[7] require recipients to provide initial and continuing notification of their rights to all parties to WIOA-funded Title I activities. This includes:[8]

- Registrants, applicants, and registrants and applicants for whom an eligibility determination has been made;
- Participants;
- Applicants for employment and employees;
- Unions or professional organizations that hold collective bargaining or professional agreements with the recipient;
- Recipients that receive WIOA Title I financial assistance; and
- Members of the public, including those with impaired vision or hearing and those with limited English proficiency.

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[1] DWD Issuance 01-2014-C1, "Equal Opportunity and Complaint & Grievance, Notice and Dissemination, Change 1," July 22, 2014 *[herein rescinded]*.
[2] 29 C.F.R. 38.54.
[3] 20 CFR 683.600, "What local area, State, and direct recipient grievance procedures must be established?"
[4] 29 CFR Part 38, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act."
[5] 29 U.S.C. 3241(c).
[6] 29 U.S.C. 3248.
[7] Pub. L. 113-128 [29 U.S.C. 3101 et seq.].
[8] 29 CFR 38.34(a). Per its authority under 20 CFR 683.600, the State of Missouri identifies these same parties as requiring notification of the right to file WIOA programmatic complaints or grievances.

The notifications must contain the regulation-prescribed language and requirements[9] as shown in **Attachment 1**, and must include the contact information for the Local Workforce Development Area (LWDA) EO Officer as well as the State EO Officer. The Local and State EO Officers are responsible for ensuring compliance with the 20 CFR Part 683.600 and 29 CFR Part 38 regulations, and are the designated recipients for WIOA EO and programmatic complaints and grievances.

The scope of these rules is limited to programs and activities operated by a recipient, including a one-stop partner, to the extent that the employment is in the administration of, or in connection with, programs and activities financially assisted under WIOA Title I, including those that are part of the one-stop delivery system.[10]

Specifically applicable to EO complaints and grievances, no recipient may discriminate on the following bases:[11]

> *"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.*
>
> *"The recipient must not discriminate in any of the following areas:*
>
> > *"Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.*
>
> *"Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities."*

Notification applies to each presentation by a recipient to orient new participants, new employees, and/or the public to its WIOA Title I-financially assisted program or activity. Whether in person, over the Internet, or using other technology, a recipient must include a discussion of rights and responsibilities under the nondiscrimination and EO provisions of WIOA and 29 CFR Part 38, including the right to file a complaint of discrimination.[12] The recipient must communicate this information in appropriate languages[13] and in formats accessible for individuals with disabilities.[14]

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[9] 29 CFR 38.35 and 20 CFR 683.600.
[10] 29 CFR 38.2, 29 CFR 38.4(zz), 29 CFR 38.18.
[11] 29 CFR 38.35.
[12] 29 CFR 38.39.
[13] 29 CFR 38.9.
[14] 29 CFR 38.15.

3. Substance: All employees (performing duties related to WIOA programs or services) of WIOA Title I-financially assisted employers, customers, non-customers,[15] and WIOA-funded training employers must be made aware of their EO rights and responsibilities, as well as their programmatic complaint and grievance rights and responsibilities under WIOA. To ensure equal opportunity for customers within the Workforce System, the Missouri Division of Workforce Development (DWD) and its sub-recipients must provide initial and continuing notice that they do not discriminate on any prohibited grounds, and that there is a process to resolve any complaints or grievances.

To ensure that certain affected parties to WIOA Title I-financially assisted programs and services have been properly notified and provided with a copy of their rights and responsibilities, DWD requires a signed attestation. This marked and signed form (**Attachment 1**) is to be retained in the individual's or recipient's file. It must be obtained from **applicants for employment, employees** (of recipients), **participants**, and **recipients** (including employers), as defined below:

- An **"applicant for employment"** means a person or persons who make(s) an application for employment with a recipient of federal financial assistance under WIOA Title I.[16]
- An **"employee"** means a covered employee, of a recipient, included in the Unemployment Insurance (UI) wage records of that recipient.
- A **"participant"** means an individual who has been determined to be eligible to participate in, and who is receiving any aid, benefit, service, or training under, a program or activity financially assisted in whole or in part under Title I of WIOA.[17] This includes participants in WIOA Adult, Dislocated Worker, and Youth programs, National Dislocated Worker Grant participants, Trade Adjustment Assistance participants, and any other program for which a hard-copy participant file is required.
- A **"recipient"** means an entity that receives financial assistance under Title I of WIOA. "Recipient" includes, but is not limited to:[18]
    - State-level agencies that administer, or are financed in whole or in part with, WIOA Title I funds;
    - State Workforce Agencies;
    - State and Local Workforce Development Boards;
    - Local Workforce Development Areas (LWDA) grant recipients;
    - One-stop operators;
    - Service providers, including eligible training providers;
    - On-the-Job Training (OJT) employers;
    - Other National Program recipients.

4. Action: This Issuance is effective immediately. Please distribute this Issuance to appropriate individuals.

5. Contact: Please direct questions or comments regarding this Issuance to the State Equal Opportunity Officer, at (573) 751-2428 or email danielle.smith@ded.mo.gov.

[15] 29 CFR 38.15, 29 CFR 38.34, 29 CFR 38.39 and others. Many of the Part 38 regulations include and affect the "general public" as well as persons directly interacting with WIOA programs and services. Therefore, complaints could involve actions or behaviors involving non-participants present at a training location or a Job Center, for example.
[16] 29 CFR 38.4(d).
[17] 29 CFR 38.4(oo).
[18] 29 CFR 38.4(zz).

6. References:

- WIOA, Pub. L. 113-128 [29 U.S.C. 3101 et seq.].
- 20 CFR 683.600, "What local area, State, and direct recipient grievance procedures must be established?"
- 29 CFR Part 38, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act."

7. Rescissions: This Issuance supersedes and rescinds DWD Issuance 01-2014-C1, "Equal Opportunity and Complaint & Grievance, Notice and Dissemination, Change 1," July 22, 2014.

8. Attachments: Attachment 1: WIOA EO Notice and Programmatic Complaint Notice and acknowledgement form.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Mardy L. Leathers
Director
Missouri Division of Workforce Development

Equal Opportunity

Missouri Division of Workforce Development
Equal Opportunity Is the Law Notice

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (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.

The recipient must not discriminate in any of the following areas

- ✓ Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;
- ✓ Providing opportunities in, or treating any person with regard to, such a program or activity; or
- ✓ Making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

What To Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Danielle Smith
State WIOA Equal Opportunity Officer
421 E. Dunklin P.O Box 1087
Jefferson City, MO 65101
Telephone: (573) 751-2428 or Fax: (573)751-4088
Email: danielle.Smith@ded.mo.gov
Email: DWDComplaintsandgrievances@ded.mo.gov
or
The Director, Civil Rights Center (CRC),
U.S. Department of Labor,
200 Constitution Avenue NW.,
Room N-4123, Washington, DC 20210
or
electronically as directed on the CRC Web site at www.dol.gov/crc.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with the CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri Relay Services are available at 711.

WIOA Programs

Missouri Division of Workforce Development

WIOA Grievance Procedure Notice

WIOA regulations require each state to establish a procedure for grievances and program complaints received from participants being served by the workforce system. To seek a formal resolution, you must first file your complaint locally. This process is intended to allow for a resolution of the issue at the most local level. You must start the process by submitting your complaint within your local workforce system, either through your local One-Stop Job Center or local workforce development board. You have up to one year to file a grievance. DWD encourages informal resolution prior to the filing of a written complaint. If the complainant is not satisfied with the attempt at informal resolution, he or she should be encouraged to complete a General WIOA Complaint Form.

The complainant should be allowed sufficient time and technical assistance to provide a complete and clearly written explanation on his or her complaint form. If the complainant is unable to write, staff may transcribe his or her words onto the form; staff shall take care not to alter the language of the complainant. When a written complaint is received, the employee taking the complaint should review it immediately to ensure completeness. Care should be taken to assure the following information has been provided, especially if the complaint is not received on the General WIOA Complaint Form.

The grievance should include the following:

1. Full name, telephone number and address of the person making the complaint;
2. Full name and address of the respondent; and
3. Statement of the facts (including dates) that constitutes the alleged violation(s)
4. A statement of how you would like the matter to be resolved (e.g. if the agency finds in your favor what you would like to see happen or to receive);
5. Any applicant, employee, participant, service provider, program recipient, or other interested party may file a complaint alleging a violation of local WIOA programs, agreements or Local Workforce Development Board policies and activities.

You may file your grievance with the Local Workforce Board Grievance Officer at

NAME/TITLE

ADDRESS 1

ADDRESS 2

PHONE/FAX

EMAIL

Within 60 calendar days of filing your grievance, WIOA requires the local area to provide a formal hearing, if the issue is not resolved informally prior to the hearing. If you find the local hearing decision unsatisfactory, or if the local area does not respond to you in the allotted 60 days, you will have the opportunity to file a request for review by the State. At the State level, WIOA requires an opportunity for an informal resolution and hearing to be completed within 60 calendar days of the filing. If the State does not respond within the 60 days, or either party wants to appeal, WIOA allows for a formal appeal to the U.S. Department of Labor (DOL). Federal appeals must be made within 60 calendar days of the receipt of the decision being appealed. DOL will make a final decision no later than 120 days after receiving a formal appeal. DOL will only investigate grievances and complaints arising through the established procedures. WIOA does not allow for federal intervention until the formal procedure has been followed.

Retaliation: *No DWD employee, recipient or sub-recipient may discharge, intimidate, retaliate, threaten, coerce or discriminate against any individual because the individual has filed a discrimination complaint or otherwise participated in the investigation of a discrimination complaint.*

I acknowledge receipt of copies of the following Notice of Rights:

1. Equal Opportunity Is the Law Notice
2. WIOA Grievance Procedure Notice

_____
Date

I have read these Equal Opportunity and WIOA Programs Notices and understand that I have a right to file discrimination or programmatic complaints if I feel that my rights were violated by a WIOA Title I financially assisted program or activity.

This information was provided in the following language/format

☐ English ☐ Spanish ☐ Other Language (Specify) _____

☐ Alternate Format (Specify) _____

*[Staff instruction: Indicate the correct line by checking **one box** below, appropriate to the individual, before presenting for a signature]*

Participant means an individual who has been determined to be eligible to participate in, and who is receiving any aid, benefit, service, or training under, a program or activity financially assisted in whole or in part under Title I of WIOA. This includes participants in WIOA Adult, Dislocated Worker, and Youth programs, National Dislocated Worker Grant participants, Trade Adjustment Assistance participants, and any other program for which a hard-copy participant file is required. The individual or individuals intended by Congress to receive aid, benefits, services, or training from a recipient.

☐ **Participant Name** _____ _____
Print Name Signature

Recipient means an entity that receives financial assistance under Title I of WIOA. ''Recipient'' includes, but is not limited to: State-level agencies that administer, or are financed in whole or in part with, WIOA Title I funds; State Workforce Agencies; State and Local Workforce Development Boards; Local Workforce Development Area grant recipients; One-stop operators; Service providers, including **eligible training providers;** On-the-Job Training **employers**; and other National Program recipients.

☐ **Recipient** _____ _____ _____
Organization Name Print Name/Title Signature

Applicant for employment means a person or persons who make(s) an application for employment with a recipient of federal financial assistance under WIOA Title I.

☐ **Applicant for Employment** _____ _____
Print Name Signature

Employee means a covered employee, of a recipient, included in the Unemployment Insurance (UI) wage records of that recipient.

☐ **Employee** _____ _____
Print Name Signature

For additional information about Missouri Division of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at jobs.mo.gov or (888) 728-JOBS (5627).

Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri Relay Services are available at 711.

Attachment B:

Missouri Division of Workforce Development Issuance 09-2012,

Workforce Investment Act Complaint Resolution Policies

MO Div. of Workforce Development
DWD Issuance 09-2012

Issued: January 3, 2013
Effective: Immediately

Subject: **Workforce Investment Act Complaint Resolution Policies**

1. Purpose: This Issuance is written to define the procedures that the Division of Workforce Development (DWD) and local program operators will use when individuals file complaints or grievances. This Issuance includes separate policies for general grievances and discrimination complaints.

2. Background: Section 188 of the Workforce Investment Act (WIA) provides that no individual will be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any WIA-funded program or activity because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief or, for any beneficiary, because of the beneficiary's citizenship status as a lawfully admitted immigrant authorized to work in the United States or for participation in any WIA Title I financially assisted program or activity. Federal implementing regulations that codify WIA's nondiscrimination and equal opportunity (EO) provisions provide that each WIA recipient must establish a discrimination complaint process that meets certain requirements. *See* 29 C.F.R. Part 37.

   Additionally, every recipient of funds under Title I of WIA must maintain a procedure for general grievances and complaints that do not allege violations of WIA's nondiscrimination and EO provisions, in accordance with 20 CFR 667.600, *et seq.*

   Finally, 20 CFR 667.630 and TEGL 2-12 set forth procedures for notifying the appropriate administrators of known or suspected cases of criminal and other illegal or improper activities involving grantees and other recipients or subrecipients of federal funds from the United States Department of Labor's Employment and Training Administration.

3. Substance: To establish the procedures that DWD and local program operators will use to process complaints and grievances, as mandated by the WIA and its implementing regulations. These procedures apply to all levels of DWD and its One-Stop partners. The policies implemented by this Issuance cover:

   1) WIA EO complaints
   2) WIA general complaints and grievances; and
   3) WIA complaints of criminal, illegal, or improper activities.

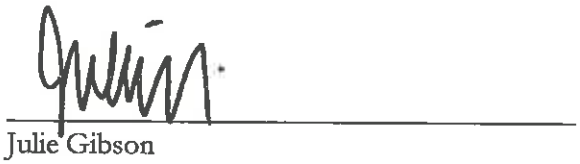
4. Action: This Issuance is effective immediately. Please distribute this Issuance to all appropriate individuals.

5. Contact: Direct questions or comments regarding this Issuance to Danielle Smith, State WIA EO and Complaint and Grievance Officer, at 573.751.2428, or danielle.smith@ded.mo.gov.

6. Reference: 29 C.F.R. Section 37.4 contains the definitions of the terms used in the implementation of nondiscrimination and EO requirements of the WIA. For convenience, some of the definitions found in that section are listed below. If a conflict exists between terminology, as defined in this policy and 29 C.F.R. Section 37.4, the definition in 29 C.F.R. Part 37.4 is controlling.

7. Rescissions This Issuance rescinds DWD Issuance 16-99, Change 4 dated September 4, 2008; and this Issuance makes the information contained in DWD--100 (8-07), WIA Complaint and Grievance Guide for the Missouri One-Stop System brochure, outdated and no longer applicable.

8. Attachments: Attachment 1 DWD Equal Opportunity Complaint Policy
Attachment 2 DWD WIA Complaint and Grievance Policy
Attachment 3 Equal Opportunity is the Law Poster DWD-102(9-12)



Julie Gibson
Director
MO Div. Of Workforce Development

DIVISION OF WORKFORCE DEVELOPMENT
EQUAL OPPORTUNITY POLICY
January 3, 2013

References include the following: Public Law 105-220, Workforce Investment Act (WIA) Section 188, and 29 C.F.R. Part 37.

Who May File

(1) Any person who believes that either he or she, or any specific class of individuals, has been or is being subjected to discrimination prohibited by WIA or its implementing regulations may file a written complaint, either by him/herself or through an authorized representative.

(2) WIA prohibits discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, discrimination on the basis of either citizenship or status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA title I financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin; section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended, which prohibit discrimination against qualified individuals with disabilities; The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

Time and Place for Filing

(1) Complainants may file within one hundred and eighty (180) days of the alleged discrimination.

(2) Discrimination complaints may be filed with a state or local administrative entity, service provider, One-Stop operator or with the Director of the Civil Rights Center (CRC), U.S. department of labor, 200 Constitution Ave. NW, room N-4123, Washington D.C. 20210.

Time Limits

The Division of Workforce Development (DWD) must complete its discrimination complaint processing procedures and issue a written notice of final action within ninety (90) calendar days from the date the complaint was filed.

Initial Review of Written Complaints

Any DWD or partner employee may take a written discrimination complaint from a complainant or a complainant's designated representative. A written complaint must include: the complainant's name and address; the identity of the individual or entity that the complainant alleges is responsible for the discrimination; a description of the complainant's allegations in enough detail to allow an initial determination of jurisdiction, timeliness, and the apparent merit of the complaint; and the complainant's signature or the signature of the complainant's authorized representative. Complaints may be made on the Discrimination Complaint Form attached hereto as **Attachment 1-A**.

Complaint Routing and Record Keeping

A DWD or local program operator employee who takes a discrimination complaint must immediately route the complaint to the State Equal Opportunity (EO) Officer or the local EO Officer for the region in which the subject matter of the complaint occurred. State and local EO Officers will log all complaints on the form attached to this policy (**Attachment 1-B**) DWD-PO-524 EO Local WIA Discrimination Complaint Log (2012-05)). The log will include: the name and address of the complainant; the basis for the complaint; a description of the complaint; the disposition and date of disposition of the complaint; and any other pertinent information. State and local EO Officers are responsible for keeping any information that could lead to the identification of the person filing the complaint confidential.

Immediately upon receiving and logging a discrimination complaint, a local EO Officer will forward the complaint to the State EO Officer for determination of jurisdiction and further processing.

Jurisdiction of the Discrimination Complaint

DWD's State WIA EO Office has jurisdiction over complaints that:

- Are filed against a WIA recipient;
- Allege a basis for discrimination that is prohibited by WIA; and
- Are filed within one hundred and eighty (180) calendar days of the alleged discrimination.

Notice of Lack of Jurisdiction

If the State EO Officer determines that the DWD EO Office does not have jurisdiction to process a complaint under this policy, she will send a notice of lack of jurisdiction to the complainant within ten (10) days of receipt. Such notice will include the reason for the determination, and notice that the complainant has the right to file a complaint directly with CRC within thirty (30) calendar days from receipt of the notice of lack of jurisdiction.

If the State EO Officer determines that the EO Office does have jurisdiction to process the complaint, the EO Officer will send written notice to the complainant stating that the complaint has been accepted, also within ten (10) days of receipt. The notice will list the issues raised in the complaint, and state for each issue whether it has been accepted for investigation or rejected and the reason for its rejection. The notice will advise that the complainant has the right to be represented by an attorney or another person of the complainant's choice. The notice will also give the complainant the right to choose between an Alternative Dispute Resolution (ADR) process or investigation.

ADR Process

If the party filing the complaint requests to use an ADR process to resolve the complaint, the State EO officer will conduct mediation to attempt to resolve the complaint. The EO Officer will schedule mediation by written notice, mailed to all interested parties at least seven (7) calendar days prior to the first mediation session. The notice will include the date, time, and place of the mediation. The mediation process must be concluded within thirty (30) calendar days from the date the complaint was filed. The complaint is considered resolved when all parties to the complaint enter into a written agreement resolving the issues raised in the complaint. The written agreement will give notice that if the terms of the agreement are breached, the non-breaching party may file a complaint with CRC within thirty (30) calendar days of the date the non-breaching party learns of the breach. If the parties do not reach an agreement, the State EO officer will conduct an investigation, as described herein.

Investigation Process

If ADR does not resolve the discrimination complaint, or if the complainant elects to forego mediation, the State EO Officer will conduct a fact-finding investigation of the allegations contained in the complaint. The investigation may include interviews with the complainant, respondent and any witnesses; requests for pertinent documents; on-site inspection; and research of applicable policies and procedures. Throughout the investigation process, the EO Officer will keep the identity of any individual who furnishes information relating to, or assisting in, the investigation, including the identity of the individual who filed the complaint, confidential to the extent possible, consistent with a fair determination of the issues.

Notice of Final Action

Within ninety (90) days of receipt of the complaint, the State EO Officer will issue to the complainant a notice of final action. The notice of final action will contain: the EO Office's decision on each issue and the reasons for the decision; a description of the way the parties resolved the issue; and notice that the complainant has the right to file an appeal with CRC within thirty (30) calendar days from the date the notice of final action is issued if dissatisfied with the WIA recipient's final action on the complaint.

Retaliation

No DWD employee may discharge, intimidate, retaliate, threaten, coerce or discriminate against any individual because the individual has filed a discrimination complaint or otherwise participated in the investigation of a discrimination complaint.

ATTACHMENT 1-A DWD Issuance 09-2012

MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT
DIVISION OF WORKFORCE DEVELOPMENT

DISCRIMINATION COMPLAINT INFORMATION

For DWD Office Use Only
DCIF Received ☐ Accepted
By: _____ ☐ Not Accept
Date: _____ Case# _____

COMPLAINT INFORMATION *(Please print)*

FIRST NAME	LAST NAME	SOCIAL SECURITY NUMBER *(Voluntary)*
ADDRESS	HOME TELEPHONE *(Include Area Code)*	WORK TELEPHONE *(Include Area Code)*
CITY	STATE	ZIP CODE

RESPONDENT INFORMATION *(Please print)*

NAME OF AGENCY		TELEPHONE *(Include Area Code)*
ADDRESS OF AGENCY		FAX *(Include Area Code)*
CITY	STATE	ZIP CODE

WHAT IS THE MOST CONVENIENT TIME AND PLACE FOR US TO CONTACT YOU ABOUT THIS COMPLAINT? ☐ am ☐ pm

TO THE BEST OF YOUR RECOLLECTION ON WHAT DATE(S) DID THE DISCRIMINATION TAKE PLACE?	DATE OF FIRST OCCURRENCE?	DATE OF MOST RECENT OCCURRENCE?

Have you ever attempted to resolve this complaint at the Federal level?
(Civil Rights Center, Washington DC, Department of Health and Human Services, U.S. Department of Agriculture) ☐ YES ☐ NO

Have you been provided with a final decision at the Federal level regarding your complaint? ☐ YES ☐ NO

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case.

_____

_____

To the best of your knowledge, which of the following Missouri One-Stop System programs or services were involved? (Check one)

☐ Dislocated Worker Program ☐ Adult Programs ☐ Youth Programs ☐ Career Assistance Program (CAP)
☐ Welfare to Work ☐ Parent's Fair Share ☐ Workforce Investment Act ☐ MO Employment & Training Prog. (METP)
☐ Other _____

Do you think the discrimination against you involved: (Check one)

☐ Your job or seeking employment? **OR** ☐ Your using facilities or someone providing/not providing you with services or benefits?

If so, which of the following are involved?

☐ Discharge/Termination	☐ Promotion	☐ Training	☐ Transfer	☐ Union Activity	☐ Application
☐ Qualification/Testing	☐ Enrollment	☐ Referral	☐ Exclusion	☐ Layoff/Furlough	☐ Placement
☐ Intimidation/Reprisal	☐ Benefits	☐ Transition	☐ Recall	☐ Union Representation	☐ Discipline
☐ Performance Appraisal	☐ Harassment	☐ Hiring	☐ Wages	☐ Access/Accommodation	☐ Seniority

☐ Other _____

Basis of Complaint: Which of the following best describes why you believe you were discriminated against. (Check all that apply)

☐ Race Specify: _____
☐ Color Specify: _____
☐ Religion Specify: _____
☐ Disability Specify: _____
☐ Age Date of Birth: _____
☐ Sex ☐ Male ☐ Female

☐ Reprisal/Retaliation
☐ National Origin Specify: _____
☐ Political Specify: _____
☐ Citizenship Specify: _____
☐ Other: _____

Why do you believe these events occurred?

_____

What other information do you think is relevant to our investigation?

If this complaint is resolved to your satisfaction, what remedies do you seek?

Please list below any persons (witnesses, fellow employees, supervisors or others) that we may contact for additional information to support or clarify your complaint:

NAME	ADDRESS	TELEPHONE NO. *(Area Code)*

Do you have an attorney? ☐ Yes ☐ No

NAME	ADDRESS	TELEPHONE NUMBER *(Area Code)*

Have you filed a case or complaint with any of the following?
☐ Missouri Commission on Human Rights
☐ U.S. Equal Employment Opportunity Commission
☐ Civil Rights Division, U.S. Department of Justice

For each item checked above, please provide the following information:

AGENCY	DATE FILED	CASE OR DOCKET NUMBER

LOCATION OF AGENCY OR COURT	DATE OF TRIAL OR HEARING

NAME OF INVESTIGATOR	STATUS OF CASE

COMMENTS

AGENCY	DATE FILED	CASE OR DOCKET NUMBER

LOCATION OF AGENCY OR COURT	DATE OF TRIAL OR HEARING

NAME OF INVESTIGATOR	STATUS OF CASE

COMMENTS

(Complaint NOT valid unless signed): Please Note: Filing a discrimination complaint with the Division of Workforce Development does not protect your legal rights regarding other employment discrimination laws. You may file a separate employment discrimination complaint with the Missouri Commission on Human Rights (MCHR) at 573.751.3325. A complaint must be filed with DWD within 180 days from the date of the alleged violation.

SIGNATURE	DATE

☐ **Yes, DWD may disclose my identity as necessary to investigate my complaint.**

CONSENT FORM

NAME

I have filed a Division of Workforce Development (DWD) Discrimination Complaint and understand and agree to the following terms and conditions regarding resolution and investigation of my complaint:

SIGNATURE	DATE

a) In the course of investigating my complaint, DWD may have to reveal my identity to staff of the program named in my complaint in order to obtain facts and evidence regarding my complaint;

b) I may request and receive a copy of any personal information DWD keeps in my complaint file for investigatory uses, and;

c) Under certain conditions, DWD may be required by the Missouri Sunshine Law, Chapter 610, to reveal to others personal information I have provided in connection with my complaint.

☐ **No, DWD may not disclose my identity, even if necessary to process my complaint.**

I do not consent for DWD to disclose my identity during investigation of my complaint. I request that DWD process my complaint, however, I understand that DWD may terminate processing my complaint if it cannot fully investigate without disclosing my identity. I also understand that DWD may close my complaint if it cannot begin an investigation because I have not consented for DWD to reveal my identity.

NAME	
SIGNATURE	**DATE**

ATTACHMENT 1-B - DWD Issuance 09-2012

MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT
MISSOURI DIVISION OF WORKFORCE DEVELOPMENT

Workforce Investment Act (WIA) Discrimination Complaint Log—Local Level

Quarterly Report

- ☐ 1st Quarter: July–Sept
- ☐ 2nd Quarter: Oct–Dec
- ☐ 3rd Quarter: Jan–Mar
- ☐ 4th Quarter: Apr–June

Agency _____ **Program Year** _____

LWIA Region _____ **EO Officer/Representative** _____

Complaint File No.	Date Complaint Was Received (mm/dd/yyyy)	Name and Address of Complainant & Status	DOL-Funded Program (Y/N)	Grounds (Bases) of Complaint	Description/Issue/Date of Complaint	ADR (Y/N)	Final Disposition Date & Results

Report Submitted By: _____ Date Submitted: _____

DWD-PO-524 EO Local WIA Discrimination Complaint Log (2012-05)

MISSOURI DIVISION OF WORKFORCE DEVELOPMENT
WORKFORCE INVESTMENT ACT
PROGRAM, AGREEMENTS, POLICIES AND ACTIVITIES
COMPLAINT AND GRIEVANCE POLICY

Every recipient of funds under Title I of THE Workforce Investment Act (WIA) must maintain a written procedure for grievances and complaints in accordance with 20 CFR 667.600, *et seq.* As such, this policy will govern the Division of Workforce Development's (DWD) processing of WIA complaints and grievances.

General WIA complaints may be made up to one (1) year from the date of the event or condition alleged to be a violation of WIA. The appropriate resolution process to be followed depends on the nature of the complaint. General WIA complaints fall into the following two categories:

1. Complaints involving local WIA programs, agreements, or local Workforce Investment Board (LWIB) policies and activities; or
2. Complaints involving State WIA policies, programs, activities, or agreements.

A complaint may be amended or withdrawn at any time prior to a scheduled hearing.

Any DWD employee who processes a WIA complaint will keep information that could lead to the identification of the person filing the complaint confidential, to the extent practical. The identity of any person who furnishes information related to, or assisting in, an investigation will also be kept confidential to the extent possible.

DWD and its One-Stop partners will not discharge, intimidate, retaliate, threaten, coerce, or discriminate against any person because such person files a complaint, opposes a prohibited practice, furnishes information, assists, or participates in any manner in an investigation or hearing.

General WIA Complaints

Attached to this policy is the DWD General WIA Complaint Form (**Attachment 2-A**) that the DWD uses as a complaint intake tool. Local offices may duplicate this form for the purpose of receiving general WIA complaints. Any alternate form must include all information required on the General WIA Complaint Form. Any complaint received in writing will be accepted and handled in the same manner as if it were made on the General WIA Complaint Form. State and local Equal Opportunity (EO) Officers will log all WIA formal complaints on the form attached to this policy (**Attachment 2-B** DWD-PO-526 EO Local WIA Complaint Log (2012-05)). The log shall include: the name and address of the complainant; the basis for the complaint; a description of the complaint; the disposition and date of disposition of the complaint; and any other pertinent information.

DWD encourages informal resolution prior to the filing of a written complaint. If the complainant is not satisfied with the attempt at informal resolution, he or she should be encouraged to complete a General WIA Complaint Form.

The complainant should be allowed sufficient time and technical assistance to provide a complete and clearly written explanation on his or her complaint form. If the complainant is unable to write, staff may transcribe his or her words onto the form; staff must take care not to alter the language of the complainant. When a written complaint is received, the employee taking the complaint should review it immediately to insure completeness. Care should be taken to assure the following information has been provided, especially if the complaint is not received on the General WIA Complaint Form:

1. Full name, telephone number, and address of the person making the complaint;
2. Full name and address of the respondent; and
3. Statement of the facts (including dates) that constitutes the alleged violation(s).

Complaints Involving Local Programs and Policies

Who May File

Any applicant, employee, participant, service provider, program recipient, or other interested party may file a complaint alleging a violation of local WIA programs, agreements or LWIB policies and activities.

Complainants with Disabilities

DWD will accommodate complainants with disabilities so that they may file complaints. Alternate formats will be used on request to notify the complainant of hearings, results, and any other written communication. DWD will provide auxiliary aides and services, such as deaf interpreters or assistive listening devices, on request for negotiations, hearings and any other meetings where aural communication occurs. An accessible location will be used for hearings and other meetings on request.

Time and Place for Filing

Complaints may be filed with the local administrative entity or the service provider within one (1) year from the date of the event or condition alleged to be a violation of WIA.

Resolution Process

Initial Review- Step One

If the complaint alleges a violation of any statute, regulation, policy, or program that is not governed by WIA, the local administrative entity or service provide may refer the complaint to the appropriate organization for resolution. In such cases, the local administrative entity or service provider will notify the complainant of the referral.

Once the local administrative entity or the service provider receives the complaint from the complainant or the complainant's designated representative, the receiving employee will log the complaint. The local administrative entity or service provider will then establish a complaint file containing the following:

1. Application and enrollment forms;
2. Completed General WIA Complaint Form (or complainant's written statement);
3. Chronological log of events or conditions alleged to be a violation of WIA;
4. Any relevant correspondence; and
5. Record of the attempted informal resolution.

Informal Resolution- Step Two

The local administrative entity or service provider will attempt to informally resolve the complaint to the satisfaction of all parties. This informal resolution process must be completed within ten (10) business days from the date the complaint is filed. If all parties are satisfied, the complaint is considered resolved, and the terms and conditions of the resolution must be documented in the complainant's file. When a service provider attempts the informal resolution, the service provider will forward the complaint file to the local administrative entity. The local administrative entity will review the complaint file and investigate it further if necessary.

Formal Resolution-Step Three

When an informal resolution is not possible, the local administrative entity will issue a determination within twenty (20) calendar days from the date the complaint was filed. If the complainant does not request an appeal of the determination, the complaint is considered resolved, and the local administrative entity or service provider will document this in the complaint file. Any party dissatisfied with the determination may request a hearing within seven (7) calendar days of the date of the determination.

Hearing-Step Four

A complainant may amend or withdraw his or her complaint at any time prior to a scheduled hearing.

If the complaint is not withdrawn, the local administrative entity will designate a hearing officer to ensure the complaint receives fair and impartial treatment. The hearing must be conducted within forty-five (45) calendar days from the date the complaint was filed. The hearing officer will schedule a formal hearing and mail a written notice to the complainant, the respondent, and any other interested party at least seven (7) business days prior to the hearing.

The notice will include the date, time, and place of the hearing. Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or another designated representative (s) may represent each party. All testimony will be taken under oath or affirmation. The hearing will be recorded either in writing or by audiotape.

The hearing officer's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based. The hearing officer will also concur with the chief local elected official (CLEO) toward reaching consensus on the recommended resolution to the complaint. If consensus cannot be reached, the hearing office will initiate a request to the state for resolution.

Final Decision -Step Five

The local administrative entity will review the recommendation of the hearing officer and issue a final decision within sixty (60) calendar days from the date the complaint was filed.

Appeal – Step Six

Any party dissatisfied with the local administrative entity's final decision, or any party who has not received either a final decision or a resolution within sixty (60) calendar days from the date the complaint was filed, may request an appeal. The appeal must be received by the DWD within ninety (90) calendar days from the date the complaint was filed at the following address:

Missouri Division of Workforce Development
State WIA Complaint and Grievance Office
Danielle Smith, State WIA Complaint and Grievance Officer
421 E. Dunklin Street
Jefferson City, MO 65101-1087

DWD will review the complaint file, the hearing record, and all applicable documents and issue a final decision on the appeal within thirty (30) calendar days from the date the appeal was received.

Complaints Involving State WIA Policies, Programs, Activities or Agreements

Who May File

Applicants, employees, participants, service providers, recipients and other interested parties may file a complaint alleging a violation of State WIA policies, programs, activities or agreements.

Complainants with Disabilities

DWD will accommodate complainants with disabilities, so that they may file complaints. Alternate formats will be used on request to notify the complainant of hearings, results, and any other written communication. DWD will provide auxiliary aides and services, such as deaf interpreters or assistive listening devices, upon request for negotiations, hearings, and any other meetings where aural communication occurs. An accessible location will be used for hearings and other meetings on request.

Time and Place for Filing

Complaints may be filed with the service provider or with DWD within one (1) year from the date of the event or condition alleged to be a violation of WIA.

Resolution Process

Initial Review- Step One

DWD will receive the complaint from the complainant, or the complainant's designated representative. If the complaint alleges a violation of any statute, regulation, policy, or program that is not governed by WIA, DWD will refer the complaint to the appropriate organization for resolution and notify the complainant of the referral.

DWD will log all complaints received. The service provider or DWD will then establish a complaint file containing the following:

1. Application and enrollment forms;
2. Completed General WIA Complaint Form (or complainant's written statement);
3. Chronological log of events or conditions alleged to be a violation of WIA;
4. Any relevant correspondence; and
5. Record of the attempted informal resolution.

Informal Resolution- Step Two

DWD will attempt to informally resolve the complaint to the satisfaction of all parties. This informal resolution process must be completed within ten (10) business days from the date the complaint is filed. If all parties are satisfied by this informal process, the complaint is considered resolved and the terms and conditions of the resolution will be documented in the complaint's file.

Formal Resolution- Step Three

When an informal resolution is not possible, DWD will forward the complaint file to the address below:

Missouri Division of Workforce Development
State WIA Compliant and Grievance Office
Danielle Smith, State WIA Complaint and Grievance Officer
421 E. Dunklin
Jefferson City, MO 65101-1087

The State WIA Complaint and Grievance Officer will review the complaint file, conduct further investigation, if necessary, and issue a determination within twenty (20) calendar days from the date the complaint was filed. If the complainant does not request an appeal of the determination, the complaint is considered resolved and the complaint file will be documented accordingly. Any party dissatisfied with the determination may request a hearing within fourteen (14) calendar days of the date of the determination.

Hearing-Step Four

A complainant may amend or withdraw his or her complaint at any time prior to a scheduled hearing. If the complaint is not withdrawn, the DWD will designate a hearing officer to ensure the complaint receives fair and impartial treatment. The hearing must be conducted within forty-five (45) calendar days from the date the complaint was filed. The hearing officer will schedule a formal hearing and mail a written notice to the complainant, the respondent, and any other interested party at least seven (7) business days prior to the hearing. The notice will include the date, time, and place of the hearing.

Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or another designated representative(s) may represent each party. All testimony will be taken under oath or affirmation. The hearing will be recorded either in writing or by audiotape. The hearing officer's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based.

Final Decision- Step Five

DWD will review the recommendation of the hearing officer and issue a decision within sixty (60) calendar days from the date the complaint was filed. The decision of DWD is considered final.

Appeals to the U.D. Department of Labor (USDOL)

A complainant who receives an adverse final or appeal decision from the State may appeal that decision to USDOL within sixty (60) days of the receipt of the decision being appealed. Appeals must be filed within one hundred and twenty (120) days of the complainant's filing of the grievance with the State, or filing of the appeal of a local grievance with the State. All appeals must be submitted by certified mail, return receipt requested, to the Secretary, U.S. Department of Labor, Washington, DC 20210, Attention: ASET. A copy of the appeal must be simultaneously provided to the appropriate Employment and Training Administration (ETA) Regional Administrator and the opposing party.

Criminal Fraud, Waste and Abuse

Information and complaints involving criminal fraud, waste, abuse, or other criminal activity must be reported immediately through the DWD's Incident Reporting System to the USDOL Office of Inspector General, Office of Investigations, Room S5514, 200 Constitution Avenue NW, Washington, D.C. 20210, or to the corresponding Regional Inspector General for Investigations, with a copy simultaneously provided to the ETA. The Hotline number is 1–800–347–3756. Complaints of a non-criminal nature are handled under the procedures set forth in 20 C.F.R.§ 667.505 or through the DWD's Incident Reporting System.

ATTACHMENT 2-A – DWD Issuance 09-2012

MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT
DIVISION OF WORKFORCE DEVELOPMENT

DISCRIMINATION COMPLAINT INFORMATION

For DWD Office Use Only
DCIF Received ☐ Accepted
By: _____ ☐ Not Accept
Date: _____ Case# _____

COMPLAINT INFORMATION *(Please print)*

FIRST NAME	LAST NAME	SOCIAL SECURITY NUMBER *(Voluntary)*
ADDRESS	HOME TELEPHONE *(Include Area Code)*	WORK TELEPHONE *(Include Area Code)*
CITY	STATE	ZIP CODE

RESPONDENT INFORMATION *(Please print)*

NAME OF AGENCY		TELEPHONE *(Include Area Code)*
ADDRESS OF AGENCY		FAX *(Include Area Code)*
CITY	STATE	ZIP CODE

WHAT IS THE MOST CONVENIENT TIME AND PLACE FOR US TO CONTACT YOU ABOUT THIS COMPLAINT? ☐ am ☐ pm

TO THE BEST OF YOUR RECOLLECTION ON WHAT DATE(S) DID THE DISCRIMINATION TAKE PLACE?	DATE OF FIRST OCCURRENCE?	DATE OF MOST RECENT OCCURRENCE?

Have you ever attempted to resolve this complaint at the Federal level?
(Civil Rights Center, Washington DC, Department of Health and Human Services, U.S. Department of Agriculture) ☐ YES ☐ NO

Have you been provided with a final decision at the Federal level regarding your complaint? ☐ YES ☐ NO

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining to your case.

_____

_____

To the best of your knowledge, which of the following Missouri One-Stop System programs or services were involved? (Check one)

☐ Dislocated Worker Program ☐ Adult Programs ☐ Youth Programs ☐ Career Assistance Program (CAP)
☐ Welfare to Work ☐ Parent's Fair Share ☐ Workforce Investment Act ☐ MO Employment & Training Prog. (METP)
☐ Other _____

Do you think the discrimination against you involved: (Check one)

☐ Your job or seeking employment? **OR** ☐ Your using facilities or someone providing/not providing you with services or benefits?

If so, which of the following are involved?

☐ Discharge/Termination	☐ Promotion	☐ Training	☐ Transfer	☐ Union Activity	☐ Application
☐ Qualification/Testing	☐ Enrollment	☐ Referral	☐ Exclusion	☐ Layoff/Furlough	☐ Placement
☐ Intimidation/Reprisal	☐ Benefits	☐ Transition	☐ Recall	☐ Union Representation	☐ Discipline
☐ Performance Appraisal	☐ Harassment	☐ Hiring	☐ Wages	☐ Access/Accommodation	☐ Seniority

☐ Other _____

Basis of Complaint: Which of the following best describes why you believe you were discriminated against. (Check all that apply)

☐ Race Specify: _____ ☐ Reprisal/Retaliation
☐ Color Specify: _____ ☐ National Origin Specify: _____
☐ Religion Specify: _____ ☐ Political Specify: _____
☐ Disability Specify: _____ ☐ Citizenship Specify: _____
☐ Age Date of Birth: _____ ☐ Other: _____
☐ Sex ☐ Male ☐ Female

Why do you believe these events occurred?

_____

What other information do you think is relevant to our investigation?

If this complaint is resolved to your satisfaction, what remedies do you seek?

Please list below any persons (witnesses, fellow employees, supervisors or others) that we may contact for additional information to support or clarify your complaint:

NAME	ADDRESS	TELEPHONE NO. *(Area Code)*

Do you have an attorney? ☐ Yes ☐ No

NAME	ADDRESS	TELEPHONE NUMBER *(Area Code)*

Have you filed a case or complaint with any of the following?
☐ Missouri Commission on Human Rights
☐ U.S. Equal Employment Opportunity Commission
☐ Civil Rights Division, U.S. Department of Justice

For each item checked above, please provide the following information:

AGENCY	DATE FILED	CASE OR DOCKET NUMBER

LOCATION OF AGENCY OR COURT	DATE OF TRIAL OR HEARING

NAME OF INVESTIGATOR	STATUS OF CASE

COMMENTS

AGENCY	DATE FILED	CASE OR DOCKET NUMBER

LOCATION OF AGENCY OR COURT	DATE OF TRIAL OR HEARING

NAME OF INVESTIGATOR	STATUS OF CASE

COMMENTS

(Complaint NOT valid unless signed): Please Note: Filing a discrimination complaint with the Division of Workforce Development does not protect your legal rights regarding other employment discrimination laws. You may file a separate employment discrimination complaint with the Missouri Commission on Human Rights (MCHR) at 573.751.3325. A complaint must be filed with DWD within 180 days from the date of the alleged violation.

SIGNATURE	DATE

☐ **Yes, DWD may disclose my identity as necessary to investigate my complaint.**

CONSENT FORM

NAME

I have filed a Division of Workforce Development (DWD) Discrimination Complaint and understand and agree to the following terms and conditions regarding resolution and investigation of my complaint:

SIGNATURE	DATE

a) In the course of investigating my complaint, DWD may have to reveal my identity to staff of the program named in my complaint in order to obtain facts and evidence regarding my complaint;

b) I may request and receive a copy of any personal information DWD keeps in my complaint file for investigatory uses, and;

c) Under certain conditions, DWD may be required by the Missouri Sunshine Law, Chapter 610, to reveal to others personal information I have provided in connection with my complaint.

☐ **No, DWD may not disclose my identity, even if necessary to process my complaint.**

I do not consent for DWD to disclose my identity during investigation of my complaint. I request that DWD process my complaint, however, I understand that DWD may terminate processing my complaint if it cannot fully investigate without disclosing my identity. I also understand that DWD may close my complaint if it cannot begin an investigation because I have not consented for DWD to reveal my identity.

NAME	
SIGNATURE	DATE

ATTACHMENT 2-B – DWD Issuance 09-2012

MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT
MISSOURI DIVISION OF WORKFORCE DEVELOPMENT

Workforce Investment Act (WIA) Complaint and Grievance Log—Local Level

Quarterly Report

- ☐ 1st Quarter: July–Sept
- ☐ 2nd Quarter: Oct–Dec
- ☐ 3rd Quarter: Jan–Mar
- ☐ 4th Quarter: Apr–June

Agency _____ Program Year _____

LWIA Region _____ EO Officer/Representative _____

Complaint File No.	Date Complaint Was Received (mm/dd/yyyy)	Name and Address of Complainant & Status	DOL-Funded Program (Y/N)	Grounds (Bases) of Complaint	Description/Issue/Date of Complaint	ADR (Y/N)	Final Disposition Date & Results

Report Submitted By: _____ Date Submitted: _____

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think you have been subjected to discrimination under a WIA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

- The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);

or

- The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210.

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). *The recipient must offer you alternative dispute resolution in an effort to resolve your complaint.*

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

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

FOR INFORMATION OR TO FILE A COMPLAINT, CONTACT

For Career Center services:

Danielle Smith
danielle.smith@ded.mo.gov
State WIA Equal Opportunity Officer
Department of Economic Development
Division of Workforce Development
P.O. Box 1087
Jefferson City, MO 65102
Phone (573) 751-2428
TDD/TTY: 1-800-735-2966
Fax: (573) 751-4088

jobs.mo.gov

For Unemployment Insurance services:

Cornell Dillard
cornell.dillard@labor.mo.gov
Chief Human Relations Officer
Department of Labor and Industrial Relations
Division of Employment Security
P.O. Box 1087
Jefferson City, MO 65102
Phone: (573) 751-1339

LABOR.MO.GOV

Local WIA Equal Opportunity Officer:

Name: _____

Address: _____

Telephone: _____

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

DWD-322 (09-12)

ATTACHMENT 3
DWD Issuance 09-2012

ATTACHMENT 13. Supportive Services Policy – General, Needs Related Payments Policy for ADLT and DW

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KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

SUPPORTIVE SERVICES, POST-EMPLOYMENT AND PAYMENTS FOR OUTCOMES FOR WIOA YOUTH POLICY

POLICY NUMBER: 2017-018, Modification 3

EFFECTIVE DATE: 11-30-2017
MODIFICATION DATE: 2-25-2019

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, Program Development and Evaluation at LCollins@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board Officers.

PURPOSE

The purpose of this issuance is to establish guidelines and for Youth Supportive Services practices, post-employment and for outcomes. This policy is a required statutorily required policy, and replaces Full Employment Council (FEC) Issuance No. 2017-018, Modification 2.

BACKGROUND

The provision of needs based or incentive Supportive Services is an integral component of WIOA Youth Services. Supportive Services may be provided, based upon demonstrated need and when no other support is available, when a Youth is in the WIOA Youth program or other discretionary program. The WIOA Youth Program allows for incentive payments and payments while exited WIOA Youth are in follow-up status. This policy is based on Missouri Division of Workforce Development (DWD) Policy No. 13-2017, Statewide Supportive Services Policy. This Issuance also references DWD Policy No. 04-2018, Participant Activity Codes, Durations, and Definitions, and DWD Issuance No. 03-2015, Workforce Innovation and Opportunity Act (WIOA) Youth Program Framework and Design.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

WIOA YOUTH SUPPORTIVE SERVICES POLICY

POLICY NUMBER: 2017-018, Modification 3

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Attachment A: Missouri Division of Workforce Development (DWD) Issuance No. 13-2017, Statewide Supportive Services Policy

Attachment B: Listing of Available Supportive Services

POLICY

Supportive Services are defined as those services, which are necessary to enable an eligible customer to participate in employment and training activities, and are available to WIOA registered customers participating in employment and training activities. Supportive services may be provided to customers pre- or during employment.

All supportive services must be based on documented need by the customer, and the customer must be in need of the support service in order to continue training or to retain employment. The need for support services should be documented in each customer's Employment Plan and in MOJOBS case notes. This issuance establishes the categories of support services and the maximum amounts available. Funds WILL NOT be used to pay for child care, auto repairs, utilities or rent, penalties, restitution, taxes, or bad debts or incentive payments for adults and dislocated workers.

Referral to Other Agencies for Supportive Services: Only Supportive Services, which cannot be provided by the customer themselves or through other agencies that provide these services, will be submitted for approval for payment through FEC. Documentation of referral to other agencies must be included as a case note in the MOJOBS Service Notes. The MOJOBS service referral tab will be used to refer customers to other agencies, which provide supportive services needed, by customers.

I. SUPPORTIVE SERVICE POLICY

A. Need Determination: The need for supportive services is identified by the Career Development Executive (CDE) based on individual one-on-one interviews with the customer conducted as part of assessment. Supportive service payments enable customers to successfully complete employment programs. The need for the supportive service must be documented in the customer's Employment Plan and as a case note in MOJOBS Service Notes. The extent of Supportive Services provided will vary based upon specific needs of each participant. Participants must request Supportive Services for specific needs. For Supportive Services that have a duration, the justification of need must be established on an ongoing basis as the customer receives the Supportive Service.

Sample Assessment of Need: When assessing the customer's need for transportation assistance, the following questions should be asked, at a minimum, by the Career Development Executive:

1. What is the customer's mode of transportation? Can they benefit from obtaining a bus pass? ***Individuals who receive bus passes are not eligible to receive gas transportation assistance. *The Career Development Executive and customer should develop a transportation strategy plan prior to participating in employment or enrolling in classroom training.***
2. How many days per week is the customer scheduled to work or to attend training? ***Transportation assistance will only be given for scheduled work or training days.***
3. The CDE should inquire, and document, that the customer has no access to other resources.
4. After a determination has been made by the Career Development Executive as to which transportation assistance the customer selects (monthly bus pass or gas transportation assistance), the following steps should be taken:

- Each customer should receive a Classroom Occupational Training (COT) orientation at least one week prior to the start of training.
- Discuss with the customer the type of transportation assistance they will receive and the amount.
- Give the customer a Classroom Attendance Timesheet and an explanation on how it is to be completed and signatures needed.
- Provide the customer with a participant payroll schedule and dates timesheets are due to the Career Development Executive.
- Underscore that job placement assistance is available through the Missouri Job Center and Full Employment Council.

A listing of Supportive Services offered by the Workforce Development Board will be distributed to customers who are enrolled in services and deemed eligible to receive Supportive Services, per State policy (Attachment B).

B. Eligibility: Supportive services may be provided to customers who have been determined as eligible for Individual Career Services and training services if the need has been documented and the supportive service cannot be provided through another agency. This must be case noted in MOJOBS. Supportive Services are never stand-alone services, but always tied to an activity in the Employment Plan. Customers not enrolled in WIOA at the individualized career services or training services level may NOT be issued WIOA funded supportive service payments.

C. Referral to Other Support Service Providers: The MOJOBS service referral tab will be used to refer customers to supportive services not available through Full Employment Council. Staff will utilize the United Way, United Services Community Action Agency, Community Services League and Family Services Division. For United Way 211 referrals, information may be accessed at the 211 web site, at www.unitedwaygkc.org/find-support/united-way-2-1-1. A letter will be forwarded annually to United Services Community Action Agency and Community Services League regarding what supportive services are available through their agencies. WIOA funding is secondary to such community resources.

D. Coordination with Trade Act Services: When a participant is enrolled in the Trade Act Program, this funding source must be utilized prior to WIOA funding. If the participant requires resources not covered by the Trade Act Program, local policy must be followed to provide these wrap-around services.

E. Maximum Amount: The maximum amount of supportive services that a customer may receive during an enrollment period is **$500.00.** This amount may only be exceeded if the need is determined and if approved by the FEC President/CEO or designee.

F. Supportive Service Categories:

1. **Transportation**:
   a. Employment/Training Customers: Customers enrolled in work experiences, or on-the-job training, or placed in unsubsidized employment may receive transportation assistance for up to 31 days or until receipt of first paycheck.

- **Bus Passes:** Bus passes may be issued to customers during the first 31 days of employment; during job search, and or during other circumstances as approved by the Manager. Bus passes can be extended every 31 days up to 90 days with Manager's approval.

- **Gas Cards**: Gas Cards may be issued to customers who have obtained full time employment, work experience, or on-the-job Training for up to 30 days or until receipt of first paycheck. Cost may not exceed $25.00 per week for up to 2 weeks. The need for gas cards must be documented in MOJOBS case notes and Individual Employment Plan.

- ***Persons cannot receive both a bus pass and gas card for the same time period.***

b. Classroom Training Customers: Customers enrolled in a non-wage paying Classroom Occupational Training programs are eligible to receive transportation assistance during the period of the classroom skill training up to the Maximum Amount.

- **Bus Passes:** Bus passes may be issued to customers to attend training. Bus passes can be extended every 31 days for the duration of the training program with Manager's approval.

- **Transportation Assistance (customers enrolled in classroom training)**: Costs may not exceed $25.00 per week and will be issued in the form of a gas card.

- Customers enrolled in Career Occupational Training must submit a classroom attendance timesheet to the Career Development Executive bi-weekly on the designated days with both the customer and the instructor's signatures.

- Customers will not receive transportation assistance on days not scheduled to attend class or during school hiatus (i.e., Christmas Break or Spring Break, etc.).

- ***Persons cannot receive both a bus pass and gas card for the same time period.***

2. **Work-related clothing, tools, and equipment:** Customers may request work-related clothing. Equipment and tools can be requested, as identified by staff, as a requirement for the job. Customers may also request clothing needed for classroom occupational skill training (e.g. scrubs, steel toed boots, or uniform). All requests and reasons for requests must be documented in MOJOBS.

Unless approved by the President/Designee, no more than five (5) days of clothing should be approved for a customer including the following. As needed by customer.

- 5 tops/shirts/blouses/sweaters
- 5 pants/jeans/slacks/skirts
- 1 pair of shoes
- 1 package of socks or hosiery
- 1 package of underwear

- 1 package of undershirts (white t-shirts)

Medical Uniforms: Limit of one (1) item per required medical equipment, and no more than 5 days of clothing. As needed by customer.

- 5 scrub tops
- 5 scrub pants
- 1 lab coat
- 1 pair of shoes
- 1 package of socks or hosiery
- 1 package of underwear
- 1 package of undershirts (white t-shirts)

3. **Relocation or Out-of-Area Job Search (Dislocated Workers Only):** A maximum of $500.00 will be provided to ***Dislocated Workers*** for out-of-area job search costs and/or for relocation expenses, subject to fund availability. Relocation expenses will be paid if it is necessary for the customer to relocate in order to accept a job outside of the Kansas City & Vicinity or East Jackson County Workforce Development Areas and/or the Kansas City Metropolitan Statistical Area (Cass, Clay, Platte, Ray and Jackson Counties in Missouri and Wyandotte, Johnson, and Leavenworth Counties in Kansas). Out-of-Area Job Search assistance will include transportation (mileage or air fare) to interview for jobs outside of the Kansas City & Vicinity or East Jackson County Workforce Development area and/or Kansas City Metropolitan Statistical Area which exceed a distance of 150 miles one-way.

G. **Training and Employment Related Testing and Required Fees Category:** Employment related testing may include physicals, TB tests, drug screens, or other tests required by employers. Training and Employment Related Required Fees may be used for mandatory examinations fees, certification fees, background and fingerprinting expenses required by the State for licensing or licensing for national certification. **Maximum Amount for this Supportive Service is $500.00.**

H. **Other Provisions:**

- **Cash Payments**: Checks will **NOT** be made payable to customers (***EXCEPTION: $100.00 transition to placement payment).***

- **Three (3) Bids**: When a vendor other than Wal-Mart is utilized and the purchase amount will exceed $500.00, FEC staff must document the cost from three 3) vendors.

- **Documentation, Case Notes:** All Supportive Services must be documented in the statewide electronic case management system and include at a minimum all of the following:
  - The type of Supportive Service paid (e.g., transportation, tools, clothing, etc.);
  - The amount paid for the Supportive Service;
  - The timeframe or duration for which the Supportive Service was paid;
  - The justification of need for the Supportive Service; and
  - Documentation of the lack of availability of alternatives or other community resources.

  Every attempt to locate Supportive Services must be documented in the case notes.

- In all cases, staff must review case notes prior to making any Supportive Service payments to avoid duplicate payments.

II. POST-EMPLOYMENT SERVICES FOR JOB RETENTION

Transition to Placement Support:
WIOA enrolled Adults and Dislocated workers at the individual career services level and training levels of service, who are placed in full-time unsubsidized employment (32 hours per week), are eligible to receive $100.00 in transition to placement to facilitate their placement and retention in unsubsidized employment. Must be based upon documentation of need and noted in MOJOBS. Transition to Placement Funds is a supportive service payment distributed to customers to help them retain employment. If the customer is hired and retains employment related to hiring that results from an internship, work experience or on-the-job training, the customer will not receive transition to placement funds since they receive wages while in training prior to their placement in unsubsidized employment. However if a customer obtains employment that tis different from the internship, work experience on on-the-job training, the customer may receive the Transition to Placement payment. ***Maximum amount is $100.00.***

III. PROCESS FOR REQUESTING SUPPORTIVE SERVICE PAYMENTS

A. Supportive Services Vouchers

STEP 1: Career Development Executive initiates the Supportive Service and signs and attaches the request to a batch sheet.

In all cases, Full Employment Council staff/contractor must review MOJOBS service notes prior to making any Supportive Services payments to avoid duplicate payments.

This step entails entering a statement of need MOJOBS case notes and in the Individual Service Strategy section of the Employment Plan. Full Employment Council staff/Contractor will describe, in detail, the need for the support service and shall document the need in both MOJOBS case notes and the customer's Individual Service Strategy (ISS) in the Employment Plan. The Employment Plan shall also identify the customer's employment goals, achievement objectives and appropriate combination of services to achieve these employment goals. The support services must be necessary to achieve the goals and overcome the barriers identified in the Employment Plan. MOJOBS case notes must include at a minimum **all** of the following: the type of supportive service, the amount of supportive service paid, the time frame the supportive service was paid, the justification for the supportive service and the lack of community resources. The Supportive Service request shall be attached to a batch sheet.

- Full Employment Council staff/Contractor will document customer information, program type and activity.
- Full Employment Council staff/Contractor will document vendor information where items are to be purchased and, in the center box, document quantity, description and cost of item(s) requested.

- Wal-Mart has been selected as the designated vendor through a voucher agreement and should be utilized first, if possible, for clothing other than uniforms, shoes, approved work-related tools, etc. Customers will be issued a voucher made payable to Wal-Mart for a designated amount.
- The voucher will expire in thirty (30) days if not used.
- Wal-Mart will bill Full Employment Council for the amount of purchase, and provide a description of items purchased for each customer. The customers will not be issued a receipt, so they may NOT return the merchandise for cash.
- Other approved vendors may be used as needed.
- A "***Supportive Services Request***" ETO Touchpoint must be completed to request Supportive Services or Retention Funds for Employment Support.

CHECKLISTS AND DOCUMENTATION: The following checklists will be followed when submitting requests for support services to Fiscal Department.

CLOTHING (MOJOBS CODE 485)

- Supportive Services ETO Touchpoint print out
- MOJOBS Service Notes documenting need
- Printout of MOJOBS Activity Code
- Proof of Employment or Program Participation (i.e. timesheet, job search log, training plan, verification of employment, or pay stub) or a memo from Workforce Development Executive or employment verification

- Itemized list of clothing to be purchased. No more than five (5) business days supply of clothing:
  - 5 tops/shirts/blouses/sweaters
  - 5 pants/jeans/slacks/sweaters
  - 1 pair of shoes
  - 1 package of socks or hosiery
  - 1 package of underwear (white t-shirts)

UNIFORMS (MOJOBS CODE 485)

- Supportive Services ETO Touchpoint print-out
- MOJOBS Service Notes documenting need
- Printout of MOJOBS Activity Code
- Proof of Employment or Program Participation (i.e. timesheet, job search log, verification of employment or pay stub), or a memo from Workforce Development Executive or employment verification
- Copy of Uniforms Voucher. Limit 1 item per required medical equipment. No more than five (5) business days supply of clothing:
  - 5 scrub tops
  - 5 scrub pants
  - 1 lab coat
  - 1 pair of shoes
  - 1 package of socks or hosiery
  - 1 package of underwear (white t-shirts)

STEP 2: The Career Development Executive submits the Supportive Service request to Director or Program Manager, who reviews and approves as appropriate.

STEP 3: The Director of Career Services forwards the request to the Financial Aid Support Specialist, who collects Officers' signatures and enters into the Efforts to Outcomes (ETO) system.

STEP 4: The Financial Aid Support Specialist forwards the Supportive Service request to the Fiscal Department. The Fiscal Department generates a Supportive Services voucher.

STEP 5: The Director signs for and obtains the voucher, and delivers the voucher to the Career Development Executive.

STEP 6: The Career Development Executive contacts the customer, notifying the customer that the voucher is ready for pick up.

STEP 7: The customer picks up the voucher. The Career Development Executive case notes this in MOJOBS and provides the customer signed voucher copy to the Director.

The assigned FEC CDE will contact contractors when support service payments are completed and ready for distribution. FEC staff/Contractor will contact customer in regards to designated check pick-up times. ***All supportive services must documented in MOJOBS and case noted, and include at a minimum all of the following:***

- Type of Supportive Service paid (e.g., transportation, work clothing, etc.);
- Amount of Supportive Service paid;
- Timeframe or duration of Supportive Service;
- Justification for the Supportive Service;
- Documented lack of available or alternative community resources;
- Date that the customer received the supportive service.

- Vouchers expire thirty (30) days after the date of issue.

STEP 8: The Director forwards the customer signed copy of the voucher to the Fiscal Department for filing.

Processing Time: The average processing time for a supportive service request is five (5) working days; however, a maximum of ten (10) working days should be allowed for the processing of Supportive Service requests.

B. Transportation Services

A customer must be enrolled into a funding program in order to receive Supportive Services. The following codes and forms are required for transportation assistance:

TRANSPORTATION (MOJOBS CODE 481)

- Supportive Services Request ETO Touchpoint print-out
- MOJOBS Service Notes documenting need
- MOJOBS Enrollment Screen and Closure Screen
- Proof of Employment or Program Participation (i.e. timesheet, job search log, verification of employment or pay stub).

IV. YOUTH INCENTIVES

Youth ages 16 through 24 may also qualify for the following incentive payments for outcomes attained. Payments to Youth participants for recognition and achievement- incentive payments must be directly tied to training activities and work experiences. Incentive payments may not include entertainment, such as movie or sporting event tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment, per Missouri Division of Workforce Development Issuance No. 04-2018, Participant Activity Codes, Durations, and Definitions.

Adult Basic Education/HiSet Attainment: Out-of-school youth who obtain a high school diploma or HiSet and attends an orientation to post-secondary education or advanced training will be eligible to receive $200.00. Payment in the form of a gift card will be made available immediately upon documentation of attainment and orientation attendance. The customer must be attending an Adult Education and Literacy (AEL) approved provider or alternative school.

Grade Level and Educational Functioning Level (EFL) Increases:
Out-of-school youth who are basic skills deficient in Reading, Math and Language and who increase one or more educational functioning levels (EFL) in any area, will be eligible for a $100.00 payment per testing session. Payment in the form of a gift card will be made available immediately upon demonstration of achievement gains. To be eligible for this incentive, the customer must be attending a state approved Adult Education and Literacy (AEL) program.

Weekly Test of Adult Basic Education (TABE) Assessment Remediation:
All clients that are basic skills deficient in math, language and/or reading will be eligible for a $35.00 Target or Wal-Mart gift card if they attend weekly remediation sessions in an effort to obtain an increase in the area in which they are basic skills deficient. To be eligible for the weekly incentive they must attend at least two remediation sessions for a minimum of four total hours per week. To be eligible for this incentive, the customer must be attending a state approved Adult Education and Literacy (AEL) program.

V. POST-EXIT FOLLOW-UP SUPPORTIVE SERVICES

A Youth customer in follow-up services may receive Supportive Services after program exit, per DWD Policy No. 03-2015, Workforce Innovation and Opportunity Act (WIOA) Youth Program Framework and Design.

The Youth participant must otherwise meet the requirements of receiving Supportive Services, the services be related to obtaining or maintaining verified employment, and related to a positive employment result (employment related to the customer's training).

In such cases, one or more of the following follow-up codes must be entered:

F12: Supportive Services, Transportation
F13: Supportive Services, Work Related Uniforms or Attire
F14: Supportive Services, Work Related Tools
F19: Supportive Services, Youth Incentives Payment

VI. REQUIREMENTS FOR THE LOCAL PLAN

The Local Plan must include (Section VIII and Attachment 2 of the Local Plan) all of the following information:

- Types of Supportive Services available to participants, which may include, but are not limited to, any of the services. Each Service can only be provided after it is proven necessary to the participant's ability to participate in WIOA-funded activities.
- Documentation required of the participant when requesting a Supportive Service.
- If the LWDA chooses to limit or cap specific Supportive Services, the duration and maximum dollar amount for each Supportive Service must be listed (e.g., "Childcare is capped at $XXX for each calendar year," or "Transportation is capped at $XXX for the previous XX months.").
- The maximum duration and maximum dollar amount, collectively, which an individual may receive for all Supportive Services (e.g., "The cap for all Supportive Services per participant per calendar year is $XXX.").
- Procedures for paying Supportive Services beyond the capped amounts, which must include a requirement that a written justification, prepared by the staff and placed in the file, is required prior to making a payment above the cap.

Attachment A:

Missouri Division of Workforce Development Issuance No. 13-2017,
Statewide Supportive Services Policy

Missouri Division of Workforce Development
DWD Issuance 13-2017

Issued: November 30, 2017
Effective: November 30, 2017

Subject: **Statewide Supportive Services Policy**

1. Purpose:

This Issuance provides guidance on the allowance, approval, and payment of Supportive Services authorized by the Workforce Innovation and Opportunity Act (WIOA).[1] It supersedes and rescinds prior guidance[2] on this topic to accord with newer federal workforce development law and regulations.

2. Background:

WIOA defines[3] **Supportive Services** as services necessary to enable an individual to participate in activities authorized by WIOA, *such as* provision of:

- Transportation;
- Childcare;
- Dependent care;
- Housing; and
- Needs-related payments.[4]

The regulations implementing WIOA identify further Supportive Services[5] *including, but not limited to*:

- Linkages to community services;
- Assistance with educational testing;
- Reasonable accommodations for individuals with disabilities;
- Legal-aid services;
- Referrals to health care;
- Assistance with acquiring occupational garb or personal protection devices;
- Assistance with books, fees, school supplies, and other necessary items for postsecondary education; and
- Payments and fees for employment and training-related applications, tests, and certifications.

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[1] Pub. L. 113-128 [29 U.S.C. 3101 et seq.].
[2] DWD Issuance 12-2010, "Statewide Supportive Services Policy," May 20, 2011 *[herein rescinded]*.
[3] WIOA Section 3(59) [29 U.S.C. 3102(59)].
[4] The nature, eligibility, payment procedures, duration, and levels for needs-related payments are described at 20 CFR 680.930, 20 CFR 680.940, 20 CFR 680.950, 20 CFR 680.960, and 20 CFR 680.970.
[5] Supportive services for adults and dislocated workers at 20 CFR 680.900 and for youth at 20 CFR 681.570. The Final Rules aligned these descriptions, which are identical.

WIOA Title I Supportive Services are basic Career Services for the purposes of WIOA.[6] The Local Workforce Development Board (Local WDB) must develop[7] a local Supportive Services policy, applicable to the entire Local Workforce Development Area (LWDA), for inclusion in its Local Plan.[8] All subrecipients must adhere to the local policy and plan.

Participant Support Costs (PSC) are defined in the Uniform Guidance[9] as direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects. PSC are allowed only by prior approval of the federal awarding agency,[10] in this case the U.S. Department of Labor (DOL). **Supportive Services** costs *are* Participant Support Costs per the Uniform Guidance, and, therefore, revisions of budget or program plans by a recipient would normally require prior approval by the federal awarding agency.[11] However, it is Division of Workforce Development (DWD) policy that WIOA and the federal regulations at 20 CFR Part 680 constitute prior approval of Supportive Services expenditures. Further, the Local Plan and Local Plan Modification approval processes, observance of the procedures outlined in the DWD Financial Manual, and adherence to the Statewide Supportive Services policy in the **Attachment**, satisfy the Uniform Guidance requirements.

3. Substance:

The extent of Supportive Services provided will vary based on participant needs and availability of funds and resources. Individual participants must request Supportive Services payments for specific needs. Document the justification for every WIOA Supportive Service payment, for each participant, in a case note entry in the statewide electronic case management system.

4. Action:

THIS REQUIREMENT WAS RESCINDED BY DWD ISSUANCE 25-2017, 5/30/18

This policy is effective immediately. Each Local WDB must review its local Supportive Services Policy for compliance with the attached statewide policy. ~~Any required or locally developed modifications must be submitted separately per DWD Local Plan modification guidance[12] (unless the change coincides with and can be included in the required biennial review or quadrennial resubmission of the Local Plan).~~

5. Contact:

Please direct questions or comments regarding this Issuance to the DWD Quality Assurance Manager at (573) 522-3015, or email steve.reznicek@ded.mo.gov.

6. References:

- Workforce Innovation and Opportunity Act (WIOA) Public Law (113-128) [29 U.S.C. 3101 et seq.].
- 20 CFR Part 680.
- 2 CFR Part 200.

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[6] 20 CFR 678.430(a).
[7] 20 CFR 680.900.
[8] DWD Issuance 14-2015, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," February 16, 2016 [Section VIII(A), "Local Policies and Requirements," and Attachment 2].
[9] 2 CFR 200.75.
[10] 2 CFR 200.456.
[11] 2 CFR 200.308(c)(1)(v).
[12] ~~DWD Issuance 19-2015, "Local Plan and Regional Plan Modification Procedures," June 22, 2016.~~

- DWD Issuance 14-2015, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," February 16, 2016 [Section VIII(A), "Local Policies and Requirements," and Attachment 2].
- DWD Issuance 19-2015, "Local Plan and Regional Plan Modification Procedures," June 22, 2016.

7. Rescission: This Issuance guidance supersedes and replaces DWD Issuance 12-2010, "Statewide Supportive Services Policy," dated May 20, 2011.

8. Attachment: **Attachment:** "Statewide Supportive Services Policy."

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Mardy L. Leathers
Director
Missouri Division of Workforce Development

STATEWIDE SUPPORTIVE SERVICES POLICY

Description

The Workforce Innovation and Opportunity Act (WIOA) defines **Supportive Services** as services necessary to enable an individual to participate in activities authorized under WIOA Title I. This Policy provides guidelines for administering Supportive Services based on the requirements of WIOA and its implementing regulations. Supportive Services particularly should be used to assist an individual participant who has a barrier to employment, but they must be available to *all* eligible participants in WIOA Title I activities.

Supportive Services may include, but are not limited to:

- Transportation;
- Childcare;
- Dependent care;
- Housing;
- Needs-related payments (under WIOA, now available to eligible Youth);
- Linkages to community services;
- Assistance with educational testing;
- Legal-aid services;
- Referrals to health care;
- Assistance with acquiring occupational attire or personal protection devices;
- Assistance with books, fees, school supplies, and other necessary items for postsecondary education;
- Payments for employment and training-related applications, tests, and certifications; and
- Reasonable accommodations for individuals with disabilities.

Assistive technologies or equipment for individuals with disabilities are included *if* staff document that the participant needs the technology or equipment to participate in the WIOA Title I activity *and* is unable to obtain it from other resources. The extent of Supportive Services provided will vary based on the participant's needs and the Local Workforce Development Area's (LWDA) availability of funds and resources.

This Policy applies to all WIOA Title I programs for which WIOA funds pass through the Missouri Division of Workforce Development (DWD) through contracts with Local Workforce Development Boards (Local WDBs).

Subrecipients may only provide Supportive Services to participants who:

- Are participating in career services or training services approved by WIOA Title I;
- Require those services to participate in those career service or training activities; and
- Are unable to obtain Supportive Services first through other programs providing such services.

Needs-based analysis

Individuals must *request* Supportive Service payments for specific needs. WIOA programs are not an entitlement, therefore Supportive Service payments are on a case-by-case basis, and only when determined necessary and reasonable. Payments may not be made for non-WIOA activities or for items that are not necessary for participation in a WIOA activity.

WIOA Supportive Services are important to the success of many WIOA participants; however, all other alternate sources of funding must be sought first. *Every* attempt to find other Supportive Services sources, leading to the determination to use WIOA funding, must be documented in the case notes for the participant. The availability of community resources will vary by LWDA. The LWDA must keep and make available to participants an up-to-date listing of resources that referrals can be made to prior to any WIOA payment for Supportive Services. (Providing information about the availability of, and referrals to, alternate Supportive Services sources is required by 20 CFR 678.430(a)(9), "What are career services." DWD Issuance 24-2015, "Workforce Innovation Opportunity Act Missouri Job Center Service and Referral Policy," also requires the creation and maintenance of a WIOA required partners Resource Guide for this purpose.)

Community resources

Beyond Supportive Services available through the required WIOA partners, other sources include

- Faith-based organizations;
- Non-profit organizations;
- Women's shelters;
- Community clothing centers;
- Pro bono medical, dental, and legal services (may need to be accessed through an organization);
- Government assistance, such as: local health departments; Women, Infants and Children (WIC) program; assistive technology reimbursement programs, and MO HealthNet (Medicaid);
- Local transportation programs; and
- Statewide and nationwide organizations such as United Way, Goodwill, and the Salvation Army.

Transportation

The Internal Revenue Service (IRS) mileage reimbursement includes direct and indirect vehicle expenses. Therefore, if the Local WDB is paying full IRS mileage reimbursement, no other vehicle expenses and/or mileage can be paid. If the LWDB pays less than full IRS mileage, repairs may be paid *if* staff determines them to be reasonable and necessary, and documents them in a case note.

Childcare/Dependent Care

Childcare rates vary by county and can be located on the Missouri Department of Social Services website at https://apps.dss.mo.gov/childcarerates/

Needs-Related Payments

Needs-related payments can be provided **only** to Adults, Dislocated Workers, and Youth to enable participation in training. They must be currently participating or enrolled to commence the training program within the next 30 calendar days.

Eligibility requirements for Adults and Youth:

To be eligible for needs-related payments, Adults and Youth must be unemployed; *and*

- Not qualified for, or ceased qualifying for, Unemployment Insurance (UI) compensation; *and*
- Must be enrolled in an eligible WIOA training service.

Eligibility requirements for Dislocated Workers:
To be eligible for needs-related payments, Dislocated Workers must be unemployed; *and*

- Not qualified for, or ceased qualifying for, Unemployment Insurance (UI) compensation or Trade Readjustment Allowance under Trade Adjustment Assistance; *and*
- Must be enrolled in an eligible WIOA training service:
  - 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*
  - After the 13th week, or if later, by the end of the 8th week after being informed that a short-term layoff will exceed six months; *or*
- *Did not qualify* for UI compensation or Trade Readjustment Allowance, *but is enrolled* in a program for training services authorized by WIOA Sec. 134(c)(3).

Needs-related payment levels. Local WDB policy sets the needs-related payment level for Adults. (In the case of a statewide project, the State Workforce Board sets the Adult payment level.) For Dislocated Workers, payments may not exceed two possible levels.

- If the participant is eligible for UI compensation resulting from the qualifying dislocation, payment may not exceed the applicable weekly level of UI compensation.
- If the participant did not qualify for UI compensation resulting from the qualifying dislocation, then the payment cannot exceed the poverty level for an equivalent period (using the U.S. Health and Human Services poverty guidelines for the current calendar year). The Local WDB also must adjust that poverty level, to reflect changes in total family income, to ensure the actual amount of payment conforms to the Local WDB's LWDA Supportive Services policy.

Emergency Aid

Emergency Aid is a one time or rare expense paid to allow a participant to continue participating in WIOA activities such as school, work experience, or On-the-Job Training (OJT). If the participant is having extreme financial difficulty, staff should assist with needed financial information (such as development of a budget, credit counseling, or debt management). Emergency aid payments must be well documented in case notes. However, staff should avoid receiving or obtaining confidential (i.e., financial, medical, criminal, legal, domestic violence) documentation, or entering it directly into case notes, unless it is pertinent and necessary for determining employment or training opportunities or aid. If it is necessary to retain the confidential information, the case note should contain a general explanation of the information; how it is related to employment and/or training; and identify the *secure location* of the complete information (usually, the "confidential file").

Examples include:

- Payment of utility bills (electric, water, heating, etc.);
- A car insurance payment; and
- A rent payment.

As with all other WIOA funding, all other avenues must be sought first. Refer to the local resource guides to determine what assistance is available in the local geographic area; that is, the actual local proximity, and not just resources within the boundaries of the LWDA.

Trade Act Funding

When a participant is enrolled in the Trade Act Program, this funding source must be utilized prior to WIOA funding. If the participant requires resources not covered by the Trade Act Program, local policy must be followed to provide these wrap-around services.

National Dislocated Worker Grants (DWGs)

DWGs provide supplemental Dislocated Worker funds to respond to the needs of dislocated workers and communities affected by major economic dislocation events that cannot be met with formula allotments. Because DWGs serve a specific layoff, or group of related layoffs, only one Supportive Services Policy is allowed per DWG. Therefore, in the case of a regional DWG involving more than one LWDA, the Local WDBs involved must submit only one Supportive Services Policy based upon the combined existing policies of the LWDAs affected. This resultant regional policy will apply only to that specific DWG, and is an attachment to other planning documents during the "Project Planning Period" of the DWG. In the case of a disaster-related DWG, grant-specific statewide Supportive Services instructions will be issued.

Case Notes

All Supportive Services must be documented in the statewide electronic case management system and include at a minimum *all* of the following:

- The type of Supportive Service paid (e.g., transportation, childcare, etc.);
- The amount paid for the Supportive Service;
- The timeframe or duration for which the Supportive Service was paid;
- The justification of need for the Supportive Service; *and*
- Documentation of the lack of availability of alternatives or other community resources.

In all cases, staff must review case notes prior to making any Supportive Service payments to avoid duplicate payments.

Responsibilities

It is the responsibility of staff to provide accurate information to the participant including:

- If the participant is eligible, when Supportive Services are requested;
- If the participant's eligibility to receive the Supportive Service expires for any reason (e.g., a cap is met, no longer has a demonstrable need, etc.); and
- What the requirements are (e.g., paperwork, attending classes, etc.) to receive the Supportive Service.

Local Plan Supportive Services Information

The Local WDB's Local Plan must include (Section VIII and Attachment 2 of the Local Plan) all of the following information:

- Types of Supportive Services available to participants, which may include, but are not limited to, any of the services *listed on page 1*. Each Service can only be provided after it is proven necessary to the participant's ability to participate in WIOA-funded activities.
- Documentation required of the participant when requesting a Supportive Service.
- If the LWDA chooses to limit or cap specific Supportive Services, the duration and maximum dollar amount for each Supportive Service must be listed (e.g., "Childcare is capped at $XXX for each calendar year," or "Transportation is capped at $XXX for the previous XX months.").
- The maximum duration and maximum dollar amount, collectively, which an individual may receive for all Supportive Services (e.g., "The cap for all Supportive Services per participant per calendar year is $XXX.").
- Procedures for paying Supportive Services beyond the capped amounts, which must include a requirement that a written justification, prepared by the staff and placed in the file, is required prior to making a payment above the cap.

- Mileage reimbursement calculation (i.e., $0.XX a mile up to XX miles). If the reimbursement is the full IRS mileage, a statement must be included that no other expenses, such as repairs, can be paid.
- Procedures on how the LWDA will pay Supportive Services for individuals who have accessed Supportive Services from one or more other LWDAs. (That is, staff will review the participant's Supportive Service payments in the statewide electronic case management system. All Supportive Services payments will be calculated prior to authorizing additional funding, regardless of which LWDA is making the payments.)
- A statement that Supportive Services are based upon individual need, and that all other resources are considered prior to authorizing payment(s).
- Statement that all Supportive Service payments will be documented in case notes in the statewide electronic case management system.
- If the Local WDB chooses not to pay for all potential types of career services and training services, it must publish a list of WIOA Services that are eligible for Supportive Services.
- Information on how the LWDA is utilizing community resources, including community and faith-based organizations, prior to authorizing WIOA funding.
- Reference to this Policy, or incorporation of this Policy by reference within the local policy.
- If a Local WDB enters into a subcontract with a service provider for Supportive Services, the local policy must require the subcontract to stipulate that the service provider must comply with the Uniform Guidance (2 CFR Part 200).

Attachment B:

Listing of Available Supportive Services

SUPPORTIVE SERVICES

To receive Supportive Services, a customer must be enrolled, have a need for the services, and receive Supportive Services after it is determined that such services are not available first in the community. There are dollar limits on Supportive Services. Supportive services that may be available to a customer include:

TRANSPORTATION	Bus pass or gas card during the first 31 days after employment. Other transportation as arranged for employment through door-to-door Transportation assistance through attendance sheet or bus passes while attending classroom training.
WORK RELATED CLOTHING	Incudes employer required clothing, uniforms, boots.
WORK RELATED TOOLS AND EQUIPMENT	Includes tools and equipment as indicated by employer.
TRANSITION TO PLACEMENT	Financial assistance for persons who have found employment with the transition to starting work.
RELOCATION ASSISTANCE or Out-of-Area Job Search	Financial assistance provided to WIOA Dislocated Workers for interviewing outside the Kansas City area or for relocating to a job outside the Kansas City area.
TESTING AND EMPLOYMENT RELATED FEES	Includes Tuberculosis (TB) tests, drug screens, physicals, examination fees, certification fees, background and fingerprinting expenses, licensing fees.
	In addition, WIOA Youth customers may receive:
MEASURABLE SKILL GAINS ATTAINMENT PAYMENT	Includes payment for attaining educational functioning level gains (only through an Adult Education and Literacy program approved Department of Elementary and Secondary Education provider), HiSet or high school diploma attainment, meeting State educational standards, passing approved knowledge based or skill based examination, or passing approved licensing examination.

FOR MORE INFORMATION CALL 816-471-2330
OR FIND A LOCATION NEAR YOU AT FECKC.ORG

The Full Employment Council is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

To be eligible for services, you must: meet requirement for programs and reside in Cass, Clay, Jackson, Platte, or Ray Counties.

1740 Paseo Blvd. • Kansas City, MO 64108

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KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

SUPPORTIVE SERVICES FOR WIOA DISLOCATED WORKER AND WIOA ADULT PROGRAMS

POLICY NUMBER: 2017-041, Modification 3

EFFECTIVE DATE: 8-01-2017
MODIFICATION DATE: 12-17-2018

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, Program Development and Evaluation at LCollins@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board Officers.

PURPOSE

This Issuance provides guidelines for administering Supportive Services to WIOA Adults and WIOA Dislocated Workers. This Issuance replaces Issuance 2017-041, Modification 2. The President/CEO or designee must approve any deviations from this policy in regards to maximum amounts available. Supportive service and retention payments are subject to fund availability and resources.

BACKGROUND

The provision of Supportive Services is an integral component of WIOA services. Supportive Services may be provided, based upon demonstrated need and when no other support is available, when a customer is enrolled in the WIOA program or other discretionary program. This policy is based on Missouri Division of Workforce Development Policy No. 13-2017, Statewide Supportive Services Policy. The reader is directed to review other Issuances for Supportive Services administered under discretionary programs, which may differ from WIOA program requirements.

FULL EMPLOYMENT COUNCIL SUPPORTIVE SERVICES FOR WIOA DISLOCATED WORKER AND ADULT PROGRAMS POLICY

Policy Number 2017-041, Modification 3

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Attachment A: Missouri Division of Workforce Development Issuance 12-2010, Statewide Supportive Services Policy

Attachment B: Listing of Available Supportive Services

POLICY

Supportive Services are defined as those services, which are necessary to enable an eligible customer to participate in employment and training activities, and are available to WIOA registered customers participating in employment and training activities. Supportive services may be provided to customers pre- or during employment.

All supportive services must be based on documented need by the customer, and the customer must be in need of the support service in order to continue training or to retain employment. The need for support services should be documented in each customer's Employment Plan and in MOJOBS case notes. This issuance establishes the categories of support services and the maximum amounts available. Funds WILL NOT be used to pay for child care, auto repairs, utilities or rent, penalties, restitution, taxes, or bad debts or incentive payments for adults and dislocated workers.

Referral to Other Agencies for Supportive Services: Only Supportive Services, which cannot be provided by the customer themselves or through other agencies that provide these services, will be submitted for approval for payment through FEC. Documentation of referral to other agencies must be included as a case note in the MOJOBS Service Notes. The MOJOBS service referral tab will be used to refer customers to other agencies, which provide supportive services needed, by customers.

I. SUPPORTIVE SERVICE POLICY

A. Need Determination: The need for supportive services is identified by the Career Development Executive (CDE) based on individual one-on-one interviews with the customer conducted as part of assessment. Supportive service payments enable customers to successfully complete employment programs. The need for the supportive service must be documented in the customer's Employment Plan and as a case note in MOJOBS Service Notes. The extent of Supportive Services provided will vary based upon specific needs of each participant. Participants must request Supportive Services for specific needs. For Supportive Services that have a duration, the justification of need must be established on an ongoing basis as the customer receives the Supportive Service.

Sample Assessment of Need: When assessing the customer's need for transportation assistance, the following questions should be asked, at a minimum, by the CDE:

1. What is the customer's mode of transportation? Can they benefit from obtaining a bus pass? ***Individuals who receive bus passes are not eligible to receive gas transportation assistance. *The CDE and customer should develop a transportation strategy plan prior to participating in employment or enrolling in classroom training.***
2. How many days per week is the customer scheduled to work or to attend training? ***Transportation assistance will only be given for scheduled work or training days.***
3. The CDE should inquire, and document, that the customer has no access to other resources.
4. After a determination has been made by the CDE as to which transportation assistance the customer selects (monthly bus pass or gas transportation assistance), the following steps should be taken:

- Each customer should receive a COT orientation at least one week prior to the start of training.
- Discuss with the customer the type of transportation assistance they will receive and the amount.
- Give the customer a Classroom Attendance Timesheet and an explanation on how it is to be completed and signatures needed.
- Provide the customer with a participant payroll schedule and dates timesheets are due to the CDE.
- Underscore that job placement assistance is available through the Missouri Job Center and FEC.

A listing of Supportive Services offered by the Workforce Development Board will be distributed to customers who are enrolled in services and deemed eligible to receive Supportive Services, per State policy (Attachment B).

B. Eligibility: Supportive services may be provided to customers who have been determined as eligible for Individual Career Services and training services if the need has been documented and the supportive service cannot be provided through another agency. This must be case noted in MOJOBS. Supportive Services are never stand-alone services, but always tied to an activity in the Employment Plan. Customers not enrolled in WIOA at the individualized career services or training services level may NOT be issued WIOA funded supportive service payments.

C. Referral to Other Support Service Providers: The MOJOBS service referral tab will be used to refer customers to supportive services not available through FEC. Staff will utilize the United Way, United Services Community Action Agency, Community Services League and Family Services Division. For United Way 211 referrals, information may be accessed at the 211 web site, at www.unitedwaygkc.org/find-support/united-way-2-1-1. A letter will be forwarded annually to United Services Community Action Agency and Community Services League regarding what supportive services are available through their agencies. WIOA funding is secondary to such community resources.

D. Coordination with Trade Act Services: When a participant is enrolled in the Trade Act Program, this funding source must be utilized prior to WIOA funding. If the participant requires resources not covered by the Trade Act Program, local policy must be followed to provide these wrap-around services.

E. Maximum Amount: The maximum amount of supportive services that a customer may receive during an enrollment period is **$500.00.** This amount may only be exceeded if the need is determined and if approved by the FEC President/CEO or designee.

F. Supportive Service Categories:

1. **Transportation**:
   a. Employment/Training Customers: Customers enrolled in work experiences, or on-the-job training, or placed in unsubsidized employment may receive transportation assistance for up to 31 days or until receipt of first paycheck.

- **Bus Passes:** Bus passes may be issued to customers during the first 31 days of employment; during job search, and or during other circumstances as approved by the Manager. Bus passes can be extended every 31 days up to 90 days with Manager's approval.

- **Gas Cards**: Gas Cards may be issued to customers who have obtained full time employment, work experience, or on-the-job Training for up to 30 days or until receipt of first paycheck. Cost may not exceed $25.00 per week for up to 2 weeks. The need for gas cards must be documented in MOJOBS case notes and Individual Employment Plan.

- ***Persons cannot receive both a bus pass and gas card for the same time period.***

b. Classroom Training Customers: Customers enrolled in a non-wage paying Classroom Occupational Training programs are eligible to receive transportation assistance during the period of the classroom skill training up to the Maximum Amount.

- **Bus Passes:** Bus passes may be issued to customers to attend training. Bus passes can be extended every 31 days for the duration of the training program with Manager's approval.

- **Transportation Assistance (customers enrolled in classroom training)**: Costs may not exceed $25.00 per week and will be issued in the form of a gas card.

- Customers enrolled in COT must submit a classroom attendance timesheet to the Career Development Executive bi-weekly on the designated days with both the customer and the instructor's signatures.

- Customers will not receive transportation assistance on days not scheduled to attend class or during school hiatus, i.e., Christmas Break or Spring Break, etc.).

- ***Persons cannot receive both a bus pass and gas card for the same time period.***

2. **Work-related clothing, tools, and equipment**: Customers may request work-related clothing. Equipment and tools can be requested, as identified by staff, as a requirement for the job. Customers may also request clothing needed for classroom occupational skill training (e.g. scrubs, steel toed boots, or uniform). All requests and reasons for requests must be documented in MOJOBS.

Unless approved by the President/Designee, no more than 5 days of clothing should be approved for a customer including the following. As needed by customer.

- 5 tops/shirts/blouses/sweaters
- 5 pants/jeans/slacks/skirts
- 1 pair of shoes
- 1 package of socks or hosiery
- 1 package of underwear

- 1 package of undershirts (white t-shirts)

Medical Uniforms: Limit of 1 item per required medical equipment, and no more than 5 days of clothing. As needed by customer.

- 5 scrub tops
- 5 scrub pants
- 1 lab coat
- 1 pair of shoes
- 1 package of socks or hosiery
- 1 package of underwear
- 1 package of undershirts (white t-shirts)

3. **Relocation or Out-of-Area Job Search (Dislocated Workers Only):** A maximum of $500.00 will be provided to ***Dislocated Workers*** for out-of-area job search costs and/or for relocation expenses, subject to fund availability. Relocation expenses will be paid if it is necessary for the customer to relocate in order to accept a job outside of the Kansas City & Vicinity or East Jackson County Workforce Development Areas and/or the Kansas City Metropolitan Statistical Area (Cass, Clay, Platte, Ray and Jackson Counties in Missouri and Wyandotte, Johnson, and Leavenworth Counties in Kansas). Out-of-Area Job Search assistance will include transportation (mileage or air fare) to interview for jobs outside of the Kansas City & Vicinity or East Jackson County Workforce Development area and/or Kansas City Metropolitan Statistical Area which exceed a distance of 150 miles one-way.

G. Training and Employment Related Testing and Required Fees Category: Employment related testing may include physicals, TB tests, drug screens, or other tests required by employers. Training and Employment Related Required Fees may be used for mandatory examinations fees, certification fees, background and fingerprinting expenses required by the State for licensing or licensing for national certification. **Maximum Amount for this Supportive Service is $500.00.**

II. POST-EMPLOYMENT SERVICES FOR JOB RETENTION

Transition to Placement Support:

WIOA enrolled Adults and Dislocated workers at the individual career services level and training levels of service, who are placed in full-time unsubsidized employment (32 hours per week), are eligible to receive $100.00 in transition to placement to facilitate their placement and retention in unsubsidized employment. Must be based upon documentation of need and noted in MOJOBS. Transition to Placement Funds is a supportive service payment distributed to customers to help them retain employment. If the customer is hired and retains employment related to hiring that results from an internship, work experience or on-the-job training, the customer will not receive transition to placement funds since they receive wages while in training prior to their placement in unsubsidized employment. However if a customer obtains employment that tis different from the internship, work experience on on-the-job training, the customer may receive the Transition to Placement payment. ***Maximum amount is $100.00.***

III. PROCESS FOR REQUESTING SUPPORTIVE SERVICE PAYMENTS

The processes described below will govern the application for and distribution of Supportive Service Payments:

- **Statement of Need Documented in MOJOBS and Employment Plan**: FEC staff/Contractor will describe, in detail, the need for the support service and shall document the need in both MOJOBS Service Notes and the customer's EP, which identifies the customer's employment goals, achievement objectives and appropriate combination of services to achieve these employment goals. The support services must be necessary to achieve the goals outlined in the Employment Plan. MOJOBS Service Notes must include at a minimum **all** of the following: the type of supportive service, the amount of supportive service paid, the time frame the supportive service was paid, the justification for the supportive service and the lack of community resources.

- **Cash Payments**: Checks will **NOT** be made payable to customers (***EXCEPTION: $100.00 transition to placement payment).***

- **Distributing Support Service Payments to Customers**: The assigned FEC CDE will contact contractors when support service payments are completed and ready for distribution. FEC staff/Contractor will contact customer in regards to designated check pick-up times. ***All supportive services must documented in MOJOBS and case noted, and include at a minimum all of the following:***
    - Type of Supportive Service paid (e.g., transportation, work clothing, etc.);
    - Amount of Supportive Service paid;
    - Timeframe or duration of Supportive Service;
    - Justification for the Supportive Service;
    - Documented lack of available or alternative community resources;
    - Date that the customer received the supportive service.

  In all cases, FEC staff/contractor must review MOJOBS service notes prior to making any Supportive Services payments to avoid duplicate payments.

- **Supportive Service Request Form**: A "***Supportive Services Request***" ETO Touchpoint must be completed to request supportive services or Retention Funds for Employment Support.

    1. FEC staff/Contractor will document customer information, program type and activity.
    2. FEC staff/Contractor will document vendor information where items are to be purchased and, in the center box, document quantity, description and cost of item(s) requested.
    3. ***Wal-Mart***: Wal-Mart has been selected as the designated vendor through a voucher agreement and should be utilized first, if possible, for clothing other than uniforms, shoes, approved work-related tools, etc. Customers will be issued a voucher made payable to Wal-Mart for a designated amount and which will expire in 30 days. Wal-Mart will bill FEC for the amount of purchase, and provide a description of items purchased for each customer. The customers will not be issued a receipt, so they may NOT return the merchandise for cash. Other vendors may be used as needed.

4. **Three 3 Bids**: When a vendor other than Wal-Mart is utilized and the purchase amount will exceed $500.00, FEC staff must document the cost from three 3) vendors.
5. **Signatures**: FEC Staff/Contractor must sign in designated area at bottom of form. Contractor will forward to assigned FEC CDE who will review, sign, and submit to management for approval.
6. **Processing Time**: The average processing time for a supportive service request is 5 working days; however, a maximum of 10 working days should be allowed for the processing of Supportive Service requests.
7. **Documentation, Forms**: The following checklists will be followed when submitting requests for support services to Fiscal.

CLOTHING (MOJOBS CODE 185)

- Supportive Services ETO Touchpoint print out
- MOJOBS Service Notes documenting need
- Printout of MOJOBS Activity Code
- Proof of Employment or Program Participation (i.e. timesheet, job search log, training plan, verification of employment, or pay stub) or a memo from Workforce Development Executive or employment verification.
- Itemized list of clothing to be purchased. No more than 5 business days supply of clothing:
  - 5 tops/shirts/blouses/sweaters
  - 5 pants/jeans/slacks/sweaters
  - 1 pair of shoes
  - 1 package of socks or hosiery
  - 1 package of underwear (white t-shirts)

UNIFORMS (MOJOBS CODE 185)

- Supportive Services ETO Touchpoint print-out
- MOJOBS Service Notes documenting need
- Printout of MOJOBS Activity Code
- Proof of Employment or Program Participation (i.e. timesheet, job search log, verification of employment or pay stub), or a memo from Workforce Development Executive or employment verification
- Copy of ~~Life~~ Uniforms Voucher. Limit 1 item per required medical equipment. No more than 5 business days supply of clothing:
  - 5 scrub tops
  - 5 scrub pants
  - 1 lab coat
  - 1 pair of shoes
  - 1 package of socks or hosiery
  - 1 package of underwear (white t-shirts)

TRANSPORTATION (MOJOBS CODE 181)

- Supportive Services Request ETO Touchpoint print-out
- MOJOBS Service Notes documenting need
- MOJOBS Enrollment Screen and Closure Screen

- Proof of Employment or Program Participation (i.e. timesheet, job search log, verification of employment or pay stub)

8. **Documentation, Case Notes:** All Supportive Services must be documented in the statewide electronic case management system and include at a minimum *all* of the following:
   - The type of Supportive Service paid (e.g., transportation, childcare, etc.);
   - The amount paid for the Supportive Service;
   - The timeframe or duration for which the Supportive Service was paid;
   - The justification of need for the Supportive Service; *and*
   - Documentation of the lack of availability of alternatives or other community resources. **Every attempt to locate Supportive Services must be documented in the case notes.**
   - In all cases, staff must review case notes prior to making any Supportive Service payments to avoid duplicate payments.

IV. REQUIREMENTS FOR THE LOCAL PLAN

The Local Plan must include (Section VIII and Attachment 2 of the Local Plan) all of the following information:

- Types of Supportive Services available to participants, which may include, but are not limited to, any of the services. Each Service can only be provided after it is proven necessary to the participant's ability to participate in WIOA-funded activities.
- Documentation required of the participant when requesting a Supportive Service.
- If the LWDA chooses to limit or cap specific Supportive Services, the duration and maximum dollar amount for each Supportive Service must be listed (e.g., "Childcare is capped at $XXX for each calendar year," or "Transportation is capped at $XXX for the previous XX months.").
- The maximum duration and maximum dollar amount, collectively, which an individual may receive for all Supportive Services (e.g., "The cap for all Supportive Services per participant per calendar year is $XXX.").
- Procedures for paying Supportive Services beyond the capped amounts, which must include a requirement that a written justification, prepared by the staff and placed in the file, is required prior to making a payment above the cap.

Attachment A:

Missouri Division of Workforce Development Issuance No. 13-2017,
Statewide Supportive Services Policy

Missouri Division of Workforce Development
DWD Issuance 13-2017

Issued: November 30, 2017
Effective: November 30, 2017

Subject: **Statewide Supportive Services Policy**

1. Purpose:

This Issuance provides guidance on the allowance, approval, and payment of Supportive Services authorized by the Workforce Innovation and Opportunity Act (WIOA).[1] It supersedes and rescinds prior guidance[2] on this topic to accord with newer federal workforce development law and regulations.

2. Background:

WIOA defines[3] **Supportive Services** as services necessary to enable an individual to participate in activities authorized by WIOA, *such as* provision of:

- Transportation;
- Childcare;
- Dependent care;
- Housing; and
- Needs-related payments.[4]

The regulations implementing WIOA identify further Supportive Services[5] *including, but not limited to*:

- Linkages to community services;
- Assistance with educational testing;
- Reasonable accommodations for individuals with disabilities;
- Legal-aid services;
- Referrals to health care;
- Assistance with acquiring occupational garb or personal protection devices;
- Assistance with books, fees, school supplies, and other necessary items for postsecondary education; and
- Payments and fees for employment and training-related applications, tests, and certifications.

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[1] Pub. L. 113-128 [29 U.S.C. 3101 et seq.].
[2] DWD Issuance 12-2010, "Statewide Supportive Services Policy," May 20, 2011 *[herein rescinded]*.
[3] WIOA Section 3(59) [29 U.S.C. 3102(59)].
[4] The nature, eligibility, payment procedures, duration, and levels for needs-related payments are described at 20 CFR 680.930, 20 CFR 680.940, 20 CFR 680.950, 20 CFR 680.960, and 20 CFR 680.970.
[5] Supportive services for adults and dislocated workers at 20 CFR 680.900 and for youth at 20 CFR 681.570. The Final Rules aligned these descriptions, which are identical.

WIOA Title I Supportive Services are basic Career Services for the purposes of WIOA.[6] The Local Workforce Development Board (Local WDB) must develop[7] a local Supportive Services policy, applicable to the entire Local Workforce Development Area (LWDA), for inclusion in its Local Plan.[8] All subrecipients must adhere to the local policy and plan.

Participant Support Costs (PSC) are defined in the Uniform Guidance[9] as direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects. PSC are allowed only by prior approval of the federal awarding agency,[10] in this case the U.S. Department of Labor (DOL). **Supportive Services** costs *are* Participant Support Costs per the Uniform Guidance, and, therefore, revisions of budget or program plans by a recipient would normally require prior approval by the federal awarding agency.[11] However, it is Division of Workforce Development (DWD) policy that WIOA and the federal regulations at 20 CFR Part 680 constitute prior approval of Supportive Services expenditures. Further, the Local Plan and Local Plan Modification approval processes, observance of the procedures outlined in the DWD Financial Manual, and adherence to the Statewide Supportive Services policy in the **Attachment**, satisfy the Uniform Guidance requirements.

3. Substance:

The extent of Supportive Services provided will vary based on participant needs and availability of funds and resources. Individual participants must request Supportive Services payments for specific needs. Document the justification for every WIOA Supportive Service payment, for each participant, in a case note entry in the statewide electronic case management system.

4. Action:

THIS REQUIREMENT WAS RESCINDED BY DWD ISSUANCE 25-2017, 5/30/18

This policy is effective immediately. Each Local WDB must review its local Supportive Services Policy for compliance with the attached statewide policy. ~~Any required or locally developed modifications must be submitted separately per DWD Local Plan modification guidance[12] (unless the change coincides with and can be included in the required biennial review or quadrennial resubmission of the Local Plan).~~

5. Contact:

Please direct questions or comments regarding this Issuance to the DWD Quality Assurance Manager at (573) 522-3015, or email steve.reznicek@ded.mo.gov.

6. References:

- Workforce Innovation and Opportunity Act (WIOA) Public Law (113-128) [29 U.S.C. 3101 et seq.].
- 20 CFR Part 680.
- 2 CFR Part 200.

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[6] 20 CFR 678.430(a).
[7] 20 CFR 680.900.
[8] DWD Issuance 14-2015, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," February 16, 2016 [Section VIII(A), "Local Policies and Requirements," and Attachment 2].
[9] 2 CFR 200.75.
[10] 2 CFR 200.456.
[11] 2 CFR 200.308(c)(1)(v).
[12] ~~DWD Issuance 19-2015, "Local Plan and Regional Plan Modification Procedures," June 22, 2016.~~

- DWD Issuance 14-2015, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," February 16, 2016 [Section VIII(A), "Local Policies and Requirements," and Attachment 2].
- DWD Issuance 19-2015, "Local Plan and Regional Plan Modification Procedures," June 22, 2016.

7. Rescission: This Issuance guidance supersedes and replaces DWD Issuance 12-2010, "Statewide Supportive Services Policy," dated May 20, 2011.

8. Attachment: **Attachment:** "Statewide Supportive Services Policy."

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Mardy L. Leathers
Director
Missouri Division of Workforce Development

STATEWIDE SUPPORTIVE SERVICES POLICY

Description

The Workforce Innovation and Opportunity Act (WIOA) defines **Supportive Services** as services necessary to enable an individual to participate in activities authorized under WIOA Title I. This Policy provides guidelines for administering Supportive Services based on the requirements of WIOA and its implementing regulations. Supportive Services particularly should be used to assist an individual participant who has a barrier to employment, but they must be available to *all* eligible participants in WIOA Title I activities.

Supportive Services may include, but are not limited to:

- Transportation;
- Childcare;
- Dependent care;
- Housing;
- Needs-related payments (under WIOA, now available to eligible Youth);
- Linkages to community services;
- Assistance with educational testing;
- Legal-aid services;
- Referrals to health care;
- Assistance with acquiring occupational attire or personal protection devices;
- Assistance with books, fees, school supplies, and other necessary items for postsecondary education;
- Payments for employment and training-related applications, tests, and certifications; and
- Reasonable accommodations for individuals with disabilities.

Assistive technologies or equipment for individuals with disabilities are included *if* staff document that the participant needs the technology or equipment to participate in the WIOA Title I activity *and* is unable to obtain it from other resources. The extent of Supportive Services provided will vary based on the participant's needs and the Local Workforce Development Area's (LWDA) availability of funds and resources.

This Policy applies to all WIOA Title I programs for which WIOA funds pass through the Missouri Division of Workforce Development (DWD) through contracts with Local Workforce Development Boards (Local WDBs).

Subrecipients may only provide Supportive Services to participants who:

- Are participating in career services or training services approved by WIOA Title I;
- Require those services to participate in those career service or training activities; and
- Are unable to obtain Supportive Services first through other programs providing such services.

Needs-based analysis

Individuals must *request* Supportive Service payments for specific needs. WIOA programs are not an entitlement, therefore Supportive Service payments are on a case-by-case basis, and only when determined necessary and reasonable. Payments may not be made for non-WIOA activities or for items that are not necessary for participation in a WIOA activity.

WIOA Supportive Services are important to the success of many WIOA participants; however, all other alternate sources of funding must be sought first. *Every* attempt to find other Supportive Services sources, leading to the determination to use WIOA funding, must be documented in the case notes for the participant. The availability of community resources will vary by LWDA. The LWDA must keep and make available to participants an up-to-date listing of resources that referrals can be made to prior to any WIOA payment for Supportive Services. (Providing information about the availability of, and referrals to, alternate Supportive Services sources is required by 20 CFR 678.430(a)(9), "What are career services." DWD Issuance 24-2015, "Workforce Innovation Opportunity Act Missouri Job Center Service and Referral Policy," also requires the creation and maintenance of a WIOA required partners Resource Guide for this purpose.)

Community resources

Beyond Supportive Services available through the required WIOA partners, other sources include

- Faith-based organizations;
- Non-profit organizations;
- Women's shelters;
- Community clothing centers;
- Pro bono medical, dental, and legal services (may need to be accessed through an organization);
- Government assistance, such as: local health departments; Women, Infants and Children (WIC) program; assistive technology reimbursement programs, and MO HealthNet (Medicaid);
- Local transportation programs; and
- Statewide and nationwide organizations such as United Way, Goodwill, and the Salvation Army.

Transportation

The Internal Revenue Service (IRS) mileage reimbursement includes direct and indirect vehicle expenses. Therefore, if the Local WDB is paying full IRS mileage reimbursement, no other vehicle expenses and/or mileage can be paid. If the LWDB pays less than full IRS mileage, repairs may be paid *if* staff determines them to be reasonable and necessary, and documents them in a case note.

Childcare/Dependent Care

Childcare rates vary by county and can be located on the Missouri Department of Social Services website at https://apps.dss.mo.gov/childcarerates/

Needs-Related Payments

Needs-related payments can be provided **only** to Adults, Dislocated Workers, and Youth to enable participation in training. They must be currently participating or enrolled to commence the training program within the next 30 calendar days.

Eligibility requirements for Adults and Youth:

To be eligible for needs-related payments, Adults and Youth must be unemployed; *and*

- Not qualified for, or ceased qualifying for, Unemployment Insurance (UI) compensation; *and*
- Must be enrolled in an eligible WIOA training service.

Eligibility requirements for Dislocated Workers:
To be eligible for needs-related payments, Dislocated Workers must be unemployed; *and*

- Not qualified for, or ceased qualifying for, Unemployment Insurance (UI) compensation or Trade Readjustment Allowance under Trade Adjustment Assistance; *and*
- Must be enrolled in an eligible WIOA training service:
  - 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*
  - After the 13th week, or if later, by the end of the 8th week after being informed that a short-term layoff will exceed six months; *or*
- *Did not qualify* for UI compensation or Trade Readjustment Allowance, *but is enrolled* in a program for training services authorized by WIOA Sec. 134(c)(3).

Needs-related payment levels. Local WDB policy sets the needs-related payment level for Adults. (In the case of a statewide project, the State Workforce Board sets the Adult payment level.) For Dislocated Workers, payments may not exceed two possible levels.

- If the participant is eligible for UI compensation resulting from the qualifying dislocation, payment may not exceed the applicable weekly level of UI compensation.
- If the participant did not qualify for UI compensation resulting from the qualifying dislocation, then the payment cannot exceed the poverty level for an equivalent period (using the U.S. Health and Human Services poverty guidelines for the current calendar year). The Local WDB also must adjust that poverty level, to reflect changes in total family income, to ensure the actual amount of payment conforms to the Local WDB's LWDA Supportive Services policy.

Emergency Aid

Emergency Aid is a one time or rare expense paid to allow a participant to continue participating in WIOA activities such as school, work experience, or On-the-Job Training (OJT). If the participant is having extreme financial difficulty, staff should assist with needed financial information (such as development of a budget, credit counseling, or debt management). Emergency aid payments must be well documented in case notes. However, staff should avoid receiving or obtaining confidential (i.e., financial, medical, criminal, legal, domestic violence) documentation, or entering it directly into case notes, unless it is pertinent and necessary for determining employment or training opportunities or aid. If it is necessary to retain the confidential information, the case note should contain a general explanation of the information; how it is related to employment and/or training; and identify the *secure location* of the complete information (usually, the "confidential file").

Examples include:

- Payment of utility bills (electric, water, heating, etc.);
- A car insurance payment; and
- A rent payment.

As with all other WIOA funding, all other avenues must be sought first. Refer to the local resource guides to determine what assistance is available in the local geographic area; that is, the actual local proximity, and not just resources within the boundaries of the LWDA.

Trade Act Funding

When a participant is enrolled in the Trade Act Program, this funding source must be utilized prior to WIOA funding. If the participant requires resources not covered by the Trade Act Program, local policy must be followed to provide these wrap-around services.

National Dislocated Worker Grants (DWGs)

DWGs provide supplemental Dislocated Worker funds to respond to the needs of dislocated workers and communities affected by major economic dislocation events that cannot be met with formula allotments. Because DWGs serve a specific layoff, or group of related layoffs, only one Supportive Services Policy is allowed per DWG. Therefore, in the case of a regional DWG involving more than one LWDA, the Local WDBs involved must submit only one Supportive Services Policy based upon the combined existing policies of the LWDAs affected. This resultant regional policy will apply only to that specific DWG, and is an attachment to other planning documents during the "Project Planning Period" of the DWG. In the case of a disaster-related DWG, grant-specific statewide Supportive Services instructions will be issued.

Case Notes

All Supportive Services must be documented in the statewide electronic case management system and include at a minimum *all* of the following:

- The type of Supportive Service paid (e.g., transportation, childcare, etc.);
- The amount paid for the Supportive Service;
- The timeframe or duration for which the Supportive Service was paid;
- The justification of need for the Supportive Service; *and*
- Documentation of the lack of availability of alternatives or other community resources.

In all cases, staff must review case notes prior to making any Supportive Service payments to avoid duplicate payments.

Responsibilities

It is the responsibility of staff to provide accurate information to the participant including:

- If the participant is eligible, when Supportive Services are requested;
- If the participant's eligibility to receive the Supportive Service expires for any reason (e.g., a cap is met, no longer has a demonstrable need, etc.); and
- What the requirements are (e.g., paperwork, attending classes, etc.) to receive the Supportive Service.

Local Plan Supportive Services Information

The Local WDB's Local Plan must include (Section VIII and Attachment 2 of the Local Plan) all of the following information:

- Types of Supportive Services available to participants, which may include, but are not limited to, any of the services *listed on page 1*. Each Service can only be provided after it is proven necessary to the participant's ability to participate in WIOA-funded activities.
- Documentation required of the participant when requesting a Supportive Service.
- If the LWDA chooses to limit or cap specific Supportive Services, the duration and maximum dollar amount for each Supportive Service must be listed (e.g., "Childcare is capped at $XXX for each calendar year," or "Transportation is capped at $XXX for the previous XX months.").
- The maximum duration and maximum dollar amount, collectively, which an individual may receive for all Supportive Services (e.g., "The cap for all Supportive Services per participant per calendar year is $XXX.").
- Procedures for paying Supportive Services beyond the capped amounts, which must include a requirement that a written justification, prepared by the staff and placed in the file, is required prior to making a payment above the cap.

- Mileage reimbursement calculation (i.e., $0.XX a mile up to XX miles). If the reimbursement is the full IRS mileage, a statement must be included that no other expenses, such as repairs, can be paid.
- Procedures on how the LWDA will pay Supportive Services for individuals who have accessed Supportive Services from one or more other LWDAs. (That is, staff will review the participant's Supportive Service payments in the statewide electronic case management system. All Supportive Services payments will be calculated prior to authorizing additional funding, regardless of which LWDA is making the payments.)
- A statement that Supportive Services are based upon individual need, and that all other resources are considered prior to authorizing payment(s).
- Statement that all Supportive Service payments will be documented in case notes in the statewide electronic case management system.
- If the Local WDB chooses not to pay for all potential types of career services and training services, it must publish a list of WIOA Services that are eligible for Supportive Services.
- Information on how the LWDA is utilizing community resources, including community and faith-based organizations, prior to authorizing WIOA funding.
- Reference to this Policy, or incorporation of this Policy by reference within the local policy.
- If a Local WDB enters into a subcontract with a service provider for Supportive Services, the local policy must require the subcontract to stipulate that the service provider must comply with the Uniform Guidance (2 CFR Part 200).

Attachment B:

Listing of Available Supportive Services

SERVICES

To receive Supportive Services, a customer must be enrolled, have a need for the services, and receive Supportive Services after it is determined that such services are not available first in the community. There are dollar limits on Supportive Services. Supportive services that may be available to a customer include:

TRANSPORTATION	Bus pass or gas card during the first 31 days after employment. Other transportation as arranged for employment through door-to-door. Transportation assistance through attendance sheet or bus passes while attending classroom training.
WORK RELATED CLOTHING	Incudes employer required clothing, uniforms, boots.
WORK RELATED TOOLS AND EQUIPMENT	Includes tools and equipment as indicated by employer
TRANSITION TO PLACEMENT	Financial assistance for persons who have found employment with the transition to starting work.
RELOCATION ASSISTANCE or Out-of-Area Job Search	Financial assistance provided to WIOA Dislocated Workers for interviewing outside the Kansas City area or for relocating to a job outside the Kansas City area.
TESTING AND EMPLOYMENT RELATED FEES	Includes Tuberculosis (TB) tests, drug screens, physicals, examination fees, certification fees, background and fingerprinting expenses, licensing fees.
	In addition, WIOA Youth customers may receive:
MEASURABLE SKILL GAINS ATTAINMENT PAYMENT	Includes payment for attaining educational functioning level gains (only through an Adult Education and Literacy program approved Department of Elementary and Secondary Education provider), HiSet or high school diploma attainment, meeting State educational standards, passing approved knowledge based or skill based examination, or passing approved licensing examination

FOR MORE INFORMATION CALL 816-471-2330
OR FIND A LOCATION NEAR YOU AT FECKC.ORG

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To be eligible for services, you must: meet requirement for programs and reside in Cass, Clay, Jackson, Platte, or Ray Counties.

ATTACHMENT 14. Adult Employment and Training Policy (Priority of Service Policy)

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Workforce Innovation and Opportunity Act (WIOA) Policy

PRIORITY OF SERVICES AND ACCESS TO ADULT SERVICES POLICY

POLICY NUMBER: 2018-010

EFFECTIVE DATE: 02-08-2018

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Monique Johnston, Director of Program Development/Evaluation, at mjohnston@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board staff.

PURPOSE

The purpose of this Issuance is to establish a priority of service policy for the application of individualized career services and training services to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient, that incorporates Priority of Service for veterans and eligible spouses, when available Adult Employment and Training funds are limited.

BACKGROUND

WIOA requires that Local Workforce Development Boards (WDB) establish policies for individualized career services and training services funded with WIOA Title I Adult funds, assigning priority to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient and any other State or local designees, and describe how Priority of Service for veterans and eligible spouses, as required by Public Law 107-288, will be incorporated into all programs areas. This Issuance uses DWD Issuance No. 10-2016 (Priority of Service for Veterans and Eligible Spouses), WIOA Sect. 134(c)(3)(E), and 20 CFR 680.600 and 680.610 as a basis.

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PRIORITY OF SERVICES AND ACCESS TO ADULT SERVICES POLICY

POLICY NO. 2018-010

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Attachment A: Division of Workforce Development Issuance No. 10-2016, Priority of Services for Veterans and Eligible Spouses

Attachment B: 20 CFR 680.610, Subpart E, Priority and Special Populations

Attachment C: Expenditure Rate Policy from Local Plan, 2016-2020

POLICY

I. ADULT EMPLOYMENT AND TRAINING: PRIORITIZATION POLICY

The following describes the criteria to be used to determine the process by which any priority for services will be applied by the Workforce Development Board.

Since funding for adult employment and training activities are limited, the priority for career and training services funded with the Title I WIOA Adult funds is given to individuals receiving public assistance, Temporary Assistance for Needy Families (TANF) recipients, other low-income individuals, individuals who are basic skills deficient, and to individuals who do not qualify for other programs administered by the Workforce Development Board, in accordance to the following criteria:

Up to 40 percent of the WIOA Title I Adult funds may be used to serve those clients who have incomes which do not exceed 200 percent of the Lower Living Standard Income Level. The balance of the funds (60 percent or more) will be expended on adults who are economically disadvantaged – whose incomes are 70 percent of the Lower Living Standard Income Level or 100 percent of the Poverty Level, whichever is lower.

The above indicators will be tracked in the Efforts to Outcomes (ETO) system.

In an effort to serve more individuals and reach a broader spectrum of individuals, in an environment of reduced overall budgets and when funds are limited, the Workforce Development Board has initiating a re-entry policy which states that any paid support, including tuition assistance or other training assistance (such as On-the-Job Training), and Supportive Services, will be limited to a two-year period. This means that once monies have been expended upon a customer for training services, the customer will not receive training monies or Supportive Services for a period of two years. Due to the limited amount of job training funds available, it is necessary to adopt a policy that provides the maximum opportunity to make as many resources available as possible for the maximum number of job seekers.

Although an individual may not receive additional paid support, that individual may receive Basic Services and placement services and other non-monetary workforce services that are available.

Career and Training Services - Distance and Online Learning

Whenever it is determined that Distance and Online Learning is the most practical and/or feasible method of instruction and most cost effective strategy of delivery of occupational skills training, and workshop modules or pre-vocational services, Distance and Online Learning training will be considered when assisting customers with training options, as prescribed in DWD Issuance No. 11-2013, Distance and Online Learning.

When priority of service for veterans is applied in conjunction with recipients of public assistance and other low income individuals, **veterans and their spouses will receive the highest priority** followed by priority for individuals receiving public assistance, TANF recipients, other low-income individuals, and individuals who are basic skills deficient.

II. PRIORITY OF SERVICE POLICY: VETERANS PRIORITY

The following describes how Priority of Service for Veterans and Eligible Spouses will be incorporated into all programs areas.

Veterans' priority of service is a requirement in all programs funded wholly or in part by the U.S. Department of Labor (DOL). Priority is measured in terms of enrollment in affected programs. Referral to the Veteran's Representative, either the Disabled Veterans' Outreach Program (DVOP) and/or Local Veterans' Employment Representative (LVER), does not constitute priority of service. For all programs with statutory requirements, veterans must meet the program eligibility requirements in order to obtain priority of service. If they meet those specific program eligibility requirements, they will receive priority of service.

In the WIOA Adult and Dislocated Workers Program, the current law requires that first priority for career and training services be given to public assistance recipients and low income individuals when adult funds allocated to a local area are limited.

When veteran's priority is applied in conjunction with recipients of public assistance and other low income individuals, veterans and their spouses will receive the highest priority followed by these non-veteran members. This means that in regard to veterans, the priority of services is established as follows: First to be served will be economically disadvantaged and low-income individuals who are also veterans. Among participants who are not public assistance recipients or low income individuals, veterans will receive priority over non-veterans.

Additionally, in those programs, where targeting of groups is a discretionary or optional priority at the local level, veterans' priority takes precedence over those optional or discretionary priorities. Veterans' priority is applied in advance of the opportunities and services provided to the population group covered by the optional priority.

Veterans and their spouses are identified and engaged at the point of entry at the Job Center. Upon identification of an individual as a veteran, such individual will be provided with information regarding any applicable (statutory) eligibility requirements for those programs and/or services.

This includes ensuring that the veteran is aware of:
(1.) Their entitlement to priority of service;
(2.) The full array of employment, training, and placement services available under priority of service; this includes connection to education and training programs, benefits and services, connection to supplemental services, one-on-one assessments, resume reviews, follow-up as appropriate, matching to employer base and matching to specific employers committed to hiring veterans, such as employers participating in the "Show me Heroes" initiative; and
(3.) Any applicable eligibility requirements for those programs and/or services (Reference DWD Issuance No. 10-2016, Priority of Service to Veterans and Eligible Spouses).

The processes for identifying covered persons will not require verification of the status of an individual as a covered person at the point of entry, unless they immediately undergo eligibility determination and enrollment in a program.

Veterans will be notified regarding priority of service by providing printed materials describing all services. They will also be informed of the required priority of service and services available at orientation.

The Missouri Job Center DVOP and LVER will be fully integrated into the Job Centers as detailed by the DVOP/LVER agreement with the Secretary (Veterans State Plan). The role of the DVOP/LVER staff will be to assist veterans with serious barriers to gain employment through intensified direct services such as case management and employer job developments within their separate roles. The DVOP/LVER will not be assigned duties that violate Title 38. The DVOP will share case management for veterans enrolled in WIOA and other programs with the providers of those programs. The DVOP/LVER grant requires compliance with Title 38, Chapters 41 and 42, in that all service delivery points of the grantee will provide veterans priority of service in the provision of all labor exchange services and specifically, when making referrals to job openings and training opportunities.

All Job Center staff, designated veteran and non-veteran Job Center staff, in all programs, have ongoing objectives to invest in partnerships with local organizations serving veterans in order to establish the Job Center's credibility among those organizations serving veterans. This is in order to provide access to and referrals for veterans, especially returning veterans and their families. All Job Center staff, designated veteran and non-veteran Job Center staff, in all programs, are trained to highlight the priority of services to veterans and the value in self attestation of veteran status and to better identify job seekers who are veterans and spouses by proactively asking them about their veteran status at multiple points for priority and dedicated services. All Job Center staff, non-veteran and veteran Job Center staff, in all programs, assist veterans with serious barriers to gain employment through intensified direct services such as case management and employer job developments and provide veterans priority of service in the provision of all services and when making referrals to job openings and training opportunities. Veteran status is recorded in the FEC MIS Department, Efforts to Outcomes (ETO) system, and state case management systems to further identify veterans and veteran spouses.

Job Center Local offices will be monitored to ensure that programs are providing the required priority service to veterans. Whenever necessary, corrective action plans will be developed and appropriate technical assistance provided concerning priority of service to veterans.

III. PRIORITIZATION OF SERVICES AND TYPES OF SERVICES

This section provides guidance for administering the priority of services based on the types of services provided.

A. Basic Services (Staff Assisted)

Basic Services are not self services. Some Basic Services do not require expenditures of training monies or funds for other services to be directly be spent on a customer. These are:
101 Orientation to Missouri Job Center services.
102 Initial Assessment

107 Provision of Labor Market Research
110 Employment Team Transition Meeting Service
114 O*NET
115 Resume Preparation Assistance
118 Outreach and Intake
123 Job Development Contacts (working with Employer and Job Seeker)
124 Received Bonding Assistance
130 Proficiency Testing
132 Required Job Search (RJS) Assessment
133 RJS Job Search Review
134 RJS Labor Market Information (LMI) Career Information
135 RJS Orientation
140 Referred to Other Services
143 SkillUp Learning
144 Testing - Assessment
145 Unemployment Compensation Assistance
148 Workshop-Career & Skills Assessment
149 Workshop-Career Advancement and Enhancement
150 Workshop-Educational and Personal Skills Upgrade
151 Workshop-Job Search
153 Career Readiness 101 Remediation
154 Career Guidance
158 Financial Aid Information
162 Reemployment Services and Eligibility Assessments (RESEA)-Labor Market Information
163 RESEA-Orientation
164 RESEA-Eligibility Review and Work Search Plan Dev
165 RESEA-Individual Employment Plan
166 RESEA-Job Search Assistance
167 RESEA-Referral to Reemployment Services
168 RESEA-Work Search Verification

These Basic Services are not unlimited, however may be provided without specific enrollment by the Enrollment Committee into Training or Individualized Services.

Some Basic Services require specific enrollment by the Enrollment Committee and entail the direct expenditure of monies on a customer. These include:
142 SkillUp Supportive Service, related to Missouri Employment and Training Program (METP)
181 Support Service - Transportation Assistance

For these Basic Services that require enrollment, prioritization will focus on:

- Persons who are military veterans from the United States armed forces,
- For persons seeking training in occupations that are in high demand per the Missouri Economic Research and Information Center (MERIC) data, and
- The availability of funding for services under the approved allocations for programs.

B. Training Level Services and Individualized Services

Many Training Level Services and Individualized Services require enrollment by the Enrollment Committee. Training Level Services and Individualized Services of this type consist of:
205 Development of Employment Plan/Individual Service Strategy
213 Comprehensive Assessment
215 Short Term Pre-Vocational Services
216 Out-of-area Job Search Assistance
217 Support Service - Relocation Assistance
218 Internships
219 Work Experience
220 Financial Literacy
221 Workforce Preparation
222 English Language Acquisition
223 WIOA Pre-Apprenticeship
258 RESEA - Referred to Workshop
300 Occupational Skills Training - Approved Provider, Individual Training Account (ITA)
301 On-The-Job Training (OJT)
302 Entrepreneurial Training
304 Customized Training
305 Show Me Hero - OJT
306 Eligible for Show Me Hero OJT
307 Show Me Hero OJT
314 Apprenticeship
320 Private Sector Training
323 Workplace Training & Cooperative Education
324 Adult Education with Occupational Skills Training -Approved Provider (ITA)
325 Skills Upgrading and Retraining
326 Support Service - Needs Related Payments
328 Occupational Skills Training – Non-Approved Provider (No ITA)
342 Adult Education and Literacy
345 Job Readiness Training
347 Incumbent Worker Training
348 Transitional Jobs
361 SkillUp Training

Training Level Services that require prioritization will focus on:

- Persons who are military veterans from the United States armed forces,
- For persons seeking training in occupations that are in high demand per the Missouri Economic Research and Information Center (MERIC) data,
- The availability of funding for services under the approved allocations for programs,
- Persons who meet the income requirements or other requirements of the respective program.

IV. TRAINING EXPENDITURE RATE / LOCAL CRITERIA FOR TRAINING RECIPIENTS

Per the Local Plan, the Proposed Training Expenditure Rate for new registrants into the WIOA Adult program will be at least 45% of Total Program Services Allocation. The Proposed Training Expenditure Rate for new WIOA Dislocated Worker registrants will be at least 40% of Total Program Services Allocation.

Attachment A:

Division of Workforce Development Issuance No. 10-2016,

Priority of Services for Veterans and Eligible Spouses

Missouri Division of Workforce Development
DWD Issuance 10-2016

Issued: February 01, 2017
Effective: February 01, 2017

Subject: **Priority of Service for Veterans and Eligible Spouses**

1. Purpose: This Issuance updates legal and regulatory amendments and procedures regarding providing priority of service for veterans and their eligible spouses who are customers of Missouri Job Centers.

2. Background: The Jobs for Veterans Act (JVA) of 2002,[1] as amended by the VOW to Hire Heroes Act of 2011,[2] creates a priority of service requirement for all qualified DOL job-training programs. "Qualified job training programs" are defined by the law as:

> *"any workforce preparation, development, or delivery program or service that is directly funded, in whole or in part, by the Department of Labor and includes the following:*
> *(A) Any such program or service that uses technology to assist individuals to access workforce-development programs (such as job and training opportunities, labor-market information, career-assessment tools, and related support services).*
> *(B) Any such program or service under the public employment service system, one-stop career centers, the Workforce Investment Act of 1998 [3], a demonstration or other temporary program, and those programs implemented by States or local service providers based on Federal block grants administered by the Department of Labor.*
> *(C) Any such program or service that is a workforce-development program targeted to specific groups."*

The law defines "priority of service":

> *"...with respect to any qualified job-training program, that a covered person shall be given priority over nonveterans for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provision of law. Such priority includes giving access to such services to a covered person before a non-covered person or, if resources are limited, giving access to such services to a covered person instead of a non-covered person."* [4]

A "covered person" is a *veteran* or the eligible *spouse* of a veteran.

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[1] Pub. Law 107-288 [38 U.S.C. 4215].
[2] Pub. Law 112-56, Section 239, November 21, 2011 [38 U.S.C. 4215].
[3] The Workforce Investment Act of 1998 (WIA), Pub. Law 105-220, Aug. 7, 1998, was repealed and superseded by the Workforce Innovation and Opportunity Act (WIOA), Pub. Law 113-128 [29 U.S.C. 3101 et seq.], July 22, 2014.
[4] 38 U.S.C. 4215(a)(3).

A "veteran" is a person who served [at least one day] in the active military, naval, or air service, and who was discharged or released under any condition other than "dishonorable."[5] "Active service" includes full-time service in the National Guard or a Reserve component, other than full-time duty for training purposes.

A "covered person" is also the *spouse, widow,* or *widower* of:[6]

- Any veteran who died of a service-connected disability.
- A member of the U.S. Armed Forces on active duty who at the time of the spouse's application has been listed for more than 90 days as:
  - missing in action; or
  - 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.
- Any living veteran who has a total (100%) disability rating resulting from a service-connected disability.
- Any veteran who died while a total disability was in existence.

This Issuance updates nomenclature, regulatory, guidance, and contacts changes that have occurred since the preceding Issuance in January 2009.

3. Substance: *Attachment 1* is a statement of current federal guidance that serves as an implementation plan for applying priority of service for veterans and eligible spouses in Missouri Job Center operations and service delivery.

4. Action: Effective this date, all staff within Missouri Job Centers must be in full compliance with procedures provided in *Attachment 1*.

5. Contact: Direct questions or comments regarding thisIssuance to the DWD Veterans Services Coordinator, at (573) 526-9762, or shams.chughtai@ded.mo.gov.

6. References: Jobs for Veterans Act (JVA) of 2002, Pub. Law 107-288 [38 U.S.C. 4215], as amended.

VOW to Hire Heroes Act of 2011, Pub. Law 112-56, Section 239, November 21, 2011 [38 U.S.C. 4215].

U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009.

20 CFR Part 1010, "Application of priority of service for covered persons."

7. Rescissions: This issuance supersedes and replaces DWD Issuance 09-2008, "Priority of Service to Veterans," dated January 20, 2009.

[5] 38 U.S.C. 101(2).

[6] 38 U.S.C. 4215; 20 CFR 1010.110; and U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009.

8. Attachments: (1) Veterans Priority of Service Plan

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Amy J. Sublett

Amy Sublett
Acting Director
Missouri Division of Workforce Development

DWD Issuance 10-2016
Attachment 1

missouri jobcenter
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Veterans Priority of Service Plan

Priority of Service Defined

Priority of Service is the right of eligible, *covered* persons to take precedence over eligible, *non-covered* persons in obtaining services funded, in whole or in part, by the U.S. Department of Labor (DOL). This priority means:

- The covered person receives access to the service or resource *earlier* in time than the non-covered person; *or*
- If the service or resource is *limited*, the covered person receives access to the service or resource *instead of, or before*, the non-covered person.

Priority of Service does not change the *eligibility requirements* or the *intended function* of a program or service. To receive priority for a program or service, covered persons still must meet all statutory eligibility and program requirements for participation.

Terminology

- *Covered person(s)* — *Veteran(s)* and *eligible spouse(s)*, as defined by statute *(see below)*.
- *Eligible spouse(s)* — An *eligible spouse* is defined at 38 U.S.C. 4215 as the *spouse, widow,* or *widower*:[1]
  - Of any veteran who died of a service-connected disability (as evaluated by the Department of Veterans Affairs); *or*
  - Of a member of the U.S. Armed Forces on active duty who at the time of the spouse's application has been listed for more than 90 days as:
    - Missing in action; *or*
    - 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

  or
  - Of any living veteran who has a total (100%) disability rating (as evaluated by the Department of Veterans Affairs) resulting from a service-connected disability; *or*
  - Of any veteran who died while a total disability was in existence (as evaluated by the Department of Veterans Affairs)
- *Veteran* — The definition for *veteran*, specified in Title 38 "Veterans' Benefits" at 38 U.S.C. 101(2), applies across all qualified job-training programs for the purpose of priority of service. That definition includes two key criteria:
  - Service in the active military, naval, or air service; *and*
  - Discharge under any condition *other* than dishonorable

[1] Codified at 20 CFR 1010.110, and given as guidance in U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009.

The preceding definition of *veteran* specified at 38 U.S.C. 101(2) is incorporated by reference in Section 3(63)(A) of the Workforce Innovation and Opportunity Act (WIOA)[2] and is codified at 20 CFR 651.10, 20 CFR 652.100, and 20 CFR 1010.110. Under WIOA, a veteran's right to priority of service is also codified at 20 CFR 680.650.

Identifying and Informing Covered Persons

The regulations require all recipients of funds for qualified job-training programs to identify covered persons at the *point of entry*. Point of entry may include reception through a One-Stop Job Center established pursuant to WIOA, as part of an application process for a specific program, or through any other method by which covered persons express an interest in receiving services, either in-person or virtually.[3]

The identification process also must provide the veteran or eligible spouse an opportunity to self-identify (to make their status as a covered person known to staff). The process also must allow qualified job-training programs to initiate data collection for covered entrants.

Once the covered person is identified, the process must provide covered persons with timely and useful information on priority of service at the point of entry. That information includes:

- Their entitlement to priority of service; *and*
- The full array of programs and services available to them under priority of service; *and*
- Any applicable eligibility requirements for those programs and/or services. (Only statutory requirements are applicable.)

Eligibility

Active duty for training, and inactive duty for training relevant to National Guard and Reserve members does *not* fit the definition of "veteran." Full-time National Guard and Reserve duty, other than full-time duty for training purposes, *does* qualify as active duty. For DOL programs, other than the Local Veterans Employment Representative (LVER)/Disabled Veterans Opportunity Program (DVOP) programs, there is no length-of-service requirement for qualification as a "veteran." (That is, active-duty service of one day is sufficient.)

Eligibility of a covered veteran or spouse to qualify for LVER/DVOP programs and services requires that:

- The veteran had 181 days or more on active duty for other than training purposes. *Or*
- The veteran was released because of a service-connected injury. *Or*
- The veteran was called to active service under the Title 10 authority of the President.[4]

Implementing Priority of Service

Priority of service is to be applied across three different types of qualified job-training programs:[5]

- *Universal access programs* that do not target specific groups. Examples include such programs as WIOA Adult State Formula Funded Grants, and Wagner-Peyser State Formula Funded Grants. Veterans and eligible spouses receive the first level of priority in universal-access programs.
- *Discretionary targeting programs* that focus on certain groups but are not mandated to serve target group members before other eligible individuals. Examples include National Dislocated Worker Grants (NDWG), Offender Reentry Grants, Community Based Job Training Grants, Office of Disability Employment Program Grants, and Women's Bureau Grants.
- *Statutory targeting programs* that are mandated by federal law to provide priority or preference to certain groups. Examples include Senior Community Service Employment Program, WIOA

[2] Pub. Law 113-128, Section 3(63)(A) [29 U.S.C. 3102(63)(A)].
[3] 20 CFR 1010.300.
[4] 10 U.S.C. 12406 (federalization of the National Guard).
[5] 20 CFR 1010.310.

Dislocated Worker Formula Funded Grants, WIOA Youth Formula Funded Grants, National Farm Worker Job Training Grants (NFJP), Indian and Native American (INA) Program Grants and Job Corps. Under these programs, priority goes first to:

1. Covered persons who meet the program's mandatory priorities; *then*
2. Non-covered persons who meet the program's mandatory priorities; *and finally*
3. Covered persons outside the program's mandatory priorities.

State and local program operators do not have the discretion to establish further priorities within the overall priority established by the regulations. For instance, a disabled veteran does not take priority over a non-disabled veteran; a veteran with an honorable discharge does not take priority over a bad-conduct discharge. Priority of service does *not* permit establishing tiers of veterans.

For those programs that have income guidelines, the Final Rule for WIOA implementation states that,

> *"…any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. This applies when determining if a person is a "low-income individual" for eligibility purposes (for example, in the WIOA youth, or NFJP programs). Also, it applies when income is used as a factor when a local area provides priority of service for "low-income individuals" with Title I WIOA funds… A veteran must still meet each program's eligibility criteria to receive services under the respective employment and training program."* [6]

Under the regulations, DWD, recipients, and subrecipients implement priority of service. This means that funding recipients must include priority of service for veterans and its associated data-collection and reporting requirements in all requests, awards, subgrants, subcontracts, local plans, and MOU's.

For a service such as classroom training, priority of service applies to the selection procedure, as follows:

- If there is a waiting list for the formation of a training class, priority of service is intended to require a veteran or eligible spouse to go to the top of that list.
- 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 a non-covered person has been both approved for funding *and* accepted/enrolled in a training class, priority of service does *not* allow a veteran or eligible spouse identified as a covered individual after that point in time to "bump" the already-enrolled non-covered person from that training class.

Responsibilities of States and Localities

The State of Missouri has policy in its strategic State Plan[7] for the delivery of priority of service by the State Workforce Agencies, Local Workforce Development Boards (Local WDBs), and Missouri Job Centers for all qualified job-training programs delivered through the State's workforce system. Local WDBs must develop and include, in their strategic Local Plans, policies for service delivery by local Missouri Job Centers and for service delivery by local workforce education and training providers.

Local WDBs must implement policies to ensure that covered persons are aware of the following:

- Their entitlement to priority of service; *and*
- The full array of programs and services available to them; *and*
- Any applicable eligibility requirements for those programs and/or services

[6] 20 CFR 683.230 "Are there special rules that apply to veterans when income is a factor in eligibility determinations?"
[7] *Workforce Innovation and Opportunity Act Missouri Combined State Plan, 2016.* https://jobs.mo.gov/sites/jobs/files/mo_wioa_state_plan_10-2016.pdf

Priority-of-service requirements apply to all DOL employment and training service-delivery programs. All recipients of DOL funding must ensure that all subrecipients apply priority of service. All program activities, including those obtained through requests for proposals, solicitations for grant awards, subgrants, contracts, subcontracts, and (where feasible) memoranda of understanding or other service provision agreements, issued or executed by qualified job-training program operators, must be administered in compliance with priority of service.

Written copies of local priority-of-service policies must be maintained at all service-delivery points. Job Center signage should be displayed prominently to make veterans and eligible spouses (and non-covered customers as well) aware that the priority exists. Signage should encourage customers to identify themselves to staff if they believe they are covered persons.

Priority does not apply to comprehensive Job Centers only. Program operators are required to ensure that priority of service is applied throughout their respective service-delivery systems, including affiliate sites and any other service-delivery point maintained by a subrecipient. Program operators must monitor local service-delivery operations to ensure that policies and procedures comply with the priority-of-service requirements.

Proof of Status

Verification of the status of a veteran, or eligible spouse, will not be required at the point of entry, unless the individual who self-identifies as a veteran or eligible spouse:

a) Is to immediately undergo eligibility determination and be registered or enrolled in a program; *and*
b) The applicable federal program rules require verification of veteran or eligible spouse status at that time.

Even in those instances in which eligibility determination and enrollment occur at the point of entry, a veteran or eligible spouse should be enrolled and provided immediate priority and then be permitted to follow-up subsequently with any required verification of his or her status as a veteran or eligible spouse.[8]

For programs or services that cannot rely on self-attestation (e.g., classroom training), verification only needs to occur at the point at which a decision is made to commit outside resources to one individual over another. The commitment of the resource of program-staff effort does not require verification of status by a veteran or eligible spouse. If a veteran or eligible spouse self-identifies, program staff can proceed to enroll the individual and to deliver appropriate individualized career services until the veteran or eligible spouse can corroborate his or her status.

[8] U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009, and Preamble to Final Rule for 20 CFR Part 1010, 73 FR 78137.

Attachment B:

20 CFR 680.600 and 680.610, Subpart E,

Priority and Special Populations

A few commenters cautioned against using a definition of basic skills deficient that considered how the individual's skill set would allow them to "function on the job." These commenters reasoned that such a definition could create a loophole that might diminish the priority of service requirement by permitting services to otherwise non-low- income individuals who simply lack some skill needed to do a specific job. A few commenters recommended that the methodology for determining basic skills deficiency should be identified in State or local policy, rather than in regulation or Department policy.

Department Response: The term "basic skills deficient" is defined in WIOA sec 3(5). States and Local WDBs have flexibility in determining when an individual meets this definition.

Comments: A commenter stated that proposed paragraphs (a) and (c) of § 680.600 included inconsistent language when describing individuals who are basic skills deficient, one paragraph using the term "basic skills deficient" and the other using the term "individuals without basic work skills." The commenter asserted that consistent terminology is important.

Department Response: The Department agrees with these comments and has modified the regulatory text to incorporate this suggestion.

Implementation of Priority of Service Requirements

Comments: Several commenters requested guidance on the implementation of the priority of service requirements. A few commenters stated that guidance should include an explanation of how States and localities will be monitored to ensure that an appropriate process or protocol is established and details on what the protocols should include. Because the priority groups could be seen as a threat to successful performance tracking, one commenter stated that reporting and incentives should be put into place to ensure these participants are actually served and supported.

Several commenters provided additional input on how to implement the priority of service requirements, including the following recommendations, building on the Department's use of veterans' priority of service, utilizing technical assistance and best practices, developing performance metrics and benchmarks, and coordination with immigration and refugee organizations and State Refugee Coordinators.

A few commenters described how U.S. Census data could be used to implement or verify the priority of service requirements. To verify that the priority of service has been properly implemented, two commenters recommended that the Department require that State and local planning efforts utilize the most current Census and administrative data available to develop estimates of each priority service population in their planning efforts and update these data year to year. Additionally, these commenters recommended that this data be used in Federal reviews of State Plans to ensure that system designs and projected investments are equitably targeted to service priority populations. The commenters also stated that this data should be used to benchmark system performance in actual implementation of the priority of service from year to year.

Department Response: The Department will provide further guidance to clarify how priority of service should be implemented and monitored.

Section 680.610 Does the statutory priority for use of adult funds also apply to dislocated worker funds?

Comments: A commenter sought clarification as to whether the same priority given to adult funds applied to dislocated worker funds that were transferred to the adult program.

Department Response: The Department considers funds transferred from the dislocated worker program to the adult program to be adult program funds and fall under the priority requirements of the adult program. Likewise, any transfer of funds from the adult program to the dislocated worker program will fall under the requirements of the dislocated worker program.

Comments: Commenting that older workers are more likely to show up in the dislocated worker program than in the adult program, one commenter recommended that priorities and protections should be established within the dislocated workers program.

Department Response: There is no priority in the dislocated worker program, other than veteran's priority of service. Participants must meet the dislocated worker eligibility criteria in order to participate in this program. No changes have been made to the regulatory text in response to the comments.

Section 680.620 How does the Temporary Assistance for Needy Families program relate to the one-stop delivery system?

Comments: A commenter suggested that the statement in the NPRM introduction to subpart E that the "Department strongly encourages close cooperation" between WIOA-funded programs and other Federal and State sources of assistance for job seekers does not convey the strength needed to have full coordination between WIOA-funded programs and the TANF program. This commenter recommended changing the wording to "mandates close coordination with funding tied to coordinated partnerships."

One commenter recommended that the Department seek out opportunities for increased alignment between WIOA common performance indicators and TANF. This commenter stated that one challenge is that TANF programs are not measured by the same accountability measures as the other core WIOA programs.

Department Response: WIOA delegated the authority to Governors and Local WDBs, to decide how closely to align and coordinate their plans with WIOA programs and other sources of public assistance like TANF. The Department encourages strong partnership and close alignment with TANF at the State and local level.

Comments: A commenter requested clarification on whether TANF funding had to be used, rather than WIOA funds, if available, and how TANF organizations should document that TANF funds are not available.

Department Response: Under § 680.230(b) and WIOA sec. 134(c)(3)(B), one-stop centers are required to consider the availability of other sources of grants to pay for training costs, which includes TANF funds. The Department will provide additional guidance and technical assistance to one-stop centers to answer questions about how to document whether funds from other sources such as TANF are available.

Comments: Several commenters recommended that the Department ensure that Local WDBs or their standing youth committees identify how connections will be made with TANF partners at one-stop centers to ensure policy and programmatic alignment for the young adult population under 25, who may receive a different set of services if they are not served though WIOA title I youth programs. These commenters asserted that WIOA and TANF differ greatly from each other, requiring specific policy and

programmatic alignment by the State and Local WDBs to service TANF recipients in a WIOA program.

Department Response: Coordination between TANF and WIOA services must take place at the State and local level and therefore, States and local areas are responsible for establishing policies and MOUs, and aligning plans wherever they deem to be appropriate to serve participants best. The Department recognizes that there are challenges associated with such planning and coordination and will continue to provide guidance and technical assistance to assist with these processes. No change is made in the regulatory text.

Section 680.630 How does a displaced homemaker qualify for services under title I?

Comments: A commenter expressed support for the inclusion of spouses of members of the Armed Forces on active duty as a displaced homemaker. Two commenters encouraged the Department to urge States to highlight the displaced military spouse homemakers in dissemination of information about services to this population.

Department Response: The Department agrees with the commenters' suggestion and encourages States and Local WDBs to highlight the eligibility for displaced military spouse homemakers in the information they disseminate about this program. No changes have been made to the regulatory text in response to the comments.

Section 680.640 May an individual with a disability whose family does not meet income eligibility criteria under the Workforce Innovation and Opportunity Act be eligible for priority as a low-income adult?

Comments: A few commenters expressed support for the provisions in § 680.640 as proposed. One comment also expressed support for the provisions in proposed § 680.640 to keep a family's income separate from the adult with a disability's income to that services are provided to all individuals who need it and that another eligibility barrier is not created to ensuring access to these services.

One commenter requested clarification on whether the provisions specifying the circumstances under which an individual with a disability may still qualify as a priority low-income adult, even when family income does not meet the low-income eligibility criteria, also apply to persons receiving Social Security Disability Insurance.

Another commenter recommended the Department clearly identify receipt of Social Security disability benefits as a barrier to employment.

Department Response: The circumstances that allow these individuals to qualify still as a low-income adult, regardless of family income, do not apply to persons receiving Social Security Disability Insurance (SSDI). The Department considers WIOA to be very specific about what does count and what does not with regard to income-based eligibility in its definition of "low-income individual" in WIOA sec. 3(36). This definition allows individuals on Supplemental Security Income (SSI) to be considered low-income, but does not consider individuals on SSDI to be considered low-income of the basis of that status alone. Also, SSDI payment cannot be excluded when making income-based eligibility determinations. However, individuals receiving SSDI meets the definition of an individual with a disability, which means the individual meets the criteria of an individual with a barrier to employment under WIOA sec. 3(24) and § 680.320(b). The Department encourages individuals receiving SSDI who are seeking to return to employment to access services through the one-stop delivery system. WIOA is subject to 38 U.S.C. 4213, and therefore military benefits are excluded from income-based eligibility determinations under WIOA.

7. Subpart F—Work-Based Training

Sections 680.700 through 680.850 are regulations for work-based training under WIOA. The regulations apply to (OJT) training, customized training, incumbent worker training, and transitional jobs. The regulations include specific information about general, contract, and employer payment requirements. Work-based training is employer-driven with the goal of unsubsidized employment after participation. Generally, work-based training involves a commitment by an employer or employers to employ successful participants fully after they have completed the program. Registered apprenticeship training is a type of work-based training that can be funded in the adult and dislocated worker programs; additionally pre-apprenticeships may be used to provide work experiences that can help participants obtain the skills needed to be placed into a registered apprenticeship.

Work-based training can be an effective training strategy that can provide additional opportunities for participants and employers in both finding high quality work and in developing a highly skilled workforce. Each of these work-based models can be effectively used to meet a variety of job seeker and employer needs. OJT is primarily designed to first hire the participant and provide them with the knowledge and skills necessary for the full performance of the job. Incumbent worker training is designed to ensure that employees of a company are able to acquire the skills necessary to retain employment and advance within the company or to provide the skills necessary to avert a layoff. Customized training is designed to provide local areas with flexibility to ensure that training meets the unique needs of the job seekers and employers or groups of employers.

Both training providers and employers providing OJT opportunities must be providing the highest quality training to participants. OJT contracts must be continually monitored so that WIOA funds provided through OJT contracts are providing participants the training to retain employment successfully. It is important that OJTs provide participants with relevant skills and opportunities for career advancement and provides employers with a skilled workforce.

Under WIOA, the statute enables a Governor or Local WDB to increase the reimbursement rate for OJT from 50 to 75 percent. This is designed to give States and Local WDBs additional flexibility in developing OJT opportunities that work best with the participating employers and in the local economy.

WIOA also explicitly allows for incumbent worker training at the local level. WIOA introduces incumbent worker training as an allowable type of training for a local area to provide. Incumbent worker training is designed to either assist workers in obtaining the skills necessary to retain employment or to avert layoffs and must increase both a participant's and a company's competitiveness. Local areas may use up to 20 percent of their local adult and dislocated worker funds for incumbent worker training. The Department seeks to ensure that incumbent worker training is targeted to improving the skills and competitiveness of the participant and increasing the competitiveness of the employer. The training should, wherever possible, allow the participant to gain industry-recognized training experience and ultimately should lead to an increase in wages. To receive incumbent worker funding under WIOA, an incumbent worker must have an employer-employee relationship, and an

Attachment C:

Expenditure Rate Policy from Local Plan, 2016-2020

I. TRAINING EXPENDITURE RATE / LOCAL CRITERIA FOR TRAINING RECIPIENTS—*Provide your Board's proposed training expenditure rates for both the Adult and Dislocated Worker regular formula fund allocations. In addition, describe the local process for determining who will receive training under the NGCC initiative.*

Proposed Training Expenditure Rate for new registrants Adult will be 45% and for new registrants Dislocated Workers will be 40% of Total Program Services Allocation.

(Training includes Classroom, On-The-Job Training, Internship and Work Experience)

The KCV WDB FEC operator has enrollment approval process is to screen, assess, and register eligible applicants into FEC programs to increase their success rates, thereby positively impacting WIOA performance standards while providing quality services to customers, as spelled out in ISSUANCE 2001-05, Modification 6. An Enrollment Committee has been established and will be responsible for reviewing all applicant enrollment packets and approving/disapproving the enrollment of customers. This process will be followed for all programs operated by FEC. Following ISSUANCE NO. 2000-17, Mod. 4 Referral to training must follow a needs assessment, and should be in an occupational area wherein demand is sufficient to ensure that clients who successfully complete training will be able to obtain a job.

Enrollment Determination: EP Planning and Development
The development of an Individual Employment Plan (EP) is critical and required for all **NGCC** customers attending any training activity (such as, occupational skills training, on-the-job training, and customized training). The focus of this plan is to ensure that the customer has a plan for successfully completing the training activity and for achieving their job search and employment goals. Further, as customers participate in various training activities and services, their progress in attaining needed skills and in securing employment must be constantly evaluated. As this on-going evaluation occurs, many times a customer will need additional services to further improve their skills and/or to enhance their job placement prospects. When this occurs, the EP must be adjusted to reflect any additional activities and services that are planned.

***Financial Aid Determination*:** Customers attending a training activity (Occupational Skills Training, Job Training or Internship) or in need of supportive services must attend a financial aid session to determine eligibility for funding. Programs for which customers are eligible will be determined at this time.

***Recommendation of Customers for Training Services*:** Prior to receipt of a training service, a documented intensive service must have been received by the client. Sequence of Services—Clarifies that individuals are not required to receive core or intensive services prior to receiving training services. Customers must have already completed the Financial Aid eligibility session; registered in Jobs.mo.gov; completed ONet assessment; completed TABE or required school entrance exam and completed an Employment Plan prior to being enrolled in a training service. The Enrollment

ATTACHMENT 15. Expenditure Rates and Training Criteria Policy (ADLT & DW)

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KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

PRIORITY OF SERVICES AND ACCESS TO ADULT SERVICES POLICY

POLICY NUMBER: 2018-010

EFFECTIVE DATE: 02-08-2018

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Monique Johnston, Director of Program Development/Evaluation, at mjohnston@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board staff.

PURPOSE

The purpose of this Issuance is to establish a priority of service policy for the application of individualized career services and training services to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient, that incorporates Priority of Service for veterans and eligible spouses, when available Adult Employment and Training funds are limited.

BACKGROUND

WIOA requires that Local Workforce Development Boards (WDB) establish policies for individualized career services and training services funded with WIOA Title I Adult funds, assigning priority to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient and any other State or local designees, and describe how Priority of Service for veterans and eligible spouses, as required by Public Law 107-288, will be incorporated into all programs areas. This Issuance uses DWD Issuance No. 10-2016 (Priority of Service for Veterans and Eligible Spouses), WIOA Sect. 134(c)(3)(E), and 20 CFR 680.600 and 680.610 as a basis.

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PRIORITY OF SERVICES AND ACCESS TO ADULT SERVICES POLICY

POLICY NO. 2018-010

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POLICY

I. ADULT EMPLOYMENT AND TRAINING: PRIORITIZATION POLICY

The following describes the criteria to be used to determine the process by which any priority for services will be applied by the Workforce Development Board.

Since funding for adult employment and training activities are limited, the priority for career and training services funded with the Title I WIOA Adult funds is given to individuals receiving public assistance, Temporary Assistance for Needy Families (TANF) recipients, other low-income individuals, individuals who are basic skills deficient, and to individuals who do not qualify for other programs administered by the Workforce Development Board, in accordance to the following criteria:

Up to 40 percent of the WIOA Title I Adult funds may be used to serve those clients who have incomes which do not exceed 200 percent of the Lower Living Standard Income Level. The balance of the funds (60 percent or more) will be expended on adults who are economically disadvantaged – whose incomes are 70 percent of the Lower Living Standard Income Level or 100 percent of the Poverty Level, whichever is lower.

The above indicators will be tracked in the Efforts to Outcomes (ETO) system.

In an effort to serve more individuals and reach a broader spectrum of individuals, in an environment of reduced overall budgets and when funds are limited, the Workforce Development Board has initiating a re-entry policy which states that any paid support, including tuition assistance or other training assistance (such as On-the-Job Training), and Supportive Services, will be limited to a two-year period. This means that once monies have been expended upon a customer for training services, the customer will not receive training monies or Supportive Services for a period of two years. Due to the limited amount of job training funds available, it is necessary to adopt a policy that provides the maximum opportunity to make as many resources available as possible for the maximum number of job seekers.

Although an individual may not receive additional paid support, that individual may receive Basic Services and placement services and other non-monetary workforce services that are available.

Career and Training Services - Distance and Online Learning

Whenever it is determined that Distance and Online Learning is the most practical and/or feasible method of instruction and most cost effective strategy of delivery of occupational skills training, and workshop modules or pre-vocational services, Distance and Online Learning training will be considered when assisting customers with training options, as prescribed in DWD Issuance No. 11-2013, Distance and Online Learning.

When priority of service for veterans is applied in conjunction with recipients of public assistance and other low income individuals, **veterans and their spouses will receive the highest priority** followed by priority for individuals receiving public assistance, TANF recipients, other low-income individuals, and individuals who are basic skills deficient.

II. PRIORITY OF SERVICE POLICY: VETERANS PRIORITY

The following describes how Priority of Service for Veterans and Eligible Spouses will be incorporated into all programs areas.

Veterans' priority of service is a requirement in all programs funded wholly or in part by the U.S. Department of Labor (DOL). Priority is measured in terms of enrollment in affected programs. Referral to the Veteran's Representative, either the Disabled Veterans' Outreach Program (DVOP) and/or Local Veterans' Employment Representative (LVER), does not constitute priority of service. For all programs with statutory requirements, veterans must meet the program eligibility requirements in order to obtain priority of service. If they meet those specific program eligibility requirements, they will receive priority of service.

In the WIOA Adult and Dislocated Workers Program, the current law requires that first priority for career and training services be given to public assistance recipients and low income individuals when adult funds allocated to a local area are limited.

When veteran's priority is applied in conjunction with recipients of public assistance and other low income individuals, veterans and their spouses will receive the highest priority followed by these non-veteran members. This means that in regard to veterans, the priority of services is established as follows: First to be served will be economically disadvantaged and low-income individuals who are also veterans. Among participants who are not public assistance recipients or low income individuals, veterans will receive priority over non-veterans.

Additionally, in those programs, where targeting of groups is a discretionary or optional priority at the local level, veterans' priority takes precedence over those optional or discretionary priorities. Veterans' priority is applied in advance of the opportunities and services provided to the population group covered by the optional priority.

Veterans and their spouses are identified and engaged at the point of entry at the Job Center. Upon identification of an individual as a veteran, such individual will be provided with information regarding any applicable (statutory) eligibility requirements for those programs and/or services.

This includes ensuring that the veteran is aware of:
(1.) Their entitlement to priority of service;
(2.) The full array of employment, training, and placement services available under priority of service; this includes connection to education and training programs, benefits and services, connection to supplemental services, one-on-one assessments, resume reviews, follow-up as appropriate, matching to employer base and matching to specific employers committed to hiring veterans, such as employers participating in the "Show me Heroes" initiative; and
(3.) Any applicable eligibility requirements for those programs and/or services (Reference DWD Issuance No. 10-2016, Priority of Service to Veterans and Eligible Spouses).

The processes for identifying covered persons will not require verification of the status of an individual as a covered person at the point of entry, unless they immediately undergo eligibility determination and enrollment in a program.

Veterans will be notified regarding priority of service by providing printed materials describing all services. They will also be informed of the required priority of service and services available at orientation.

The Missouri Job Center DVOP and LVER will be fully integrated into the Job Centers as detailed by the DVOP/LVER agreement with the Secretary (Veterans State Plan). The role of the DVOP/LVER staff will be to assist veterans with serious barriers to gain employment through intensified direct services such as case management and employer job developments within their separate roles. The DVOP/LVER will not be assigned duties that violate Title 38. The DVOP will share case management for veterans enrolled in WIOA and other programs with the providers of those programs. The DVOP/LVER grant requires compliance with Title 38, Chapters 41 and 42, in that all service delivery points of the grantee will provide veterans priority of service in the provision of all labor exchange services and specifically, when making referrals to job openings and training opportunities.

All Job Center staff, designated veteran and non-veteran Job Center staff, in all programs, have ongoing objectives to invest in partnerships with local organizations serving veterans in order to establish the Job Center's credibility among those organizations serving veterans. This is in order to provide access to and referrals for veterans, especially returning veterans and their families. All Job Center staff, designated veteran and non-veteran Job Center staff, in all programs, are trained to highlight the priority of services to veterans and the value in self attestation of veteran status and to better identify job seekers who are veterans and spouses by proactively asking them about their veteran status at multiple points for priority and dedicated services. All Job Center staff, non-veteran and veteran Job Center staff, in all programs, assist veterans with serious barriers to gain employment through intensified direct services such as case management and employer job developments and provide veterans priority of service in the provision of all services and when making referrals to job openings and training opportunities. Veteran status is recorded in the FEC MIS Department, Efforts to Outcomes (ETO) system, and state case management systems to further identify veterans and veteran spouses.

Job Center Local offices will be monitored to ensure that programs are providing the required priority service to veterans. Whenever necessary, corrective action plans will be developed and appropriate technical assistance provided concerning priority of service to veterans.

III. PRIORITIZATION OF SERVICES AND TYPES OF SERVICES

This section provides guidance for administering the priority of services based on the types of services provided.

A. Basic Services (Staff Assisted)

Basic Services are not self services. Some Basic Services do not require expenditures of training monies or funds for other services to be directly be spent on a customer. These are:
101 Orientation to Missouri Job Center services.
102 Initial Assessment

107 Provision of Labor Market Research
110 Employment Team Transition Meeting Service
114 O*NET
115 Resume Preparation Assistance
118 Outreach and Intake
123 Job Development Contacts (working with Employer and Job Seeker)
124 Received Bonding Assistance
130 Proficiency Testing
132 Required Job Search (RJS) Assessment
133 RJS Job Search Review
134 RJS Labor Market Information (LMI) Career Information
135 RJS Orientation
140 Referred to Other Services
143 SkillUp Learning
144 Testing - Assessment
145 Unemployment Compensation Assistance
148 Workshop-Career & Skills Assessment
149 Workshop-Career Advancement and Enhancement
150 Workshop-Educational and Personal Skills Upgrade
151 Workshop-Job Search
153 Career Readiness 101 Remediation
154 Career Guidance
158 Financial Aid Information
162 Reemployment Services and Eligibility Assessments (RESEA)-Labor Market Information
163 RESEA-Orientation
164 RESEA-Eligibility Review and Work Search Plan Dev
165 RESEA-Individual Employment Plan
166 RESEA-Job Search Assistance
167 RESEA-Referral to Reemployment Services
168 RESEA-Work Search Verification

These Basic Services are not unlimited, however may be provided without specific enrollment by the Enrollment Committee into Training or Individualized Services.

Some Basic Services require specific enrollment by the Enrollment Committee and entail the direct expenditure of monies on a customer. These include:
142 SkillUp Supportive Service, related to Missouri Employment and Training Program (METP)
181 Support Service - Transportation Assistance

For these Basic Services that require enrollment, prioritization will focus on:

- Persons who are military veterans from the United States armed forces,
- For persons seeking training in occupations that are in high demand per the Missouri Economic Research and Information Center (MERIC) data, and
- The availability of funding for services under the approved allocations for programs.

B. Training Level Services and Individualized Services

Many Training Level Services and Individualized Services require enrollment by the Enrollment Committee. Training Level Services and Individualized Services of this type consist of:
205 Development of Employment Plan/Individual Service Strategy
213 Comprehensive Assessment
215 Short Term Pre-Vocational Services
216 Out-of-area Job Search Assistance
217 Support Service - Relocation Assistance
218 Internships
219 Work Experience
220 Financial Literacy
221 Workforce Preparation
222 English Language Acquisition
223 WIOA Pre-Apprenticeship
258 RESEA - Referred to Workshop
300 Occupational Skills Training - Approved Provider, Individual Training Account (ITA)
301 On-The-Job Training (OJT)
302 Entrepreneurial Training
304 Customized Training
305 Show Me Hero - OJT
306 Eligible for Show Me Hero OJT
307 Show Me Hero OJT
314 Apprenticeship
320 Private Sector Training
323 Workplace Training & Cooperative Education
324 Adult Education with Occupational Skills Training -Approved Provider (ITA)
325 Skills Upgrading and Retraining
326 Support Service - Needs Related Payments
328 Occupational Skills Training – Non-Approved Provider (No ITA)
342 Adult Education and Literacy
345 Job Readiness Training
347 Incumbent Worker Training
348 Transitional Jobs
361 SkillUp Training

Training Level Services that require prioritization will focus on:

- Persons who are military veterans from the United States armed forces,
- For persons seeking training in occupations that are in high demand per the Missouri Economic Research and Information Center (MERIC) data,
- The availability of funding for services under the approved allocations for programs,
- Persons who meet the income requirements or other requirements of the respective program.

IV. TRAINING EXPENDITURE RATE / LOCAL CRITERIA FOR TRAINING RECIPIENTS

Per the Local Plan, the Proposed Training Expenditure Rate for new registrants into the WIOA Adult program will be at least 45% of Total Program Services Allocation. The Proposed Training Expenditure Rate for new WIOA Dislocated Worker registrants will be at least 40% of Total Program Services Allocation.

Attachment A:

Division of Workforce Development Issuance No. 10-2016,

Priority of Services for Veterans and Eligible Spouses

Missouri Division of Workforce Development
DWD Issuance 10-2016

Issued: February 01, 2017
Effective: February 01, 2017

Subject: **Priority of Service for Veterans and Eligible Spouses**

1. Purpose: This Issuance updates legal and regulatory amendments and procedures regarding providing priority of service for veterans and their eligible spouses who are customers of Missouri Job Centers.

2. Background: The Jobs for Veterans Act (JVA) of 2002,[1] as amended by the VOW to Hire Heroes Act of 2011,[2] creates a priority of service requirement for all qualified DOL job-training programs. "Qualified job training programs" are defined by the law as:

> *"any workforce preparation, development, or delivery program or service that is directly funded, in whole or in part, by the Department of Labor and includes the following:*
> *(A) Any such program or service that uses technology to assist individuals to access workforce-development programs (such as job and training opportunities, labor-market information, career-assessment tools, and related support services).*
> *(B) Any such program or service under the public employment service system, one-stop career centers, the Workforce Investment Act of 1998 [3], a demonstration or other temporary program, and those programs implemented by States or local service providers based on Federal block grants administered by the Department of Labor.*
> *(C) Any such program or service that is a workforce-development program targeted to specific groups."*

The law defines "priority of service":

> *"...with respect to any qualified job-training program, that a covered person shall be given priority over nonveterans for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provision of law. Such priority includes giving access to such services to a covered person before a non-covered person or, if resources are limited, giving access to such services to a covered person instead of a non-covered person."* [4]

A "covered person" is a *veteran* or the eligible *spouse* of a veteran.

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[1] Pub. Law 107-288 [38 U.S.C. 4215].
[2] Pub. Law 112-56, Section 239, November 21, 2011 [38 U.S.C. 4215].
[3] The Workforce Investment Act of 1998 (WIA), Pub. Law 105-220, Aug. 7, 1998, was repealed and superseded by the Workforce Innovation and Opportunity Act (WIOA), Pub. Law 113-128 [29 U.S.C. 3101 et seq.], July 22, 2014.
[4] 38 U.S.C. 4215(a)(3).

A "veteran" is a person who served [at least one day] in the active military, naval, or air service, and who was discharged or released under any condition other than "dishonorable."[5] "Active service" includes full-time service in the National Guard or a Reserve component, other than full-time duty for training purposes.

A "covered person" is also the *spouse, widow,* or *widower* of:[6]

- Any veteran who died of a service-connected disability.
- A member of the U.S. Armed Forces on active duty who at the time of the spouse's application has been listed for more than 90 days as:
  - missing in action; or
  - 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.
- Any living veteran who has a total (100%) disability rating resulting from a service-connected disability.
- Any veteran who died while a total disability was in existence.

This Issuance updates nomenclature, regulatory, guidance, and contacts changes that have occurred since the preceding Issuance in January 2009.

3. Substance: *Attachment 1* is a statement of current federal guidance that serves as an implementation plan for applying priority of service for veterans and eligible spouses in Missouri Job Center operations and service delivery.

4. Action: Effective this date, all staff within Missouri Job Centers must be in full compliance with procedures provided in *Attachment 1*.

5. Contact: Direct questions or comments regarding thisIssuance to the DWD Veterans Services Coordinator, at (573) 526-9762, or shams.chughtai@ded.mo.gov.

6. References: Jobs for Veterans Act (JVA) of 2002, Pub. Law 107-288 [38 U.S.C. 4215], as amended.

VOW to Hire Heroes Act of 2011, Pub. Law 112-56, Section 239, November 21, 2011 [38 U.S.C. 4215].

U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009.

20 CFR Part 1010, "Application of priority of service for covered persons."

7. Rescissions: This issuance supersedes and replaces DWD Issuance 09-2008, "Priority of Service to Veterans," dated January 20, 2009.

[5] 38 U.S.C. 101(2).

[6] 38 U.S.C. 4215; 20 CFR 1010.110; and U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009.

8. Attachments: (1) Veterans Priority of Service Plan

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Amy J. Sublett

Amy Sublett
Acting Director
Missouri Division of Workforce Development

DWD Issuance 10-2016
Attachment 1

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Veterans Priority of Service Plan

Priority of Service Defined

Priority of Service is the right of eligible, *covered* persons to take precedence over eligible, *non-covered* persons in obtaining services funded, in whole or in part, by the U.S. Department of Labor (DOL). This priority means:

- The covered person receives access to the service or resource *earlier* in time than the non-covered person; *or*
- If the service or resource is *limited*, the covered person receives access to the service or resource *instead of, or before*, the non-covered person.

Priority of Service does not change the *eligibility requirements* or the *intended function* of a program or service. To receive priority for a program or service, covered persons still must meet all statutory eligibility and program requirements for participation.

Terminology

- *Covered person(s)* — *Veteran(s)* and *eligible spouse(s)*, as defined by statute *(see below)*.
- *Eligible spouse(s)* — An *eligible spouse* is defined at 38 U.S.C. 4215 as the *spouse, widow,* or *widower*:[1]
  - Of any veteran who died of a service-connected disability (as evaluated by the Department of Veterans Affairs); *or*
  - Of a member of the U.S. Armed Forces on active duty who at the time of the spouse's application has been listed for more than 90 days as:
    - Missing in action; *or*
    - 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

  or
  - Of any living veteran who has a total (100%) disability rating (as evaluated by the Department of Veterans Affairs) resulting from a service-connected disability; *or*
  - Of any veteran who died while a total disability was in existence (as evaluated by the Department of Veterans Affairs)
- *Veteran* — The definition for *veteran*, specified in Title 38 "Veterans' Benefits" at 38 U.S.C. 101(2), applies across all qualified job-training programs for the purpose of priority of service. That definition includes two key criteria:
  - Service in the active military, naval, or air service; *and*
  - Discharge under any condition *other* than dishonorable

[1] Codified at 20 CFR 1010.110, and given as guidance in U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009.

The preceding definition of *veteran* specified at 38 U.S.C. 101(2) is incorporated by reference in Section 3(63)(A) of the Workforce Innovation and Opportunity Act (WIOA)[2] and is codified at 20 CFR 651.10, 20 CFR 652.100, and 20 CFR 1010.110. Under WIOA, a veteran's right to priority of service is also codified at 20 CFR 680.650.

Identifying and Informing Covered Persons

The regulations require all recipients of funds for qualified job-training programs to identify covered persons at the *point of entry*. Point of entry may include reception through a One-Stop Job Center established pursuant to WIOA, as part of an application process for a specific program, or through any other method by which covered persons express an interest in receiving services, either in-person or virtually.[3]

The identification process also must provide the veteran or eligible spouse an opportunity to self-identify (to make their status as a covered person known to staff). The process also must allow qualified job-training programs to initiate data collection for covered entrants.

Once the covered person is identified, the process must provide covered persons with timely and useful information on priority of service at the point of entry. That information includes:

- Their entitlement to priority of service; *and*
- The full array of programs and services available to them under priority of service; *and*
- Any applicable eligibility requirements for those programs and/or services. (Only statutory requirements are applicable.)

Eligibility

Active duty for training, and inactive duty for training relevant to National Guard and Reserve members does *not* fit the definition of "veteran." Full-time National Guard and Reserve duty, other than full-time duty for training purposes, *does* qualify as active duty. For DOL programs, other than the Local Veterans Employment Representative (LVER)/Disabled Veterans Opportunity Program (DVOP) programs, there is no length-of-service requirement for qualification as a "veteran." (That is, active-duty service of one day is sufficient.)

Eligibility of a covered veteran or spouse to qualify for LVER/DVOP programs and services requires that:

- The veteran had 181 days or more on active duty for other than training purposes. *Or*
- The veteran was released because of a service-connected injury. *Or*
- The veteran was called to active service under the Title 10 authority of the President.[4]

Implementing Priority of Service

Priority of service is to be applied across three different types of qualified job-training programs:[5]

- *Universal access programs* that do not target specific groups. Examples include such programs as WIOA Adult State Formula Funded Grants, and Wagner-Peyser State Formula Funded Grants. Veterans and eligible spouses receive the first level of priority in universal-access programs.
- *Discretionary targeting programs* that focus on certain groups but are not mandated to serve target group members before other eligible individuals. Examples include National Dislocated Worker Grants (NDWG), Offender Reentry Grants, Community Based Job Training Grants, Office of Disability Employment Program Grants, and Women's Bureau Grants.
- *Statutory targeting programs* that are mandated by federal law to provide priority or preference to certain groups. Examples include Senior Community Service Employment Program, WIOA

[2] Pub. Law 113-128, Section 3(63)(A) [29 U.S.C. 3102(63)(A)].
[3] 20 CFR 1010.300.
[4] 10 U.S.C. 12406 (federalization of the National Guard).
[5] 20 CFR 1010.310.

Dislocated Worker Formula Funded Grants, WIOA Youth Formula Funded Grants, National Farm Worker Job Training Grants (NFJP), Indian and Native American (INA) Program Grants and Job Corps. Under these programs, priority goes first to:

1. Covered persons who meet the program's mandatory priorities; *then*
2. Non-covered persons who meet the program's mandatory priorities; *and finally*
3. Covered persons outside the program's mandatory priorities.

State and local program operators do not have the discretion to establish further priorities within the overall priority established by the regulations. For instance, a disabled veteran does not take priority over a non-disabled veteran; a veteran with an honorable discharge does not take priority over a bad-conduct discharge. Priority of service does *not* permit establishing tiers of veterans.

For those programs that have income guidelines, the Final Rule for WIOA implementation states that,

> *"…any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. This applies when determining if a person is a "low-income individual" for eligibility purposes (for example, in the WIOA youth, or NFJP programs). Also, it applies when income is used as a factor when a local area provides priority of service for "low-income individuals" with Title I WIOA funds… A veteran must still meet each program's eligibility criteria to receive services under the respective employment and training program."* [6]

Under the regulations, DWD, recipients, and subrecipients implement priority of service. This means that funding recipients must include priority of service for veterans and its associated data-collection and reporting requirements in all requests, awards, subgrants, subcontracts, local plans, and MOU's.

For a service such as classroom training, priority of service applies to the selection procedure, as follows:

- If there is a waiting list for the formation of a training class, priority of service is intended to require a veteran or eligible spouse to go to the top of that list.
- 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 a non-covered person has been both approved for funding *and* accepted/enrolled in a training class, priority of service does *not* allow a veteran or eligible spouse identified as a covered individual after that point in time to "bump" the already-enrolled non-covered person from that training class.

Responsibilities of States and Localities

The State of Missouri has policy in its strategic State Plan[7] for the delivery of priority of service by the State Workforce Agencies, Local Workforce Development Boards (Local WDBs), and Missouri Job Centers for all qualified job-training programs delivered through the State's workforce system. Local WDBs must develop and include, in their strategic Local Plans, policies for service delivery by local Missouri Job Centers and for service delivery by local workforce education and training providers.

Local WDBs must implement policies to ensure that covered persons are aware of the following:

- Their entitlement to priority of service; *and*
- The full array of programs and services available to them; *and*
- Any applicable eligibility requirements for those programs and/or services

[6] 20 CFR 683.230 "Are there special rules that apply to veterans when income is a factor in eligibility determinations?"
[7] *Workforce Innovation and Opportunity Act Missouri Combined State Plan, 2016.* https://jobs.mo.gov/sites/jobs/files/mo_wioa_state_plan_10-2016.pdf

Priority-of-service requirements apply to all DOL employment and training service-delivery programs. All recipients of DOL funding must ensure that all subrecipients apply priority of service. All program activities, including those obtained through requests for proposals, solicitations for grant awards, subgrants, contracts, subcontracts, and (where feasible) memoranda of understanding or other service provision agreements, issued or executed by qualified job-training program operators, must be administered in compliance with priority of service.

Written copies of local priority-of-service policies must be maintained at all service-delivery points. Job Center signage should be displayed prominently to make veterans and eligible spouses (and non-covered customers as well) aware that the priority exists. Signage should encourage customers to identify themselves to staff if they believe they are covered persons.

Priority does not apply to comprehensive Job Centers only. Program operators are required to ensure that priority of service is applied throughout their respective service-delivery systems, including affiliate sites and any other service-delivery point maintained by a subrecipient. Program operators must monitor local service-delivery operations to ensure that policies and procedures comply with the priority-of-service requirements.

Proof of Status

Verification of the status of a veteran, or eligible spouse, will not be required at the point of entry, unless the individual who self-identifies as a veteran or eligible spouse:

a) Is to immediately undergo eligibility determination and be registered or enrolled in a program; *and*
b) The applicable federal program rules require verification of veteran or eligible spouse status at that time.

Even in those instances in which eligibility determination and enrollment occur at the point of entry, a veteran or eligible spouse should be enrolled and provided immediate priority and then be permitted to follow-up subsequently with any required verification of his or her status as a veteran or eligible spouse.[8]

For programs or services that cannot rely on self-attestation (e.g., classroom training), verification only needs to occur at the point at which a decision is made to commit outside resources to one individual over another. The commitment of the resource of program-staff effort does not require verification of status by a veteran or eligible spouse. If a veteran or eligible spouse self-identifies, program staff can proceed to enroll the individual and to deliver appropriate individualized career services until the veteran or eligible spouse can corroborate his or her status.

[8] U.S. Department of Labor, Employment and Training Administration, Training and Guidance Letter 10-09, "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)," November 10, 2009, and Preamble to Final Rule for 20 CFR Part 1010, 73 FR 78137.

Attachment B:

20 CFR 680.600 and 680.610, Subpart E,

Priority and Special Populations

A few commenters cautioned against using a definition of basic skills deficient that considered how the individual's skill set would allow them to "function on the job." These commenters reasoned that such a definition could create a loophole that might diminish the priority of service requirement by permitting services to otherwise non-low- income individuals who simply lack some skill needed to do a specific job. A few commenters recommended that the methodology for determining basic skills deficiency should be identified in State or local policy, rather than in regulation or Department policy.

Department Response: The term "basic skills deficient" is defined in WIOA sec 3(5). States and Local WDBs have flexibility in determining when an individual meets this definition.

Comments: A commenter stated that proposed paragraphs (a) and (c) of § 680.600 included inconsistent language when describing individuals who are basic skills deficient, one paragraph using the term "basic skills deficient" and the other using the term "individuals without basic work skills." The commenter asserted that consistent terminology is important.

Department Response: The Department agrees with these comments and has modified the regulatory text to incorporate this suggestion.

Implementation of Priority of Service Requirements

Comments: Several commenters requested guidance on the implementation of the priority of service requirements. A few commenters stated that guidance should include an explanation of how States and localities will be monitored to ensure that an appropriate process or protocol is established and details on what the protocols should include. Because the priority groups could be seen as a threat to successful performance tracking, one commenter stated that reporting and incentives should be put into place to ensure these participants are actually served and supported.

Several commenters provided additional input on how to implement the priority of service requirements, including the following recommendations, building on the Department's use of veterans' priority of service, utilizing technical assistance and best practices, developing performance metrics and benchmarks, and coordination with immigration and refugee organizations and State Refugee Coordinators.

A few commenters described how U.S. Census data could be used to implement or verify the priority of service requirements. To verify that the priority of service has been properly implemented, two commenters recommended that the Department require that State and local planning efforts utilize the most current Census and administrative data available to develop estimates of each priority service population in their planning efforts and update these data year to year. Additionally, these commenters recommended that this data be used in Federal reviews of State Plans to ensure that system designs and projected investments are equitably targeted to service priority populations. The commenters also stated that this data should be used to benchmark system performance in actual implementation of the priority of service from year to year.

Department Response: The Department will provide further guidance to clarify how priority of service should be implemented and monitored.

Section 680.610 Does the statutory priority for use of adult funds also apply to dislocated worker funds?

Comments: A commenter sought clarification as to whether the same priority given to adult funds applied to dislocated worker funds that were transferred to the adult program.

Department Response: The Department considers funds transferred from the dislocated worker program to the adult program to be adult program funds and fall under the priority requirements of the adult program. Likewise, any transfer of funds from the adult program to the dislocated worker program will fall under the requirements of the dislocated worker program.

Comments: Commenting that older workers are more likely to show up in the dislocated worker program than in the adult program, one commenter recommended that priorities and protections should be established within the dislocated workers program.

Department Response: There is no priority in the dislocated worker program, other than veteran's priority of service. Participants must meet the dislocated worker eligibility criteria in order to participate in this program. No changes have been made to the regulatory text in response to the comments.

Section 680.620 How does the Temporary Assistance for Needy Families program relate to the one-stop delivery system?

Comments: A commenter suggested that the statement in the NPRM introduction to subpart E that the "Department strongly encourages close cooperation" between WIOA-funded programs and other Federal and State sources of assistance for job seekers does not convey the strength needed to have full coordination between WIOA-funded programs and the TANF program. This commenter recommended changing the wording to "mandates close coordination with funding tied to coordinated partnerships."

One commenter recommended that the Department seek out opportunities for increased alignment between WIOA common performance indicators and TANF. This commenter stated that one challenge is that TANF programs are not measured by the same accountability measures as the other core WIOA programs.

Department Response: WIOA delegated the authority to Governors and Local WDBs, to decide how closely to align and coordinate their plans with WIOA programs and other sources of public assistance like TANF. The Department encourages strong partnership and close alignment with TANF at the State and local level.

Comments: A commenter requested clarification on whether TANF funding had to be used, rather than WIOA funds, if available, and how TANF organizations should document that TANF funds are not available.

Department Response: Under § 680.230(b) and WIOA sec. 134(c)(3)(B), one-stop centers are required to consider the availability of other sources of grants to pay for training costs, which includes TANF funds. The Department will provide additional guidance and technical assistance to one-stop centers to answer questions about how to document whether funds from other sources such as TANF are available.

Comments: Several commenters recommended that the Department ensure that Local WDBs or their standing youth committees identify how connections will be made with TANF partners at one-stop centers to ensure policy and programmatic alignment for the young adult population under 25, who may receive a different set of services if they are not served though WIOA title I youth programs. These commenters asserted that WIOA and TANF differ greatly from each other, requiring specific policy and

programmatic alignment by the State and Local WDBs to service TANF recipients in a WIOA program.

Department Response: Coordination between TANF and WIOA services must take place at the State and local level and therefore, States and local areas are responsible for establishing policies and MOUs, and aligning plans wherever they deem to be appropriate to serve participants best. The Department recognizes that there are challenges associated with such planning and coordination and will continue to provide guidance and technical assistance to assist with these processes. No change is made in the regulatory text.

Section 680.630 How does a displaced homemaker qualify for services under title I?

Comments: A commenter expressed support for the inclusion of spouses of members of the Armed Forces on active duty as a displaced homemaker. Two commenters encouraged the Department to urge States to highlight the displaced military spouse homemakers in dissemination of information about services to this population.

Department Response: The Department agrees with the commenters' suggestion and encourages States and Local WDBs to highlight the eligibility for displaced military spouse homemakers in the information they disseminate about this program. No changes have been made to the regulatory text in response to the comments.

Section 680.640 May an individual with a disability whose family does not meet income eligibility criteria under the Workforce Innovation and Opportunity Act be eligible for priority as a low-income adult?

Comments: A few commenters expressed support for the provisions in § 680.640 as proposed. One comment also expressed support for the provisions in proposed § 680.640 to keep a family's income separate from the adult with a disability's income to that services are provided to all individuals who need it and that another eligibility barrier is not created to ensuring access to these services.

One commenter requested clarification on whether the provisions specifying the circumstances under which an individual with a disability may still qualify as a priority low-income adult, even when family income does not meet the low-income eligibility criteria, also apply to persons receiving Social Security Disability Insurance.

Another commenter recommended the Department clearly identify receipt of Social Security disability benefits as a barrier to employment.

Department Response: The circumstances that allow these individuals to qualify still as a low-income adult, regardless of family income, do not apply to persons receiving Social Security Disability Insurance (SSDI). The Department considers WIOA to be very specific about what does count and what does not with regard to income-based eligibility in its definition of "low-income individual" in WIOA sec. 3(36). This definition allows individuals on Supplemental Security Income (SSI) to be considered low-income, but does not consider individuals on SSDI to be considered low-income of the basis of that status alone. Also, SSDI payment cannot be excluded when making income-based eligibility determinations. However, individuals receiving SSDI meets the definition of an individual with a disability, which means the individual meets the criteria of an individual with a barrier to employment under WIOA sec. 3(24) and § 680.320(b). The Department encourages individuals receiving SSDI who are seeking to return to employment to access services through the one-stop delivery system. WIOA is subject to 38 U.S.C. 4213, and therefore military benefits are excluded from income-based eligibility determinations under WIOA.

7. Subpart F—Work-Based Training

Sections 680.700 through 680.850 are regulations for work-based training under WIOA. The regulations apply to (OJT) training, customized training, incumbent worker training, and transitional jobs. The regulations include specific information about general, contract, and employer payment requirements. Work-based training is employer-driven with the goal of unsubsidized employment after participation. Generally, work-based training involves a commitment by an employer or employers to employ successful participants fully after they have completed the program. Registered apprenticeship training is a type of work-based training that can be funded in the adult and dislocated worker programs; additionally pre-apprenticeships may be used to provide work experiences that can help participants obtain the skills needed to be placed into a registered apprenticeship.

Work-based training can be an effective training strategy that can provide additional opportunities for participants and employers in both finding high quality work and in developing a highly skilled workforce. Each of these work-based models can be effectively used to meet a variety of job seeker and employer needs. OJT is primarily designed to first hire the participant and provide them with the knowledge and skills necessary for the full performance of the job. Incumbent worker training is designed to ensure that employees of a company are able to acquire the skills necessary to retain employment and advance within the company or to provide the skills necessary to avert a layoff. Customized training is designed to provide local areas with flexibility to ensure that training meets the unique needs of the job seekers and employers or groups of employers.

Both training providers and employers providing OJT opportunities must be providing the highest quality training to participants. OJT contracts must be continually monitored so that WIOA funds provided through OJT contracts are providing participants the training to retain employment successfully. It is important that OJTs provide participants with relevant skills and opportunities for career advancement and provides employers with a skilled workforce.

Under WIOA, the statute enables a Governor or Local WDB to increase the reimbursement rate for OJT from 50 to 75 percent. This is designed to give States and Local WDBs additional flexibility in developing OJT opportunities that work best with the participating employers and in the local economy.

WIOA also explicitly allows for incumbent worker training at the local level. WIOA introduces incumbent worker training as an allowable type of training for a local area to provide. Incumbent worker training is designed to either assist workers in obtaining the skills necessary to retain employment or to avert layoffs and must increase both a participant's and a company's competitiveness. Local areas may use up to 20 percent of their local adult and dislocated worker funds for incumbent worker training. The Department seeks to ensure that incumbent worker training is targeted to improving the skills and competitiveness of the participant and increasing the competitiveness of the employer. The training should, wherever possible, allow the participant to gain industry-recognized training experience and ultimately should lead to an increase in wages. To receive incumbent worker funding under WIOA, an incumbent worker must have an employer-employee relationship, and an

Attachment C:

Expenditure Rate Policy from Local Plan, 2016-2020

I. TRAINING EXPENDITURE RATE / LOCAL CRITERIA FOR TRAINING RECIPIENTS—*Provide your Board's proposed training expenditure rates for both the Adult and Dislocated Worker regular formula fund allocations. In addition, describe the local process for determining who will receive training under the NGCC initiative.*

Proposed Training Expenditure Rate for new registrants Adult will be 45% and for new registrants Dislocated Workers will be 40% of Total Program Services Allocation.

(Training includes Classroom, On-The-Job Training, Internship and Work Experience)

The KCV WDB FEC operator has enrollment approval process is to screen, assess, and register eligible applicants into FEC programs to increase their success rates, thereby positively impacting WIOA performance standards while providing quality services to customers, as spelled out in ISSUANCE 2001-05, Modification 6. An Enrollment Committee has been established and will be responsible for reviewing all applicant enrollment packets and approving/disapproving the enrollment of customers. This process will be followed for all programs operated by FEC. Following ISSUANCE NO. 2000-17, Mod. 4 Referral to training must follow a needs assessment, and should be in an occupational area wherein demand is sufficient to ensure that clients who successfully complete training will be able to obtain a job.

Enrollment Determination: EP Planning and Development
The development of an Individual Employment Plan (EP) is critical and required for all **NGCC** customers attending any training activity (such as, occupational skills training, on-the-job training, and customized training). The focus of this plan is to ensure that the customer has a plan for successfully completing the training activity and for achieving their job search and employment goals. Further, as customers participate in various training activities and services, their progress in attaining needed skills and in securing employment must be constantly evaluated. As this on-going evaluation occurs, many times a customer will need additional services to further improve their skills and/or to enhance their job placement prospects. When this occurs, the EP must be adjusted to reflect any additional activities and services that are planned.

***Financial Aid Determination*:** Customers attending a training activity (Occupational Skills Training, Job Training or Internship) or in need of supportive services must attend a financial aid session to determine eligibility for funding. Programs for which customers are eligible will be determined at this time.

***Recommendation of Customers for Training Services*:** Prior to receipt of a training service, a documented intensive service must have been received by the client. Sequence of Services—Clarifies that individuals are not required to receive core or intensive services prior to receiving training services. Customers must have already completed the Financial Aid eligibility session; registered in Jobs.mo.gov; completed ONet assessment; completed TABE or required school entrance exam and completed an Employment Plan prior to being enrolled in a training service. The Enrollment

ATTACHMENT 16. Youth Barriers Eligibility Policy – OSY ISY additional assistance barrier

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KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

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The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Opportunity and Innovation Act (WIOA) Policy

WORKFORCE INNOVATION AND OPPORTUNITY (WIOA) YOUTH ELIGIBILITY POLICY

POLICY NUMBER: 2017-006, Modification 1

EFFECTIVE DATE: 09-13-2017
MODIFICATION DATE: 5-2-2019

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Administrative Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this issuance is to provide technical assistance eligibility and documentation requirements for the WIOA Adult and Dislocated Worker programs. This issuance is based on Missouri Division of Workforce Development Issuance No. 09-2018 and TEGL No. 11-11, Change 2, Selective Services. To be eligible for services under WIOA, youth must meet specific criteria based upon income and other characteristics. This Issuance pertains to eligibility determination only, not if the customer is appropriate or approved for services.

This Issuance replaces Issuance No. 2017-006, WIOA Youth Eligibility and Documentation Policy. Changes in the Missouri Division of Workforce Development Issuance upon which this is based, Issuance No. 09-2018, Workforce Innovation and Opportunity Act Adult and Dislocated orker Programs Eligibility and Documentation Technical Assistance Guideline, reflects changes in federal policy, as outlined in Training and Employment Guidance Letter (TEGL) No. 7-18. These changes pertain to data validation.

WIOA YOUTH ELIGIBILITY AND DOCUMENTATION POLICY

POLICY NUMBER: 2017-006, Modification 1

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Attachment A: Missouri Division of Workforce Development Issuance No. 09-2018, Workforce Innovation and Opportunity Act Youth Programs Eligibility and Documentation Technical Assistance Guideline

Attachment B: Training and Employment Guidance Letter No. 11-11, Change 2, Selective Service Registration Requirements for Employment and Training Administration Funded Programs

POLICY

Youth Program participants must meet general eligibility requirements, including economic eligibility requirements (low income), and possess a barrier. The attached Technical Guidance Assistance Guide outlines requirements for eligibility as established by the State of Missouri.

Youth eligibility is predicated upon age, income, barriers, and the geographical region in which the youth resides. These are detailed in the Missouri Division of Workforce Development Technical Assistance Guide.

Additionally, the Kansas City and Vicinity Workforce Development Board has locally defined barriers, as allowed for by law, as follows:

Barriers for an individual that needs additional assistance include:

Individual who needs additional assistance to enter or complete an educational program or to secure or hold employment, as defined by the Kansas City and Vicinity Workforce Development Board, includes:

(1.) Little or no successful work experience;
(2.) Unemployed and has been involved in a long and unsuccessful work search for more than six months;
(3.) Little if any exposure to successfully employed adults;
(4.) Has been fired from a job in the last six (6) months;
(5.) Has below average grades;
(6.) Previously dropped out of an educational program;
(7.) Is placed at least one grade level behind given age;
(8.) Significant personal or family problems;
(9.) Limited English proficiency;
(10.) Limited access to reliable transportation, i.e. public transportation is beyond one walkable mile from residence;
(11.) Is an individual who is a first generation college student;
(12.) Is a child of an incarcerated parent.

No more than five percent (5%) of the In-School Youth may be made eligible under the Needs Additional Assistance barrier.

Attachment A:

Missouri Division of Workforce Development Issuance No. 09-2018,

Workforce Innovation and Opportunity Act Youth Programs
Eligibility and Documentation Technical Assistance Guideline

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Missouri Division of

DWD Issuance 09-2018

(Release Number—Program Year)

Release Date: March 19, 2019
Effective Date: March 19, 2019
Expiration Date: Continuous, until further notice

SUBJECT:

Workforce Innovation & Opportunity Act Youth Program Eligibility and Documentation Technical Assistance Guidance

ATTACHMENTS: None. (The referenced guidelines are available as a separate download adjacent to where this Issuance is posted on jobs.mo.gov. They may be periodically updated. Always check for the most current version.)

This Issuance is Official Policy of the Missouri Division of Workforce Development

ISSUING AUTHORITY:

Mardy Leathers
Director
Missouri Division of Workforce Development

THIS ISSUANCE DOES NOT REQUIRE CREATION OR ALTERATION OF A CORRESPONDING LOCAL POLICY

KEYWORDS:

Youth; Eligibility; Technical Assistance Guide (TAG); Workforce Innovation and Opportunity Act (WIOA).

THIS ISSUANCE AFFECTS:

Missouri One-Stop Delivery System (MJCs/AJCs)
WIOA Title I Performance/Accountability
WIOA Title I One-Stop Delivery/Service Providers
WIOA Youth Employment/Training
WIOA Fiscal/Administrative Procedures
State of Missouri Workforce System Procedures

FOR THE ATTENTION OF:

DWD State Professional Staff
One-Stop frontline staff
Local Fiscal Agents
Local WDB Directors
One-Stop Operators
One-Stop Functional Leaders
Service Providers
Local Equal Opportunity Officers
Local Quality Assurance Monitors
Local JVSG Veterans Reps
Local Trade Act Reps

RESCISSIONS:

DWD Issuance 05-2017, "Workforce Innovation and Opportunity Act Youth Program Eligibility and Documentation Technical Assistance Guidance Policy," September 13, 2017.

REFERENCES:

WIOA Section 129 [29 U.S.C. 3164]
20 CFR Part 681.

SUMMARY:

This Issuance transmits the Technical Assistance eligibility and documentation requirements of the Division of Workforce Development (DWD) for the WIOA[1] Youth Program. It includes source documentation requirements and information on Measurable Skill Gains, Credential Attainment, and minor language changes. This Issuance supersedes and rescinds previous guidance on this subject.[2]

[1] Pub. L. 113-128 [29 U.S.C. 3101 et seq.].
[2] DWD Issuance 05-2017, "Workforce Innovation and Opportunity Act Youth Program Eligibility and Documentation Technical Assistance Guidance Policy," September 13, 2017, *herein rescinded.*

BACKGROUND:

WIOA requires determinations of whether youths are eligible to participate in activities under Title I.[3] The implementing rules at 20 CFR Part 681 establish general eligibility criteria, and periodic guidance from the U.S. Department of Labor (DOL) updates and refines the definitions of valid data and documentation. The most recent guidance[4] of this type has prompted the need for this updated Issuance.

SUBSTANCE:

DWD's *Technical Assistance Guide (TAG): Youth Program Eligibility*, including a table of Eligibility and Data Validation Documentation Requirements, is posted in the ATTACHMENTS/FAQ column adjacent to this Issuance on jobs.mo.gov. It provides technical assistance and program guidance to assist workforce system personnel in making determinations for program eligibility, maintaining acceptable documentation and aligning with WIOA and State regulations, policies, and procedures. The WIOA Title I Adult and Dislocated Worker programs are addressed in a separate Issuance and TAG. Both TAGs will be updated as circumstances require or federal guidance changes.

The *Eligibility and Documentation Requirements Table* lists required data elements, program eligibility criteria and requirements, and the sources of documentation approved by the DOL's Employment and Training Administration and DWD. The sections of the Table include General Eligibility and Other Required Data Elements.

ROLES, RESPONSIBILITES, and REQUIRED ACTIONS:

All Local Workforce Development Board Directors, Functional Leaders, and Supervisors should immediately inform frontline workforce system staff of the rules in the referenced online document.

All frontline workforce system staff handling enrollments and posting services to the state electronic case-management system (MoJobs) should immediately apply these rules as described to determining eligibility for basic services, and individualized career services, and training.

TIMELINE:

All Missouri Workforce System Staff — Implementation.....**March 19, 2019**

INQUIRIES:

Please direct all questions or comments regarding this Issuance document to dwdpolicy@ded.mo.gov. All active DWD Issuances are available at jobs.mo.gov/dwdissuances. Expired/rescinded Issuances are available on request.

For information about Missouri Division of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627).

Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.

[3] WIOA sec. 129(a)(1) [29 U.S.C. 3164(a)(1)].

[4] U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) No. 07-18, "Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA)," December 19, 2018.

Youth Program Eligibility and Documentation

Technical Assistance Guide

Missouri Division of Workforce Development
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Jefferson City, MO 65101
Quality Assurance Unit: 573-522-3015

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February 2019

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ALTERNATE FORMS OF DOCUMENTATION

Case Note requirements:

WIOA eligibility criteria may, if no other forms of documentation are available **AND** it is an approved source documentation requirement (see table), be verified by entering detailed case notes into DWD's statewide electronic case-management system with the following information:

- Date of contact
- Person/Agency contacted including name, address, and contact number
- Eligibility items that were verified

Information recorded must be adequate to enable a monitor or auditor to trace back to the agency providing the information or the document used.

Applicant Statement requirements:

After review of the eligibility criteria along with possible ways to document the criteria, it was found that much of the documentation was readily available through a number of agencies or resources. Although, in some cases, definitive documentation is required, e.g., eligibility to work (I-9 requirements under IRCA) and Selective Service registration or exemption for males.

This TAG allows for limited use of Applicant Statements to document those items which, in some cases, are not verifiable or which may cause undue hardship for individuals to obtain. An Applicant Statement may be used only in the cases described below and only after all practicable attempts to secure documentation have failed, and those attempts have been documented. The following requirements must be met:

- The authorized Applicant Statement form (see page 7) must be used
- The corroborative contact or reliable witness must sign the statement attesting to the accuracy of the statement.

Additional requirements:

To use the Applicant Statement as documentation, the following requirements must be adhered to:

1. The DWD WIOA Applicant Statement form, or facsimile, or other form containing all of the same required information must be used.

2. A corroborative contact or witness must be included on the Applicant Statement form. The corroboration is acknowledged via witness signature. In those rare instances when an applicant cannot obtain a satisfactory witness or provide a telephone contact, the applicant needs to explain why such corroboration is not possible.
3. Use of the Applicant Statement is limited to the following instances:
   A) Family Size - when birth certificates or federal IRS Forms 1040 are not available
   B) Individual Status - Persons ordinarily included in the definition of family, but claiming to be no longer dependent, must complete an Applicant Statement attesting to their individual status. Such statements should be corroborated by the head of household in which that person resides, if possible. Individual must also show source of his/her support.
   C) Proof of income for individuals who claim no income or undocumented income – Statement must indicate means of support; e.g., unemployment compensation, for previous six month period. Statement should also indicate corroborative witness to verify indicated means of support.

EXAMPLES

Use of the sample Applicant Statement form on the following page is as follows:

If an applicant states that he/she cannot provide evidence that no income was received during the past six months, and that he/she was unemployed for that period, the blank spaces following the words "I certify, under penalty of perjury, that I..." may be completed, for example, as follows: "...have received no income from any source during the past six months, that I have been unemployed during that time, and have been supported by donations/contributions from relatives and friends." This should be corroborated by the person(s) providing the support.

APPLICANT STATEMENT VS SELF ATTESTATION

An Applicant statement must only be used in the three situations described above and must contain a corroborative witness signature. The Applicant Statement is used for those specific eligibility requirements that, in most instances, hard documentation would have been available. Self-Attestation is a signed statement by the applicant attesting to specific data elements that allow for self disclosure. The signed Self-Attestation does not require a corroborative witness signature. **Please refer to the table for the specific source documentation requirements.**

WIOA APPLICANT STATEMENT

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT

I_____

_____

_____

_____

_____

If applicant cannot obtain a satisfactory witness or provide a telephone contact, explain above.

I ATTEST THAT THE INFORMATION STATED ABOVE IS TRUE AND ACCURATE, AND UNDERSTAND THAT THE ABOVE INFORMATION, IF MISREPRESENTED, OR INCOMPLETE, MAY BE GROUNDS FOR IMMEDIATE TERMINATION AND/OR PENALTIES AS SPECIFIED BY LAW.

_____ _____

APPLICANT'S SIGNATURE and DATE CORROBORATING WITNESS SIGNATURE

_____ _____

APPLICANT'S ADDRESS WITNESS' RELATIONSHIP TO APPLICANT

_____

OFFICE USE ONLY

The above applicant statement is being utilized for documentation of the following eligibility criteria:

_____ _____

_____ _____

_____ _____

SIGNATURE and DATE OF CERTIFYING OFFICIAL

_____ ____/____/____

Month Day Year

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I. WIOA YOUTH PARTICIPANT ELIGIBILITY REQUIREMENTS

The Division of Workforce Development and the Local Workforce Development Boards are required to establish and document the eligibility of youth participants served with WIOA funds. Youth Program participants must meet general eligibility requirements and must be documented as having a defined barrier. The attached table provides descriptions of the eligibility criteria and the corresponding source documentation required for eligibility in the WIOA Youth Program.

All eligible youth are classified as either Out-of-School or In-School at the point of registration. An overview of the eligibility criteria for both Out-of-School and In-School Youth programs is as follows:

Out-of-School Youth

An individual is eligible to participate in the Out-of-School Youth program under the following guidelines:

- Not attending any school
  - Attending Title-II funded AEL, Job Corps, YouthBuild activities, high school equivalency programs, or dropout re-engagement programs are not recognized by DOL as schools. Participants in these activities are considered Out-of-School.
  - Exception: Youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs funded by the public K-12 school system that are classified by the school as still enrolled in school are considered In-School Youth (ISY).
- 16-24 years of age
- At least one of these Barriers:
  - A school dropout
  - Supposed to be in school but did not attend the last calendar quarter (Compulsory Attendance)
  - Low Income high school graduate, and is an individual who is basic skills deficient or an English language learner
  - Offender
  - Homeless or a runaway,
  - Foster child, or aged out of foster system
  - Pregnant or parenting
  - Individual with a disability
  - Low Income individual who needs additional assistance to enter or complete an educational program or to secure or hold employment (as defined by the Local Board)

Note: Staff **must** record all barriers for which documentation can be obtained.

In-School Youth

An individual is eligible to participate in the In-School Youth program under the following guidelines:

- Attending any school
- 14-21 years of age
- Low Income
- At least one of these Barriers:
    - Basic skills deficient
    - English language learner
    - Offender
    - Homeless or runaway
    - Foster child, or aged out of foster system
    - Pregnant or parenting
    - Individual with a disability
    - Individual who needs additional assistance to enter or complete an educational program or to secure or hold employment (as defined by the Local Board)

Note: Staff **must** record all barriers for which documentation can be obtained.

WIOA Youth Program Regulations

Consistency with Compulsory Attendance Laws:

- In providing assistance, under this section, to an individual who is required to attend school under applicable State compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.

Special Rule:

- Low Income includes youth living in a high-poverty area.

Exception and Limitation:

- Exception for persons who are not low-income individuals: Up to 5 percent of people in barriers that require low income may be over-income (5% Window). This includes all the In-School barriers and the two Out-of-School barriers that require low income.
- Limitation: No more than 5 percent of the In-School Youth may be made eligible under the Needs Additional Assistance barrier.

Percent of Youth Funding Allocation:

- At least 75 percent of the local area's total youth funding allocation must be used to provide activities to out-of-school youth, and 20 percent must be spent on work experiences.

II. GENERAL ELIGIBILITY CRITERIA FOR THE YOUTH PROGRAM

General eligibility criteria include the following data elements and definitions:

Social Security Number

Staff must request the applicant's Social Security Number.

In instances where the applicant is hesitant to provide the SSN, staff should:

- Explain the State's requirement to maintain confidentiality of their SSN and that the SSN cannot be made public.
- The State must ensure that the SSN is maintained in a secure and confidential manner.
- The States reporting system uses the SSN to match a program participant's record with that individual's quarterly wage record information to assess the impact of the program's services

When an applicant refuses to provide his or her SSN and still requests workforce services: If it is determined, the applicant is eligible to receive the services requiring an SSN, staff will: (1) Create a "pseudo SSN" in the statewide electronic case management system; (2) Proceed with enrollment; and, (3) Provide services.

Additionally, staff should document in case notes their attempts to obtain the SSN.

Participants with a pseudo SSN will be included in the outcomes for the performance measures.

Local Workforce Development Boards (Local WDBs) may use supplemental employment data to document a participant's entry and retention in employment for those participants not covered by wage records or enrolled under a pseudo SSN, under established policy in line with their approved local plans.

Date of Birth

Refer to table for source documentation requirements.

Citizenship/Eligibility to Work in the United States

Refer to table for source documentation requirements.

Equal Opportunity (EO) and Complaint and Grievance Rights Notification

The nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA) prohibit discrimination against applicants, beneficiaries, and

employees on the basis of race, color, national origin, age, disability, sex, religion, and political affiliation or belief, and for beneficiaries only, citizenship or participation in a WIOA financially assisted program or activity.

A copy must be provided of the *Equal Opportunity Notice* and the *Complaint & Grievance Notice* DWD-EO-15 to each employee, applicant, registrant, eligible applicant/registrant, employer, and participant; and retain original signed copies in that individual's file. This applies to WIOA Adult and Dislocated Worker, WIOA Youth, National Dislocated Worker Grant, Trade Adjustment Assistance, and any other program funded and tracked in DWD's statewide electronic case management system.

Selective Service Registration

To be eligible to receive WIOA Title I-funded services, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirements or exceptions, or local areas must determine that the failure to register was not knowing and willful. Complete Selective Service registration requirements and exceptions are found in TEGL 11-11, Change 2, including acceptable documentation to determine registration status and procedures for determining whether failure to register was knowing and willful.

Staff **must** verify registration (for males born after 1959) on the Selective Service website and record the registration number into DWD's statewide electronic case management system. This is considered ideal documentation, and no further documentation is required for this element.

Determining Knowing and Willful Failure to Register:
TEGL 11-11, Change 2 provides local areas with detailed information about requesting a Status Information Letter and the process for determining knowing and willful failure to register. The intent of the TEGL is to provide a framework for local areas to make determinations through a local process where determinations are based on the individual circumstances (e.g. questions, considerations, statements, status information letter) and relevant documentation (i.e. documentation that supports the reason for not registering or further supports the belief that it was not knowing or willful). Because circumstances vary and will need to be considered, there is not an established list of acceptable documentation.

Males 25 Years and Under:
Before being enrolled in WIOA Title I-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website, or provide documentation indicating they are covered by an exception (i.e., serving in the military on full-time active duty or a non-U.S. male on a valid non-immigrant visa).

Males turning 18 during Participation:
Males turning 18 while participating in WIOA Title I-funded services, must complete Selective Service registration no later than 30 days after becoming 18 in order to continue to receive WIOA Title I-funded services. Males between 18 and 25 years of age who refuse to register with the Selective Service must be suspended from WIOA Title I-funded services until registered.

If a youth has failed to provide verification of Selective Service registration within 30 days of his 18th birthday, services must be suspended (i.e. on the 31st day after his 18th birthday). The Workforce Development Board (WDB) must stop providing services to a participant who has not met the Selective Service registration requirement until the requirement is met.

Eligible Veteran Status

Eligibility is based on one of the following three criteria:

- If the individual is a person who served in the active U.S. military, naval, or air service for a period of less than or equal to 180 days, and who was discharged or released from such service under conditions other than dishonorable.

- If the participant served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge; or was discharged or released because of a service connected disability; or as a member of a reserve component under an order to active duty pursuant to section 167(a), (d), or (g), 673 (a) of Title 10, U.S.C., served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge.

- If the participant is: (a) the spouse of any person who died on active duty or of a service connected disability, (b) the spouse of any member of the Armed Forces serving on active duty who at the time of application for assistance is listed in one or more of the following categories and has been so listed for more than 90 days: (i) missing in action; (ii) captured in the line of duty by a hostile force; or (iii) forcibly detained or interned in the line of duty by a foreign government or power; or (c) the spouse of any person who has a total permanent disability resulting from a service connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.

When completing the Veteran's Information screen during the WIOA enrollment in DWD's statewide electronic case management system, staff should only report an individual as having Veteran status if they have reviewed the Veterans Employment and Training Services (VETS) program information contained in the system. This cross match with the VETS database is only valid if there is evidence of a staff-assisted

service delivered by a Disabled Veteran Outreach Program (DVOP) or Local Veterans Employment Representative (LVER).

Individuals with no VETS staff-assisted service, but who can produce documentation of Veteran status (DD-214), should also be reported as having Veteran status and documentation must be retained in the participant's record.

Employment Status at Participation

Determination of the employment status of the participant is required and includes the following definition:

- An individual who is working in a paid, unsubsidized job or working 15 hours or more a week in an unpaid job on a farm or business operated by a family member or participant; or
- If unemployed; documentation of unemployment is required. Staff may document unemployed status in Case Notes in DWD's statewide electronic case management system.

School Status at Participation

Participant is Considered In-School:

- If the participant has not received a secondary school diploma or its recognized equivalent and is attending any secondary school (including elementary, intermediate, junior high school, whether full or part-time), or is between school terms and intends to return to school.
- If the participant has not received a secondary school diploma or its recognized equivalent and is attending an alternative high school or an alternative course of study approved by the local educational agency whether full or part-time.
- If the participant has received a secondary school diploma or its recognized equivalent and is attending a post-secondary school or program (whether full or part- time), or is between school terms and intends to return to school.

Participant is Considered Not Attending School:

- If the participant is no longer attending any school, and has not received a secondary school diploma or its recognized equivalent.
- If the participant is not attending any school and has either graduated from high school or holds a high school equivalency certificate.
- If the participant is attending Title-II funded AEL, Job Corps, or YouthBuild.
- If the participant is attending a high school equivalency program or dropout re-engagement programs.

III. YOUTH LOW-INCOME DETERMINATION

WIOA Definition of Low-Income Individual

In general, the term "low-income individual" means an individual who:

1) Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families program (TANF), the Supplemental Security Income program, or State or local income-based public assistance programs

2) Is in a family with total family income that does not exceed the higher of the two:
- The poverty line, or
- 70 percent of the Lower Living Standard Income Level (LLSIL);

3) Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C 1404e-2(6)), or a homeless child or youth as defined under section 725 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2)00;

4) Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C 1751 et seq.);
- When a school does not use individual eligibility criteria to determine who is eligible for free or reduced price lunch, whole school receipt of free or reduced price lunch cannot be used to determine WIOA low-income status for ISY. In schools where the whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on an individual student's eligibility to receive free or reduced price lunch or on meeting one of the other low-income categories under WIOA.

5) Is a foster child on behalf of whom State or local government payments are made; or

6) Is an individual with a disability whose own income meets the income requirement of clause 2, but who is a member of a family whose income does not meet this requirement.

7) Is a youth who lives in a high poverty area (Census tract, a set of contiguous Census tracts, or county that has a poverty rate of at least 25 percent).

SNAP and TANF Indicators

DWD's statewide electronic case management system communicates with the FSD case management system through an overnight batch process. This process will identify those individuals who are currently receiving or have received SNAP and/or TANF

benefits in the last six months. This indicator may be used to qualify applicants as "low-income" without the need for additional low-income documentation. This automatic indicator is visible to staff. Staff will need to place a printout of the indicator(s) in the file.

The indicator located within MoJobs can be located by selecting the following when assisting an applicant:

My Individual Profiles>>Personal Profile>>General Information>>Staff info>Indicators

If the individual is receiving SNAP and/or TANF, staff will see "SNAP-yes" or "TANF-yes". If staff does not see these indicators, the individual that they are assist does not have automatic proof of low-income, and other documentation will need to be obtained.

Family Size and Income Compared to the Poverty Line or LLSIL

To determine whether an individual is low-income in relation to the poverty line or LLSIL, it is necessary to consider family size and family income.

Determining Family Size:
For these purposes, "family" under WIOA, means two or more individuals 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 married couple, and dependent children;
- A parent or guardian and dependent children; or
- A married couple.

Even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their own income meets the income criteria. The disabled individual would be considered a family of one and only the individual's income would be considered when determining low-income.

Defining Dependent

WIOA does not define dependent. To avoid uncertainty in making eligibility decisions regarding family size and income, please refer to IRS 26 U.S.C.152.
IRS defines "dependent" as a "qualifying child" which includes the following criteria:

- Bears a relationship to the taxpayer (i.e. child of taxpayer, or descendant of such child).
- Has not attained the age of 19 as of the close of the calendar year
- Is a student who has not attained the age of 24 as of the close of such calendar year
- Has not provided over one-half of such individual's own support for the calendar year

If the applicant lives with parent/guardian, but is not a dependent per IRS rules, documentation of non-dependent status must be maintained the participant's record.

Income Eligibility:
In order to determine income eligibility, use the following guidelines for family income, family composition and family size.

A stepchild or stepparent shall be considered to be related by marriage. The income period for the applicant is from six months prior to application to the date of application.

Includable and Excludable Family Income:
Family income calculations ***include*** the following:

- Wages (applicant);
- Wages (mother, father or spouse, dependent child);
- Other wages (siblings or other individuals adding to the family income);
- Other personal or family income including: Net self-employment income, money from rents, alimony, and regular income from insurance policy annuities, union fund strike benefits, workers compensation, private sector disability insurance payments, dividends, interest, periodic receipts from estates or trusts, winnings from contests and/or lotteries and other taxable income;
- Unemployment compensation;
- Child support payments;
- Non-Social Security retirement, disability or death benefits;
- Student grants (non-needs-based);
- Pensions (whether private, civilian government employee, or military); and
- Old Age, Survivors, and Disability Insurance (OASDI), aka Social Security

Family income calculations ***exclude*** the following:

- Veterans payments (education, disability, death);
- Military pay;
- Foster care payments;
- Any cash payments under a Federal, State, or local income-based public assistance program such as Temporary Assistance for Needy Families (TANF), Refugee Cash Assistance (RCA), and Supplemental Aid to the Blind (SAB);
- Loans, Pell Grants and needs-based grants and scholarships;
- Supplemental Security Income (SSI); and
- Any allowances, earnings, or payments funded by WIOA or other DWD or Federally funded programs (e.g., SJL, DRJP, AARP, SCSEP, etc.).

Family Size:
Determine the family size (number) and use the "at or below Poverty Line or 70 percent LLSIL" to calculate the total previous six-month income and then double (times two), and compare it to the income limit for eligibility.

If Self-Attestation is used, the applicant must certify that the information is true and correct. The Parent/Guardian must also sign and date if the applicant is under 18 years of age. The Case Manager must also sign and date the form.

Income Calculation Methods

In calculating the annualized income, staff must determine the average six months gross earnings and then multiply by 2. Staff will then need to compare the applicant's annual income and family size to the poverty line or LLSIL.

When calculating income, local areas should utilize one of the following methods as appropriate:

Note: The following examples are illustrative only and staff should obtain as many pay stubs as possible.

Straight Pay / Salary Method:

To determine the straight pay/salary method, staff must use pay stubs with no variation in the wages for any of the pay stubs submitted from the most recent six months of family income. Based upon the length of the pay period, (weekly, bi-weekly or monthly) the gross income is multiplied by the number of pay periods in a year. The result will be the annualized income used to determine eligibility. For example: Five pay stubs are provided with gross wages of $548.00 each; the pay stubs cover a period of three months, and the pay frequency is bi-weekly. Multiply the gross wages indicated on the pay stub by the frequency occurrence (bi-weekly): 13 X $548 = $7,124 (income for 6 months).

Average Pay Method:

To determine the average pay method, staff must total the gross earnings of all the pay stubs provided and divide the result by the number of pay stubs. The result will be the average gross earnings per pay period. Staff will then determine the pay frequency and multiply the gross average earnings by the number of pay periods in a year. For example: Six pay stubs are submitted which show variations in the gross earnings. (The variations may result from overtime, lost time or work for different employers.) Staff should add the six pay stubs of $534.00, $475.00, $398.00, $534.00, $498.00, and $534.00 = $2,973.00. The pay frequency is weekly. Divide: $2,973 by 6 = $495.50 = average gross earnings. Multiply: $495.50 x 26 = $12,883 (income for 6 months).

Year-to-Date Method:

To determine the year-to-date method, staff must total the gross earnings of recent pay stubs with cumulative year-to-date gross earnings indicated on the pay stub. The cumulative year-to-date gross earnings indicate the gross earnings up to the date of the pay period ending date on the pay stub. To compute the annualized income, the intake worker counts the number of pays that have occurred since January 1, and divides that number into the gross year-to-date earnings indicated on the pay stub. (After this computation, the steps are the same as for the average pay method.) The result of this

computation (average gross income per pay period) is then multiplied by the number of pay periods in a year to determine the annualized gross earnings.
For example: The pay stubs gross year-to-date earnings are $13,756. The pay period ended September 30. The pay frequency is bi-weekly. The number of pays since January 1 is 19. To calculate the gross annualized income divide $13,756 by 19 bi-weekly pays = $724.00 and multiply $724.00 by 13 = $9,412 semi-annual income (based upon bi-weekly pay frequency 13 pays per half year). This amount is then multiplied by 2.

Intermittent Work Method:
When an applicant has not had steady work with one or more employers, she/he should supply as many pay stubs as possible and complete an Applicant Statement explaining all missing pay stubs and non-work periods during the last six months. In such cases, staff should total all wages for the six-month period and multiply the result by two, to annualize the wage income.

No Documented Income:
If the applicant reports no income or undocumented income, she/he should indicate other resources relied upon for support during the last six months on the Applicant Statement. Such resources may include such things as unpaid debts, gifts, loans, unemployment compensation, etc.

IV. YOUTH TRAINING SERVICES

WIOA allows out-of-school Youth to receive training through an Individual Training Account (ITA). If this option is used, the case file must contain a determination of need for training services as determined through the objective assessment (OA) and individual service strategy (ISS) informed by local labor-market information and training-provider performance information. Explanations must include a clear description of the information, such as MERIC or BLS labor-market information, to prove the training chosen by the participant is linked to employment opportunity.

The case file also must contain documentation from the Eligible Training Provider System showing that the program of study was approved on the date the training eligibility determination was made.

The record in DWD's statewide electronic case management system also must contain case notes that meet the following guidelines:

- Record participant's progress toward reaching the Employment Plan (EP) goals;
- Document the need for and the delivery of additional services;
- Document all contacts with the participant; and
- Report any new information pertaining to the participant's employability.

The following payment-related documents must be retained in the case record:

- OJT or Work Experience records.
- Classroom Training records.
- Supportive Services payment records.
- Needs-Related Payments records.
- Records of any other payments made to, or on behalf of, the participant.

V. OTHER REQUIRED DATA ELMENTS

Other Reasons for Exit

The following reasons for exit must be entered into DWD's statewide electronic case management system at the time of exit or during the fourth quarter measurement period following the quarter of exit:

- If the participant exits the program because he or she has become incarcerated in correctional institution or has become a resident of an institution or facility providing 24-hour support such as a hospital or treatment center during the course of receiving services as a participant.
- If the participant exits the program because of medical treatment and that treatment is expected to last longer than 90 days and precludes entry into unsubsidized employment or continued participation in the program.
- If the participant is deceased.
- If the participant exits the program because the participant is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.
- **(Youth participants only)**. If the participant is in the foster care system as defined in 45 CFR 1255.20(a), and exits the program because the participant has moved from the area as part of such a program or system.
- If the participant is a criminal offender in a correction institution under section 225 of WIOA

Type of Recognized Credential and Date Attained

Record the type of recognized diploma, degree, or certificate attained by the participant who received training services. Also, indicate if the participant received training services, but did not attain a recognized diploma, degree, or certificate. Diplomas, degree, or certificates must be attained either during participation or within one year of exit from services (other than follow-up services). Record the type of credential and the date attained in DWD's statewide electronic case management system.

Measurable Skill Gains

Record the most recent date a Measurable Skill Gains (MSG) was received. The types of accepted MSGs are:

- Educational Functioning Level
- Postsecondary Transcript/Report Card
- Secondary Transcript/Report Card
- Training Milestone
- Skills Progression

Staff must appropriately post the MSG into DWD's statewide case management system and must retain documentation in the participant's record.

Date Enrolled During Program Participation in an Education or Training Program Leading to a Recognized Credential or Employment

The date the participant was enrolled during the program participation in an education or training program that leads to a recognized postsecondary credential, including a secondary education program, or training program that leads to employment as defined by the core program in which the participants participates.

VI. SOURCE DOCUMENTATION REQUIREMENTS

Each criterion listed in the attached table must be documented using one document listed under the heading: Source Documentation. The source documentation should be in the form of a copy of the relevant document. These documents must be validated using one of two types of validation: Match or Support. The validation rules are as follows:

- Match: The data on the worksheet must be the same as the data in the source documentation.
- Support: The source documentation must provide evidence that the data on the worksheet is correct.

Types of Source Documentation

Documentation consists of records, certificates, identification cards and other items, which may be photocopied/uploaded and included in the participants' case records. Written statements from governmental, educational, judicial, human services or other appropriate sources may be used to document eligibility. Service providers may also document eligibility through oral contact with the same resources that could provide written statements. In documenting oral contact, the following information should be included in a detailed case note in DWD's statewide electronic case management system: a) date of contact, b) Person/Agency contacted including name, address, and contact number, and c) Eligibility items that were verified.

The primary types of documentation include the following:

- Applicant Statement: (See *Applicant Statement requirements, page 5).*
- State MIS: Refers to specific, detailed information that is stored in DWD's statewide electronic case management system that supports a data element.
- Self-Attestation: It is the state policy to allow self-attestation as a minimum documentation requirement for eligibility criteria unless specific documentation requirements are provided in DOL/ETA guidance. The key elements for self-attestation are:
    - An applicant identifying his or her status for a permitted data element and,
    - Signing and dating a form attesting to this self-identification.
- Case Notes: Refer to statements by staff that identify, at a minimum, the following:
    - A participant's status for a specific data element, the date on which the information was obtained; and
    - The person/agency contacted including name and contact information; and
    - The staff who obtained the information.

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element/ Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Social Security Number (SSN)	Staff must request the Social Security number In instances where the applicant is hesitant to provide the SSN, staff should: • Explain the State's requirement to maintain confidentiality of their SSN and that the SSN cannot be made public. • The State must ensure that the SSN is maintained in a secure and confidential manner. • The State's reporting system uses the SSN to match a program applicant's record with that individual's quarterly wage record information to assess the impact of the program's services. When an applicant refuses to provide his or her SSN and still requests workforce services: If it is determined the customer is eligible to receive the services requiring an SSN, staff will: (1) Create a "pseudo SSN"; (2) Proceed with enrollment; and, (3) Provide services. Additionally, staff should document their attempts to obtain the SSN in the participant's record. Participants with a pseudo SSN will be included in the outcomes for the performance measures. Local Boards may use supplemental data to document a participant's entry and retention in employment for those participants not covered by wage records or enrolled under a pseudo SSN.	**Source Documentation (Must display Social Security Number)** • DD-214 • Employment Records • Social Service Agency Records • Public Assistance Records • Social Security Benefits • Social Security Card • W-2 Form • Proof of UI eligibility

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Date of Birth	<u>Out-of-School Youth:</u> Program Eligibility: Applicants must be age 16–24 at the time of participation for the Out-of-School Youth program. <u>In-School Youth:</u> Program Eligibility: Applicants must be age 14–21 at the time of participation to qualify for the In-School Youth program. **Both In-School and Out-of-School Youth must show proof of Date of Birth.**	**Source Documentation (Must display Date of Birth)** • Driver's License/Non-Driver license (current or expired) • Federal-, State-, or Locally issued Government ID Card • Birth Certificate • DD-214, Report of Transfer or Discharge papers • Passport • Public Assistance Records/ Social Service Records • Work Permit • School Records/Identification Card • Hospital Record of Birth • Proof of UI eligibility <u>Validation Type</u>: Match

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Citizenship/Eligible to Work in the United States	Citizenship/Alien Status documentation is required for General Eligibility. Participation in programs and activities financially assisted in whole or in part under WIOA shall be open to citizens and nationals of the U.S., lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other individuals authorized by the Attorney General to work in the U.S.	• DD-214 • Alien Registration Card/Work Permit • Birth Certificate • Food Stamp Records • Foreign Passport (stamped eligible to work) • I-9 Supporting Documentation • Hospital Record of Birth • Naturalization Certification • Public Assistance Records • U.S. Passport • Proof of UI eligibility Validation Type: Match

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Equal Opportunity (EO) and Complaint and Grievance Rights Notification	All employees, former employees, customers, non-customers or employers must be made aware of their equal opportunity rights and responsibilities, as well as their complaint and grievance rights under the Workforce Innovation and Opportunity Act. In order to ensure equal opportunity for customers within the Workforce System, the Missouri Division of Workforce Development (DWD) and all of its sub-recipients must provide initial and continuing notice that they do not discriminate on any prohibited grounds, and that there is a process to resolve any complaints or grievances.	Job Center staff must provide a copy of the *Equal Opportunity Notice*, and the *Complaint & Grievance Notice* DWD-EO-15 to each employee, applicant, registrant, eligible applicant/registrant, and participant; and retain original signed copies in the participant's record.

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Selective Service Registration	Selective Service registration documentation is required for General Eligibility.	Staff must verify registration: • Selective Service website and record the registration number in DWD's statewide electronic case management system. • If the registration number is not found, follow the guidance on page 11-12. **Reference:** • U. S. Selective Service Verification website: www.sss.gov Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Eligible Veteran Status:	Eligibility is based on one of the following three criteria: **1.** If the individual is a person who served in the active U.S. military, naval, or air service for a period of less than or equal to 180 days, and who was discharged or released from such service under conditions other than dishonorable. **2.** If the applicant served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge; or was discharged or released because of a service connected disability; or as a member of a reserve component under an order to active duty pursuant to section 167(a), (d), or (g), 673 (a) of Title 10, U.S.C., served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge. **3.** If the applicant is: (a) the spouse of any person who died on active duty or of a service connected disability, (b) the spouse of any member of the Armed Forces serving on active duty who at the time of application for assistance is listed in one or more of the following categories and has been so listed for more than 90 days: (i) missing in action; (ii) captured in the line of duty by a hostile force; or (iii) forcibly detained or interned in the line of duty by a foreign government or power; or (c) the spouse of any person who has a total permanent disability resulting from a service connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.	Eligible Veteran status is a required data element to be recorded in DWD's statewide electronic case management system. • DD-214 • Cross-Match with Veterans Data • Letter from the Veterans Administration Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Employment Status at Participation:	An individual who is working in a paid, unsubsidized job or working 15 hours or more a week in an unpaid job on a farm or business operated by a family member or participant; or If unemployed; documentation of unemployment is required. Staff may document unemployed status in Case Notes in DWD's statewide electronic case management system.	Employment status at participation is a required data element. • Pay stub • Case Notes recording the information collected from applicant to show either employed or unemployed. • Signed Intake form or signed WIOA Application (self-attestation) Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
School Status at Participation	Applicant is considered In-School: • If the applicant has not received a secondary school diploma or its recognized equivalent and is attending any secondary school (including elementary, intermediate, junior high school, whether full or part-time), or is between school terms and intends to return to school. • If the applicant has not received a secondary school diploma or its recognized equivalent and is attending an alternative high school or an alternative course of study approved by the local educational agency whether full or part-time. • If the applicant has received a secondary school diploma or its recognized equivalent and is attending a post-secondary school or program (whether full or part- time), or is between school terms and intends to return to school. Applicant is considered Not Attending School: • If the applicant is no longer attending any school and has not received a secondary school diploma or its recognized equivalent. • If the applicant is not attending any school and has either graduated from high school or holds a GED. • If the applicant is attending Title II-funded AEL, Job Corps, or YouthBuild activities. • Participating in high school equivalency, or dropout re-engagement programs	Applicable records from education institution: • GED certificate, diploma, attendance record, transcripts, drop out letter, or school documentation. • Signed Intake form or signed WIOA Application (self- attestation) Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section I: General Eligibility Criteria for Youth Program		
Data Element / Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Date of Program Entry **PIRL Element: 900**	Date on which an individual became a participant as referenced in 20 CFR 677.150 satisfying applicable programmatic requirements for the provision of services. For Youth program participation the following services must be provided: • Objective Assessment **and**; • Individual Service Strategy **and**; • One of the allowable 14 program services	One of the following: • Individual Employment Plan • Electronic Records • Signed intake form (eligibility determination or program enrollment form) or signed WIOA Application Validation Type: Match

Eligibility and Date Validation Documentation Requirements Section II: Youth Program Eligibility -Out-Of-School Youth		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Out-of-School Youth	**Out-of-School Youth:** ***All eligible youth are classified as either Out-of-School or In-School, at the point of registration*** An individual is eligible to participate in the Out-of-School Youth program under the following guidelines: Not Attending Any School or is attending Title-II funded AEL, Job Corps, YouthBuild activities, high school equivalency programs, or drop re-engagement programs; 16–24 Years of Age; and One of These Barriers: • A School Dropout • Supposed to be in school but did not attend the last calendar quarter (Compulsory Attendance) • Low Income High School Graduate who is Basic Skills Deficient or an English language learner • Subject to the Juvenile or Adult justice system • Homeless or Runaway defined by the 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434 A (2) • Foster Child, or Aged Out of Foster System as defined by Section 477 of the Social Security Act • Pregnant or Parenting • Individual with a Disability • Low Income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (as defined by the Local Board) **See the following pages for Barriers**	**Not Attending Any School:** • Applicable records from education institution: GED certificate, diploma, attendance record, transcripts, drop out letter, or school documentation. • Signed Intake form or signed WIOA Application • Self- attestation **16–24 Years of Age:** • Driver's License (current or expired) • Federal-, State-, or Locally issued Government ID Card • Birth Certificate • DD-214, Report of Transfer or Discharge papers • Passport • Public Assistance Records/ Social Service Records • Work Permit • School Records/Identification Card if date of birth is included.

Section II: Youth Program Eligibility — Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: A School Dropout WIOA youth programs may consider a youth to be a dropout for purposes of WIOA youth program eligibility regardless of attendance in AEL, YouthBuild, or Job Corps.	• Applicable records from education institution: • Attendance records, transcripts, dropout letter, or school documentation. • Signed Intake form or signed WIOA Application (self-attestation) Validation Type: Support

Section II: Youth Program Eligibility — Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Supposed to Be in School But Did Not Attend the Last Calendar Quarter (Compulsory Attendance) Consistency with Compulsory Attendance Laws: In providing assistance under this section to an individual who is required to attend school under applicable State compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.	**Source Documentation** • Applicable records from education institution: • Attendance records, transcripts, dropout letter, or school documentation. • Signed Intake form or signed WIOA Application (self-attestation) Validation Type: Support

Section II: Youth Program Eligibility — Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Low Income High School Graduate Who is Basic Skills Deficient or English Language Learner Basic Skills Deficient is defined as an individual (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. English Language Learner is defined as an Individual who has limited ability in reading, writing, speaking, or comprehending the English language, and (A) whose native language is a language other than English; or (B) who lives in a family or community environment where a language other than English is the dominant language. See Section IV for LOW INCOME DETERMINATION	• Standardized assessment test • School records • Other documentation, approved by DWD, of the applicant's inability to function on the job, in the individual's family, or in society (e.g., WorkKeys Bronze level or lower) • Documentation of English Language Learner status Validation Type: Support

Section II: Youth Program Eligibility – Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Offender If the applicant is a person who either: • Is or has been subject to any stage of the criminal justice process and for whom services under this Act may be beneficial; or • Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.	• Documentation from juvenile or adult criminal justice system • Documented phone call with court or probation representatives • Signed Intake form or signed WIOA Application (self-attestation) Validation Type: Support

Section II: Youth Program Eligibility – Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Homeless or Runaway If the applicant is an individual aged 16 to 24 who meets the criteria defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 16-24 who meets the criteria defined in sec. 752(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2)) or a runaway. Homeless is defined as an individual **who 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; or • is using a primary nighttime residence is a public or private place not designed for a regular sleeping accommodation for human beings; or • is living in cars, parks, public spaces, abandoned buildings, substandard housings, bus or train stations, or similar settings. For additional guidance see http://nche.ed.gov	**Source Documentation** • Written statement from an individual providing residence, shelter or social service agency • Signed Intake form or signed WIOA Application (self-attestation) Validation Type: Support

Section II: Youth Program Eligibility – Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Foster Child, or Aged Out of Foster System The applicant is an individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardian ship or adoption, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.	• Court Documentation • Social Service Agency • Verification of Payments Validation Type: Support

Section II: Youth Program Eligibility — Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Pregnant or Parenting If the applicant is a person who is either under 25 years of age and who is pregnant, or an individual (male or female) who is providing custodial care for one or more dependents under 18. Males do not qualify for this barrier until the birth of the child.	• Copy of child's birth certificate • Self-attestation Validation Type: Support

Section II: Youth Program Eligibility – Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Individual with a Disability The term "individual with a disability" means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).	• Applicant Statement**(see specific requirements on pg 5-Individual status)** • Drug or Alcohol Rehabilitation Agency • Medical Card listing disability • Medical Records listing disability • School Records listing disability • Sheltered Workshop Certification • Social Service Agency Rrecords listing disability • Social Security Disability Benefits • Vocational Rehabilitation Letter • Workers Compensation Records Validation Type: Support

Section II: Youth Program Eligibility – Out-Of-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Low Income Individual Who Requires Additional Assistance to Enter or Complete an Educational Program or to Secure or Hold Employment This barrier should only be used as a last resort. Do not list it if the youth has an additional qualifying barrier. If the applicant is a person who is between the ages of 14 and 24, and requires additional assistance to complete an educational program, or to secure and hold employment **as defined by Local Workforce Development Board policy approved by the State.**	• Individual service strategy • Case notes • Signed Intake form or signed WIOA Application (self-attestation) • Other documentation that reasonably supports the defined barrier in the LWDB's Local Plan Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth OVERVIEW		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
In-School Youth:	**In-School Youth:** ***All eligible youth are classified as either Out-of-School or In-School, at the point of registration.*** An individual is eligible to participate in the In-School Youth program under the following guidelines: Attending Any School; 14–21 Years of Age; Low Income; and One of These Barriers: • Basic Skills Deficient • English Language Learner • Offender • Homeless or Runaway as defined by 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434 A (2) • Foster Child, or Aged Out of Foster System as defined by Section 477 of the Social Security Act • Pregnant or Parenting • Individual with a Disability • Individual who requires additional assistance to enter or complete an educational program or to secure or hold employment (as defined by the Local Board) **See the following pages for Barriers**	**Attending Any School** • Applicable records from education institution: GED certificate, diploma, attendance record, transcripts, drop out letter, or school documentation. • Signed Intake form or signed WIOA Application (self- attestation) **14–21 Years of Age:** • Driver's License (current or expired) • Federal-, State-, or Locally issued Government ID Card • Birth Certificate • DD-214, Report of Transfer or Discharge papers • Passport • Public Assistance Records/ Social Service Records • Work Permit • School Records/Identification Card if date of birth is included **See Section IV for Low Income Determination**

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Basic Skills Deficient Basic Skills Deficient is defined as in individual (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.	• Standardized assessment test • School records • Other documentation, approved by DWD, of the applicant's inability to function on the job, in the individual's family, or in society Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: English Language Learner English Language Learner is defined as an Individual who has limited ability in reading, writing, speaking, or comprehending the English language, and (A) whose native language is a language other than English; or (B) who lives in a family or community environment where a language other than English is the dominant language.	• Standardized assessment test • School records • Documentation of English Language Learner status Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Offender If the applicant is a person who either: ○ Is or has been subject to any stage of the criminal justice process and for whom services under this Act may be beneficial; or • Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.	• Documentation from juvenile or adult criminal justice system ○ Documented phone call with court or probation representatives • Signed Intake form or signed WIOA Application (self-attestation) Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**Source Documentation Requirements**
Barrier: Homeless or Runaway If the applicant is an individual aged 16 to 24 who meets the criteria defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth aged 16-24 who meets the criteria defined in sec. 752(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2)) or a runaway Homeless is defined as an individual **who 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; or • is using a primary nighttime residence is a public or private place not designed for a regular sleeping accommodation for human beings; or • is living in cars, parks, public spaces, abandoned buildings, substandard housings, bus or train stations, or similar settings. For additional guidance see: http://nche.ed.gov	**Homeless Individual and/or Runaway Youth:** • Written statement from an individual providing residence, shelter or social service agency • Signed Intake form or WIOA Application (self-attestation) Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**WIOA Program Eligibility**
Barrier: Foster Child, or Aged Out of Foster System The applicant is an individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardian ship or adoption, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.	• Court Documentation • Social Service Agency • Verification of Payments Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**WIOA Program Eligibility**
Barrier: Pregnant or Parenting If the applicant is a person who is either under 22 years of age or who is pregnant, or an individual (male or female) who is providing custodial care for one or more dependents under 18. Males do not qualify for this barrier until the birth of the child	• Copy of child's birth certificate • Self-attestation Validation Type: Support

Section III: Youth Program Eligibility – In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**WIOA Program Eligibility**
Barrier: Individual with a Disability The term "individual with a disability" means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).	• Applicant Statement **(see specific requirements on pg 5- Individual status)** • Drug or Alcohol Rehabilitation Agency • Medical Card listing disability • Medical Records listing disability • School Records listing disability • Sheltered Workshop Certification • Social Service Agency Records listing disability • Social Security Disability Benefits • Vocational Rehabilitation Letter • Workers Compensation Records

Section III: Youth Program Eligibility — In-School Youth BARRIERS	
Data Element / Eligibility Criteria	**WIOA Program Eligibility**
Barrier: Individual Who Requires Additional Assistance to Enter or Complete an Educational Program or to Secure or Hold Employment If the applicant is an individual who requires additional assistance to enter or complete an educational program or to secure or hold employment **as defined by local Workforce Development Board policy approved by the State.** Only 5% of In-School Youth may be determined eligible through this barrier, so this barrier should only be used as a last resort. Do not list it if the youth has another qualifying barrier.	• Individual service strategy • Case/Service notes • Signed Intake form or signed WIOA Application (self-attestation) • Other documentation that reasonably supports the defined barrier in the LWDB's Local Plan Validation Type: Support

Section IV: Youth Program Eligibility LOW INCOME DETERMINATION		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Low Income:	Determined when an individual received an income or is a member of a family that received an income for the six-month period prior to application for the program that in relation to family size does not exceed the higher of • the poverty line or • 70 percent of the lower living standard income. "Family" under WIOA means two or more individuals 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 married couple, and dependent children; • A parent or guardian and dependent children; or • A married couple.	• Alimony Agreement • Applicant Statement **(see specific requirements on pg 5)** • Award letter from veteran's administration • Compensation award letter • Court award letter • Pension statement • Employer statement/contact, • Family or business financial records • Housing authority verification • Pay stubs • Public Assistance Records 1. State MIS Indicator for TANF 2. State MIS Indicator for SNAP • Quarterly estimated tax for self-employed persons • Social Security benefits • UI documents <u>Validation Type</u>: Support

Section IV: Youth Program Eligibility LOW INCOME DETERMINATION		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Low Income, *continued*: **Temporary Assistance to Needy Families**	If the applicant is a person who is listed on the TANF grant or has received cash assistance or other support services from the TANF agency in the last six months prior to participation in the program.	**Temporary Assistance to Needy Families** • Public assistance records. • Documentation from Missouri Department of Social Services' Missouri Benefits Center website • DWD statewide electronic case management system indicator for TANF (printout) Validation Type: Support
Other Public Assistance Recipient: SNAP, and Refugee Cash Assistance	If the applicant is a person who is receiving or has received cash assistance or other support services from one of the following sources in the last six months prior to the application to the program: (State/local government), Refugee Cash Assistance (RCA), or Supplemental Nutrition Assistance Program (SNAP). Do not include foster child payments.	**Other Public Assistance Recipient: SNAP, and Refugee Cash Assistance** • Public Assistance Records • Missouri Department of Social Services' Missouri Benefits Center website • DWD statewide electronic case management system indicator for SNAP (printout) Validation Type: Support

Section IV: Youth Program Eligibility LOW INCOME DETERMINATION		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Low Income, *continued*:		
Homeless:	Homeless as defined by the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434 a (2)	**Homeless:** • Applicant Statement • Food Stamp Agency • Statement from Shelter
Free or Reduced School Lunch:	An applicant who is receiving a free school lunch or a school lunch at a reduced cost. When a school does not use individual eligibility criteria to determine who is eligible for free or reduced price lunch, whole school receipt of free or reduced price lunch cannot be used to determine WIOA low-income status for ISY. In schools where the whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on an individual student's eligibility to receive free or reduced price lunch or on meeting one of the other low-income categories under WIOA.	**Free or Reduced School Lunch:** • School records • Case note indicating information obtained from school Verification of attending a school which has declared all students eligible for free lunch through the Community Eligibility Provision

Section IV: Youth Program Eligibility LOW INCOME DETERMINATION		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Low Income, *continued*:		
Foster Child:	The applicant is a foster child on behalf of whom state and local government payments are made.	**Foster Child:** • Court Documentation • Social Service Agency • Verification of Payments Validation Type: Support
Youth in High Poverty Area:	Is a youth who lives in a high poverty area (Census tract, a set of contiguous Census tracts, or county that has a poverty rate of at least 25 percent).	**Youth in High Poverty Area:** • Proof that home address is part of a high-poverty area. Validation Type: Support

Section IV: Youth Program Eligibility LOW INCOME DETERMINATION		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Low Income, *continued*: **Individual with a Disability:**	The term "individual with a disability" means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102). Even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their own income meets low income criteria. The disabled individual would be considered a family of one and only the individual's income would be considered when determining low-income. Or, Is a person with a disability whose own income meets the income criteria, but is a member of a family whose income does not meet the established criteria.	• Applicant Statement (**see specific requirements on pg 5)** • Drug or Alcohol Rehabilitation Agency • Medical Card listing disability • Medical Records listing disability • School Records listing disability • Sheltered Workshop Certification • Social Service Agency Records listing disability • Social Security Disability Benefits • Vocational Rehabilitation Letter • Workers Compensation Records Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Other Reasons for Exit:	At the time of exit or during fourth quarter measurement period following the quarter of exit: 1. If the participant is residing in an institution or facility providing 24-hour support such as a prison or hospital and is expected to remain in that institution for at least 90 days. 2. If the participant is receiving medical treatment that precludes entry into unsubsidized employment or continued participation in the program. Does not include temporary conditions expected to last for less than 90 days. 3. If the participant was found to be deceased. 4. If the participant is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days. 5. If the participant is in the foster care system or any other mandated residential program and has moved from the area as part of such a program or system **(exclusion for youth participants only).**	• Information from partner services MIS systems • Information from institution or facility • Applicant statement **(see specific requirements on pg 5)** • Case notes • Obituary • Military records Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Type of Recognized Credential **PIRL Element: 1800**	Type of recognized diploma, degree, or credential consisting of an industry-recognized certificate or certification, a certificate of completion of a Registered Apprenticeship, a license recognized by the State or Federal Government, or an associate or baccalaureate degree attained by the participant who received education or training services. Diplomas, degrees, licenses or certificates must be attained either during participation or within one year of exit. This data element applies to both the Credential Rate indicator and the Measurable Skills Gain indicator for all programs.	• Copy of credential (e.g., certificates, diplomas, license) • Transcripts/School Records • Follow-up survey from program participant • Case Notes documenting information obtained from education or training provider. Validation Rule: Match

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
School Status at Exit:	• In School: High School or Less • In School: Alternative School • In School: Post High School • Not Attending: High School Dropout • Not Attending: High School Graduate	**School Status at Exit:** • Transcripts • Certificates • Diploma • Letter or documentation from school system • Case notes Validation Type: Support
Youth Placement Information **2ND Quarter PIRL Element: 1900** **4th Quarter PIRL Element: 1901**	• Entered Occupation Skills Training (including advanced training) • Entered Postsecondary Education • Entered Secondary Education	**Youth Placement Information:** • Cross-match with other agencies • Copy of enrollment record • File documentation with accompanying Case Notes • School Records • Transcript/Report Card • Vendor/Training provided training documentation Validation Type: Support

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element / Eligibility Criteria	**WIOA Program Eligibility**	**Source Documentation Requirements**
Date Attained Recognized Credential **PIRL Element:** **1801**	Record the date on which the participant attained a recognized credential. In cases where schools only list the month and year on the certificate, it is acceptable proof of Date Attained.	• Copy of credential (certificates, diplomas, license) • Transcripts/School Rrecords • Follow-up survey from program participant • Case Notes documenting information obtained from education or training provider. Validation Rule: Match
Date of Most Recent Measurable Skill Gains: Educational Functioning Level (EFL) **PIRL Element: 1806**	Record the most recent date the participant who received instruction below the postsecondary education level achieved at least one EFL. EFL gain may be documented in one of three ways: • Comparing pre-test to post-test • Completion of secondary school credits • Participants who exit the program and enroll in postsecondary education or training during the program year.	• Pre and post test results measuring EFL gain • Adult High School transcript showing EFL gain through the awarding of credits. • Postsecondary education or training enrollment determined through data match, survey documentation, or case notes. Validation Type: Match

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element/ Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Date of Most Recent Measurable Skill Gains: Postsecondary Transcript/Report Card **PIRL Element: 1807**	The most recent date of the participant's transcript or report card for postsecondary education who complete a minimum of 12 hours per semester, or for part-time students a total of at least 12 credit hours over the course of two completed consecutive semesters during the program year, that shows a participant is meeting the State unit's academic standards.	• Transcript • Report Card Validation Type: Match
Date of Most Recent Measurable Skill Gains: Secondary Transcript/Report Card **PIRL Element: 1808**	Record the most recent date of the participant's transcript or report card for secondary education for one semester showing that the participant is meeting the State unit's academic standards.	• Transcript • Report Card Validation Type: Match

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element/ Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Date of Most Recent Measurable Skill Gains: Training Milestone **PIRL Element: 1809**	The most recent date the participant had a satisfactory or better progress report towards established milestones form an employer/training provider who is providing training (e.g., completion of on-the-job training (OJT), completion of one year of registered apprenticeship program, etc.).	• Contract and/or evaluation from employer or training provider (e.g., mid and end-point OJT monitoring, progress reports from RA identified milestones, etc.) Validation Type: Match
Date of Most Recent Measurable Skill Gains: Skills Progression **PIRL Element: 1810**	The most recent date the participant successfully passed an exam that is required for a particular occupation, or progress in attaining technical or occupation skills as evidenced by trade-related benchmarks such as knowledge-based.	• Results of knowledge-based exam or certification of completion • Documentation demonstrating progress in attaining technical or occupational skills • Documentation from training provider or employer • Copy of a credential that is required for a particular occupation and only is earned after the passage of an exam. Validation Type: Match

Eligibility and Data Validation Documentation Requirements Section V: OTHER REQUIRED DATA ELEMENTS		
Data Element/ Eligibility Criteria	**WIOA Program and Eligibility Requirements**	**Source Documentation Requirements**
Date Enrolled During Program Participation in an Education or Training Program Leading to a Recognized Credential or Employment **PIRL Element: 1811**	The date the participant was enrolled during the program participation in an education or training program that leads to a recognized postsecondary credential, including a secondary education program, or training program that leads to employment as defined by the core program in which the participants participates. If the participant was enrolled in postsecondary education at program entry, the date in this field should be the date of Program Entry. This includes, but is not limited to, participation in Job Corps or Youthbuild or Adult Education or secondary education programs. This data element applies to the MSG indicator, and specifically will be utilized to calculate the denominator. It encompasses all education and training program enrollment.	• Copy of enrollment record • File documentation with accompanying Case Note • School Records • Transcript/Report Card Validation Type: Match

Attachment B:

Training and Employment Guidance Letter No. 11-11, Change 2,

Selective Service Registration Requirements for Employment and Training Administration Funded Programs

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIA
	CORRESPONDENCE SYMBOL OWI/DWASWS
	DATE May 16, 2012

ADVISORY: **TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 11-11, CHANGE 2**

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE AND LOCAL WORKFORCE INVESTMENT BOARD DIRECTORS
COMPREHENSIVE AND AFFILIATE ONE-STOP CAREER CENTER DIRECTORS
JOB CORPS CONTRACTORS
INDIAN AND NATIVE AMERICAN WORKFORCE INVESTMENT ACT SECTION 166 GRANTEES
NATIONAL FARMWORKER JOBS PROGRAM GRANTEES
DISCRETIONARY GRANTEES

FROM: JANE OATES
Assistant Secretary

SUBJECT: Selective Service Registration Requirements for Employment and Training Administration Funded Programs

1. **Purpose**. This Training and Employment Guidance Letter (TEGL) 11-11, Change 2 clarifies the implementation of the Selective Service registration requirements of the Workforce Investment Act (WIA) of 1998 § 189(h), codified at 20 CFR 667.250, and the Military Selective Service Act (50 U.S.C. App. 453), codified at 32 CFR Part 1605. **This guidance clarifies that grantees, subgrantees, or contractors funded or authorized by Title I of WIA must set a policy for potential participants who are males 26 years old or older that failed to register with the Selective Service. The policy may either (1) request a Status Information Letter from a potential participant before making a determination of knowing and willful failure to register; or (2) initiate the process to determine if the potential participant's failure to register was knowing and willful without the first requesting a Status Information Letter** (see Section 4. *Ensuring Selective Service Compliance in the Public Workforce System*). This clarification replaces and supersedes prior guidance issued.

2. **Applicable Programs and Services**. All programs and services established or receiving assistance under Title I of WIA must comply with Selective Service registration requirements. These requirements apply to both formula and discretionary grants awarded by

RESCISSIONS None	EXPIRATION DATE Continuing

the Employment and Training Administration under WIA. Any grantee with questions regarding the applicability of these requirements should contact their Federal Project Officer.

3. **Selective Service Registration Requirements**. Men born on or after January 1, 1960 are required to register with Selective Service within 30 days of their 18th birthday (i.e. 30 days before or 30 days after their birthday.) This includes males who are:
   - Citizens of the U.S.;
   - Non-citizens, including illegal aliens, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. before their 26th birthday; and/or
   - Dual nationals of the U.S. and another country regardless of whether they live in the U.S.

   For U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:
   - Men who are serving in the military on full-time active duty;
   - Men attending the service academies;
   - Disabled men who are continually confined to a residence, hospital or institution; and/or
   - Men who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, they must register within 30 days after being released if they have not yet reached their 26th birthday.

   For non-U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:
   - Non-U.S. male who came into this country for the first time after his 26th birthday. Acceptable forms of supporting documentation include:
     1. Date of entry stamp in his passport;
     2. I-94 with date of entry stamp on it; or
     3. Letter from the U.S. Citizenship and Immigration Services (USCIS) indicating the date the man entered the United States presented in conjunction with documentation establishing the individual's age.
   - Non-U.S. male who entered the U.S. illegally after his 26th birthday. He must provide proof that he was not living in the U.S. from age 18 through 25.
   - Non-U.S. male on a valid non-immigrant visa.

   This list is not intended to be exhaustive. Please visit the Selective Service website for more information about the registration requirements at www.sss.gov. The Selective Service System also provides a quick reference chart showing who must register located at http://www.sss.gov/PDFs/WhoMustRegisterChart.pdf.

4. **Ensuring Selective Service Compliance in the Public Workforce System**. In order to participate in a program established by or receiving assistance under Title I of WIA, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirement. Acceptable documentation to determine a person's Selective Service registration status include:

- Selective Service Acknowledgement letter;
- Form DD-214 "Report of Separation";
- Screen printout of the Selective Service Verification site: www.sss.gov/RegVer/wfVerification.aspx. For males who have already registered, this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and date of birth;
- Selective Service Registration Card;
- Selective Service Verification Form (Form 3A); and/or
- Stamped Post Office Receipt of Registration.

Registration Requirements for Males Under 26

Before being enrolled in WIA Title I-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a male turns 18 while participating in any applicable services, registration with Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIA Title I-funded services. If a man under the age of 26 refuses to register with the Selective Service, WIA Title I-funded services must be suspended until he registers.

Registration Requirements for Males 26 Years and Over

Before enrolling in WIA Title I-funded services, all males, 26 years of age or older, must provide (1) documentation of compliance with the Selective Service registration requirement; (2) documentation showing they were not required to register; or (3) if they were required to but did not register, documentation establishing that their failure to register was not knowing and willful.

The grantee, subgrantee, or contractor that enrolls individuals in WIA Title I-funded activities may require that males 26 years and over, who failed to comply with the Selective Service registration requirement, request a Status Information Letter before making a determination that the failure to register was knowing and willful. Alternatively, an entity may initiate its process to determine if the failure to register was knowing and willful without first having the potential program participant request the Status Information Letter. The second option may be preferable for entities that have time limits for enrolling participants (e.g. individuals recently released from incarceration).

Requesting a Status Information Letter. An individual may obtain a *Status Information Letter* from Selective Service if he (1) believes he was not required to register; or (2) did register but cannot provide any of the documentation listed in Section 3. The *Request for Status Information Letter* form can be accessed at http://www.sss.gov/PDFs/infoform.pdf and the instructions can be accessed at http://www.sss.gov/PDFs/instructions.pdf. The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g., hospitalization, institutionalization, incarceration, and/or military service from age 18

through 25.) and provide documentation of those circumstances. The documentation should be specific as to the dates of the circumstances.

If the *Status Information Letter* indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in services authorized or funded by Title I of WIA. **If the Status Information Letter indicates that the individual was required to and did not register, he is presumed to be disqualified from participation in WIA Title I-funded activities and services until it can be determined that his failure to register was not knowing and willful.** All costs associated with grant-funded services provided to non-eligible individuals may be disallowed.

Determining Knowing and Willful Failure to Register. If the individual was required but failed to register with the Selective Service as determined by the *Status Information Letter* or by his own acknowledgment, the individual may only receive services if he can establish by a preponderance of the evidence that the failure to register was not knowing and willful. The grantee, subgrantee, or contractor that enrolls individuals in WIA Title I-funded activities is responsible for evaluating the evidence presented by the individual and determining whether the failure to register was a knowing and willful failure.

Evidence presented may include the individual's written explanation and supporting documentation of his circumstances at the time of the required registration and the reasons 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 in these cases:

1. Service in Armed Forces. Evidence that a man has served honorably in the U.S. Armed Forces such as DD Form 214 or his Honorable Discharge Certificate. Such documents may be considered sufficient evidence that his failure to register was not willful or knowing.
2. Third Party Affidavits. Affidavits from parents, teachers, employers, doctors, etc. concerning reasons for not registering, may also be helpful to grantees in making determinations in cases regarding willful and knowing failure to register.

In order to establish consistency regarding the implementation of the requirement, grantees should consider the following questions when determining whether a failure to register is knowing and willful.

In determining whether the failure was "knowing," the authorized organization should consider:

- Was the individual aware of the requirement to register?
- 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 were occasionally told that they did not need to register)?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?

- Does the status information letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?

In determining whether the failure was "willful," the authorized organization should consider:

- 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?

If an authorized organization determines it was not a knowing and willful failure and the individual is otherwise eligible, services may be provided. If the authorized organization determines that evidence shows that the individual's failure to register was knowing and willful, WIA services must be denied. Individuals denied services must be advised of available WIA grievance procedures. Authorized organizations must keep documentation related to evidence presented in determinations related to Selective Service.

5. **Inquiries**. Direct all inquiries to Employment and Training Administration Federal Project Officer.

ATTACHMENT 17.

Youth Incentive Payment Policy /Youth Monitoring of Stand Alone Programs Policy

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Workforce Innovation and Opportunity Act (WIOA) Policy

INCENTIVE PROGRAM PROCEDURES AND DOCUMENTATION POLICY FOR WIOA YOUTH

POLICY NUMBER: 2017-005, Modification 1

EFFECTIVE DATE: 06-27-2017

MODIFICATION DATE: 01-21-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this Issuance is to provide guidelines and clarify incentive eligibility, the offering of incentives, procedures for incentives, and documentation required related to offering incentives to WIOA Youth participants.

BACKGROUND

Incentives are a way to encourage customers' participation and to reward participant for achieving specific goals in their Employment Plan. Attached to a goal, the incentive is provided to an eligible WIOA Youth program participant in recognition of attaining an allowable goal stated in their Employment Plan. Incentives are tied to training, education or work experiences. They are **not** tied to recruitment, employment, retaining employment, or entering the military. Examples of incentives for achievement include credential attainment, success completion of Work Experience, and educational performance.

The practice of offering incentives is governed by Missouri Office of Workforce Development Issuance No. 14-2019, Statewide WIOA Youth Incentive Policy.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

POLICY

I. GUIDELINES FOR APPROVING AND DISTRIBUTING INCENTIVES

(1.) Incentive purposes and types must be approved by the Director of Career Services and Vice President of Operations.
(2.) Incentives may be provided in different forms. This may include a college tour, Walmart gift card, Professional Development Activities, a technology item or other type of incentive item.
(3). Incentives will be distributed to the Director of Career Services, or designee, for providing the incentive to Youth participants.
(4.) When an incentive is provided for achieving a goal, the award of the incentive must be tied to an achievement of a specific goal contained within the participants current Individual Employment Plan.
(5.) Incentives shall not consist of incentives in the form of entertainment, such as tickets to or sponsorship for attendance at sporting events, movies, concerts or other entertainment activities.
(6.) Incentives shall not be distributed or used for promoting recruitment, submitting eligibility documentation, program participation, participation in workshops, or for taking assessments such as the National Career Readiness Certificate.
(7.) Incentives are tied to training, education, work experiences, or any skills gain. They are not tied to employment, retaining employment, or entering the military.
(8.) Incentives are not available to Youth participants who have exited the WIOA Youth program and are in follow-up status.
(9.) The Fiscal Department will release incentive items as they are requested and approved.
(10.) Items of moderate value such as T-shirts, shirts or backpacks that are provided to customers who are participants in programs shall not be addressed in this policy.

II. DOCUMENTATION RELATED TO INCENTIVES

(1.) The Director of Career Services will detail what was provided and the method of how the incentive was or will be provided.
(2.) Customers will be required to sign and date a form regarding receipt of the incentive item. This form will be forwarded to the Fiscal Department.
(3.) When the award of an incentive is for achievement of a plan goal, this shall be noted in a case note in MOJOBS.
(4.) All incentives will be documented with invoicing and detailed description provided to the Fiscal Department. Such documentation will include the Model Number and Serial Number of the item, where applicable.
(5.) All records of disbursement shall be submitted to the Fiscal Department on a weekly basis for reconciliation.
(6.) It is the responsibility of the Directors of Career Services to ensure that managers and staff adhere to this policy.

WIOA Youth Incentive Payment Activity Code and Definition						
Service Code	Activity Description	Countable for Participation	Duration	Extended Duration	Max Duration	Definition
487	WIOA Youth Incentive Payment	No	1	0	1	Payments to Youth participants for recognition and achievement. Incentive payments must be directly tied to training activities and work experiences. Incentive payments may not include entertainment, such as movie or sporting even tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment.

Attachment A:

OWD Issuance 14-2019

Statewide WIOA Youth Program Incentive Policy

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Missouri Department of Higher Education and Workforce Development

OWD Issuance
14-2019
Release Number—Program Year

Release Date:
December 26, 2019

Effective Date:
December 26, 2019

Expiration Date:
Continuous, until further notice

SUBJECT:

Statewide WIOA Youth Program Incentive Policy

ATTACHMENTS: (1)—None

This Issuance is Official Policy of the Missouri Department of Higher Education and Workforce Development

ISSUING AUTHORITY:

Mardy Leathers
Director
Missouri Office of
Workforce Development

THIS ISSUANCE REQUIRES CREATION OR ALTERATION OF A CORRESPONDING LOCAL POLICY

KEYWORDS:

Statewide; Local Plans and Policies; Youth Program Incentive; Workforce Innovation and Opportunity Act (WIOA)

THIS ISSUANCE AFFECTS:

Missouri One-Stop Delivery System (MJCs/AJCs)
WIOA Title I Local Areas/Local Boards/Local Plans
WIOA Title I In-State Funding
WIOA Title I Performance/Accountability
WIOA Title I One-Stop Delivery/Service Providers
WIOA Youth Workforce Investment Activities
WIOA Section 188 Nondiscrimination Issues
WIOA Fiscal/Administrative Procedures

FOR THE ATTENTION OF:

One-Stop frontline staff
Chief Elected Officials
Local Fiscal Agents
Local WDB Chairpersons
Local WDB Directors
Local WDB Members
One-Stop Operators
One-Stop Functional Leaders
Service Providers
Local Equal Opportunity Officers
Local Compliance Monitors

RESCISSIONS: None

REFERENCES:

U.S Department of Labor, Employment and Training Administration, Training and Guidance Letter (TEGL) 21-16, "Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance," March 2, 2017.
20 CFR 681.640, "Are incentives payments to youth participants permitted?"
2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."
OWD Issuance 09-2019, "Local and Regional Plan Guidelines for Local Workforce Development Boards," October 7, 2019.

SUMMARY:

This Issuance transmits the Office of Workforce Development (OWD) guidance to Local Workforce Development Boards (LWDBs) regarding WIOA Youth Incentives in order to conform to federal laws and regulations.

BACKGROUND:

LWDBs have WIOA Title I performance outcomes to meet; therefore, incentives that inspire WIOA Youth participants to successfully complete training and/or work experiences are beneficial to youth, program providers and LWDBs.

SUBSTANCE:

WIOA permits incentive payments[1] to enrolled youth participants for recognition and achievement **directly tied to training activities and work experiences**. Incentives may be awarded to participant based upon their progress and/or achievement of milestones in the program tied to education, training, or work experience as outlined in their Individual Service Strategies (ISS). Allowable milestones may include, but not limited to:

- Obtaining Secondary or Postsecondary Credential
- Successful completion of work experiences
- Educational Functioning Level (EFL) Gains
- Educational performance

LWDBs must have written policies and procedures in place governing the award of incentives and must ensure that such incentives are:

a) Tied to the goals of the specific program;
b) Outlined in writing before the commencement of the program that may provide incentive payments;
c) Align with the local program's organizational policies; and
d) Are in accordance with the requirements contained in 2 CFR part 200. For example, Federal funds **cannot be** spent on entertainment costs; therefore, youth 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. There are also requirements related to internal controls to safeguard cash, which also apply to safeguarding of gift cards, which are essentially cash.

DOL **does not** allow incentives to be used as motivators for various activities such has recruitment, submitting eligibility documentation, and participation in the program[2]. OWD has determined that incentives are not allowed for workshop participation or for taking assessments such as the National Career Readiness Certificate (NCRC).

OWD **does not** allow incentives to be paid to Youth who have exited the program and who are now in follow-up. LWDBs are encouraged to engage Youth while in the program to ensure successful outcomes in training, education and work experiences. Incentives must be tied to training, education and work experiences; therefore, OWD **does not** allow incentives for obtaining unsubsidized employment, entering the military or retaining employment. Unsubsidized employment is not a "work experience"[3] which is a planned structured learning experience that takes place for a limited number of hours.

ROLES, RESPONSIBILITES, and REQUIRED ACTIONS:

Each LWDB must develop a youth incentive policy and it will be a required component of the Local Plan[4]. Each LWDB local compliance monitor must ensure that all incentives paid are, if fact, allowable.

Effective immediately, all LWDB Directors and Missouri Job Center Leadership should inform Frontline Workforce System staff of these requirements.

All Frontline Workforce System Staff handling WIOA Youth case management services and incentive payments should immediately apply these requirements.

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[1] 20 CFR 681.640
[2] TEGL 21-16
[3] 20 CFR 681.600
[4] OWD Issuance 09-2019, "Local and Regional Plan Guidelines for Local Workforce Development Boards," October 7, 2019.

TIMELINE:
All Missouri Workforce System Staff — Implementation of these rules .....**Immediate and Continuous**

INQUIRIES:
Please direct all questions or comments regarding this Issuance document to dwdpolicy@dhewd.mo.gov. All active Issuances are available at jobs.mo.gov/dwdissuances. Expired/rescinded Issuances are available on request.

For information about Missouri Office of Workforce Development services, contact a Missouri Job Center near you.
Locations and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627).
Missouri Department of Higher Education and Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri Relay Services at 711.

Attachment B:

Frequently Asked Questions:

OWD Issuance 14-2019: Statewide WIOA Youth Program Incentive Policy

Missouri Department of Higher Education and Workforce Development

FREQUENTLY ASKED QUESTIONS (FAQs) ABOUT...

OWD Issuance 14-2019: Statewide WIOA Youth Program Incentive Policy

(Issued: December 26, 2019)

Last updated: January 2020.

Q: Can WIOA Youth in the Scholars program, or a similar program, receive a larger Incentive for obtaining their Hi-Set?

A: No. An incentive is tied to a goal of a specific program as required, then that incentive should be the same for everyone. Boards are paying for a HISET incentive, the amount should be set and not changed based on individual participants. Any deviation would open Boards up to possible discrimination and/or legal ramifications.

Last update: August 2019.

Q: Why can Youth incentives not be given while in Youth follow-up?

A: Incentives must be tied to Training activities and Work Experiences, therefore the State made the decision to not allow incentives while in follow-up. LWDBs are encouraged to engage Youth to actively participate in the WIOA Youth program to ensure successful outcomes in training and work experiences.

ATTACHMENT 18.
Veterans Priority of Service Policy

ATTACHMENT 19.

Basic Skills Assessments (Testing) Policy

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Workforce Development Board Policy

BASIC SKILLS ASSESSMENT POLICY

POLICY NUMBER: 2017-001, Modification 2

EFFECTIVE DATE: 03-27-2017

MODIFICATION DATE: 10-15-2019

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this Issuance is to provide guidance regarding basic skills assessment and determination of basic skills deficiency for WIOA Applicants/Participants. This Issuance replaces Issuance No. 2017-001, Modification 1, Determining Basic Skills Deficiencies for WIOA Applicants/Participants, by providing updated information in Section III, Accommodation for Persons with Basic Skill Deficiencies.

BACKGROUND

This issuance is based on the Missouri Department of Workforce Development (DWD) Issuance No. 14-2016. Basic skills deficiency is defined in the Workforce Innovation and Opportunity Act (WIOA). Tests and measures are included in support of this definition.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

BASIC SKILLS ASSESSMENT POLICY

POLICY NUMBER: 2017-001, Modification 2

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Attachment A: Missouri Office of Workforce Development Issuance 14-2016, Determining Basic Skills Deficiencies for Workforce Innovation and Opportunity Act Applicants/Participants

POLICY

I. DEFINITION OF BASIC SKILLS DEFICIENCY

Basic Skills Deficiency is defined in the Workforce Innovation and Opportunity Act (WIOA) as a participant who:

(1) is a youth who has English reading, writing, or computing skills at or below the 8th grade level as reflected on a generally accepted standardized test, or

(2) a youth or adult who is unable to compute or solve problems, read, write, or speak English at a necessary level to function successfully on a job or in society.

The purpose of this issuance is to provide guidance on determining skills proficiency of youth and young adult program applicants and participants. If a customer is basic skills deficient, staff members will create a plan that will address the goal of obtaining a skill attainment within one year.

II. TESTS AND ASSESSMENT:

1. Participants who possess a high school diploma will provide copies of scores from the American College Testing (ACT). Passing scores are: Reading, 14 or above; Mathematics (Pre-Algebra), 15 or above (equivalent to a ninth grade level in reading and mathematics).
2. Participants who have attained a HISET/GED may produce the certificate and scores from that credential.
3. Participants without a HISET/GED shall complete the TABE Survey test in Reading, Mathematics. The results of this test may be used to determine proficiency/deficiency if the test was administered in the last 6 months. Those scoring as basic skills deficient shall be referred to remediation. Remediation will be available and ongoing as necessary.
4. WorkKeys level (above a Bronze level indicates proficiency).
5. Participants may provide college transcripts that demonstrate skills proficiency by reflecting passing or failing grades in College Mathematics and College English. If students were required to take remedial courses and passed, this demonstrates proficiency.
6. For In-School Youth (ISY), the educational institution is to provide an assessment of basic skills.

III. ACCOMMODATIONS FOR PERSONS WITH BASIC SKILL DEFICIENCIES.

The Full Employment Council (FEC) complies with the Americans with Disabilities Act (ADA) and is committed to the fair and equal services of people with disabilities. The nondiscrimination and equal opportunity (EO) provisions of WIOA prohibit discrimination against applicants, beneficiaries, and employees because of race, color, religion, sex, national origin, age, disability, and political affiliation or belief, and, for beneficiaries only, citizenship or participation in a WIOA Title I financially assisted program or activity. The regulations that implement these provisions are published at 29 CFR Part 38, and further

prohibit intimidation of, or retaliation against, complainants. Additionally, the rules mandate reasonable accommodations and reasonable modifications for individuals with disabilities. All participants with disabilities shall be provided reasonable employment-related accommodations when necessary, unless the accommodation would impose an undue hardship. This section provides guidelines for participants who wish to apply for reasonable accommodations with FEC and prescribes the steps the participant should take if he or she is the victim of discrimination or retaliation in his or her request for an accommodation.

Resources

- U. S. Equal Employment Opportunity Commission, Chapter XIV – Part 1630 – Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act: http://www.eeoc.gov
- Job Accommodation Network (JAN): Website available for questions related to workplace accommodations or the Americans with Disabilities Act (ADA) - www.askjan.org
- FEC Harassment and Discrimination Policy

IV. DEFINITIONS RELATED TO ACCOMMODATIONS

Disability: An individual with a disability has:
A physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or is regarded as having such an impairment.

Reasonable accommodation:
Modifications or adjustments to a participant's process that enable them, with a disability to be assisted; or Modifications or adjustments to the learning environment, or to the manner or circumstances under which the participants would require assistance.

Undue hardship: An undue hardship exists if an accommodation:
Would cause the job center to incur significant difficulty or expense, in comparison to the financial resources available. Is overly extensive, substantial, or disruptive or would alter the nature or operation of the business. A job center is not obligated to make an accommodation that would cause an "undue hardship."

V. ACCOMMODATION REQUEST PROCEDURE

1. Participants may request an accommodation by completing FEC Accommodation Request Form and submitting it, along with supporting medical documentation, if applicable, to Equal Opportunity Office. Participants may request accommodations verbally or in writing.

2. Please allow 24 to 48 hours, after the request, for the accommodation to be available, unless there are assistive technologies on site that may assist the participants on the day of the request.

Missouri Division of Workforce Development
DWD Issuance 14-2016

Issued: March 20, 2017
Effective: March 20, 2017

Subject: **Determining Basic Skills Deficiencies for Workforce Innovation and Opportunity Act Applicants/Participants**

1. Purpose: This Issuance provides guidance to Local Workforce Development Areas regarding the assessments used for basic skills testing in Workforce Innovation and Opportunity Act (WIOA)[1] Title I financially assisted programs.

2. Background: Local Workforce Development Boards (WDB) are required to assess the basic skills of workforce applicants for Youth eligibility[2] and for an objective assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills.[3]

WIOA Section 3(5) defines a participant who is "basic skills deficient:"

> *(5) BASIC SKILLS DEFICIENT.—The term "basic skills deficient" means, with respect to an individual—*
> *(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.*

3. Substance: WIOA mandates that each Local WDB use assessment tools that are valid, and appropriate for the needs of their target populations, to evaluate the basic skills of applicants and participants. Each Local WDB also must provide reasonable accommodations, if needed, for the assessment of individuals with disabilities.[4] It is important that any formalized testing used, in addition to being valid and reliable, be appropriate, fair, cost effective, and well-matched to the test administrator's qualifications. It should be easy to administer and to interpret the results. The Final Rules for WIOA allow local areas flexibility to use assessment instruments other than those acceptable for reporting in the U.S. Department of Education National Reporting System (NRS), if those instruments are valid and appropriate.[5] This will allow Local WDBs the local discretion to choose those assessment tools best suited for their customers.

Workforce system staff should make the most of partnerships with local organizations that serve individuals with disabilities, including Vocational Rehabilitation, to research and deploy appropriate assessments.

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[1] Pub. Law 113-128 [29 U.S.C. 3101 et seq.].
[2] WIOA 129(a)(1)(B)(III)(aa) and 129(a)(1)(C)(iv)(i)
[3] WIOA 129(c)(1)(A) WIOA Final Rule 20CFR681.420(a)(1)
[4] WIOA Section 188 [29 U.S.C. 3248], 29 CFR 38.12, and 20 CFR 681.290(c).
[5] U.S. Department of Labor preamble commentary for WIOA Final Rule 20 CFR 681.290, at 81 FR 56169, August 19, 2016.

The Local WDBs' final choices for instruments to assess basic skills continue to be required to be listed in the Local Plan.[6]

Local programs may use previous basic skills assessment results if such previous assessments have been conducted within the past six months. Specifically for In-School Youth (ISY), Local WDBs should continue to accept the basic skills assessments provided by the participant's educational institution.

Please note that this Issuance does not pertain to measuring Educational Functioning Level (EFL) gains after program enrollment under the measurable skill gains indicator. A future Issuance will provide guidance and policy for this process.

4. Actions: This Issuance is effective immediately. The Local WDBs must develop a policy for determining basic skills deficiency as defined in WIOA Section 3(5) and must choose the assessments for basic skills testing. This policy should be developed with guidance for the local subcontractors to implement. The Local WDB's definition for 3(5)(B) must be identified in the next Local Plan modification.

5. Contact: Direct questions or comments regarding this Issuance to the Youth Programs Manager at (573) 526-8241, or melissa.woltkamp@ded.mo.gov.

6. References: Public Law 113-128 [29 U.S.C. 3101 et seq.].

Workforce Innovation and Opportunity Act, Final Rule, ETA Docket 2015-0001, August 19, 2016, 81FR56071–56469.

U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) 21-16, "Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance," March 2, 2017.

7. Rescissions: None.

8. Attachments: None.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Amy J. Sublett

Amy Sublett
Acting Director
Missouri Division of Workforce Development

[6] DWD Issuance 14-2015, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," Attachment 1, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards, Program Years 2016–2020," Sections XI(B)(1) and XI(D)(2)(g), February 16, 2016.

ATTACHMENT 20. Individual Training Account (ITA) Policy & Eligibility Policy (Individualized Career Services)

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KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Opportunity and Innovation Act (WIOA) Policy

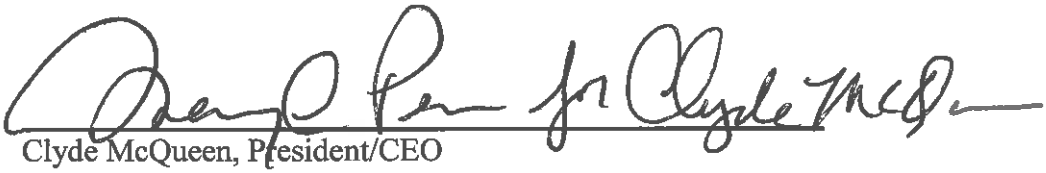
FULL EMPLOYMENT COUNCIL CLASSROOM OCCUPATIONAL SKILL TRAINING FOR WIOA ADULTS AND DISLOCATED WORKERS POLICY

POLICY NUMBER: 2017-016 Modification 1

EFFECTIVE DATE: 08-01-2017

MODIFICATION: 1-30-2020

APPROVED BY



Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this issuance is to establish guidelines for Classroom Occupational Skill Training for WIOA Adults and WIOA Dislocated Workers. This issuance replaces Issuance No. 2012-1, Modification 2.

BACKGROUND

This Issuance is based on 20 CFR 680.300-.350, 680.510 and 680.520(b), *Federal Register*, Vol. 81, No. 161.

FULL EMPLOYMENT COUNCIL CLASSROOM OCCUPATIONAL SKILL TRAINING FOR WIOA ADULTS AND DISLOCATED WORKERS POLICY

Policy Number 2017-017 Modification 1

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POLICY

The chart below provides an overview of the allowable amounts and time periods for the various program activities.

Program Activity	Maximum Amount	Time Period
Classroom Training	May pay up to $4,000.00	May exceed 12 months with President/designee approval
May exceed $4,000.00 with Manager's, Officers', President's approval		

I. CLASSROOM OCCUPATIONAL SKILL TRAINING

ADULTS AND DISLOCATED WORKERS*:** Classroom occupational skill training is considered a ***Training service under the Workforce Investment Act for adults and dislocated workers.

1. **Recommendation of Customers for Training Services:** All customers must be enrolled in Wagner-Peyser. Customers must be registered in jobs.mo.gov, completed an Individual Employment Plan, and completed an online resume prior to being enrolled in a training service. **The Enrollment Committee must approve the enrollment of the customer prior to the customer starting classroom occupational skill training. The customer must be enrolled into Wagner-Peyser.**

Classroom Occupational Skill Training must be **full time** (as defined by the school); **DESE approved**; and must lead to a **certificate/diploma** (credential). ***The length of the Classroom Occupational Skill Training may exceed 12 months if the training is in a demand occupation as identified by the Missouri Economic Research and Information Center (MERIC) and is approved by the President/CEO or designee.***

2. **Tests and Forms**: Applicants will be required to complete the following forms and tests:
   - Signed WIOA Application from MOJOBS
   - My Next Move or Talify, or Health Services Assessment (HSA) for entering a healthcare occupation
   - Employment Plan
   - CDL Training applicant must complete background check form to obtain verification of CDL Lincense.

   Minimum Scores:
   - Customers who obtain a bachelor's degree or an associate's degree from an accredited university or college (must provide a copy) do not have to take WorkKeys.
   - Customers who have taken the ACT and scored at 18 in reading and math do not have to take the Basic Skills Assessment administered by FEC.

- Customers who have completed a college-level or remedial level reading or English and/or college math at another institution with a grade of "C" or better and can provide a copy of grades do not have to take the Basic Skills Assessment.
- Customers must have a high school diploma or GED/HiSet and passed entrance exam at training institution without requirement for remedial classes. Copies of results are required. If it creates a hardship for the customer to obtain a copy, the customer can attest by signing the WIOA application in MOJOBs.

Or

- Customers must have a HS diploma or GED *AND* score at the 9th grade level in reading and math on the WorkKeys level 3 in workplace documents and applied math.

- Customers who score at the 8.9 grade level or below will be referred to appropriate external literacy and/or basic skill enhancement services and resources or will enroll in on-site Remediation Workshop/KHAN Academy, for a minimum of 32 hours, and until documentation is provided that they are prepared to retest.

3. **Contractors:**
Full Service Contractors shall enroll customers directly for training services, including on-the-job training and classroom occupational skill training but must follow FEC approved procedures as outlined in this issuance.

4. **Individual Training Accounts**: The Career Development Executive (CDE) will provide an orientation to the customer on the requirements for participation in classroom occupational skill training to ensure customer choice. The MOSCORES System for approved training providers at http://scorecard.mo.gov should be shared with the customer as well as the labor market information regarding occupational demand so that the customer can research MoSCORES (the State's Eligible Training Provider System) providers and make an informed choice. The website provides the lists of approved educational Training Providers offering postsecondary education (2 and 4-year public and private schools, technical/professional schools, and private proprietary schools).

5. **MoSCORES (the State's Eligible Training Provider System):** Training providers may be out of the region of the Workforce Development Board as well as located outside of the State of Missouri as long as:
   - The provider and training program are indicated as eligible the MOSCORES System, and
   - There is a reciprocal agreement between Missouri and the other State that each will accept the training facilities of the other, per CFR 29, 680.520.
   - Offer training in high demand occupations consistent with the Local Plan
   - Be a business that is e-verified

6. **Forms and Efforts to Outcomes (ETO) Touchpoints:** Upon approval of the training by the Enrollment Committee, the CDE will create an Obligation Request Touchpoint and present the file to the Manager in sufficient time so an Obligation request may be submitted to Fiscal Department at least five (5) days prior to the training start date to verify the availability of funding:

It is the responsibilities of the CDE/Counselor to ensure Obligation/Deobligation package includes all required documentations prior to forwarding it to the fiscal dept for processing:

- FEC-ITA (original)
- Release of information
- MOSCORES with KCV and EJAC region approval
- Case note documenting name of training, start date, and anticipated end date, amount of ITA, Name of Provider
- Statement of Account/Bill or MOSCORES printout
- 300 activity code from MOJOBS with projected start date and end date (WIOA only)
- Senior Management Approval for training costs that exceed the maximum benefits
- ETO Participant Activity Touchpoint
- 508 Activity code for skill up only

After verifying the Obligation/Deobligation package for its completeness and proper approval, one copy of ITA (Individual Training Account) will be sent to the training provider and a copy emailed to the counselor and the manager. The Financial Aid/Customer Service Support will upload the package to ETO. Please refer to Issuance No. 2017-013, Entering Outcomes Data into MOJOBS and efforts to Outcomes (ETO) Systems and Obligations Processing.

It is imperative that the CDE verify the customer has started the training program immediately after the anticipated training start date and make a case note in MOJOBs.

7. Monitoring Customer's Progress: The CDE will obtain copy of mid-term grades and final grades at the end of each semester. Additional funds should not be obligated without review of progress.

8. Maximum Dollar Amount: The *maximum* dollar amount to be paid for classroom occupational skill training is $4,000. This amount is subject to budget availability, is NOT an entitlement, and will vary dependent upon training area. This amount may be increased by obtaining the written approval of the Manager, Officers' and President/CEO or designee. The request for approval to exceed the maximum training amount shall include a statement as to the need for additional funding and must be submitted prior to the start of training.

9. PELL Grant: Customers recommended for enrollment in classroom occupational skill training must first apply for a PELL grant or other types of financial aid. Upon receipt of the PELL grant these funds must be used prior to **FEC** funds. **Counselor must obtain Pell grant award letter.** ***Receipt of PELL grant funds should be noted in the Comment Section of the* FEC-*ITA.***

10. Support Services: Please refer to the latest support services issuance 2017-041 Mod 1, which outlines the support services available to customers attending classroom occupational skill training. **Full Service *CONTRACTORS*** shall access support services directly for their customers but must follow FEC approved procedures as outlined in this issuance.

II. WIOA CODES FOR ADULTS AND DISLOCATED WORKERS

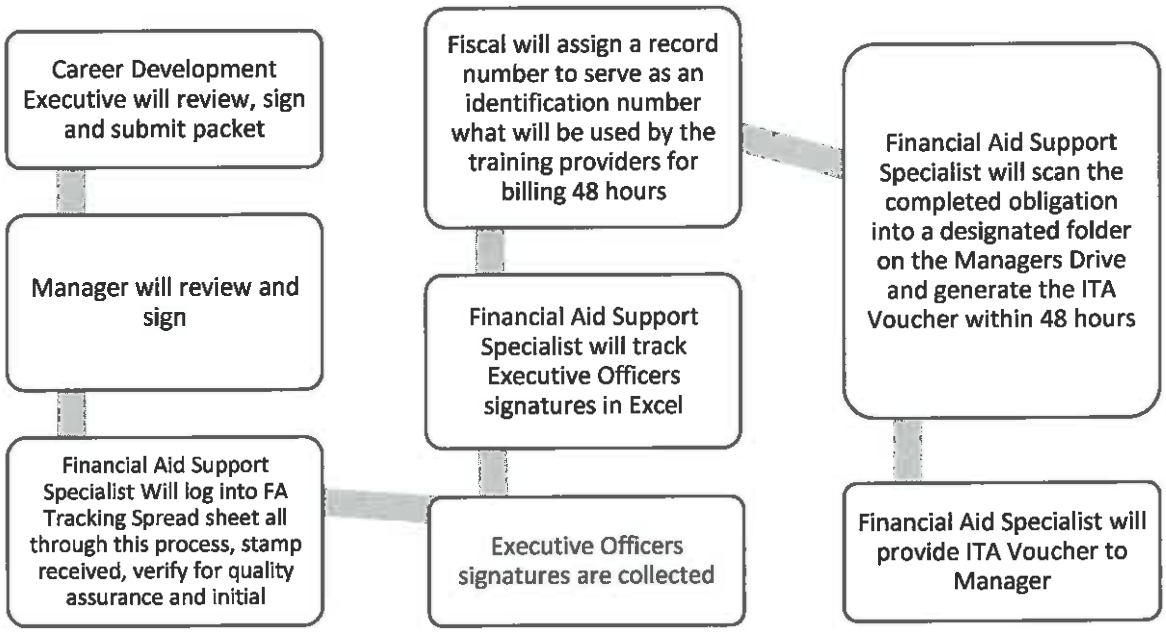
WIOA Activity Codes

- The following codes should be selected for use in MOJOBS:

Customer Enrolled at Individualized Services:
- Code 213 Comprehensive Assessment
- Code 205 Full Development of an Individual Employment Plan

Customer Enrolled at Training Level:
- Code 300 Occupational Skill Training ***for approved provider list***

III. OBLIGATION PROCESSING PROCEDURE FOR CLASSROOM OCCUPATIONAL SKILLS TRAINING



Staff Roles:

Manager	Will present Individual Training Account voucher provided by the Financial Aid Specalist to the Career Development Executive

- Fiscal Department forwards the Individual Training Account to the designated contact or office of the training provider, and internally to MIS, Operations Manager

Career Development Executive	Will provide the customer a copy of the Individual Training Account for the Training Provider

- The ITA Voucher is void if the customer does not begin the training as scheduled, or within the acceptable and allowable time. The ITA voucher is not valid for any future use.

Fiscal	Will pay the invoice submitted by the training provider within 30 calendar days of receipt

- No invoicing shall be submitted by the training provider until the first day following the add/drop period or earned tuition period.

Prior to the FEC ITA processing, all customers must attend an FEC orientation and meet with Financial Aid specialist to determine if customer is approved for WIOA programs and training. Once the customer has been certified, the customer will be assigned to an Adult/Youth counselor where the counselor assures the customer completes the following: WorkKeys/TABE and assessment prior to file submitted to the enrollment. Once the customer has completed all the above, the counselor prepares the file to be reviewed by the Enrollment Committee. Once reviewed and approved by the Enrollment committee, the file is then sent to the MIS Department for entry in the MOJOBS/ETO system.

Attachment A:

20 CFR 680.300-.350, 20 CFR 680.510, 20 CFR 680.520(b),
Federal Register, Vol 81, No. 161

§ 680.230 What are the requirements for coordination of Workforce Innovation and Opportunity Act training funds and other grant assistance?

(a) WIOA funding for training is limited to participants who:

(1) Are unable to obtain grant assistance from other sources to pay the costs of their training; or

(2) Require assistance beyond that available under grant assistance from other sources to pay the costs of such training. Programs and training providers must coordinate funds available to pay for training as described in paragraphs (b) and (c) of this section. In making the determination under this paragraph (a), one-stop centers may take into account the full cost of participating in training services, including the cost of support services and other appropriate costs.

(b) One-stop centers must coordinate training funds available and make funding arrangements with one-stop partners and other entities to apply the provisions of paragraph (a) of this section. One-stop centers must consider the availability of other sources of grants to pay for training costs such as Temporary Assistance for Needy Families (TANF), State-funded training funds, and Federal Pell Grants, so that WIOA funds supplement other sources of training grants.

(c) A WIOA participant may enroll in WIOA-funded training while his/her application for a Pell Grant is pending as long as the one-stop center has made arrangements with the training provider and the WIOA participant regarding allocation of the Pell Grant, if it is subsequently awarded. In that case, the training provider must reimburse the one-stop center the WIOA funds used to underwrite the training for the amount the Pell Grant covers, including any education fees the training provider charges to attend training. Reimbursement is not required from the portion of Pell Grant assistance disbursed to the WIOA participant for education-related expenses.

Subpart C—Individual Training Accounts

§ 680.300 How are training services provided?

Training services for eligible individuals are typically provided by training providers who receive payment for their services through an ITA. The ITA is a payment agreement established on behalf of a participant with a training provider. WIOA title I adult and dislocated workers purchase training services from State eligible training providers they select in consultation with the career planner, which includes discussion of program quality and performance information on the available eligible training providers. Payments from ITAs may be made in a variety of ways, including the electronic transfer of funds through financial institutions, vouchers, or other appropriate methods. Payments also may be made incrementally, for example, through payment of a portion of the costs at different points in the training course. Under limited conditions, as provided in § 680.320 and WIOA sec. 134(d)(3)(G), a Local WDB may contract for these services, rather than using an ITA for this purpose. In some limited circumstances, the Local WDB may itself provide the training services, but only if it obtains a waiver from the Governor for this purpose, and the Local WDB meets the other requirements of § 679.410 of this chapter and WIOA sec. 107(g)(1).

§ 680.310 Can the duration and amount of Individual Training Accounts be limited?

(a) Yes, the State or Local WDB may impose limits on ITAs, such as limitations on the dollar amount and/or duration.

(b) Limits to ITAs may be established in different ways:

(1) There may be a limit for an individual participant that is based on the needs identified in the IEP, such as the participant's occupational choice or goal and the level of training needed to succeed in that goal; or

(2) There may be a policy decision by the State WDB or Local WDB to establish a range of amounts and/or a maximum amount applicable to all ITAs.

(c) Limitations established by State or Local WDB policies must be described in the State or Local Plan, respectively, but must not be implemented in a manner that undermines WIOA's requirement that training services are provided in a manner that maximizes customer choice in the selection of an ETP. Exceptions to ITA limitations may be provided for individual cases and must be described in State or Local WDB policies.

(d) An individual may select training that costs more than the maximum amount available for ITAs under a State or local policy when other sources of funds are available to supplement the ITA. These other sources may include: Pell Grants; scholarships; severance pay; and other sources.

§ 680.320 Under what circumstances may mechanisms other than Individual Training Accounts be used to provide training services?

(a) Contracts for 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 § 680.340:

(1) When the services provided are on-the-job-training (OJT), customized training, incumbent worker training, or transitional jobs.

(2) When the Local WDB determines that there are an insufficient number of eligible training providers in the local area to accomplish the purpose of a system of ITAs. The determination process must include a public comment period for interested providers of at least 30 days, and be described in the Local Plan.

(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 described in paragraph (b) of this section. 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. The criteria may include:

(i) Financial stability of the organization;

(ii) 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 degrees the program is designed to provide; placement after training in unsubsidized employment; and retention in employment; and

(iii) How the specific program relates to the workforce investment needs identified in the local plan.

(4) When the Local WDB determines that it would be most appropriate to contract with an institution of higher education (*see* WIOA sec. 3(28)) 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.

(b) Under paragraph (a)(3) of this section, individuals with barriers to

employment include those individuals in one or more of the following categories, as prescribed by WIOA sec. 3(24):

(1) Displaced homemakers;

(2) Low-income individuals;

(3) Indians, Alaska Natives, and Native Hawaiians;

(4) Individuals with disabilities;

(5) Older individuals, *i.e.*, those aged 55 or over;

(6) Ex-offenders;

(7) Homeless individuals;

(8) Youth who are in or have aged out of the foster care system;

(9) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;

(10) Eligible migrant and seasonal farmworkers, defined in WIOA sec. 167(i);

(11) Individuals within 2 years of exhausting lifetime eligibility under TANF (part A of title IV of the Social Security Act);

(12) Single-parents (including single pregnant women);

(13) Long-term unemployed individuals; or

(14) Other groups determined by the Governor to have barriers to employment.

(c) The Local Plan must describe the process to be used in selecting the providers under a contract for services.

§ 680.330 How can Individual Training Accounts, supportive services, and needs-related payments be used to support placing participating adults and dislocated workers into a registered apprenticeship program and support participants once they are in a registered apprenticeship program?

Registered apprenticeships automatically qualify to be a on a State's eligible training provider list (ETPL) as described in § 680.470.

(a) ITAs can be used to support placing participants in registered apprenticeship through:

(1) Pre-apprenticeship training, as defined in § 681.480 of this chapter; and

(2) Training services provided under a registered apprenticeship program.

(b) Supportive services may be provided as described in §§ 680.900 and 680.910.

(c) Needs-related payments may be provided as described in §§ 680.930, 680.940, 680.950, 680.960, and 680.970.

(d) Work-based training options also may be used to support participants in registered apprenticeship programs (*see* §§ 680.740 and 680.750).

§ 680.340 What are the requirements for consumer choice?

(a) Training services, whether under ITAs or under contract, must be provided in a manner that maximizes informed consumer choice in selecting an eligible provider.

(b) Each Local WDB, through the one-stop center, must make available to customers the State list of eligible training providers required in WIOA sec. 122(d). The list includes a description of the programs through which the providers may offer the training services, and the performance and cost information about those providers described in WIOA sec. 122(d). Additionally, the Local WDB must make available information identifying eligible providers as may be required by the Governor under WIOA sec. 122(h) (where applicable).

(c) An individual who has been determined eligible for training services under § 680.210 may select a provider described in paragraph (b) of this section after consultation with a career planner. Unless the program has exhausted training funds for the program year, the one-stop center must refer the individual to the selected provider, and establish an ITA for the individual to pay for training. For purposes of this paragraph (c), a referral may be carried out by providing a voucher or certificate to the individual to obtain the training.

(d) The cost of referral of an individual with an ITA to a training provider is paid by the applicable adult or dislocated worker program under title I of WIOA.

(e) Each Local WDB, through the one-stop center, may coordinate funding for ITAs with funding from other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services.

(f) Consistent with paragraph (a) of this section, priority consideration must be given to programs that lead to recognized postsecondary credentials (defined at WIOA sec. 3(52)) that are aligned with in-demand industry sectors or occupations in the local area.

§ 680.350 May Workforce Innovation and Opportunity Act title I adult and dislocated worker funds be used to directly support adult education and literacy activities?

Yes, under WIOA sec. 134(c)(3)(D)(x), title I funds may provide adult education and literacy activities if they are provided concurrently or in combination with one or more of the following training services:

(a) Occupational skills training, including training for nontraditional employment;

(b) OJT;

(c) Incumbent worker training (as described in §§ 680.780, 680.790, 680.800, 680.810, and 680.820);

(d) Programs that combined workplace training and related instruction, which may include cooperative education programs;

(e) Training programs operated by the private sector;

(f) Skill upgrading and retraining; or

(g) Entrepreneurial training.

Subpart D—Eligible Training Providers

§ 680.400 What is the purpose of this subpart?

(a) This subpart describes the process for determining eligible training providers and programs for WIOA title I, subtitle B adult, dislocated worker, and out-of-school youth (OSY) aged 16–24 training participants and for publicly disseminating the list of these providers with relevant information about their programs. The workforce development system established under WIOA emphasizes informed consumer choice, job-driven training, provider performance, and continuous improvement. The quality and selection of providers and programs of training services is vital to achieving these core principles.

(b) The State list of eligible training providers and programs and the related eligibility procedures ensure the accountability, quality and labor-market relevance of programs of training services that receive funds through WIOA title I, subtitle B. The State list of eligible training providers and programs also is a means for ensuring informed customer choice for individuals eligible for training. In administering the eligible training provider eligibility process, States and local areas must work to ensure that qualified providers offering a wide variety of job-driven programs of training services are available. The State list of eligible training providers and programs is made publicly available online through Web sites and searchable databases as well as any other means the State uses to disseminate information to consumers, including formats accessible to individuals with disabilities. The list must be accompanied by relevant performance and cost information and must be presented in a way that is easily understood, in order to maximize informed consumer choice and serve all significant population groups, and also must be available in an electronic format. The State eligible training provider performance reports, as required under WIOA sec. 116(d)(4), are addressed separately in § 677.230 of this chapter.

§ 680.410 What is an eligible training provider?

An ETP:

established by the Governor to remain eligible, which may include failure to meet established minimum performance levels. Registered apprenticeship programs only may be removed for the reasons set forth in § 680.470.

(d) The Governor must establish an appeals procedure for providers of training services to appeal a denial of eligibility under this subpart that meets the requirements of § 683.630(b) of this chapter, which explains the appeals process for denial or termination of eligibility of a provider of training services.

(e) Where a Local WDB has established higher minimum performance standards, according to § 680.430(e), the Local WDB may remove a program of training services from the eligible programs in that local area for failure to meet those higher performance standards. Training providers may appeal a denial of eligibility under § 683.630(b) of this chapter.

§ 680.490 What kind of performance and cost information must eligible training providers other than registered apprenticeship programs provide for each program of training services?

(a) In accordance with the State procedure under § 680.460(i), eligible training providers, except registered apprenticeship programs, must submit, at least every 2 years, appropriate, timely, and accurate performance and cost information.

(b) Program-specific performance information must include:

(1) The information described in WIOA sec. 122(b)(2)(A) for individuals participating in the programs of training services who are receiving assistance under WIOA. This information includes indicators of performance as described in WIOA secs. 116(b)(2)(I)–(IV) and § 680.460(g)(1) through (4);

(2) Information identifying the recognized postsecondary credentials received by such participants in § 680.460(g)(5);

(3) Program cost information, including tuition and fees, for WIOA participants in the program in § 680.460(g)(6); and

(4) Information on the program completion rate for WIOA participants in § 680.460(g)(7).

(c) Governors may require any additional performance information (such as the information described at WIOA sec. 122(b)(1)) that the Governor determines to be appropriate to determine, maintain eligibility, or better to inform consumers.

(d) Governors must establish a procedure by which a provider can demonstrate that providing additional information required under this section would be unduly burdensome or costly. If the Governor determines that providers have demonstrated such extraordinary costs or undue burden:

(1) The Governor must provide access to cost-effective methods for the collection of the information;

(2) The Governor may provide additional resources to assist providers in the collection of the information from funds for statewide workforce investment activities reserved under WIOA secs. 128(a) and 133(a)(1); or

(3) The Governor may take other steps to assist eligible training providers in collecting and supplying required information such as offering technical assistance.

§ 680.500 How is the State list of eligible training providers and programs disseminated?

(a) In order to assist participants in choosing employment and training activities, the Governor or State agency must disseminate the State list of eligible training providers and programs and accompanying performance and cost information to Local WDBs in the State and to members of the public online, including through Web sites and searchable databases, and through whatever other means the State uses to disseminate information to consumers, including the one-stop delivery system and its program partners throughout the State.

(b) The State list of eligible training providers and programs and information must be updated regularly and provider and program eligibility must be reviewed biennially according to the procedures established by the Governor in § 680.460(i).

(c) In order to ensure informed consumer choice, the State list of eligible training providers and programs and accompanying information must be widely available to the public through electronic means, including Web sites and searchable databases, as well as through any other means the State uses to disseminate information to consumers. The list and accompanying information must be available through the one-stop delivery system and its partners including the State's secondary and postsecondary education systems. The list must be accessible to individuals seeking information on training outcomes, as well as participants in employment and training activities funded under WIOA, including those under § 680.210, and other programs. In accordance with WIOA sec. 188, the State list also must be accessible to individuals with disabilities.

(d) The State list of eligible training providers and programs must be accompanied by appropriate information to assist participants in choosing employment and programs of training services. Such information must include:

(1) Recognized postsecondary credential(s) offered;

(2) Provider information supplied to meet the Governor's eligibility procedure as described in §§ 680.450 and 680.460;

(3) Performance and cost information as described in § 680.490; and

(4) Additional information as the Governor determines appropriate.

(e) The State list of eligible training providers and programs and accompanying information must be made available in a manner that does not reveal personally identifiable information about an individual participant. In addition, in developing the information to accompany the State list described in § 680.490(b), disclosure of personally identifiable information from an education record must be carried out in accordance with the Family Educational Rights and Privacy Act, including the circumstances relating to prior written consent.

§ 680.510 In what ways can a Local Workforce Development Board supplement the information available from the State list of eligible training providers and programs?

(a) Local WDBs may supplement the criteria and information requirements established by the Governor in order to support informed consumer choice and the achievement of local performance indicators. However, the Local WDB may not do so for registered apprenticeship programs.

(b) This additional information may include:

(1) Information on programs of training services that are linked to occupations in demand in the local area;

(2) Performance and cost information, including program-specific performance and cost information, for the local outlet(s) of multi-site eligible training providers;

(3) Information that shows how programs are responsive to local requirements; and

(4) Other appropriate information related to the objectives of WIOA.

§ 680.520 May individuals choose training providers and programs located outside of the local area or outside of the State?

(a) An individual may choose training providers and programs outside of the local area provided the training program

is on the State list, in accordance with local policies and procedures.

(b) An individual may choose eligible training providers and programs outside of the State consistent with State and local policies and procedures. State policies and procedures may provide for reciprocal or other agreements established with another State to permit eligible training providers in a State to accept ITAs provided by the other State.

§ 680.530 What eligibility requirements apply to providers of on-the-job training, customized training, incumbent worker training, and other training exceptions?

(a) Providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience, or transitional jobs are not subject to the requirements applicable to entities listed on the eligible training provider list, and are not included on the State list of eligible training providers and programs.

(b) For providers of training described in paragraph (a) of this section, the Governor may establish performance criteria those providers must meet to receive funds under the adult or dislocated worker programs pursuant to a contract as provided in § 680.320.

(c) One-stop operators in a local area must collect such performance information as the Governor may require and determine whether the providers meet any performance criteria the Governor may establish under paragraph (b) of this section.

(d) One-stop operators must disseminate information identifying providers and programs that have met the Governor's performance criteria, along with the relevant performance information about them, through the one-stop delivery system.

Subpart E—Priority and Special Populations

§ 680.600 What priority must be given to low-income adults and public assistance recipients and individuals who are basic skills deficient served with adult funds under title I of the Workforce Innovation and Opportunity Act?

(a) WIOA sec. 134(c)(3)(E) states that priority for individualized career services (*see* § 678.430(b) of this chapter) and training services funded with title I adult funds must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient (as defined in WIOA sec. 3(5)(B)) in the local area.

(b) States and local areas must establish criteria by which the one-stop center will apply the priority under WIOA sec. 134(c)(3)(E). Such criteria may include the availability of other funds for providing employment and training-related services in the local area, the needs of the specific groups within the local area, and other appropriate factors.

(c) The priority established under paragraph (a) of this section does not necessarily mean that these services only may be provided to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. The Local WDB and the Governor may establish a process that also gives priority to other individuals eligible to receive such services, provided that it is consistent with priority of service for veterans (*see* § 680.650) and the priority provisions of WIOA sec. 134(c)(3)(E), discussed above in paragraphs (a) and (b) of this section.

§ 680.610 Does the statutory priority for use of adult funds also apply to dislocated worker funds?

No, the statutory priority only applies to adult funds and only applies to providing individualized career services, as described in § 680.150(b), and training services. Funds allocated for dislocated workers are not subject to this requirement.

§ 680.620 How does the Temporary Assistance for Needy Families program relate to the one-stop delivery system?

The local TANF program is a required partner in the one-stop delivery system. Part 678 of this chapter describes the roles of such partners in the one-stop delivery system and it applies to the TANF program. TANF serves individuals who also may be served by the WIOA programs and, through appropriate linkages and referrals, these customers will have access to a broader range of services through the cooperation of the TANF program in the one-stop delivery system. TANF participants, who are determined to be WIOA eligible, and who need occupational skills training may be referred through the one-stop delivery system to receive WIOA training, when TANF grant and other grant funds are not available to the individual in accordance with § 680.230(a). WIOA participants who also are determined TANF eligible may be referred to the TANF program for assistance.

§ 680.630 How does a displaced homemaker qualify for services under title I of the Workforce Innovation and Opportunity Act?

(a) Individuals who meet the definitions of a "displaced homemaker" (*see* WIOA sec. 3(16)) qualify for career and training services with dislocated worker title I funds.

(b) Displaced homemakers also may qualify for career and training services with adult funds under title I if the requirements of this part are met (*see* §§ 680.120 and 680.600).

(c) Displaced homemakers also may be served in statewide employment and training projects conducted with reserve funds for innovative programs for displaced homemakers, as described in § 682.210(c) of this chapter.

(d) The definition of displaced homemaker includes the dependent spouse of a member of the Armed Forces on active duty (as defined in sec. 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment, a call or order to active duty under a provision of law referred to in sec. 101(a)(13)(B) of title 10, United State Code, a permanent change of station, or the service-connected death or disability of the member.

§ 680.640 May an individual with a disability whose family does not meet income eligibility criteria under the Workforce Innovation and Opportunity Act be eligible for priority as a low-income adult?

Yes, even if the family of an individual with a disability does not meet the income eligibility criteria, the individual with a disability is to be considered a low-income individual if the individual's own income:

(a) Meets the income criteria established in WIOA sec. 3(36)(A)(vi); or

(b) Meets the income eligibility criteria for payments under any Federal, State or local public assistance program (*see* WIOA sec. 3(36)(A)(i)).

§ 680.650 Do veterans receive priority of service under the Workforce Innovation and Opportunity Act?

Yes, veterans, as defined under WIOA sec. 3(63)(A) and 38 U.S.C. 101, receive priority of service in all Department of Labor-funded training programs under 38 U.S.C. 4215 and described in 20 CFR part 1010. A veteran still must meet each program's eligibility criteria to receive services under the respective employment and training program. For income-based eligibility determinations, amounts paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs are not to be considered as income, in accordance with 38 U.S.C. 4213 and § 683.230 of this chapter.

Workforce Innovation and Opportunities Act (WIOA) Policy

CLASSROOM OCCUPATIONAL SKILL TRAINING, ON-THE-JOB TRAINING AND WORK EXPERIENCES FOR YOUTH

POLICY NUMBER: 2017-017, Modification 2

EFFECTIVE DATE: 10-01-2018

MODIFICATION DATE: 01-27-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, Program Development and Evaluation at LCollins@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board Officers.

PURPOSE

The purpose of this issuance is to establish the procedures for Youth Classroom Occupational Skill Training, On-the-Job Training and Work Experience for Youth. This policy is a required statutorily required policy, and replaces Issuance No. 2017-017, Modification 1, Classroom Occupational Skill Training, On-the-Job Training and Work Experiences for Youth.

BACKGROUND

This Issuance is based upon Missouri Division of Workforce Development (DWD) Issuance No. 21-2017, Statewide On-the-Job Training Policy and Guidelines, Office of Workforce Development (OWD) Issuance No. 07-2019, Workforce Innovation and Opportunity Act (WIOA) Work Experiences for Youth Participants DWD Issuance No. 03-2015, WIOA Youth Framework and Design, and includes the form updated forms for On-the-Job Training.

CLASSROOM OCCUPATIONAL SKILL TRAINING, ON-THE-JOB TRAINING, AND WORK EXPERIENCES FOR YOUTH

POLICY NUMBER: 2017-017, Modification 2

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Attachment A: Missouri Division of Workforce Development Issuance No.13-2019, Workforce Innovation and Opportunity Act (WIOA) Youth Program Framework and Design

Attachment B: Missouri Office of Workforce Development Issuance No. 07-2019, Workforce Innovation and Opportunity Act (WIOA) Work Experiences for Youth Participants

Attachment C: Missouri Division of Workforce Development Issuance No. 21-2017, Statewide On-the-Job Training Policy and Guidelines, updated November 28, 2018, with Frequently Asked Questions and OJT Manual

Attachment D: DWD PO-213, On-the-Job Training Program Agreement

Attachment E: DWD PO-214, On-the-Job Training Outline and Job Description

Attachment F: DWD PO-215, On-the-Job Training Supplemental Agreement

Attachment G: DWD PO-217, On-the-Job Training Eligibility Notification

Attachment H: DWD PO-219, On-the-Job Training Monitoring Report; Part A (Employer),

Attachment I: DWD PO-219, On-the-Job Training Monitoring Report; Part B (Participant)

Attachment J: DWD PO-220, On-the-Job Training Monthly Progress Report/Invoice

Attachment K: Equal Opportunity Form DWD-EO-15

POLICY

I. YOUTH TRAINING ALLOWABLE EXPENDITURE AMOUNTS AND TIME PERIODS

The chart below provides an overview of the allowable amounts and time periods for the various program activities.

Program Activity	Amount	Time Period
Classroom Training	May pay up to $4,000.00. May only exceed $4,000.00 with Manager's, President's/Designee approval	Up to 12 months - May only exceed 12 months with President/designee approval
On-the-Job Training	May pay up to $4,000.00; May exceed $4,000.00 with Manager's, Officers' and President's/designee approval	Minimum 4 weeks or 160 hours; Average time period is 8 weeks or 320 hours; Maximum time period is 1,040 hours
Work Experiences	May pay up to $4,000.00; May only exceed $4,000.00 with Manager's and President's/Designee approval	Minimum 4 weeks or 160 hrs; Average time period is 8 weeks or 320 hours; Maximum time period is 12 weeks or 480 hours
Private Sector Work Experience/Pre-apprenticeship	May pay up to $4,000.00	Minimum 4 weeks or 160 hrs; (work experience/pre-apprenticeships); May exceed $4,000.00 with Manager's, Officers' and President's/designee approval

Prior to receipt of a training service: Youth must have already attended orientation,

- completed financial aid eligibility session,
- registered in www.jobs.mo.gov,
- completed the WorkKeys or Career Ready 101 assessments,
- Talify results or O*Net results, based on assessment at the My Next Move site at: https://www.mynextmove.org/explore/ip,
- and completed the Employment Plan, including the Individual Service Strategy (ISS)

The Enrollment Committee must approve the enrollment of the Youth prior to the Youth starting on-the job training.

The customer's Employment Plan must contain short-term goal(s), long-term goal(s), objectives required to meet the goals, and a justification of appropriateness, including identification of the customer's skill gap between their current skills and skills required for an occupation. The plan must address these barriers and how these barriers will be addressed. The planning for training services must also account for Objective Assessment and address how the Objective Assessment supports the customer's training goals.

II. WIOA FOURTEEN (14) ELEMENTS OF THE YOUTH PROGRAM

Youth training occurs within the context of the fourteen (14) elements of WIOA Youth services. The Workforce Innovation and Opportunity Act requires that the purpose of WIOA funds for youth activities that include 14 program elements. These program elements are designed to fill the gaps in the lives of youth who lack the family, educational, and social frameworks to meet their essential needs. The following activities are available to youth participants, based upon each participant's objective assessment and individual service strategy:

1. Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that 1ead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized post-secondary credential;
2. Alternative secondary school services, or dropout recovery services, as appropriate;
3. Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences:
    (i) summer employment opportunities and other employment opportunities available throughout the school year;
    (ii) pre-apprenticeship programs;
    (iii) internships and job shadowing; and
    (iv) on-the-job training opportunities;
4. Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA Sect. 123;
5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
6. Leadership development opportunities, including community service and peer- centered activities encouraging responsibility and other positive social and civic behaviors;
7. Supportive services;
8. Adult mentoring for a duration of at least 12months that may occur both during and after program participation;

9. Follow-up services for not less than 12months after the completion of participation;
10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth;
11. Financial literacy counseling;
12. Entrepreneurial skills training;
13. Services that provide labor market 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; and
14. Activities that help youth prepare for and transition to post-secondary education and training.

III. CLASSROOM OCCUPATIONAL SKILL TRAINING

YOUTH: Classroom occupational skill training may be provided to out-of-school youth ages 16 through 24, or in-school youth who graduate from high school prior to the end of the school year.

A. Recommendation of Youth for Occupational Skill Training:

Prior to receipt of occupational skill training:

- Youth must have already attended orientation,
- Completed the financial aid eligibility session,
- Registered in *www.jobs.mo.gov,*
- Completed the WorkKeys or Career Ready 101 assessment,
- Completed the Talify or O*Net Profiler at (https://www.mynextmove.org/explore/ip), and
- Completed an *Individual Service Strategy (ISS-MOJOBS code 413).*

The Enrollment Committee must approve the enrollment of the Youth prior to the Youth starting classroom occupational skill training.

Classroom Occupational Skill Training must be full time (as defined by the school); DESE approved; and must lead to a certificate (credential). The length of the Classroom Occupational Skill Training may exceed 12 months if the training is in a demand occupation as identified by the Missouri Economic Research and Information Center (MERIC) and is approved by the President/CEO or designee.

B. Individual Service Strategy and Testing: Applicants will be required to complete the following steps:

- MOJOBS Individual Service Strategy (ISS)

- Minimum Test Scores:

    - In-School Youth interested in funding for post-secondary education, will be administered the TABE (full battery Reading, Language and Math), after high school graduation, and must score at the 9th grade level in reading, language and math to apply for post-secondary education scholarship or supply copy of ACT score of 18 or higher or WorkKeys test results of 3 or higher (Bronze designation).

    - Out-of-School Youth with a High School diploma/HISET), who are not basic skills deficient based on the TABE (full battery Reading, Math and Language) must test at the 9th grade level or WorkKeys (results of at least 3 or higher-Bronze) to apply for the post-secondary education scholarship.
    - Out-of-School Youth with a High School diploma/HISET, who are basics skills deficient based on the TABE (full battery Reading, Math and Language), must increase their functioning level to a 9th grade level prior to approval for funding for post-secondary education or WorkKeys (results of at least 3 or higher-Bronze).

    - Out-of-School Youth without a High School diploma or HiSET certificate, who are not basic skills deficient based on the TABE (full battery Reading, Math and Language), must score at the 11th grade level on the reading and math tests, or on the WorkKeys at level 3 (Bronze level) *AND* attend ABE/HISET training concurrent with their enrollment in classroom training.

    - Out-of-School Youth without a High School diploma or HISET certificate, who are basic skills deficient based on the TABE or WorkKeys, must increase their educational functioning to the 11th grade level or the TABE or level 3 on the WorkKeys, prior to approval for post-secondary classroom training *AND* attending ABE/HISET training concurrent with their enrollment in classroom training.

C. Remediation: Youth who do not meet the minimum requirements as listed above will enroll in on-site Skill Enhancement Workshop (Career Ready 101) until attaining the 9th grade level in reading and math on the TABE full battery or attaining a level 3 on the WorkKeys (Bronze level) and will be referred to appropriate external literacy and/or basic skill enhancement services and resources.

D. Approved Training Providers: The Career Development Executive (CDE) will provide an orientation on the requirements for participation in classroom occupational skill training. The web site for approved training providers, *www.jobs.mo.gov,* should be shared with the Youth as well as the **labor** market information regarding occupational demand so that the Youth can research eligible training providers and make an informed choice.
Training providers may be out of the region or out-of-state of the Workforce Development Board region, as well as located outside of the State of Missouri as long as:

- the provider meets the approval of DWD
- the provider and training program are indicated as eligible on the Missouri's Eligible Training Provider System, as approved by the Workforce Development Board
- there is a reciprocal agreement between Missouri and the other State that each will accept the training facilities of the other, per CFR 29, 680.520
- Offer training in high-demand occupations and occupations that are consistent with the Local Plan of the Workforce Development Board
- Be a business that is e-verified

Training providers serving as a site for non-classroom training services (On-the-Job Training, Work Experience) are required to:

- Meet the requirements for the company to receive funding from the WIOA or the respective funding source
- Offer training in high demand occupations consistent with the Local Plan and meet other requirements such as offering quality training, a reliable pathway to employment for On- the-Job training and meeting other requirements for work-based training
- Be a business that is e-verified

E. Classroom Occupational Training Forms: Upon approval of the training by the Manager, the CDE will prepare a Classroom Occupational Skill Training Enrollment Packet comprised of the following documents, so that it can be submitted to Fiscal Department at least five (5) days prior to the training start date to verify the availability of funding:

- FEC-ITS (original)
- Release of Information form
- MOSCORES printout showing Workforce Development Board approval
- Case note documenting name of training, start date, anticipated end date, amount of ITA, Name of Provider
- Statement of Account/Bill or MOSCORES printout
- 300 activity code from MOJOBS with projected start date and end date
- Senior Management Approval for training costs that exceeds the maximum allowable, as appropriate

F. Monitoring Youth Progress: The CDE will obtain copy of mid-term grades and final grades at the end of each semester. Additional funds should not be obligated without review of progress.

G. Maximum Dollar Amount. The *maximum* dollar amount to the paid from WIOA for classroom occupational skill training is $4,000.00. This amount is subject to budget availability, is NOT an entitlement, and will vary dependent upon training area. This amount may be increased above $4,000.00 by obtaining the written approval of the Manager, Officers' and President/CEO or designee. The request for approval to exceed the maximum training

amount shall include a statement as to the need for additional funding and must be submitted prior to the start of training.

H. Pell Grant: Youth recommended for enrollment in classroom occupational skill training must first apply for a Pell Grant or other types of financial aid. Upon receipt of the Pell Grant these funds must be used prior to Workforce Development Board funds. The Counselor must obtain a Pell Grant award letter. Receipt of Pell Grant funds shall be noted in the ITA.

I. Issuance of a Voucher to the Customer: Each customer approved by the Enrollment Committee and enrolled into classroom training shall be issued a voucher for training services which specifies the training provider, training program, amount of the voucher, and date of issue. The voucher shall be provided to the customer prior to the beginning of the class, with the voucher, including voucher number, forwarded to the training provider. If the customer does not attend the class within the allowable time from the start date of the class, the voucher shall immediately expire. This shall be relayed to the training provider. Issuing and tracking vouchers shall be administered by the Financial Aid Support Specialist.

J. Supportive Services: Please refer to the Issuance No. 2017-018, Modification 3, which outlines the Supportive Services available to Youth who are attending classroom occupational skill training. All OJT recommendations must provide reasonable and documented monitoring and audit trails that substantiate the need for the type of training.

IV. WORK EXPERIENCE *(MOJOBS code 425)* AND SUBSIDIZED EMPLOYMENT

Work Experience is integral to WIOA Youth Services. Work Experience is not a stand-alone activity, but must be delivered in conjunction with an educational component during the Youth participant's WIOA enrollment. The Workforce Development Board will expend a minimum of twenty percent (20%) of Youth program funding on Work Experience. Under WIOA, work experiences may include any of (1.) pre-apprenticeship programs, (2.) On-the-Job Training, (3.) Internships and Job-Shadowing, or (4.) Work Experiences available throughout the year, including summer employment (this type of activity is recorded as one service). The educational component must be identified in the Individual Employment Plan and Training Plan prior to the participant starting the Work Experience.

Work Experience is available to in-school youth who are juniors and seniors in high school and to out-of-school youth ages 16 through 24.

A. Recommendation of Youth for Work Experience: Prior to receipt of a work experience, Youth must have already attended orientation, completed the financial aid eligibility session, registered in *wwwjobs.mo.gov,* completed WorkKeys or Career Ready 101 Assessments, completed O*Net Profiler in My Next Move (https://www.mynextmove.org/explore/ip) or Talify, and completed an Employment Plan prior to being enrolled in a work experience. The Enrollment Committee must approve the enrollment of the Youth prior to the Youth starting a work experience.

B. The Work Experience: The work experience may be with private, public and/or not for profit companies may or may not include a commitment to hire.

Work Experiences are recommended for Youth who usually have limited work experience (less than 6 months in the occupational field) and/or have just completed classroom occupational skill

training and are in need of additional training. Work Experiences are developed based on youth interest and in demand occupations.

In order to be eligible to participate in sponsored work experiences, an employer must have been in business for a minimum of twelve (12) consecutive months. This restriction applies across all Workforce Development Board programs and funding sources. It is the responsibility of the WDE to determine and document that the employer meets this eligibility requirement.

Employers who are participating in sponsored work-based training (on-the-job training or work experiences) for the first time may not train more than two (2) participants concurrently, regardless of the program in which they are enrolled or the funding source being used. Once the employer has successfully completed two work-based training activities, the employer is eligible to participate in additional work-based training activities and there is no maximum on the number of participants that may be trained at the employer. It is the responsibility of the WDE to determine and document the eligibility of the employer.

Hours: The average number of hours for a work experience is 320 hours; the minimum hours for a work experience is 160; and the maximum number of hours is 480. Variances from the normal time periods require the approval of the President/CEO or designee. *Weekly hours may not exceed 40 hours, since Youth will not be paid for overtime.* The work experience hours and wage rate should be negotiated with the employer based on the needs of the Youth; the Youth's education, training, and prior work experience; and the difficulty of the job. If a Youth works more than 6 hours per day the Youth must take a minimum of a half hour *unpaid* lunch break. The wage to be paid to customers in a work experience position is decided by the President/CEO based upon market conditions and availability of program funds.

1. Work Experience: Work experience is a means of providing basic work experience to those Youth with less than 6 months of work history within the last 12 months. Work experience is a short-term training designed for Youth to explore career opportunities to determine a career path.
2. Part-time Work Experience: Youth, who are concurrently working on their HISET, may be placed in part-time work experience with the approval of their case manager and manager.

C. Forms: Work Experience forms include the following:

- Obligation and De-obligation Form
- O-25 -Work Experience Agreement
- On-the-Job Training Skills Training Agreement
- W-4 Form (Federal)

- W-4 Form (State)
- I-9 Form with supporting (2) documents
- Medical Information Checklist (for emergency contact information)
- Electronic paycheck Form (Payroll Cards only)
- Payroll Authorization Form (Payroll Cards only)
- Seeker Closure Screen or Enrollment Screens (closure screen must document activity)
- Case Note documenting name and training start date and participation in the subsidized activity or work experience.
- E-Verify case verification report

D. Maximum Dollar Amount: The maximum dollar amount to be paid for work experience is $4,000.00. This amount is subject to budget availability, is NOT an entitlement, and will vary dependent upon the training area. This amount may be increased above $4,000.00 by obtaining the written approval of the Manager, Officers' and President/CEO or designee. The request for approval to exceed the maximum training amount shall include a statement as to the need for additional funding and must be submitted prior to the start of training. The amount of the OJT should not be communicated with the employer prior to approval of the OJT Obligation form.

E. Worksite Monitoring: The WDE will perform on-site monitoring of Youth in Pre-Apprenticeships or On-the-Job Training a minimum of every two (2) weeks. Attention will also be provided at the intervals of mid-point and end point of the participants' OJT activities regarding achievement of Measurable Skills Gains. A case note summarizing the Worksite Monitoring Report must be entered by WDE in MOJOBS real time.

F. Measurable Skill Gains: Measureable Skill Gains that occur during the customer's program will be tracked in MOJOBS.

G. Supportive Services: Youth who attend on-the-job training may be eligible for support services such as work-related clothing, tools, and equipment and transportation for up to 30 days during the Youth's first month of employment. Issuance No. 2017-018, Modification 3, Supportive Services, Post-Employment and Payments for Outcomes for WIOA Youth, provides additional information on support services available to Youth. Support services provided will be based upon the needs of the Youth, and must be documented in the Youth's Individual Service Strategy, *MOJOBS code 413.*

Contractors: Full Service Contractors shall provide supportive services directly for their customers but must follow Workforce Development Board approved procedures as outlined in this Issuance.

H. Activity Codes: Enrollment in MOJOBS of WIOA Youth Who Are Approved for Training: WIOA youth approved for training activities by the Enrollment Committee must be enrolled in the following MOJOBS activity codes:

Code	Activity
412	Objective assessment
413	Individual Services Strategy

Additional WIOA activity codes must be entered in MOJOBS as additional WIOA services are provided to WIOA youth. The reader is referred to Division of Workforce Development Issuance No. 03-2015, Workforce Innovation and Opportunity Act (WIOA) Youth Program Framework and Design (Attachment A).

I. Contractor Referral of Customers for Work Experience: Full Service Contractors should develop work experiences directly for their customers rather than referring the customers to the Full Employment Council, but must follow Workforce Development Board approved procedures as outlined in this Issuance.

V. YOUTH ON-THE-JOB TRAINING *(MOJOBS code 428)*

All youth should attend labor market information and financial literacy workshops to identify career pathways prior to being placed in any work experiences.

On-the-job training may be provided only to out-of-school youth ages 16 through 24, or in-school youth who graduate from high school prior to the end of the school year or youth that has high school equivalency.

A. Provisions for On-the-Job Training:

1. OJT agreements may be entered into with Registered Apprenticeship program sponsors or participating employers in Registered Apprenticeship programs of the OJT portion of such programs. Depending upon the duration of the Registered Apprenticeship, funds may cover some or all of the Registered Apprenticeship.

2. Customers must meet the following criteria, in addition to being determined eligible and enrolled by the Enrollment Committee:

a. 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; *and*

b. Is in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to – or higher than – wages from previous employment; *and*

c. Is in possession of the skills and qualifications to participate successfully in training services; *and*

d. 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; *and*

e. Is unable to obtain grant assistance from other sources to pay the costs of such training [including such sources as State-funded training funds, Trade Adjustment Assistance, and Federal Pell Grants established under Title IV of the Higher Education Act of 1965] or

requires WIOA assistance *in addition* to other sources of grant assistance (including federal Pell Grants).

All of these eligibility requirements for training services **must** be met and documented before an individual can receive the OJT service. **Staff must also document these requirements in MOJOBS case notes.**

3. The industry sector and occupation shall be in high-demand as defined by the Workforce Development Board.

4. The occupation shall have a grade of A or A+ in the 2014-2024 Missouri Economic Research and Information Center (MERIC) outlook projections for the Kansas City region.

5. Other factors include the number of employees participating, wage and benefit levels and relation of the training to the competitiveness of the participant.

6. There is no State requirement for the establishment of due process procedures pertaining to testing for controlled substances.

7. Updated forms shall be used, as noted below:

a. OJT Program Agreement FEC Form O15
b. OJT Outline and Job Description
c. OJT Supplemental Agreement FEC Form O50
d. OJT Eligibility Notification FEC Form O15A
e. OJT Monitoring Report FEC Form O51 (Employer)
f. OJT Monitoring Report (FEC Worksite Monitoring Report (Participant)
g. OJT Monthly Invoice FEC Form O51A

(OJT Monitoring Reports now consist of two separate forms for Employer and Participant.)

B. Recommendation of Customers for Training Services: Development of an Employment Plan (EP), including assessments and required case-management services, is required before a participant can receive training service. The Employment Plan must contain short term and long term career goals.

Customers must also:

- Attended an Overview,
- Complete Wagner-Peyser enrollment,
- Attend the Financial Aid eligibility session,
- Youth customers must complete Objective Assessment,
- Complete the WIOA career services eligibility and enrollment process,
- Complete WorkKeys or Career Ready 101 Assessment,
- Complete the Talify assessment or O*Net Profiler at My Next Move (https://www.mynextmove.org/explore/ip),
- OJT must be the best training opportunity for the customer, after considering options such as classroom training,
- Pursue training in a field that is a high demand occupation,
- Customers who are employed and eligible may receive OJT opportunities to increase their wages with a different company.

In addition, MOJOBS should indicate in the case notes that the customer is being recommended for training services. The Enrollment Committee must approve the enrollment of the customer prior to the customer starting training.

All OJT recommendations must provide reasonable and documented monitoring and audit trails that substantiate the need for the type of training.
Many times a company identifies a potential OJT participant first. In these cases, the individual lacks skills the employer requires and is in need of OJT. The company must first refer the individual to the Job Center for eligibility determination **prior to beginning the hiring process.** Any individual hired prior to the eligibility determination is not eligible for the federally funded OJT program.

C. Training Overview and Documentation of Need: The Career Development Executive (CDE) or Skills Team member will review the Employment Plan with the customer and document the need for on-the-job training, and indicate that the customer has a reasonable expectation of completing the OJT. The Workforce Development Executive will provide the customer a general orientation to training services including a description of the requirements for participation in OJT.

D. Employer Credentials and Position Requirements: Additionally, it is required that:

- A pre-award review is conducted to verify that the employer is not relocating,
- An OJT program agreement with a State agency or any other unit of government that operates WIOA programs,
- The OJT Program Agreement must have beginning and ending dates, and conclude within one year,
- There is documentation of a Skills Gap Analysis that justifies federal OJT funds,
- Variance in the Training Plan's start and end dates requires a Supplemental Agreement,
- The Training Plan and the participant's Employment Plan in the case management system document short-term and long-term goals, and identifies the skills gap between the participant's skills and the occupational skill requirements.
- The employer is not in layoff status and has not laid off employees for the past year,
- The training does not displace current employees,
- The company must have regulations that address safety and health issues,
- Appropriate supervision and training is provided for all participants,
- The position must not be seasonal employment,
- The wages and benefits should be appropriate based on O*NET State and National Wage Tables,
- The position must be a full-time position, defined as 32 or more hours per week,
- Training must not impair any existing contracts for services or collective bargaining agreements,
- Training Agreements cannot be for temporary or intermittent employment, or for employment in an occupation for a fee,
- Participants cannot be employed in the construction, operation, or maintenance of a facility primarily devoted to sectarian instruction or religious worship,
- Employer has signed EEO and the complaint and Grievance forms.

E. Workforce Development Executive (WDE) Responsibilities: The WDE will develop an On-the-Job Training Program Agreement (Form O-15) with the employer which lays out the responsibilities of the Workforce Development Board and the employer and is a non-binding contract with the employer.
In order to be eligible to participate in sponsored OJT activities, an employer must have been in business for a minimum of twelve (12) consecutive months. This restriction applies across all Workforce Development Board programs and funding sources. It is the responsibility of the WDE to determine and document that the employer meets this eligibility requirement.

Employers who are participating in sponsored OJT activities for the first time may not train more than two (2) clients concurrently, regardless of the program in which they are enrolled or the funding source being used. Once the employer has successfully completed two OJTs, the employer is eligible to participate in additional OJT activities and there is no maximum on the number of customers that may be trained at the employer. It is the responsibility of the WDE to determine and document the eligibility of the employer.

The WDE completes the following forms:

- The Occupational Skills Training Plan
- O-15 – On-the-Job Training Program Agreement signed by employer, including the Legal Certifications and On-the-Job Training Program Agreement General Assurances
- O-17 – On-the-Job Training Skills Training Agreement
- The O-17 form details the employer's employment and training needs and strategies for meeting those needs. The On-the-Job. Skills Training Agreement must ensure that participants are provided a structured training opportunity in which to gain the knowledge and competencies necessary to be successful in the occupation in which they receive training.
- WDE must enter the result of the referral in MOJOBS in the Job Order Activities Tab. The WDE will create the obligation packet and will submit it to the CDE who will complete the Obligation Form and submit same to the Manager for approval. OJT forms include the following:
- O-15 – On-the-Job Training Program Agreement, including Legal Certifications and On-the-Job Training Program Agreement General Assurances
- O-17 – On-the-Job Training Skills Training Agreement
- Case Note documenting employer, start date and participation in an OJT
- Certificate of Insurance
- Employer's E-verify Exhibit, including a signed Current Business Entity Status form, a signed Affidavit of Work Authorization, and accompanying documentation of E-Verify status
- Attainment of skills documented in the training plan must be notated, and in the case notes, Monitoring Forms (Employer and Participant) and the Skills Training Agreement.

F. Contractors: Full Service Contractors shall directly enroll customers for training services, including on-the-job training and classroom occupational skill training but must follow Workforce Development Board approved procedures as outlined in this Issuance. Contractors

who provide support services directly for their customers must follow approved procedures as outlined in this Issuance.

G. Measurable Skill Gains: Measureable Skill Gains that occur during the customer's program will be entered and case noted into MOJOBS by the counselor or provider attaining the information. The reader is referred to Issuance No. 2017-007, Measurable Skill Gains, for more information regarding this measure. Measurable Skill Gains must be uploaded into MOJOBS.

H. Supportive Services: Customers who attend on-the-job training may be eligible for supportive services such as work-related clothing, tools, and equipment and transportation for up to 30 days during the customer's first month of employment. Issuance 2001-08, Modification 25 provides additional information on supportive services available to customers. Supportive Services provided will be based upon the needs of the customer, and must be documented in the customer's Employment Plan.

Contractors: **Full Service Contractors** shall provide supportive services directly for their customers but must follow approved procedures as outlined in this Issuance.

I. Employer Agreement

- WDE will submit a copy of the completed Employer Agreement packet to the Fiscal Department
- The Fiscal Department will record the employer and notify the Fiscal Department to generate a Vendor ID
  - Only employers and vendors have Vendor IDs
- For employers without Employer Agreement packets, WDE will email employer address and contact information to MIS to be entered into the database.
- MIS will notify the Fiscal Department to generate a Vendor ID

J. Worksite Monitoring

During training, the WDE will complete at least twice a month the OJT *Worksite Monitoring Reports*, and submit to MIS for participant's file and uploaded in MOJOBS to document Measurable Skill Gains. Worksite monitoring will occur every two weeks. A case note summarizing the OJT Worksite Monitoring Report must be entered by WDE in MOJOBS real time. The monitoring will include participant training and corresponding employer payroll records if we are reimbursing. Monitoring should be performed whether or not reimbursement occurs. WDE will record OJT worksite monitoring in MOJOBS. The MIS Department will be notified to print and file in participant file.

Attainment of skills documented in the training plan must be notated in the case notes, and the Worksite Monitoring Report. WDE enters case note after the last day of training and upon the first day of unsubsidized employment, Business Team member completes a verification form and final monitoring report, and delivers it to a Skills Team member.

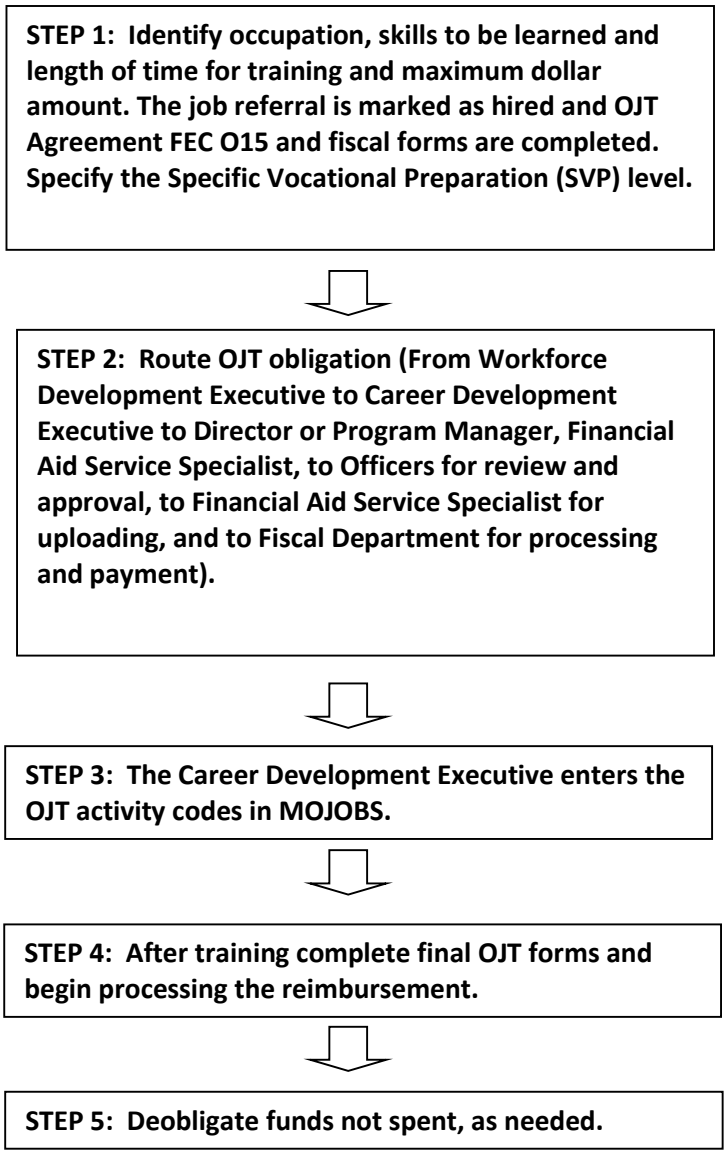
K. Employer Payment Requests

The Fiscal Department will record OJT payments.

- WDE will submit monthly payroll logs, post training plans, monitoring reports, and

- MOJOBS case notes that states the payment amount and the timeframe of the requested payment.

If an OJT has been identified for a participant the following steps are followed:



These steps are detailed below:

Step 1
On-The-Job Training Skills Training Agreement and Obligation Requirements: The OJT agreement should identify the occupation, the skills to be learned and the length of time the training will be provided and must be limited to the period of time required for a participant to become proficient in the said occupation for which the training is being provided.

The On-the-Job Skills Training Agreement must ensure that participants are provided a structured training opportunity in which to gain the knowledge and competencies necessary to be successful in the occupation in which they receive training. In determining the appropriate length of the training agreement, 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 employment plan.

The **On-the-Job Training Skills Training Agreement** includes:

- The employer name and address
- The employer size
- Occupation
- Job Title
- The O*Net code
- The SVP Range (based on O*Net Code)
- Job order number
- Total number of hours working per week
- The duration of training with the start (must match actual OJT start date), and end date of training clearly defined
- The name of participant
- MOJOBS State ID and last 4 digits of Social Security number
- The rate of pay per hour
- The percentage of reimbursement
- The maximum amount of reimbursement
- Name or job title of person with the company who is responsible for training
- Job description
- A training outline that includes at the minimum six skills that will be obtained during the training that is addressing the gap in skills of the participant who is receiving the training. An estimate of the percentage of competency to be reached in each skill by the midpoint of the training and at the end of the training
- Signature of trainee and date
- Signature of employer/trainer and date
- Name of the Business Services team member generating the plan.
- Job Order number
- General Assurances, including the employer's agreement to maintain and make available time and attendance records, payroll, e-verify, and other records to support amounts claimed by the employer for reimbursement under the OJT agreement.

Obligation/Fiscal Forms – (WDE)

- On-the-Job Training Obligation/De-obligation Form
- O-17 – On-the-Job Training Skills Training Agreement
- O-15 – On-the-Job Training Program Agreement, including Legal Certifications and On-the-Job Training Program Agreement General Assurances
- Summary Screen – Must document activity enrollment
- Case Note documenting employer, start date (must match actual OJT start date), and participation in an OJT

- Copy of Certificate of Insurance
- Notarized Employer E-Verify Exhibit, including a signed Current Business Entity Status Form, a signed Affidavit of Work Authorization, and accompanying documentation of E-Verify status
- Memorandum to file, in cases where exceptions to policy have been requested and approved by Officers

At the end of the training period WDE provides to CDE a Verification of Placement and will enter a case note to document that the customer has completed their training and the employer has retained them.

Maximum Dollar Amount and Minimum and Maximum Time Periods: The maximum dollar amount to be paid for on-the-job training is $4,000.00, and may only be exceeded by obtaining the written approval of the Manager, Officers' and President/CEO or designee. This amount is subject to budget availability, is NOT an entitlement, and will vary dependent upon training area. The request for approval to exceed the maximum training amount shall include a statement as to the need for additional funding and must be submitted prior to the start of training. The amount of the OJT should not be communicated with the employer prior to approval of the OJT Obligation form. OJT participants must be employed at a minimum of 30 days before reimbursements are processed and/or provided.

Time Periods: The minimum time period is 4 weeks or 160 hours; the average time period is 8 weeks or 320 hours; and the maximum time period is 1,040 hours. However, the length of the OJT may vary based on three factors: the difficulty of the job, previous work experience, and the customer's education. Variances from the normal time periods require the approval of the President/CEO or designee.
In determining the appropriate length of the training agreement, consideration must 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 Employment Plan. The participant's length of training must be based on the gap of skills between the position and the OJT participant and be consistent with an overall WIB policy that enumerates training plans allowed maximum length. (e.g., O*Net and/or the Skills Training Agreement). Training must not exceed 1,040 hours.

The following is the conversion between the SVP Level of the occupation and the maximum weeks of training allowed for an OJT participant. An explanation of the various levels of Specific Vocational Preparation (SVP) from O*Net On-Line, found at: http://www.onetonline.org/help/online/svp. Identify the SVP level by going to the Job Zone section of the O*Net Online site. The O*Net profile for each occupation has an SVP level identified in the Job Zone section. The SVP level found in the Job Zone section should be entered on all OJT forms that request an SVP level. The maximum length of the OJT must be based on the SVP level of the occupation; the duration of the training does not determine the SVP level. The chart below illustrates the maximum allowable length of OJT based on the SVP Level. Although it is possible for an OJT to be of a shorter duration than the maximum length, the OJT cannot exceed the duration listed in the chart.

If the SVP Level is above 4 (4 and over), the actual SVP level should be entered on all forms that request an SVP level. In these cases, however, the training still cannot exceed the maximum duration of 1,040 hours.

SVP Level	Maximum Duration of OJT
1	Short demonstration only
2	Up to 1 month
3	Up to 3 months
4 and over	Up to 6 months = 1,040 maximum hours of training

Individuals in OJT shall be compensated at the same rates, including periodic increases, as trainees or employees who are similarly employed in similar occupations by the same employer; and, who have similar training, experience, and skills. Such rates shall be in accordance with applicable law, but in no event, less than the higher of the rate specified in Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable state or local minimum wage.

Step 2

Routing of OJT Obligations: The obligation packet is developed by the Workforce Development Executive and provided to the Career Development Executive for signature. The packet is forwarded to the Director or Program Manager for review and approval. The obligation packet is then forwarded to the Financial Aide Support Specialist who logs receipt of the packet for tracking and forwards the packet to the Officers for approval. Upon Officer approval, the packet is returned to the Financial Aid Support Specialist who forwards the packet to the Fiscal Department for processing and payment.

Step 3

MOJOBS: The CDE will enter the customer in the OJT Activity in MOJOBS when the obligation is submitted; this includes entering the Job order number in the Employment Plan. If customer does not start the activity, the activity will be closed and outcomes will indicate service in error. The OJT actual start date must match the start date listed in MOJOBS. **MOJOBS CODE – 428.**

Step 4

OJT Reimbursement Process and Extension Policy: After an OJT customer completes training, which is the total number of hours outlined on the training, the employer may be eligible for the wage reimbursement amount obligated on the training plan. The employer can be reimbursed one day after completion of the on-the-job training outlined in the training plan agreement.

The amount obligated for OJT shall not exceed $4,000.00 without approval from the Manager, Chief Operations and Chief Financial Officers, and the President or designee. **The amount of the OJT should not be communicated with the employer prior to approval of the OJT Obligation form.**

Upon completion of OJT training, the original Skills Training Agreement will be signed by the customer and the employer. The WDE will submit a copy of the signed Skills Training

Agreement along with the OJT reimbursement paperwork to the Manager for approval who will submit same to the Senior Vice President for approval and submission to Fiscal for payment.
The original reimbursement packet is to be submitted to Fiscal, and a copy maintained by the WDE. The ***reimbursement package*** must contain the following information:

- O-18 – On-the-Job Training Payment Request
- O-19 – On-the-Job Training Actual Cost Reimbursement Form
- Signed copy of O-17 – On-the-Job Training Skills Training Agreement
- Worksite Monitoring Report (to be completed by the WDE twice a month throughout the training period). The WDE should share the results of the monitoring with the CDE and make case notes.
- OJT Invoice – Completed and signed OJT invoices which indicate the actual hours worked to verify that all training hours have been completed. In the event the participant is unable to sign a time sheet, documenting Service Notes should outline the attempts to secure signature. Employer attestation on the OJT Training Agreement of an electronic time management system to capture attendance accompanied with the payroll data may suffice in lieu of participant signature
- Client payroll documentation as provided by employer Payroll documentation reflecting gross and net wages. The actual training period reported on Payroll documentation must match with the training period on the training plan and pay must match at least the agreed upon hourly rate. Any difference between the actual training period and training period on Skills Training Agreement requires senior management approval.
- Case note stating Reimbursement packet is being submitted for payment

OJT Training activities can be extended if requested by the employer. WDE must provide a written request and justification for the extension (i.e. to allow for additional time to obtain stated skills needed). The employee must be employed a minimum of 30 days before reimbursements are processed and/or provided.

Step 5
De-Obligation: If trainee did not complete training, the training must be de-obligated within 30 days of training end date and submitted with a copy of Form O-17 (On-the-Job Training Skills Training Agreement).

L. Additional Requirements for OJT Training

Dispute Resolution, Nepotism and Agreement Modifications:

- Should a company involved in an OJT have a dispute, the dispute will be referred to an Officer for clarification and resolution,
- Should a participant have a dispute with a company and/or if the dispute entails a claim of discrimination, the dispute will be resolved through a Director, in consultation with an Officer. Disputes involving discrimination will also be referred to the EEO Manager,
- An Employee Services Staff member shall not work directly with a company that has a connection with a relative at the company leadership level,

- Participants will not be placed when it is known that they have a connection with a

relative at the company leadership level,

- Modifications of OJT Agreements shall be reviewed and authorized by an Officer of the Full Employment Council.

M. Employer Outreach

Employer outreach must for OJTs must consider the following:

- Outreach shall reflect the Full Employment Council's designation of high-demand occupations and employment sectors,
- An employer orientation must be performed, including training provisions, general assurances, training plan, participant monitoring and invoice procedures,
- Non-discrimination guidelines must be covered,
- It must be relayed that no reimbursement shall be made for work performed outside of the term of the Contract, or during periods of work stoppages, or for fringe benefits. We will not reimburse for holidays, sick time or overtime. Overtime hours in excess of 40 hours per week shall be counted as training hours and reimbursed at the regular rate of pay. The employer however, must pay the overtime rate in excess of the regular rate in full. "non-regular" wages such as shift differential, premium pay, are also reimbursed at the regular pay, if training occurs during those hours.

N. Recording Results of On-the-Job Training Activities in MOJOBS

It is important to select the correct OJT Training Service outcome because the outcome will effect Performance Measures on the local and state level. Only the following codes may be used:

- Did Not Complete;
- Non-OJT Related Employment;
- OJT Related Employment;
- Retained by OJT Employer; and or
- OJT-Did Not Complete.

ATTACHMENT 21. Accessibility Policy – Persons with Disabilities

1740 Paseo Blvd. • Kansas City, MO 64108
816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

ACCESSIBILITY POLICY

POLICY NUMBER: 2017-015, Modification 1

EFFECTIVE DATE: 12-01-2017

MODIFICATION DATE: 1-29-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this issuance is to establish guidelines for access to program services for persons with disabilities and special needs. The Workforce Development Board will follow the OWD Issuances No. 12-2017, Minimum Standards for Assistive Technology in Missouri Job Centers, and No. 06-2014, Access to Meaningful Services for Individuals with Limited English Proficiency (LEP) which this Policy is based on.

BACKGROUND

This Issuance addresses guidelines for compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, WIOA guidelines, and State DWD policy.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

FULL EMPLOYMENT COUNCIL ACCESSIBILITY POLICY

POLICY NUMBER: 2017-015, Modification 1

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Attachment A: Missouri Division of Workforce Development Issuance No. 12-2017, Minimum Standards for Assistive Technologies in Missouri Job Centers

Attachment B: Missouri Division of Workforce Development Issuance No. 06-2014, Access to Meaningful Services for Individuals with Limited English Proficiency (LEP)

Attachment C: CTS Language Link

POLICY

The Full Employment Council shall assure program and physical access to persons with disabilities, including communication access.

This includes the availability and use of assistive technologies, following practices associated with service delivery, making the public aware of the availability of such technology and practices, Staff training, and implementation of the Accessibility policy.

I. ASSISTIVE TECHNOLOGY

In the public resource computer center, there shall be at least one adjustable height table to accommodate customers who use wheelchairs, as well as those small or large in stature.

For individuals with low vision, there shall be screen-enlargement software on computers and at least one large screen monitor.

Where computer assess is required, a trackball and alternative keyboard shall be available for use by individuals who have difficulty using a traditional mouse and/or keyboard.

Staff will be trained on accessibility practices and technology and will communicate with customers regarding the availability of accessibility practices and technology, as appropriate. This includes familiarity with Relay Missouri as an alternative telecommunications tool for individuals who are deaf, hard-of-hearing, deaf/blind, or have a speech impairment

Accessibility technology includes:

- Features built into the Microsoft Operating System (i.e., on-screen keyboard, voice input, sticky keys, bounce keys, other Microsoft software features).

- For individuals with a mild to moderate hearing loss, an assistive listening device (ALD) available for use in one-on-one and group settings. The Full Employment Council utilizes UbiDuo communication technology for typed captioned communication at each of its sites.

- Captioning display for viewing of videos.

- Amplified Telephone. Consumers will have access to telephones with high-grade amplification in areas with a suitable environment to utilize the telephone without noise interference.

- Telecommunications Device for the Deaf (TDD) with Printout. Individuals will have access to TDD devices that have message taking capabilities.

- Hands-Free Speakerphone with Large Keypad. Customers will have access to telephones that have speaker capabilities and can be used hands-free and have

enlarged keypads.

- Flatbed Scanner. Customers will have access to flatbed scanners that are connected to computers that can convert an image from a printed page to a computer file.

- Speech Synthesizer and Screen Reading Software.

II. ASSISTIVE TECHNOLOGY USES: DEVICES AND COMPUTER-BASED

The following tables provide information into devices and their uses (Table 1), and the accessibility features built into the Windows Operating System (OS). Staff should use these to understand assistive technology availability and uses.

Table 1: Devices and Associated Uses and Benefits

Device	Benefits
Assistive Listening Device	Hard-of-hearing individuals
Trackball (wired or wireless)	Mobility/dexterity impairments
Adapted keyboard	Mobility/dexterity impairments
Height Adjustable Table (with hand crank or motorized adjustment)	Mobility/dexterity impairments
Phone amplifier (in-line)	Hard-of-hearing individuals
Large screen monitor (22"–24")	Low vision individuals

Table 2: Windows OS Built-in Accessibilities Features for Inclusion

Feature	Benefits	Description
Magnifier	Low vision individuals	Enlarges portions of the screen making it easier to view text and images and see the whole screen. Has multiple levels of magnification and 3 magnification options: full-screen mode, lens mode and docked mode.
On-screen keyboard	Mobility/dexterity impairments	Displays a visual keyboard with all the standard keys. Used in conjunction with a mouse to select keys. Includes a text prediction feature that can be turned on and which speeds process up for users.
High contrast	Low vision individuals	If it's hard to read text on your screen, you can change the theme of your PC to a color combination

		that's easier to read.
Feature	Benefits	Description
Mouse keys, sticky keys, filter keys	Mobility/dexterity impairments	Alternative methods available for users who need a work around for common keyboard actions. When activated, Mouse Keys uses the arrow keys on the numeric keypad to move the pointer. Sticky Keys prevents someone from having to press three keys at once (e.g.,Ctl+Alt+Del). When Sticky Keys is turned on, the user can do these functions by pressing one key at a time. Filter Keys will ignore keystrokes that occur in rapid succession and keystrokes that are held down several seconds unintentionally.

III. SERVICE DELIVERY

People with disabilities shall be served in integrated settings and participate in programs and services of the Job Center alongside people without disabilities.

All customers are made aware of the availability of various types of accommodations or special assistance that enable everyone to take full advantage of Job Center services. Staff shall not single out individuals and offer specific aids based on their own intuitions or perceptions.

Printed publications are available (immediately or in a timely manner) in alternative formats such as Braille, large print, electronic text, and/or audio. Alternative methods shall be available, such as sign language interpreters certified at intermediate or above and assistive listening devices. The Full Employment Council shall have request a one-day notice should alternative methods be requested.

Should a customer request other materials, the staff member receiving a request for alternate formats shall be directed to the Manager of Equal Opportunity/Community Recruitment. These alternative formats, as appropriate, shall be delivered to the customer in a reasonable amount of time. If further assistive technological devices are required to assure access to services, the Full Employment Council shall secure these devices or technology.

The Job Center has a procedure for responding in a timely manner to requests for auxiliary aids and services not readily available in the center (i.e., specialized assistive technology).

The Job Center has identified a source for certified American Sign Language interpreters and can respond to interpreter requests.

IV. PUBLIC AWARENESS

A list or notice that auxiliary aids and services for communication, assistive-technology devices, and materials in accessible formats are available shall be made known in writing or verbally to all customers, regardless of whether they disclose, or appear to have, a disability. Customers should be uniformly informed that they have a right to request accommodations, however unsolicited offers of specific formats or devices to individual customers shall be avoided. Such unsolicited offers can be perceived as a reflection of staff perceptions or stereotypes about particular disabilities and are contrary to the Americans with Disabilities Act (ADA).

V. STAFF TRAINING

Quarterly training will occur to assure Staff recognize the importance of making people with disabilities feel welcome, have a basic awareness on how to meet the needs of customers with disabilities, understand that they are required to provide reasonable accommodations to customers with disabilities.

Staff members shall be aware of, know how to access, and have a basic understanding of how to use assistive technologies, both stand-alone devices and accessibility options built into the computer operating system, and how to assist customers in their use. Functional Leaders will coordinate with the Job Center Disability Navigators to arrange trainings on a quarterly basis.

VI. IMPLEMENTATION

- Architectural access in compliance with the ADA shall be maintained at all locations.

- Training and/or technical assistance on an on-going basis shall be provided to staff regarding the use of basic assistive technology, procedures and local resources available for the arrangement of access services such as sign language, interpreting, braille transcription, how to respond to specific requests for auxiliary aids and services, and guidance on disability etiquette and culture.

- The Full Employment Council shall have materials, in a variety of accessible formats and media, to market the availability of accessible technologies.

VII. CUSTOMERS WITH LIMITED ENGLISH PROFICIENCY

If a customer with limited English proficiency whose primary language is other than English presents for services, Staff should serve this person with respect to the appropriate workforce resources of the Job Center. If possible, a Staff Member who can communicate with the customer should provide services. Staff Members, in providing services, may also make referrals to partner agencies (e.g. Guadalupe Center) in assisting the customer.
Staff Members should also communicate with the customer utilizing the Language Link

If the Staff Member is not able to communicate proficiently with the customer in the customer's primary language. The Language Link is a telephonic source for interpreters and is accessible at (800) 208-2620. (See Attachment C)

Attachment A:

Missouri Office of Workforce Development

OWD Issuance 12-2017

Minimum Standards for Assistive Technologies in Missouri Job Centers

Missouri Division of Workforce Development
DWD Issuance 12-2017

Issued: November 09, 2017
Effective: November 09, 2017

Subject: **Minimum Standards for Assistive Technologies in Missouri Job Centers**

1. Purpose:

This Issuance establishes minimum standards of the Division of Workforce Development (DWD) to ensure that programs and services delivered through Missouri One-Stop Job Centers and Affiliate Job Centers are physically and programmatically accessible to all, including individuals with disabilities. Toward that end, this policy specifically addresses the provision of Assistive Technologies. It leaves the logistical disposition of those resources to the discretion of the Local Workforce Development Board (Local WDB). The responsibility for monitoring local adherence to these standards shall be the responsibility of the Local WDB's Local Equal Opportunity (EO) Officer.[1]

2. Background:

All Workforce Innovation and Opportunity Act (WIOA)[2] Title I-financially assisted programs and activities must be *programmatically accessible.* This includes providing reasonable accommodations for individuals with disabilities and communicating with persons with disabilities as effectively as with others. Recipients must provide appropriate auxiliary aids or services, ***including Assistive Technology devices and services,*** upon request, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity.[3]

Assistive Technologies are mitigating measures to aid people with disabilities that substantially limit their abilities to receive or to communicate information about themselves, programs, or services.[4] Assistive Technologies usually take the form of auxiliary aids or services, but also may include modifications to the physical environment related to the use of devices.

Since the 1999 effective date for regulations implementing the Section 188 nondiscrimination provisions of the Workforce Investment Act of 1998 (WIA)[5] DWD has conducted EO reviews of accessibility in Missouri Job Centers. These reviews have focused simply on whether Assistive Technologies for physical and sensory disabilities were available or not, without specific regard for functionality or product features.

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[1] 29 CFR 32.7, 29 CFR 38.31 and DWD Issuance 08-2012, "Designation of Local-Level Equal Opportunity (EO) Officers," December 11, 2012, and subsequent guidance.
[2] Pub. L. 113-128 [29 U.S.C. 3101, et seq.].
[3] 29 CFR 38.13(b) and 29 CFR 38.35.
[4] 29 CFR 38.4(q)(5)(iv)(B).
[5] Pub. L. 105-220; *repealed by WIOA, July 22, 2014.*

The statutory principles of nondiscrimination and EO law have evolved significantly since the 1998–1999 effective dates of WIA and its implementing regulations. The Americans with Disabilities Act (ADA)[6] was amended by the ADA Amendments Act of 2008 (ADAAA).[7] Agencies enforcing these statutes issued regulations and guidance affecting federal financially assisted programs and activities to reflect these legal developments.[8] The Rehabilitation Act of 1973[9] also has been amended twice. Section 504[10] of that act provides that individuals with disabilities may not be excluded from participation in, or denied benefits of, or subjected to discrimination in programs or activities receiving federal assistance.

Finally, WIA itself was superseded and repealed by WIOA in 2014. The Part 38 final rules[11] for implementation of the Section 188[12] nondiscrimination provisions of WIOA became effective in January 2017.[13] They are substantially revised from the Part 37 rules which served the same purpose under WIA. All comprehensive One-Stop Job Centers[14] and Affiliate Job Centers[15] must be physically and programmatically accessible to individuals with disabilities, as described in the Part 38 rules, which include a new subpart regarding accessibility requirements[16] and an expansion of the previous subpart on communications with individuals with disabilities.[17]

The definition[18] of auxiliary aids or services includes:

- Communications accessibility for individuals with hearing impairments
    - Qualified interpreters, on-site or through video remote interpreting (VRI) services;
    - Notetakers;
    - Real-time computer-aided transcription services;
    - Written materials;
    - Exchange of written notes;
    - Telephone handset amplifiers;
    - Assistive listening devices;
    - Assistive listening systems;
    - Telephones compatible with hearing aids;
    - Closed caption decoders;
    - Open and closed captioning, including real-time captioning;

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[6] Pub. L. 101-336, as amended.

[7] Pub. L. 110-325 [29 U.S.C. 12101, et seq.].

[8] *See [1]* U.S. Department of Justice, Office of the Attorney General, *Amendment of Americans with Disabilities Act Title II and III Regulations to Implement ADA Amendments Act of 2008; Final Rule,* 81 FR 53204, August 11, 2016 (revising 28 CFR Parts 35 and 36); *[2]* U.S. Equal Employment Opportunity Commission, *Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act, as Amended; Final Rule,* 76 FR 16978, March 25, 2011 (29 CFR part 1630).

[9] Pub. L. 93-112 [29 U.S.C. 701 et seq.].

[10] 29 U.S.C. 794. The U.S. Department of Labor (DOL) regulations implementing this section are engrossed in 29 CFR Part 32—"Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance."

[11] 29 CFR Part 38.

[12] 29 U.S.C. 3248: Nondiscrimination.

[13] DWD Issuance 09-2016, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act," January 18, 2017.

[14] 20 CFR 678.305.

[15] 20 CFR 678.310.

[16] 29 CFR 38.13.

[17] 29 CFR 38.15.

[18] 29 CFR 38.4(h).

- Voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices;
- Videotext displays; or
- Accessible electronic and information technology.

- Communications for individuals who are blind or have low vision
  - Qualified readers;
  - Taped texts;
  - Audio recordings;
  - Brailled materials and displays;
  - Screen reader software;
  - Magnification software;
  - Optical readers;
  - Secondary auditory programs (SAP);
  - Large print materials; or
  - Accessible electronic and information technology.

3. Substance:

In the light of changes to laws and rules, DWD and its WIOA State agency partners[19] have determined that a set of minimum standards **(Attachment)** must apply to Assistive Technologies available in Missouri Job Centers to accomplish the nondiscrimination provisions of WIOA and to comply with 29 CFR Part 38. These minimum standards do not include every Assistive Technology on the above bulleted list, and it is not intended that every Job Center have every Assistive Technology on the list on hand and immediately available. However, any item above might be reasonably named in a request for accommodation. Contingencies should be available to allow the person with the disability to communicate and participate to the same extent as a person without a disability.

A report[20] commissioned by the U.S. Department of Labor (DOL) and released in January 2017 indicates improvements need to be made in the accessibility available to individuals with disabilities in American Job Centers (AJCs). The report, which involved a survey[21] sent to every AJC in the country, found that 63 percent of AJCs were "not fully accessible" to people with disabilities, failing in physical accessibility, communications accessibility, programmatic accessibility, or a combination of those areas. In the specific area of communications accessibility (providing technology-based options to people with disabilities for incoming and outgoing calls, sign language interpreters, and materials in accessible formats for the visually impaired), 30 percent of Job Centers were not fully accessible, although most were "partially accessible," by providing one or more of those options.

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[19] State agencies that are part of the Missouri Job Center system [besides the Department of Economic Development (DED)/Division of Workforce Development (DWD)], include: the Office of Administration (OA) Information Technology Support Division (ITSD); the Department of Labor and Industrial Relations' (DOLIR) Division of Employment Security (DES); the Department of Social Services'(DSS) Family Support Division (FSD) and Rehabilitation Services for the Blind (RSB); the Department of Corrections (DOC); the Department of Elementary and Secondary Education's (DESE) Division of Learning Services, Office of Adult Learning and Rehabilitation Services, Vocational Rehabilitation (VR) and the Division of Learning Services, Office of Adult Learning and Rehabilitation Services, Missouri Adult Education and Literacy (AEL) Program; the Coordinating Board for Higher Education (CBHE); and the Department of Health and Senior Services (DHSS). This includes State agencies acting under the delegated authority of these agencies.

[20] *Evaluating the Accessibility of American Job Centers for People with Disabilities,* Final Report to the U.S. Department of Labor, IMPAQ International LLC, January 13, 2017.

[21] The rate of response to survey questions among Missouri Job Centers ranged from 66.8 to 74.5 percent, above the national average response rate of 55 percent.

The report specifically notes that, "An additional obstacle to communications accessibility was limited staff training and knowledge. For example, many staff members were unaware of the types of Assistive Technology available at the AJC or had limited knowledge of how to use them." The survey results further indicated that, "Most AJCs reported that they had an accessible workstation for customers with disabilities. However, staff often were unaware that their AJC had accessible computers and other assistive technology, or were not trained in how to use it, which rendered even the best system inaccessible."

The survey results indicate only 46.6 percent of new Job Center employees receive training orientation for serving persons with disabilities, and only 61.9 percent receive training on how to help persons with disabilities use the Assistive Technologies available in their Job Center.

Therefore, DWD and its WIOA State agency partners request that Local WDBs strive toward 100 percent competency of Missouri Job Center staff on the availability and uses of Assistive Technologies. Their availability and the staff expertise to use them successfully with Job Center customers are also requirements for Job Center certification.[22] It is also the intent of the Statewide WIOA partner agencies that Assistive Technologies be fully integrated into the customer resource areas of Job Centers, to the extent practical. Offering "separate but equal" resources is contrary to the programmatic accessibility requirements of the regulations ("administering programs in the most integrated setting appropriate").[23]

Local WDBs must be mindful that the guidance herein and the nondiscriminatory practices required by WIOA and found in the Part 32 and Part 38 rules apply as equally to employees and applicants for employment of the Local WDB as they do to customers of the job centers.[24]

DOL has stipulated that providing unsolicited offers of information in alternative formats is contrary to the ADA because it reflects another's perception or stereotype about particular disabilities. An individual is always free to request an accommodation of auxiliary aids and services, and the obligation to provide such is only triggered upon such a request. However, it is important to provide notice of the general availability of auxiliary aids and services to all participants.[25]

This Issuance does not require Local WDBs to acquire Assistive Technologies only by direct procurement, or to maintain a full stock of all Assistive Technologies cache available on demand at all Job Centers. Recipients must provide aid, benefits,

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[22] DWD Issuance 03-2017, "Missouri One-Stop Job Center and Affiliate Job Center Certification Evaluation and Criteria," September 19, 2017.

[23] 29 CFR 38.13(b).

[24] 29 CFR 32.12(a)(1) and 29 CFR 38.2.

[25] DOL preamble discussion, *"Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act, Final Rule,"* December 2, 2016, at 81 FR 87170 and 81 FR 87171.

services, and training on an equal basis to qualified individuals with disabilities. When reasonable accommodations or modifications are necessary to accomplish that, recipients must provide them in a timely manner (absent undue hardship or a fundamental alteration of the program, activity, or service).

If Local WDBs are able to acquire Assistive Technologies that meet these standards by donation, loan, sharing, joint purchase, or similar means, and are thereby able to respond adequately to a request to provide auxiliary aids or services, the requirements of this policy will be deemed to be met. Resources to advise and assist Local WDBs acquisition of aids and services include:

- Missouri Assistive Technology (https://at.mo.gov/), directed by the Missouri Assistive Technology Council, which was established by state statute in 1993. Contact: David Baker, Director at (818) 655-6707, or email at dbaker@mo-at.org.
- Vocational Rehabilitation Program, Missouri Department of Elementary and Secondary Education, Division of Learning Services, Office of Adult Learning and Rehabilitation Services, https://dese.mo.gov/adult-learning-rehabiliation-services/vocational-rehabilitation/rehabilitation-technology, at (573) 751-3251, or email at info@vr.dese.mo.gov.
- Partnership on Employment & Accessible Technology (PEAT), funded by the DOL Office of Disability Employment Policy, http://www.peatworks.org/Buy-IT

4. Action: This Issuance is effective immediately. All Local WDBs must ensure that the minimum standards for Assistive Technologies in the **Attachment** are adhered to in all Job Centers. Distribute this Issuance to all Local EO Officers and other Missouri Job Center staff as appropriate.

5. Contact: Danielle Smith, DWD WIOA State Equal Opportunity Officer, at (573)751-2428, or danielle.smith@ded.mo.gov.

6. References: Section 188 [29 U.S.C. 3248], "Nondiscrimination," Workforce Innovation and Opportunity Act.

28 CFR Part 35, "Nondiscrimination on the basis of disability in state and local government services."

29 CFR Part 32, "Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance."

29 CFR Part 38, "Implementation of the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act."

7. Rescissions: None.

8. Attachment: Minimum Standards for Assistive Technologies in Missouri Job Centers.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Mardy L. Leathers
Director
Missouri Division of Workforce Development

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Minimum Standards for Assistive Technologies in Missouri Job Centers

Vision

Creating an environment that welcomes people with disabilities and providing people with disabilities full and equal access to services.

Assistive Technology

- In the public resource computer center, provide at least one adjustable height table to accommodate customers who use wheelchairs, as well as those small or large in stature.
- For individuals with low vision, provide access to screen-enlargement software and have at least one large screen monitor.
- Provide a trackball and alternative keyboard for use by individuals who have difficulty using a traditional mouse and/or keyboard.
- Be familiar with, and communicate to customers the availability of, accessibility features built into the Microsoft Operating System (i.e., on-screen keyboard, voice input, sticky keys, bounce keys, et al).
- For individuals with a mild to moderate hearing loss, provide at least one assistive listening device (ALD) available for use in one-on-one and group settings.
- Be familiar with Relay Missouri as an alternative telecommunications tool for individuals who are deaf, hard-of-hearing, deaf/blind, or have a speech impairment.

Public Awareness

- A list or notice that auxiliary aids and services for communication, assistive-technology devices, and materials in accessible formats are available is made known in writing or verbally to all customers, regardless of whether they disclose, or appear to have, a disability or not. Customers should be uniformly informed that they have a right to request accommodations, but avoid unsolicited offers of specific formats or devices to individual customers. Such unsolicited offers can be perceived as a reflection of staff perceptions or stereotypes about particular disabilities and are contrary to the Americans with Disabilities Act (ADA).

DWD ISSUANCE 12-2017—**ATTACHMENT**

Service Delivery

- People with disabilities are served in integrated settings; people with disabilities participate in programs and services of the Job Center alongside people without disabilities.
- All customers are made aware of the availability of various types of accommodations or special assistance that enable everyone to take full advantage of Job Center services. Staff do not single out individuals and offer specific aids based on their own intuitions or perceptions.
- The Job Center has a procedure for responding in a timely manner to requests for auxiliary aids and services not readily available in the center (i.e., specialized assistive technology).
- The Job Center has identified a source for certified American Sign Language interpreters and can respond quickly to interpreter requests.
- Printed publications are available (immediately or in a timely manner) in alternative formats such as Braille, large print, electronic text, and/or audio.

Staff Goals

- Staff recognize the importance of making people with disabilities feel welcome.
- Staff have a basic awareness on how to meet the needs of customers with disabilities.
- Staff understand that they are required to provide reasonable accommodations to customers with disabilities.
- Staff members are aware of, know how to access, and have a basic understanding of how to use assistive technologies, both standalone devices and accessibility options built into the computer operating system, and how to assist customers in their use.

Standalone Assistive Devices for Inclusion

Device	**Benefits**
Assistive Listening Device	Hard-of-Hearing Individuals
Trackball (wired or wireless)	Mobility/Dexterity Impairments
Adapted Keyboard	Mobility/Dexterity Impairments
Height Adjustable Table (hand-crank or motorized adjustment)	Mobility/Dexterity Impairments
Phone Amplifier (in-line)	Hard-of Hearing Individuals
Large Screen Monitor (22" – 24")	Low Vision Individuals

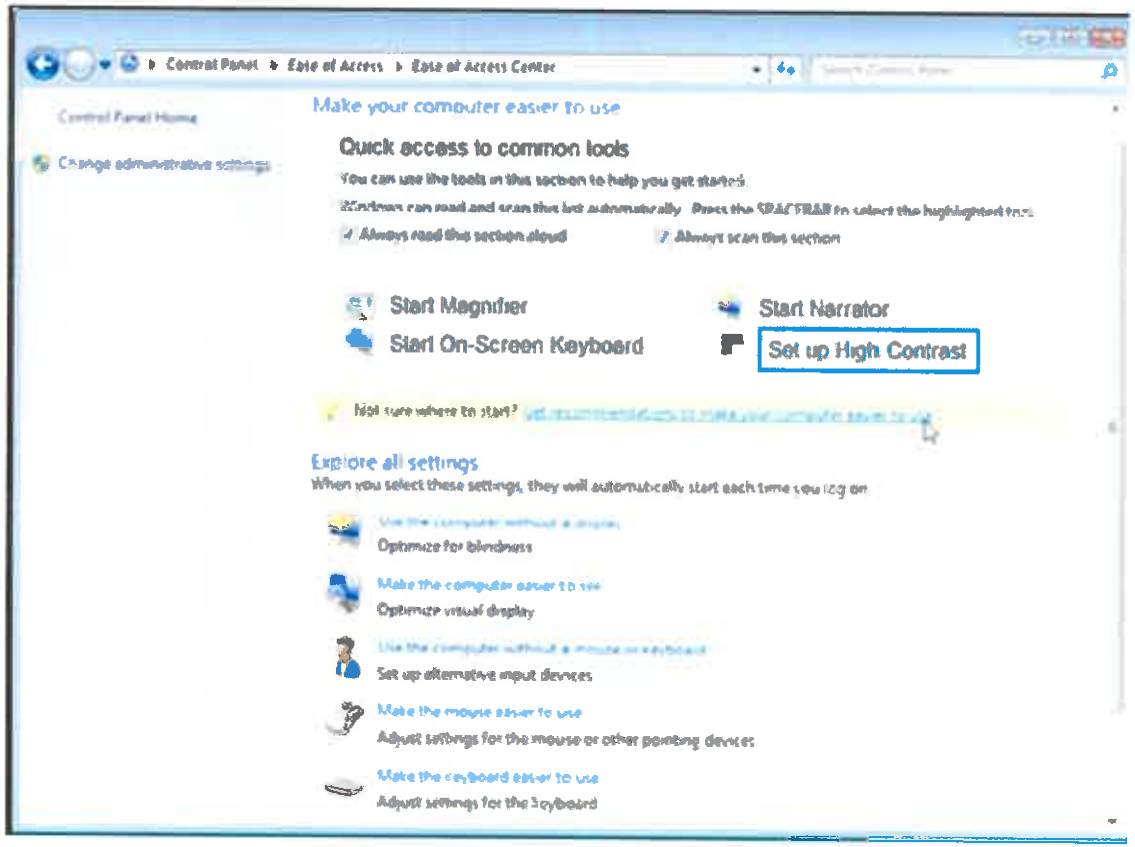
Windows OS Built-in Accessibility Features for Inclusion

Feature	Benefits	Description
Magnifier	Low-Vision Individuals	Enlarges portions of the screen making it easier to view text and images and see the whole screen. Has multiple levels of magnification and 3 magnification options: full-screen mode, lens mode and docked mode.
On-Screen Keyboard	Mobility/Dexterity Impairments	Displays a visual keyboard with all the standard keys. Used in conjunction with a mouse to select keys. Includes a text prediction feature that can be turned on and which speeds process up for users.
High Contrast	Low-Vision Individuals	If it's hard to read text on your screen, you can change the theme of your PC to a color combination that's easier to read.
Mouse Keys, Sticky Keys, Filter Keys	Mobility/Dexterity Impairments	Alternative methods available for users who need a work around for common keyboard actions. When activated, Mouse Keys uses the arrow keys on the numeric keypad to move the pointer. Sticky Keys prevents someone from having to press three keys at once (e.g., CTRL+ALT+DEL). When Sticky Keys is turned on, the user can do these functions by pressing one key at a time. Filter Keys will ignore keystrokes that occur in rapid succession and keystrokes that are held down several seconds unintentionally.

Built-in Accessibility Features in Windows Operating System
What's Available, and How to Access

The Windows Operating System includes accessibility options and programs that make it easier for people with a variety of disabilities to see, hear and use a computer. For the most part, these features are located in the Ease of Access Center, which provides a convenient, centralized place to locate, learn about and activate these features.

The Ease of Access Center is located in the Control Panel. The easiest way to get to it is to select the WINDOWS LOGO KEY + U.



The Ease of Access Center includes:

- **Quick access to common tools** provides a convenient location for the most often used built-in features: Magnifier, On-Screen Keyboard, Narrator and High Contrast.
- **Get recommendations** to make your computer easier to use is a questionnaire that generates recommendations for people unsure what built-in accessibility features they may need.
- **Explore all Settings** helps new users identify features quickly by organizing them by personal need.

Additional Resources on Windows Accessibility Features: https://www.microsoft.com/enable/products/windows7/default.aspx.

Telecommunications Relay Service

Telecommunications Relay Services are telephone services that allow persons with hearing or speech disabilities to place and receive telephone calls. Relay services are free to users. In Missouri, telecommunications relay service is known as Relay Missouri (http://www.relaymissouri.com/). Telecommunications relay services use specially trained operators to facilitate telephone calls between people with hearing and speech disabilities and other individuals. A Relay call can be initiated by either a person with a hearing or speech disability, or a person without such a disability. To illustrate, a person who is deaf and uses a TTY wishes to get in contact with an individual without a hearing impairment. The individual who is deaf utilizes their TTY to call the Relay Service. Relay then places an outbound traditional voice call to the intended recipient, and then serves as a link for the call, relaying the text of the calling party's communication in voice to the called party and then converting it back to text so the individual who is deaf can read it on the screen of their TTY. There are several forms of telecommunications relay services available, depending on the needs of the user and the equipment available.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Attachment B:

Missouri Office of Workforce Development

OWD Issuance 06-2014

Access to Meaningful Services for Individuals with Limited English Proficiency (LEP) Policy

Missouri Division of Workforce Development
DWD Issuance 06-2014

Issued: December 12, 2014
Effective: December 12, 2014

Subject: **Access to Meaningful Services for Individuals with Limited English Proficiency (LEP) Policy**

1. Purpose:

This Issuance is written to provide policy guidance specific to the Division of Workforce Development's (DWD) obligation to ensure LEP individuals have meaningful access to all programs and services; and are able to participate effectively regardless of their ability to speak, read, write, or understand English.

This policy guidance aligns with DWD's position by ensuring statewide consistency in language service delivery; and further assures quality language services are available for LEP individuals, enabling effective communication with workforce system staff.

2. Background:

Identifying language barriers and developing strategies to overcome those barriers are essential for state agencies to comply with federal requirements. These requirements are within several guidance documents, including the following:

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating based on national origin by, for example, failing to provide meaningful access to individuals who are LEP.

Executive Order 13166 signed by the President in August 2000 and titled "Improving Access to Services for Persons with Limited English Proficiency" contains two major initiatives. The first initiative aims to better enforce and implement Title VI of the Civil Rights Act of 1964 by requiring federal agencies that provide federal financial assistance to develop guidance to clarify obligations for recipients of such assistance. The second initiative requires all federal agencies to meet the same standards as federal financial assistance recipients in providing meaningful access for LEP individuals to federally conducted programs.

Section 188 of the Workforce Investment Act (WIA) and its implementing regulations provides that no person shall be subjected to discrimination based on national origin under any program or activity that receives federal financial assistance.

Federal policy guidance is intended to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Labor or other entities that participate in the Missouri workforce system. This guidance is intended to assist recipients in fulfilling their responsibilities to LEP individuals, pursuant to these federal laws and implementing regulations.

3. Substance:

As recipients of federal financial assistance, local Workforce Investment Boards (LWIB), One-Stop operators, and other service providers have a responsibility to ensure non-discrimination in service delivery to LEP individuals. Guiding principles for situations in which an LEP individual is seeking to "access and participate" in public workforce services, programs, and activities include:

LEP individuals must be advised of availability of competent, confidential language interpretation services. The provision of this notice and the LEP individual's election must be documented in any individual record, written or electronic, generated with respect to the LEP individual.

Recipients will take reasonable steps, appropriate to the circumstances, to ensure interpretative services are provided that demonstrate the level of fluency, comprehension, and confidentiality warranted by the nature, type, and purpose of the information at issue.

Recipients will expand the range or nature of language assistance strategies whenever (1) experience, (2) changes in target or service population demographics, or (3) new program-specific data indicates that the failure to do so may result in a denial of substantially equal and meaningful, effective services to a significant LEP population.

LEP, in and of itself, shall not act as a barrier to limit access to vital information, available in English, regarding when, where, or how to obtain benefits or services provided through the workforce system.

4. Action:

Effective March 11, 2010, all LWIBs, program operators, training providers, etc., were required to comply with this guidance as it supports compliance with Section 2 of Executive Order 13166 and the U. S. Department of Labor, Civil Rights Center, Directive No. 2006-03. Please distribute this Issuance to appropriate individuals.

DWD has developed a uniform language-assistance plan (**ATTACHMENT 1**) with clear goals for ensuring non-discrimination, management accountability, and opportunities for community input. All workforce entities (recipients of federal financial assistance as listed above) will take the following actions:

- **Oral Information:** Interpretation is the act of listening to something in one language (source language) and orally translating it into another language (target language). Where interpretation is needed and is reasonable, recipients should consider some or all of the options discussed below for providing competent interpreters in a timely manner.

  Competence of Interpreters: When providing oral assistance, recipients should ensure competency of the language service providers, no matter which of the following strategies are used. Competency requires more than self-identification as bilingual. Some bilingual staff and community volunteers, for instance, may be able to communicate effectively in a language other than English when communicating information directly in that language, but **may not** be competent to interpret in and out of English. Likewise, they **may not** be able to do written translations.

  Each Career Center location accessible to the public at which vital information is made available (reception desk or areas, resource areas, telephone communication lines, building entries, etc.), will have language assistance resources capable of providing, within a reasonable period of time, information and/or instruction in appropriate languages other than English. A language identification poster or "I Speak Card" **(ATTACHMENT 2)** should be located at each Career Center welcome/reception area for each LEP customer to identify their language.

  At points of public contact, appropriate translations of commonly requested information and procedures for access to telephonic interpretive services are required to be in place. Further, procedures for accessing telephonic language assistance resources will be readily available at every point of public contact, and distributed to all workforce staff that routinely have contact with members of the public. All workforce staff who have volunteered to provide language assistance services (in case of an emergency, when telephonic assistance is deemed less timely) will be identified by name, location, business telephone number, work hours, language, and level of fluency; and a region-specific list of these volunteers shall be submitted to each local Equal Opportunity Officer (LEOO).

- **Electronic Information:** Translation is the replacement of a written text from one language (source language) into an equivalent written text in another language (target language).

  What Documents Should be Translated? After applying the four-factor analysis, a recipient may determine that an effective LEP plan for its particular program or activity includes the translation of vital written materials into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient's program. Such written materials could include:

- Applications to participate in a recipient's program or activity or to receive recipient benefits or services;
- Written tests that do not assess English language competency, but test competency for a particular license, job, or skill for which English language proficiency is not required;
  Consent and complaint forms;
- List of partners at a One-Stop Career Center and services provided;
- Letters containing important information regarding participation in a program or activity;
- Notices pertaining to the reduction, denial or termination of services or benefits and of the right to appeal such actions;
- Notices that require a response from beneficiaries;
- Information on the right to file complaints of discrimination;
- Information on the provision of services to individuals with disabilities;
- State wage and hour and safety and health enforcement and information materials;
- Notices advising LEP persons of the availability of free language assistance; and
- Other outreach materials.

Where workforce locations maintain a web page accessible to members of the general public, information on the availability of language assistance shall be included. Where vital documents in English are placed on or are accessible through the web page, information on their availability shall be included in the appropriate languages on the web home page or other initial point of access.

- **Signage:** Where signage is maintained and/or posted in English, it shall also be provided, at a minimum, in the two most common non-English languages spoken in the region and served by a specific location. Signage in fewer languages is warranted where current demographic data establishes that the population potentially served by the region, does not include more than one minority (language) group.

  The LWIBs will:
  - Conduct an annual assessment of the language needs of the population to be served throughout the workforce regions beginning with the 2010 census data;
  - Develop and implement a comprehensive, written policy that will ensure meaningful access and communication for LEP individuals;
  - Take steps necessary to ensure state and local partner staff understand the policy and are capable of implementing the policy;
  - Conduct regular oversight of the language assistance program to ensure effective, meaningful access to all workforce programs and services, in a consistent manner.

DWD currently makes available a number of vital documents and outreach materials in Spanish, with the goal to develop updated outreach products in additional languages, other than English.

DWD has re-vended for oral interpretation services through a telephone language assistance service and updated instructions were made available to all LWIBs, Division Supervisors, Regional Coordinators, and LEOOs October 18, 2013.

5. Contact: Direct questions or comments regarding this Issuance, to the State WIA Equal Opportunity Officer, Danielle Smith, at (573) 751-2428 or danielle.smith@ded.mo.gov, or to Julie Gibson, DWD Director, at (573) 751-3349.

6. Reference: Title VI of the Civil Rights Act of 1964
http://www.dol.gov/oasam/regs/statutes/titlevi.htm

Executive Order 13166 www.lep.gov/13166/eo13166.html

Facts about National Origin Discrimination
http://www.eeoc.gov/facts/fs-nator.html

29 CFR Part37, specifically 29 CFR Part 37.35;
http://www.dol.gov/oasam/regs/cfr/29cfr37(2001).htm

CTS LanguageLink: http://www.ctslanguagelink.com/

DWD Issuance 01-2014, Change 1: Equal Opportunity and Complaint Grievance, Notice and Dissemination
https://worksmart.ded.mo.gov/includes/secure_file.cfm?ID=3114&menuID=6

7. Rescissions: This Issuance supersedes and replaces DWD Issuance 23-2009 dated March 11, 2010.

8. Attachments: 1)—Language Assistance Procedure Manual Customer Service for Individuals with Limited English Proficiency (LEP).
2) – U.S. Department of Commerce, Bureau of the Census, Language Identification Flashcard.

The Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Julie Gibson
Director
Missouri Division of Workforce Development

Missouri Division of Workforce Development

LANGUAGE ASSISTANCE PROCEDURE MANUAL

Customer Service for Individuals with Limited English Proficiency (LEP)

General Policy

Each year the state and local Equal Opportunity Officers will review existing policy and procedures to determine updates in populations serviced in specific regions and recommend changes to the LEP policy. The development, maintenance, and implementation of a periodically updated plan for use by the Division of Workforce Development (DWD) and partner staff when delivering services to the general public, will be the most appropriate and cost effective means of documenting compliance and providing a model for the provision of timely and reasonable language assistance. The Language Assistance Planning Self-Assessment Tool for Recipients of Federal Financial Assistance provides the framework for organizations to develop a comprehensive plan that supports Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)." While there is considerable flexibility for recipients in development of a comprehensive Language Assistance Plan, the ultimate goal is to provide meaningful access to LEP individuals.

Assessment

The state Workforce Investment Act (WIA) agency, as requested by the U.S. Department of Labor/Civil Rights Center, completed the Language Assistance Planning and Self-Assessment Tool to facilitate planning efforts, and has adopted its use for all future language assistance assessments conducted by DWD. This Self Assessment Tool document is intended to assist recipients in planning for the provision of language assistance to the LEP individuals they serve or encounter and to assist in assessing existing, other than English, language service capabilities.

Assessment involves identification of the languages that are likely to be encountered in the provider's service area, estimating the number of LEP individuals that are eligible to receive services or benefits who are directly affected by the provider's program or activity. It is required that the following four factors are considered to determine the nature of language assistance provided and to ensure the most effective, meaningful access for LEP individuals, participating in or seeking benefits from, the program or activity:

1. The number or proportion of LEP individuals served or encountered in the eligible service population or likely to be *directly or significantly* affected by program or activity;

2. The frequency with which LEP individuals come in contact with the program or activity;

3. The nature and importance of the program, activity, or service provided by the recipient; and

4. The resources available to the recipient and costs in carrying out the program or activity.

In cases where language barriers may have impeded access (i.e., LEP individuals did not know of the rights and/or the availability of free language assistance), statistics on past participation will not capture the true need. The proportion of LEP individuals in the overall program service population should correlate with the proportion of LEP individuals participating in or seeking benefits from the program or activity using the Four-Factor Analysis (i.e., Civil Rights Center; Enforcement of the Title VI of the Civil Rights Act of 1964; Policy Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting LEP Persons; Pages 32294-32295)..

Provision of Language Interpretation/Translation Services

DWD has contracted with CTS Language Link to provide telephone language interpretation services for the workforce system. Designated Career Center locations and Central Office have been provided individual accounts and instructions for use to ensure effective telephone communication between staff and LEP individuals. These instructions include tips for working with interpreters when initiating language assistance calls.

At a minimum, intake or Welcome Team staff, with whom the LEP individual has initial contact, will record the language of the LEP individual in his/her file (including files maintained electronically) so that all subsequent interaction will be conducted in the

appropriate language. Whenever the interpreter service is used, a brief description of how that service was used will be recorded in the LEP individual's file.

The use of "I Speak" cards is required by intake workers and other staff, who have direct contact with LEP individuals. This language identification aid will assist staff to record the LEP individual's language and be able to obtain appropriate interpreter services.

A system to receive incoming telephone calls from LEP individuals via the agency's existing 888-728-JOBS (5627) line has been developed. The system to receive calls from LEP individuals will be coordinated by the State WIA Equal Opportunity (EO) Officer, utilizing CTS Language Link and the agency's current telephone provider. A three-way response to the LEP individual will be initiated by the State WIA EO Officer directing the caller to the nearest Career Center location.

All LEP individuals will be notified that upon request, they will receive language assistance at no cost, and that vital documents (i.e., documents developed with the purpose of describing a LEP individual's rights, responsibilities, or benefits; requesting information or a response from LEP individuals; notifying LEP individuals of an action that may adversely affect them; requiring the LEP individual's informed consent or acknowledgement; and notifying LEP individuals of the opportunity for free language assistance) will be translated at no cost.

Essentially, translation of applications to participate in a program or activity or to receive benefits or services; consent and complaint forms; list(s) of partners at the One-Stop Career Center and the services provided; other outreach materials; and other informational and instructional documents into languages other than English, is required for LEP individuals after applying the four-factor analysis. The standard "menu" of services will support the identification of vital documents for the workforce system. To the extent reasonable, DWD will support translating vital documents into languages other than English.

Use of Family, Friends or Others as Interpreters

Use of family members, friends, or other informal interpreters present ethical and other privacy complications and is not supported nor recommended. It is our obligation to provide qualified interpreters to all individuals who need and/or request oral language assistance.

Use of family, friends, or others as interpreters may expose the recipient to liability under Title VI of the Civil Rights Act of 1964 and Section 188 of the WIA. Do not require, suggest, or encourage the use of friends, family members (including minor children), and other non-professionals as interpreters. Use of such persons could result in a breach of confidentiality or a reluctance of an LEP individual to disclose personal

information critical to the LEP individual's situation. Although the LEP individual's decision to use his or her own interpreter should be respected, there are concerns of confidentiality, conflict of interest, or a minor child's competency in communication to provide interpretation.

When staff inform the LEP individual of the right to free interpreter services and the individual declines (wanting to use a family member or friend as an interpreter), the staff may use the LEP individual's designated person as an interpreter while taking steps to document the LEP individual's choice is strictly voluntary and the offer of free interpreter services was declined. Staff should document all offers for language services that are declined; in the LEP individual's file, including those files maintained electronically.

Outreach/Training/Monitoring

Outreach efforts, ensuring awareness among workforce system (i.e., jobseekers, businesses, and workforce professionals) entities, will include the implementation of the language access policy. LEP individuals in need of language assistance services will receive "reasonable" notice of the availability of such services. The availability of free language assistance will be promoted/advertised as a part of regional outreach. Signage and other notices in lobbies, waiting areas, intake desks, etc. should be available in the two or three primary languages identified by region. Postings should inform individuals of their right to free interpreter services and invite them to identify themselves as individuals needing language assistance.

All staff should be knowledgeable regarding:

1. The nature and scope of language assistance services and resources available, and

2. The procedures to access language services for their LEP individuals.

A successful language access plan aligns with the overall obligation to ensure programs and services are provided in a non-discriminatory and equal manner. Access to services and programs has to be as effective for LEP individuals as the general public. It is unlawful to discriminate due to national origin; and through this plan; we affirm consistent, effective LEP access and compliance for all federally assisted programs and services operated within the Missouri workforce system.

Intake Procedures for LEP Individuals

1. When a walk-in LEP individual for services indicates the language of choice using the "I Speak" card, the intake personnel (i.e., welcome team member) will contact the Language Link contractor by telephone for language interpretation

services. At that time, the intake personnel will conduct the standard steps, with the assistance of the interpreter, to serve the LEP individual.

2. The LEP individual will be served in a location suitable to allow confidentiality, such as a conference room with speaker phone or other suitable arrangement.

3. During intake, the LEP individual will be provided a language identification card ("I Speak" card) listing the language of their choice. The LEP individual may keep this language identification card in their possession to display to staff as they are processed through the Career Center. Accepting and/or maintaining this language identification card is voluntary and will not impede the delivery of services.

4. In the event the intake personnel are unable to determine the LEP individual's language choice (after using the "I Speak" cards or any other readily available method, i.e., bilingual/multilingual staff), the intake staff will immediately contact the language interpretation service to attempt to determine the appropriate language to use with the LEP individual.

5. Each step of the initial assessment for services, including and up to service delivery, will include the language interpretation service.

United States Census 2000

U.S. Department of Commerce
Bureau of the Census

LANGUAGE IDENTIFICATION FLASHCARD

☐ املأ هذا المربع اذا كنت تقرأ أو تتحدث العربية.	Arabic
☐ Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	Armenian
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	Bengali
☐ សូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ។	Cambodian
☐ Matka i kahhon komu un taitai pat un sang i Chamorro.	Chamorro
☐ 如果您具有中文閱讀和會話能力，請在本空格內標上X記號。	Chinese
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	Creole
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	Croatian (Serbo-Croatian)
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	Czech
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	Dutch
☐ Mark this box if you read or speak English.	English
☐ اگر خواندن ونوشتن فارسی بدرهستین، این مربع را علامت بگذارید.	Farsi

D-3309

☐ Cocher ici si vous lisez ou parlez le français.	French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	Greek
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस गोले पर चिह्न लगाएँ।	Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	Ilocano
☐ Marchi questa casella se legge o parla italiano.	Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	Laotian
☐ Zaznacz tę kratkęjeżeli czyta Pan/Pani lub mówi po polsku.	Polish
☐ Assinale este quadrado se voce lê ou fala Português.	Portuguese

D-3309

☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi Româneşte.	Romanian
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	Russian
☐ Maka pe fa'ailoga le pusa lea pe afai e te faitau pe tusitusi i le gagana Samoa.	Samoan
☐ Обележите овај квадратић уколико читате или говорите српски језик.	Serbian (Serbo-Croatian)
☐ Označte tento štvorček, ak viete čitať alebo hovoriť po slovensky.	Slovak
☐ Marque esta casilla si lee o habla español.	Spanish
☐ Markahan ang kahon na ito kung ikaw ay nagsasalita o nagbabasa ng Tagalog.	Tagalog
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	Thai
☐ Faka'ilonga'i 'ae puha ko'eni kapau 'oku te lau pe lea 'ae lea fakatonga.	Tongan
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	Ukrainian
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانہ میں نشان لگائیں۔	Urdu
☐ Xin đánh dấu vào ô này nếu quý biết đọc và nói được Việt Ngữ.	Vietnamese
☐ צייכנט דעם קעסטל אויב איר שרייבט אדער ליינט אידיש.	Yiddish

Attachment C:

CTS Language Link

Point to your language

Amharic	Hebrew	Portuguese
አማርኛ	עברית	Português
Arabic	Hindi	Punjabi
العربية	हिन्दी	ਪੰਜਾਬੀ
Bosnian (Serbo Croatian)	Hmong	Romanian
Bosanski	Hmoob	Română
Burmese	Italian	Russian
မြန်မာစာ။	italiano	Русский
Cambodian	Japanese	Somali
ខ្មែរ	日本語	Soomaali
Cantonese	Karen	Spanish
廣東話	ကညီ	Español
Haitian Creole	Kirundi	Swahili
Kreyól Ayisyen	Ikirundi	Kiswahili
Farsi	Korean	Tagalog
فارسی	한국어	Tagalog
French	Laotian	Thai
Français	ພາສາລາວ	ภาษาไทย
French Canadian	Mandarin	Tigrinya
français canadien	國語	ትግርኛ
German	Nepali	Urdu
Deutsch	नेपाली	اردو
Turkish	Polish	Vietnamese
Türkçe	Polski	Tiếng Việt

twitter.com/CTSlanguagelink
facebook.com/ctslanguagelink
Find us online: ctslanguagelink
Telephone: 1.800.208.2620

CTS languagelink
We speak your customer's language

CTS languagelink™
We speak your customer's language

How to Use Interactive Voice Response (IVR)

Step 1: **Call 1 888-338-7394**

Step 2: Enter Account Number 20702 followed by # sign (Refer to intranet or contact center supervisor for Account number)

Step 3: Select 1 to be connected directly to your Spanish interpreter, *or*
Select 2 to be connected directly to your Russian Interpreter, *or*
Select 3 to be connected directly to your Vietnamese interpreter, *or*
Select 4 to be connected directly to your Somali Interpreter, *or*
Select 9 for all other languages

***If you require a 3rd party call, press 9 to reach a Customer Service Representative**

Step 4: Enter Location Code, followed by # sign (Refer to intranet or contact center supervisor for Location Code)

IVR FAQs:

What if I do not know my Account number?
You do need this information in order to reach the interpreter directly. If you are unsure of your account number, wait and the system will direct you to a live operator who will look up your account.

What is IVR?
IVR stands for Interactive Voice Response. CTS LanguageLink's IVR system allows a customer to quickly select the language desired for interpretation and be connected immediately to an interpreter without interaction with a live attendant. The benefit of this is an even faster connect time to your interpreter and better service to your limited English proficient (LEP) client.

What is a third party call?
A third party call is when you need CTS LanguageLink to call the LEP client and then bridge the call together with you and the interpreter.

How do I make a third party call with CTS LanguageLink?
If you need a third party call, **press 9** ***(even for Spanish)*** to reach a Customer Service Representative (CSR) and let the operator know you need a third party call. We are happy to assist you with this at no additional charge. Our ***interpreters are not able to make the third party call*** directly.

I need another language other than the ones listed. How do I get my interpreter on the line?
Press 9 for other languages and let the CSR know which language you require and they will connect you. If the language is unknown, you may reference the "Point to your Language" visual for help with most requested languages or ask a representative for assistance.

Please contact our Client Relations Team if you have any further questions:

Email: clientrelations@ctslanguagelink.com
Toll Free: 1 (855) 579-2704

CTS languagelink™
We speak your customer's language

TIPS AND ADVICE

How to Work with a Telephone Interpreter

YOUR ROLE

Telephone interpreters may receive several calls a day—each one requiring special attention in a specific field. When working with an interpreter over the phone, there are a few things you should keep in mind to ensure your call is handled quickly and successfully.

- Always speak in first person, just as you would in normal conversation. For example, say, "Do you have a fever?" rather than "Ask her if she has a fever, please."
- Immediately introduce yourself to the limited-English proficient (LEP) client and explain your reason for calling.
- Telephone interpretation is "consecutive" interpretation. That means you will experience pauses when the interpreter repeats each statement in the respective language.
- After you speak one-two sentences or finish a thought, pause to give the interpreter enough time to interpret.
- Be prepared to explain some things in more detail for the telephone interpreter. Some terminology and concepts may not have an equivalent in the target language.
- Control the conversation. The telephone interpreter is only there to interpret. You are responsible for making sure the LEP client receives the same service as an English-speaking client.
- Ask the interpreter and the LEP client questions to ensure they understand what you want to communicate.
- Avoid asking the interpreter for his/her opinion about the situation being interpreted.
- We can accommodate three-way telephone interpretation calls. Tell the call center agent the name and phone number of the third party, and they will arrange the call for you. The interpreter cannot facilitate this for you. You must ask the call center agent at the beginning of the call.
- Follow up by providing us with feedback about your interpretation services.

YOUR TELEPHONE INTERPRETER'S ROLE

We expect our interpreters to meet high standards and want to know when they are meeting our expectations. To that end, your feedback is critical

- Make sure your interpreter introduces himself/herself using a first name and ID number. They are not required to provide a last name.
- Your interpreter should not have a side conversation with you or the client. He or she must relay everything that is said back to you or your client. This includes any advice that the client may ask of the interpreter.
- Your interpreter should not discuss anything unrelated to the telephone interpretation assignment.

More questions about telephone interpretation? Contact us at 1-866-610-1338 or email info@ctslanguagelink.com.

911 Main Street, Suite 10 | Vancouver, Washington 98660 | Toll Free: +1 800-208-2620 | Fax: (360) 693-9292
www.ctslanguagelink.com

'ACTS INFORMATION; JOB CENTER CODES

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h Street, Sedalia, MO 65301-4506	Lester Robinson	lester.robinson@ded.mo.gov	(660) 530-5627	(660) 530-5633	5528
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eventh Street, Saint Joseph, MO 64501-2284	David Scholz	david.sholz@ded.mo.gov	(816) 387-2380	(816) 387-2029	5522
t Street, Room 3050, St. Louis, MO 63103	Donny Carroll	Donny.carroll@ded.mo.gov	(314) 589-8000	(314) 589-6410	5514
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ngton Square Shopping Center, Washington, 5304	Bob Vernier	Robert.vernier@ded.mo.gov	(636) 239-6703	(636) 239-0329	5535
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ATTACHMENT 22. Accessibility Policy - Persons with Limited English Proficiency

1740 Paseo Blvd. • Kansas City, MO 64108
816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

ACCESSIBILITY POLICY

POLICY NUMBER: 2017-015, Modification 1

EFFECTIVE DATE: 12-01-2017

MODIFICATION DATE: 1-29-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this issuance is to establish guidelines for access to program services for persons with disabilities and special needs. The Workforce Development Board will follow the OWD Issuances No. 12-2017, Minimum Standards for Assistive Technology in Missouri Job Centers, and No. 06-2014, Access to Meaningful Services for Individuals with Limited English Proficiency (LEP) which this Policy is based on.

BACKGROUND

This Issuance addresses guidelines for compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, WIOA guidelines, and State DWD policy.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

FULL EMPLOYMENT COUNCIL ACCESSIBILITY POLICY

POLICY NUMBER: 2017-015, Modification 1

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Attachment A: Missouri Division of Workforce Development Issuance No. 12-2017, Minimum Standards for Assistive Technologies in Missouri Job Centers

Attachment B: Missouri Division of Workforce Development Issuance No. 06-2014, Access to Meaningful Services for Individuals with Limited English Proficiency (LEP)

Attachment C: CTS Language Link

POLICY

The Full Employment Council shall assure program and physical access to persons with disabilities, including communication access.

This includes the availability and use of assistive technologies, following practices associated with service delivery, making the public aware of the availability of such technology and practices, Staff training, and implementation of the Accessibility policy.

I. ASSISTIVE TECHNOLOGY

In the public resource computer center, there shall be at least one adjustable height table to accommodate customers who use wheelchairs, as well as those small or large in stature.

For individuals with low vision, there shall be screen-enlargement software on computers and at least one large screen monitor.

Where computer assess is required, a trackball and alternative keyboard shall be available for use by individuals who have difficulty using a traditional mouse and/or keyboard.

Staff will be trained on accessibility practices and technology and will communicate with customers regarding the availability of accessibility practices and technology, as appropriate. This includes familiarity with Relay Missouri as an alternative telecommunications tool for individuals who are deaf, hard-of-hearing, deaf/blind, or have a speech impairment

Accessibility technology includes:

- Features built into the Microsoft Operating System (i.e., on-screen keyboard, voice input, sticky keys, bounce keys, other Microsoft software features).

- For individuals with a mild to moderate hearing loss, an assistive listening device (ALD) available for use in one-on-one and group settings. The Full Employment Council utilizes UbiDuo communication technology for typed captioned communication at each of its sites.

- Captioning display for viewing of videos.

- Amplified Telephone. Consumers will have access to telephones with high-grade amplification in areas with a suitable environment to utilize the telephone without noise interference.

- Telecommunications Device for the Deaf (TDD) with Printout. Individuals will have access to TDD devices that have message taking capabilities.

- Hands-Free Speakerphone with Large Keypad. Customers will have access to telephones that have speaker capabilities and can be used hands-free and have

enlarged keypads.

- Flatbed Scanner. Customers will have access to flatbed scanners that are connected to computers that can convert an image from a printed page to a computer file.

- Speech Synthesizer and Screen Reading Software.

II. ASSISTIVE TECHNOLOGY USES: DEVICES AND COMPUTER-BASED

The following tables provide information into devices and their uses (Table 1), and the accessibility features built into the Windows Operating System (OS). Staff should use these to understand assistive technology availability and uses.

Table 1: Devices and Associated Uses and Benefits

Device	Benefits
Assistive Listening Device	Hard-of-hearing individuals
Trackball (wired or wireless)	Mobility/dexterity impairments
Adapted keyboard	Mobility/dexterity impairments
Height Adjustable Table (with hand crank or motorized adjustment)	Mobility/dexterity impairments
Phone amplifier (in-line)	Hard-of-hearing individuals
Large screen monitor (22"–24")	Low vision individuals

Table 2: Windows OS Built-in Accessibilities Features for Inclusion

Feature	Benefits	Description
Magnifier	Low vision individuals	Enlarges portions of the screen making it easier to view text and images and see the whole screen. Has multiple levels of magnification and 3 magnification options: full-screen mode, lens mode and docked mode.
On-screen keyboard	Mobility/dexterity impairments	Displays a visual keyboard with all the standard keys. Used in conjunction with a mouse to select keys. Includes a text prediction feature that can be turned on and which speeds process up for users.
High contrast	Low vision individuals	If it's hard to read text on your screen, you can change the theme of your PC to a color combination

		that's easier to read.
Feature	Benefits	Description
Mouse keys, sticky keys, filter keys	Mobility/dexterity impairments	Alternative methods available for users who need a work around for common keyboard actions. When activated, Mouse Keys uses the arrow keys on the numeric keypad to move the pointer. Sticky Keys prevents someone from having to press three keys at once (e.g.,Ctl+Alt+Del). When Sticky Keys is turned on, the user can do these functions by pressing one key at a time. Filter Keys will ignore keystrokes that occur in rapid succession and keystrokes that are held down several seconds unintentionally.

III. SERVICE DELIVERY

People with disabilities shall be served in integrated settings and participate in programs and services of the Job Center alongside people without disabilities.

All customers are made aware of the availability of various types of accommodations or special assistance that enable everyone to take full advantage of Job Center services. Staff shall not single out individuals and offer specific aids based on their own intuitions or perceptions.

Printed publications are available (immediately or in a timely manner) in alternative formats such as Braille, large print, electronic text, and/or audio. Alternative methods shall be available, such as sign language interpreters certified at intermediate or above and assistive listening devices. The Full Employment Council shall have request a one-day notice should alternative methods be requested.

Should a customer request other materials, the staff member receiving a request for alternate formats shall be directed to the Manager of Equal Opportunity/Community Recruitment. These alternative formats, as appropriate, shall be delivered to the customer in a reasonable amount of time. If further assistive technological devices are required to assure access to services, the Full Employment Council shall secure these devices or technology.

The Job Center has a procedure for responding in a timely manner to requests for auxiliary aids and services not readily available in the center (i.e., specialized assistive technology).

The Job Center has identified a source for certified American Sign Language interpreters and can respond to interpreter requests.

IV. PUBLIC AWARENESS

A list or notice that auxiliary aids and services for communication, assistive-technology devices, and materials in accessible formats are available shall be made known in writing or verbally to all customers, regardless of whether they disclose, or appear to have, a disability. Customers should be uniformly informed that they have a right to request accommodations, however unsolicited offers of specific formats or devices to individual customers shall be avoided. Such unsolicited offers can be perceived as a reflection of staff perceptions or stereotypes about particular disabilities and are contrary to the Americans with Disabilities Act (ADA).

V. STAFF TRAINING

Quarterly training will occur to assure Staff recognize the importance of making people with disabilities feel welcome, have a basic awareness on how to meet the needs of customers with disabilities, understand that they are required to provide reasonable accommodations to customers with disabilities.

Staff members shall be aware of, know how to access, and have a basic understanding of how to use assistive technologies, both stand-alone devices and accessibility options built into the computer operating system, and how to assist customers in their use. Functional Leaders will coordinate with the Job Center Disability Navigators to arrange trainings on a quarterly basis.

VI. IMPLEMENTATION

- Architectural access in compliance with the ADA shall be maintained at all locations.

- Training and/or technical assistance on an on-going basis shall be provided to staff regarding the use of basic assistive technology, procedures and local resources available for the arrangement of access services such as sign language, interpreting, braille transcription, how to respond to specific requests for auxiliary aids and services, and guidance on disability etiquette and culture.

- The Full Employment Council shall have materials, in a variety of accessible formats and media, to market the availability of accessible technologies.

VII. CUSTOMERS WITH LIMITED ENGLISH PROFICIENCY

If a customer with limited English proficiency whose primary language is other than English presents for services, Staff should serve this person with respect to the appropriate workforce resources of the Job Center. If possible, a Staff Member who can communicate with the customer should provide services. Staff Members, in providing services, may also make referrals to partner agencies (e.g. Guadalupe Center) in assisting the customer.
Staff Members should also communicate with the customer utilizing the Language Link

If the Staff Member is not able to communicate proficiently with the customer in the customer's primary language. The Language Link is a telephonic source for interpreters and is accessible at (800) 208-2620. (See Attachment C)

Attachment A:

Missouri Office of Workforce Development

OWD Issuance 12-2017

Minimum Standards for Assistive Technologies in Missouri Job Centers

Missouri Division of Workforce Development
DWD Issuance 12-2017

Issued: November 09, 2017
Effective: November 09, 2017

Subject: **Minimum Standards for Assistive Technologies in Missouri Job Centers**

1. Purpose:

This Issuance establishes minimum standards of the Division of Workforce Development (DWD) to ensure that programs and services delivered through Missouri One-Stop Job Centers and Affiliate Job Centers are physically and programmatically accessible to all, including individuals with disabilities. Toward that end, this policy specifically addresses the provision of Assistive Technologies. It leaves the logistical disposition of those resources to the discretion of the Local Workforce Development Board (Local WDB). The responsibility for monitoring local adherence to these standards shall be the responsibility of the Local WDB's Local Equal Opportunity (EO) Officer.[1]

2. Background:

All Workforce Innovation and Opportunity Act (WIOA)[2] Title I-financially assisted programs and activities must be *programmatically accessible.* This includes providing reasonable accommodations for individuals with disabilities and communicating with persons with disabilities as effectively as with others. Recipients must provide appropriate auxiliary aids or services, ***including Assistive Technology devices and services,*** upon request, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, the program or activity.[3]

Assistive Technologies are mitigating measures to aid people with disabilities that substantially limit their abilities to receive or to communicate information about themselves, programs, or services.[4] Assistive Technologies usually take the form of auxiliary aids or services, but also may include modifications to the physical environment related to the use of devices.

Since the 1999 effective date for regulations implementing the Section 188 nondiscrimination provisions of the Workforce Investment Act of 1998 (WIA)[5] DWD has conducted EO reviews of accessibility in Missouri Job Centers. These reviews have focused simply on whether Assistive Technologies for physical and sensory disabilities were available or not, without specific regard for functionality or product features.

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[1] 29 CFR 32.7, 29 CFR 38.31 and DWD Issuance 08-2012, "Designation of Local-Level Equal Opportunity (EO) Officers," December 11, 2012, and subsequent guidance.
[2] Pub. L. 113-128 [29 U.S.C. 3101, et seq.].
[3] 29 CFR 38.13(b) and 29 CFR 38.35.
[4] 29 CFR 38.4(q)(5)(iv)(B).
[5] Pub. L. 105-220; *repealed by WIOA, July 22, 2014.*

The statutory principles of nondiscrimination and EO law have evolved significantly since the 1998–1999 effective dates of WIA and its implementing regulations. The Americans with Disabilities Act (ADA)[6] was amended by the ADA Amendments Act of 2008 (ADAAA).[7] Agencies enforcing these statutes issued regulations and guidance affecting federal financially assisted programs and activities to reflect these legal developments.[8] The Rehabilitation Act of 1973[9] also has been amended twice. Section 504[10] of that act provides that individuals with disabilities may not be excluded from participation in, or denied benefits of, or subjected to discrimination in programs or activities receiving federal assistance.

Finally, WIA itself was superseded and repealed by WIOA in 2014. The Part 38 final rules[11] for implementation of the Section 188[12] nondiscrimination provisions of WIOA became effective in January 2017.[13] They are substantially revised from the Part 37 rules which served the same purpose under WIA. All comprehensive One-Stop Job Centers[14] and Affiliate Job Centers[15] must be physically and programmatically accessible to individuals with disabilities, as described in the Part 38 rules, which include a new subpart regarding accessibility requirements[16] and an expansion of the previous subpart on communications with individuals with disabilities.[17]

The definition[18] of auxiliary aids or services includes:

- Communications accessibility for individuals with hearing impairments
    - Qualified interpreters, on-site or through video remote interpreting (VRI) services;
    - Notetakers;
    - Real-time computer-aided transcription services;
    - Written materials;
    - Exchange of written notes;
    - Telephone handset amplifiers;
    - Assistive listening devices;
    - Assistive listening systems;
    - Telephones compatible with hearing aids;
    - Closed caption decoders;
    - Open and closed captioning, including real-time captioning;

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[6] Pub. L. 101-336, as amended.

[7] Pub. L. 110-325 [29 U.S.C. 12101, et seq.].

[8] *See [1]* U.S. Department of Justice, Office of the Attorney General, *Amendment of Americans with Disabilities Act Title II and III Regulations to Implement ADA Amendments Act of 2008; Final Rule,* 81 FR 53204, August 11, 2016 (revising 28 CFR Parts 35 and 36); *[2]* U.S. Equal Employment Opportunity Commission, *Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act, as Amended; Final Rule,* 76 FR 16978, March 25, 2011 (29 CFR part 1630).

[9] Pub. L. 93-112 [29 U.S.C. 701 et seq.].

[10] 29 U.S.C. 794. The U.S. Department of Labor (DOL) regulations implementing this section are engrossed in 29 CFR Part 32—"Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance."

[11] 29 CFR Part 38.

[12] 29 U.S.C. 3248: Nondiscrimination.

[13] DWD Issuance 09-2016, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act," January 18, 2017.

[14] 20 CFR 678.305.

[15] 20 CFR 678.310.

[16] 29 CFR 38.13.

[17] 29 CFR 38.15.

[18] 29 CFR 38.4(h).

- Voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices;
- Videotext displays; or
- Accessible electronic and information technology.

- Communications for individuals who are blind or have low vision
  - Qualified readers;
  - Taped texts;
  - Audio recordings;
  - Brailled materials and displays;
  - Screen reader software;
  - Magnification software;
  - Optical readers;
  - Secondary auditory programs (SAP);
  - Large print materials; or
  - Accessible electronic and information technology.

3. Substance:

In the light of changes to laws and rules, DWD and its WIOA State agency partners[19] have determined that a set of minimum standards **(Attachment)** must apply to Assistive Technologies available in Missouri Job Centers to accomplish the nondiscrimination provisions of WIOA and to comply with 29 CFR Part 38. These minimum standards do not include every Assistive Technology on the above bulleted list, and it is not intended that every Job Center have every Assistive Technology on the list on hand and immediately available. However, any item above might be reasonably named in a request for accommodation. Contingencies should be available to allow the person with the disability to communicate and participate to the same extent as a person without a disability.

A report[20] commissioned by the U.S. Department of Labor (DOL) and released in January 2017 indicates improvements need to be made in the accessibility available to individuals with disabilities in American Job Centers (AJCs). The report, which involved a survey[21] sent to every AJC in the country, found that 63 percent of AJCs were "not fully accessible" to people with disabilities, failing in physical accessibility, communications accessibility, programmatic accessibility, or a combination of those areas. In the specific area of communications accessibility (providing technology-based options to people with disabilities for incoming and outgoing calls, sign language interpreters, and materials in accessible formats for the visually impaired), 30 percent of Job Centers were not fully accessible, although most were "partially accessible," by providing one or more of those options.

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[19] State agencies that are part of the Missouri Job Center system [besides the Department of Economic Development (DED)/Division of Workforce Development (DWD)], include: the Office of Administration (OA) Information Technology Support Division (ITSD); the Department of Labor and Industrial Relations' (DOLIR) Division of Employment Security (DES); the Department of Social Services'(DSS) Family Support Division (FSD) and Rehabilitation Services for the Blind (RSB); the Department of Corrections (DOC); the Department of Elementary and Secondary Education's (DESE) Division of Learning Services, Office of Adult Learning and Rehabilitation Services, Vocational Rehabilitation (VR) and the Division of Learning Services, Office of Adult Learning and Rehabilitation Services, Missouri Adult Education and Literacy (AEL) Program; the Coordinating Board for Higher Education (CBHE); and the Department of Health and Senior Services (DHSS). This includes State agencies acting under the delegated authority of these agencies.

[20] *Evaluating the Accessibility of American Job Centers for People with Disabilities,* Final Report to the U.S. Department of Labor, IMPAQ International LLC, January 13, 2017.

[21] The rate of response to survey questions among Missouri Job Centers ranged from 66.8 to 74.5 percent, above the national average response rate of 55 percent.

The report specifically notes that, "An additional obstacle to communications accessibility was limited staff training and knowledge. For example, many staff members were unaware of the types of Assistive Technology available at the AJC or had limited knowledge of how to use them." The survey results further indicated that, "Most AJCs reported that they had an accessible workstation for customers with disabilities. However, staff often were unaware that their AJC had accessible computers and other assistive technology, or were not trained in how to use it, which rendered even the best system inaccessible."

The survey results indicate only 46.6 percent of new Job Center employees receive training orientation for serving persons with disabilities, and only 61.9 percent receive training on how to help persons with disabilities use the Assistive Technologies available in their Job Center.

Therefore, DWD and its WIOA State agency partners request that Local WDBs strive toward 100 percent competency of Missouri Job Center staff on the availability and uses of Assistive Technologies. Their availability and the staff expertise to use them successfully with Job Center customers are also requirements for Job Center certification.[22] It is also the intent of the Statewide WIOA partner agencies that Assistive Technologies be fully integrated into the customer resource areas of Job Centers, to the extent practical. Offering "separate but equal" resources is contrary to the programmatic accessibility requirements of the regulations ("administering programs in the most integrated setting appropriate").[23]

Local WDBs must be mindful that the guidance herein and the nondiscriminatory practices required by WIOA and found in the Part 32 and Part 38 rules apply as equally to employees and applicants for employment of the Local WDB as they do to customers of the job centers.[24]

DOL has stipulated that providing unsolicited offers of information in alternative formats is contrary to the ADA because it reflects another's perception or stereotype about particular disabilities. An individual is always free to request an accommodation of auxiliary aids and services, and the obligation to provide such is only triggered upon such a request. However, it is important to provide notice of the general availability of auxiliary aids and services to all participants.[25]

This Issuance does not require Local WDBs to acquire Assistive Technologies only by direct procurement, or to maintain a full stock of all Assistive Technologies cache available on demand at all Job Centers. Recipients must provide aid, benefits,

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[22] DWD Issuance 03-2017, "Missouri One-Stop Job Center and Affiliate Job Center Certification Evaluation and Criteria," September 19, 2017.

[23] 29 CFR 38.13(b).

[24] 29 CFR 32.12(a)(1) and 29 CFR 38.2.

[25] DOL preamble discussion, *"Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act, Final Rule,"* December 2, 2016, at 81 FR 87170 and 81 FR 87171.

services, and training on an equal basis to qualified individuals with disabilities. When reasonable accommodations or modifications are necessary to accomplish that, recipients must provide them in a timely manner (absent undue hardship or a fundamental alteration of the program, activity, or service).

If Local WDBs are able to acquire Assistive Technologies that meet these standards by donation, loan, sharing, joint purchase, or similar means, and are thereby able to respond adequately to a request to provide auxiliary aids or services, the requirements of this policy will be deemed to be met. Resources to advise and assist Local WDBs acquisition of aids and services include:

- Missouri Assistive Technology (https://at.mo.gov/), directed by the Missouri Assistive Technology Council, which was established by state statute in 1993. Contact: David Baker, Director at (818) 655-6707, or email at dbaker@mo-at.org.
- Vocational Rehabilitation Program, Missouri Department of Elementary and Secondary Education, Division of Learning Services, Office of Adult Learning and Rehabilitation Services, https://dese.mo.gov/adult-learning-rehabiliation-services/vocational-rehabilitation/rehabilitation-technology, at (573) 751-3251, or email at info@vr.dese.mo.gov.
- Partnership on Employment & Accessible Technology (PEAT), funded by the DOL Office of Disability Employment Policy, http://www.peatworks.org/Buy-IT

4. Action: This Issuance is effective immediately. All Local WDBs must ensure that the minimum standards for Assistive Technologies in the **Attachment** are adhered to in all Job Centers. Distribute this Issuance to all Local EO Officers and other Missouri Job Center staff as appropriate.

5. Contact: Danielle Smith, DWD WIOA State Equal Opportunity Officer, at (573)751-2428, or danielle.smith@ded.mo.gov.

6. References: Section 188 [29 U.S.C. 3248], "Nondiscrimination," Workforce Innovation and Opportunity Act.

28 CFR Part 35, "Nondiscrimination on the basis of disability in state and local government services."

29 CFR Part 32, "Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance."

29 CFR Part 38, "Implementation of the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act."

7. Rescissions: None.

8. Attachment: Minimum Standards for Assistive Technologies in Missouri Job Centers.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Mardy L. Leathers
Director
Missouri Division of Workforce Development

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Minimum Standards for Assistive Technologies in Missouri Job Centers

Vision

Creating an environment that welcomes people with disabilities and providing people with disabilities full and equal access to services.

Assistive Technology

- In the public resource computer center, provide at least one adjustable height table to accommodate customers who use wheelchairs, as well as those small or large in stature.
- For individuals with low vision, provide access to screen-enlargement software and have at least one large screen monitor.
- Provide a trackball and alternative keyboard for use by individuals who have difficulty using a traditional mouse and/or keyboard.
- Be familiar with, and communicate to customers the availability of, accessibility features built into the Microsoft Operating System (i.e., on-screen keyboard, voice input, sticky keys, bounce keys, et al).
- For individuals with a mild to moderate hearing loss, provide at least one assistive listening device (ALD) available for use in one-on-one and group settings.
- Be familiar with Relay Missouri as an alternative telecommunications tool for individuals who are deaf, hard-of-hearing, deaf/blind, or have a speech impairment.

Public Awareness

- A list or notice that auxiliary aids and services for communication, assistive-technology devices, and materials in accessible formats are available is made known in writing or verbally to all customers, regardless of whether they disclose, or appear to have, a disability or not. Customers should be uniformly informed that they have a right to request accommodations, but avoid unsolicited offers of specific formats or devices to individual customers. Such unsolicited offers can be perceived as a reflection of staff perceptions or stereotypes about particular disabilities and are contrary to the Americans with Disabilities Act (ADA).

DWD ISSUANCE 12-2017—**ATTACHMENT**

Service Delivery

- People with disabilities are served in integrated settings; people with disabilities participate in programs and services of the Job Center alongside people without disabilities.
- All customers are made aware of the availability of various types of accommodations or special assistance that enable everyone to take full advantage of Job Center services. Staff do not single out individuals and offer specific aids based on their own intuitions or perceptions.
- The Job Center has a procedure for responding in a timely manner to requests for auxiliary aids and services not readily available in the center (i.e., specialized assistive technology).
- The Job Center has identified a source for certified American Sign Language interpreters and can respond quickly to interpreter requests.
- Printed publications are available (immediately or in a timely manner) in alternative formats such as Braille, large print, electronic text, and/or audio.

Staff Goals

- Staff recognize the importance of making people with disabilities feel welcome.
- Staff have a basic awareness on how to meet the needs of customers with disabilities.
- Staff understand that they are required to provide reasonable accommodations to customers with disabilities.
- Staff members are aware of, know how to access, and have a basic understanding of how to use assistive technologies, both standalone devices and accessibility options built into the computer operating system, and how to assist customers in their use.

Standalone Assistive Devices for Inclusion

Device	**Benefits**
Assistive Listening Device	Hard-of-Hearing Individuals
Trackball (wired or wireless)	Mobility/Dexterity Impairments
Adapted Keyboard	Mobility/Dexterity Impairments
Height Adjustable Table (hand-crank or motorized adjustment)	Mobility/Dexterity Impairments
Phone Amplifier (in-line)	Hard-of Hearing Individuals
Large Screen Monitor (22" – 24")	Low Vision Individuals

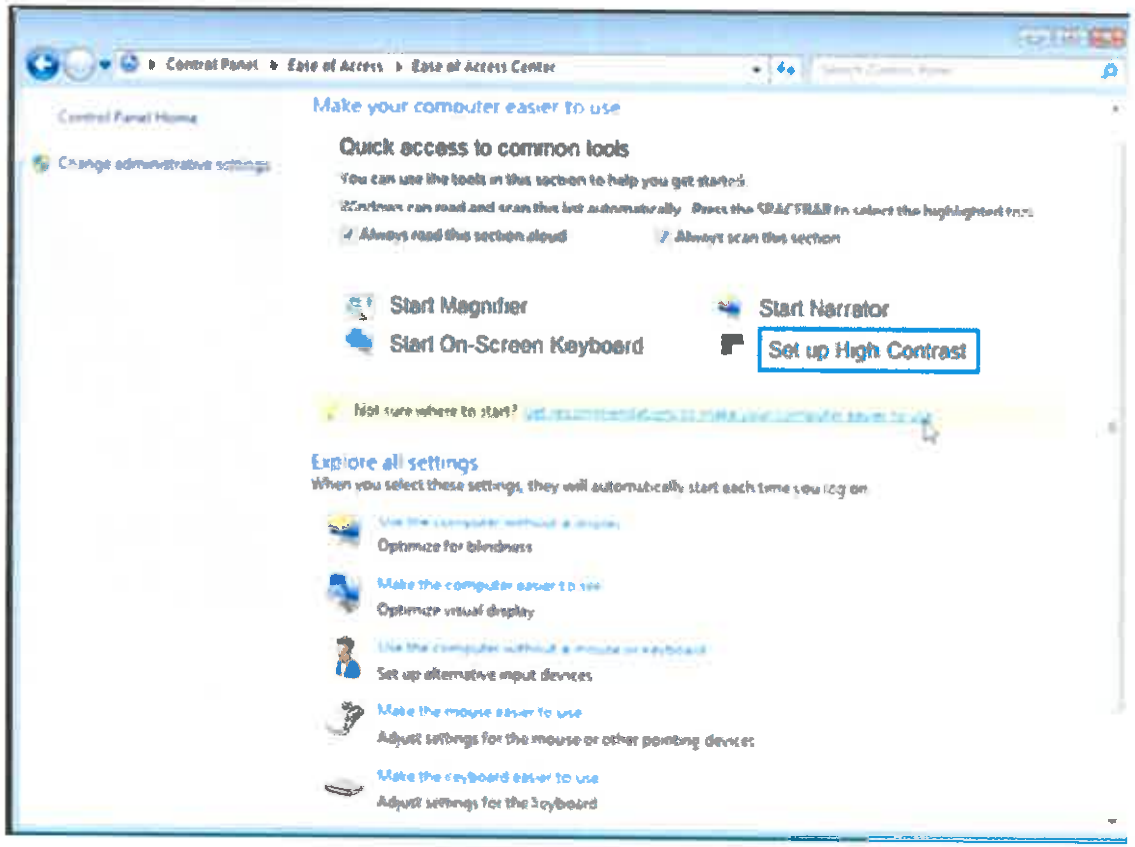
Windows OS Built-in Accessibility Features for Inclusion

Feature	Benefits	Description
Magnifier	Low-Vision Individuals	Enlarges portions of the screen making it easier to view text and images and see the whole screen. Has multiple levels of magnification and 3 magnification options: full-screen mode, lens mode and docked mode.
On-Screen Keyboard	Mobility/Dexterity Impairments	Displays a visual keyboard with all the standard keys. Used in conjunction with a mouse to select keys. Includes a text prediction feature that can be turned on and which speeds process up for users.
High Contrast	Low-Vision Individuals	If it's hard to read text on your screen, you can change the theme of your PC to a color combination that's easier to read.
Mouse Keys, Sticky Keys, Filter Keys	Mobility/Dexterity Impairments	Alternative methods available for users who need a work around for common keyboard actions. When activated, Mouse Keys uses the arrow keys on the numeric keypad to move the pointer. Sticky Keys prevents someone from having to press three keys at once (e.g., CTRL+ALT+DEL). When Sticky Keys is turned on, the user can do these functions by pressing one key at a time. Filter Keys will ignore keystrokes that occur in rapid succession and keystrokes that are held down several seconds unintentionally.

Built-in Accessibility Features in Windows Operating System
What's Available, and How to Access

The Windows Operating System includes accessibility options and programs that make it easier for people with a variety of disabilities to see, hear and use a computer. For the most part, these features are located in the Ease of Access Center, which provides a convenient, centralized place to locate, learn about and activate these features.

The Ease of Access Center is located in the Control Panel. The easiest way to get to it is to select the WINDOWS LOGO KEY + U.



The Ease of Access Center includes:

- **Quick access to common tools** provides a convenient location for the most often used built-in features: Magnifier, On-Screen Keyboard, Narrator and High Contrast.
- **Get recommendations** to make your computer easier to use is a questionnaire that generates recommendations for people unsure what built-in accessibility features they may need.
- **Explore all Settings** helps new users identify features quickly by organizing them by personal need.

Additional Resources on Windows Accessibility Features: https://www.microsoft.com/enable/products/windows7/default.aspx.

Telecommunications Relay Service

Telecommunications Relay Services are telephone services that allow persons with hearing or speech disabilities to place and receive telephone calls. Relay services are free to users. In Missouri, telecommunications relay service is known as Relay Missouri (http://www.relaymissouri.com/). Telecommunications relay services use specially trained operators to facilitate telephone calls between people with hearing and speech disabilities and other individuals. A Relay call can be initiated by either a person with a hearing or speech disability, or a person without such a disability. To illustrate, a person who is deaf and uses a TTY wishes to get in contact with an individual without a hearing impairment. The individual who is deaf utilizes their TTY to call the Relay Service. Relay then places an outbound traditional voice call to the intended recipient, and then serves as a link for the call, relaying the text of the calling party's communication in voice to the called party and then converting it back to text so the individual who is deaf can read it on the screen of their TTY. There are several forms of telecommunications relay services available, depending on the needs of the user and the equipment available.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Attachment B:

Missouri Office of Workforce Development

OWD Issuance 06-2014

Access to Meaningful Services for Individuals with Limited English Proficiency (LEP) Policy

Missouri Division of Workforce Development
DWD Issuance 06-2014

Issued: December 12, 2014
Effective: December 12, 2014

Subject: **Access to Meaningful Services for Individuals with Limited English Proficiency (LEP) Policy**

1. Purpose:

This Issuance is written to provide policy guidance specific to the Division of Workforce Development's (DWD) obligation to ensure LEP individuals have meaningful access to all programs and services; and are able to participate effectively regardless of their ability to speak, read, write, or understand English.

This policy guidance aligns with DWD's position by ensuring statewide consistency in language service delivery; and further assures quality language services are available for LEP individuals, enabling effective communication with workforce system staff.

2. Background:

Identifying language barriers and developing strategies to overcome those barriers are essential for state agencies to comply with federal requirements. These requirements are within several guidance documents, including the following:

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating based on national origin by, for example, failing to provide meaningful access to individuals who are LEP.

Executive Order 13166 signed by the President in August 2000 and titled "Improving Access to Services for Persons with Limited English Proficiency" contains two major initiatives. The first initiative aims to better enforce and implement Title VI of the Civil Rights Act of 1964 by requiring federal agencies that provide federal financial assistance to develop guidance to clarify obligations for recipients of such assistance. The second initiative requires all federal agencies to meet the same standards as federal financial assistance recipients in providing meaningful access for LEP individuals to federally conducted programs.

Section 188 of the Workforce Investment Act (WIA) and its implementing regulations provides that no person shall be subjected to discrimination based on national origin under any program or activity that receives federal financial assistance.

Federal policy guidance is intended to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Labor or other entities that participate in the Missouri workforce system. This guidance is intended to assist recipients in fulfilling their responsibilities to LEP individuals, pursuant to these federal laws and implementing regulations.

3. Substance:

As recipients of federal financial assistance, local Workforce Investment Boards (LWIB), One-Stop operators, and other service providers have a responsibility to ensure non-discrimination in service delivery to LEP individuals. Guiding principles for situations in which an LEP individual is seeking to "access and participate" in public workforce services, programs, and activities include:

LEP individuals must be advised of availability of competent, confidential language interpretation services. The provision of this notice and the LEP individual's election must be documented in any individual record, written or electronic, generated with respect to the LEP individual.

Recipients will take reasonable steps, appropriate to the circumstances, to ensure interpretative services are provided that demonstrate the level of fluency, comprehension, and confidentiality warranted by the nature, type, and purpose of the information at issue.

Recipients will expand the range or nature of language assistance strategies whenever (1) experience, (2) changes in target or service population demographics, or (3) new program-specific data indicates that the failure to do so may result in a denial of substantially equal and meaningful, effective services to a significant LEP population.

LEP, in and of itself, shall not act as a barrier to limit access to vital information, available in English, regarding when, where, or how to obtain benefits or services provided through the workforce system.

4. Action:

Effective March 11, 2010, all LWIBs, program operators, training providers, etc., were required to comply with this guidance as it supports compliance with Section 2 of Executive Order 13166 and the U. S. Department of Labor, Civil Rights Center, Directive No. 2006-03. Please distribute this Issuance to appropriate individuals.

DWD has developed a uniform language-assistance plan (**ATTACHMENT 1**) with clear goals for ensuring non-discrimination, management accountability, and opportunities for community input. All workforce entities (recipients of federal financial assistance as listed above) will take the following actions:

- **Oral Information:** Interpretation is the act of listening to something in one language (source language) and orally translating it into another language (target language). Where interpretation is needed and is reasonable, recipients should consider some or all of the options discussed below for providing competent interpreters in a timely manner.

  Competence of Interpreters: When providing oral assistance, recipients should ensure competency of the language service providers, no matter which of the following strategies are used. Competency requires more than self-identification as bilingual. Some bilingual staff and community volunteers, for instance, may be able to communicate effectively in a language other than English when communicating information directly in that language, but **may not** be competent to interpret in and out of English. Likewise, they **may not** be able to do written translations.

  Each Career Center location accessible to the public at which vital information is made available (reception desk or areas, resource areas, telephone communication lines, building entries, etc.), will have language assistance resources capable of providing, within a reasonable period of time, information and/or instruction in appropriate languages other than English. A language identification poster or "I Speak Card" **(ATTACHMENT 2)** should be located at each Career Center welcome/reception area for each LEP customer to identify their language.

  At points of public contact, appropriate translations of commonly requested information and procedures for access to telephonic interpretive services are required to be in place. Further, procedures for accessing telephonic language assistance resources will be readily available at every point of public contact, and distributed to all workforce staff that routinely have contact with members of the public. All workforce staff who have volunteered to provide language assistance services (in case of an emergency, when telephonic assistance is deemed less timely) will be identified by name, location, business telephone number, work hours, language, and level of fluency; and a region-specific list of these volunteers shall be submitted to each local Equal Opportunity Officer (LEOO).

- **Electronic Information:** Translation is the replacement of a written text from one language (source language) into an equivalent written text in another language (target language).

  What Documents Should be Translated? After applying the four-factor analysis, a recipient may determine that an effective LEP plan for its particular program or activity includes the translation of vital written materials into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient's program. Such written materials could include:

- Applications to participate in a recipient's program or activity or to receive recipient benefits or services;
- Written tests that do not assess English language competency, but test competency for a particular license, job, or skill for which English language proficiency is not required;
  Consent and complaint forms;
- List of partners at a One-Stop Career Center and services provided;
- Letters containing important information regarding participation in a program or activity;
- Notices pertaining to the reduction, denial or termination of services or benefits and of the right to appeal such actions;
- Notices that require a response from beneficiaries;
- Information on the right to file complaints of discrimination;
- Information on the provision of services to individuals with disabilities;
- State wage and hour and safety and health enforcement and information materials;
- Notices advising LEP persons of the availability of free language assistance; and
- Other outreach materials.

Where workforce locations maintain a web page accessible to members of the general public, information on the availability of language assistance shall be included. Where vital documents in English are placed on or are accessible through the web page, information on their availability shall be included in the appropriate languages on the web home page or other initial point of access.

- **Signage:** Where signage is maintained and/or posted in English, it shall also be provided, at a minimum, in the two most common non-English languages spoken in the region and served by a specific location. Signage in fewer languages is warranted where current demographic data establishes that the population potentially served by the region, does not include more than one minority (language) group.

  The LWIBs will:
  - Conduct an annual assessment of the language needs of the population to be served throughout the workforce regions beginning with the 2010 census data;
  - Develop and implement a comprehensive, written policy that will ensure meaningful access and communication for LEP individuals;
  - Take steps necessary to ensure state and local partner staff understand the policy and are capable of implementing the policy;
  - Conduct regular oversight of the language assistance program to ensure effective, meaningful access to all workforce programs and services, in a consistent manner.

DWD currently makes available a number of vital documents and outreach materials in Spanish, with the goal to develop updated outreach products in additional languages, other than English.

DWD has re-vended for oral interpretation services through a telephone language assistance service and updated instructions were made available to all LWIBs, Division Supervisors, Regional Coordinators, and LEOOs October 18, 2013.

5. Contact: Direct questions or comments regarding this Issuance, to the State WIA Equal Opportunity Officer, Danielle Smith, at (573) 751-2428 or danielle.smith@ded.mo.gov, or to Julie Gibson, DWD Director, at (573) 751-3349.

6. Reference: Title VI of the Civil Rights Act of 1964
http://www.dol.gov/oasam/regs/statutes/titlevi.htm

Executive Order 13166 www.lep.gov/13166/eo13166.html

Facts about National Origin Discrimination
http://www.eeoc.gov/facts/fs-nator.html

29 CFR Part37, specifically 29 CFR Part 37.35;
http://www.dol.gov/oasam/regs/cfr/29cfr37(2001).htm

CTS LanguageLink: http://www.ctslanguagelink.com/

DWD Issuance 01-2014, Change 1: Equal Opportunity and Complaint Grievance, Notice and Dissemination
https://worksmart.ded.mo.gov/includes/secure_file.cfm?ID=3114&menuID=6

7. Rescissions: This Issuance supersedes and replaces DWD Issuance 23-2009 dated March 11, 2010.

8. Attachments: 1)—Language Assistance Procedure Manual Customer Service for Individuals with Limited English Proficiency (LEP).
2) – U.S. Department of Commerce, Bureau of the Census, Language Identification Flashcard.

The Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Julie Gibson
Director
Missouri Division of Workforce Development

Missouri Division of Workforce Development

LANGUAGE ASSISTANCE PROCEDURE MANUAL

Customer Service for Individuals with Limited English Proficiency (LEP)

General Policy

Each year the state and local Equal Opportunity Officers will review existing policy and procedures to determine updates in populations serviced in specific regions and recommend changes to the LEP policy. The development, maintenance, and implementation of a periodically updated plan for use by the Division of Workforce Development (DWD) and partner staff when delivering services to the general public, will be the most appropriate and cost effective means of documenting compliance and providing a model for the provision of timely and reasonable language assistance. The Language Assistance Planning Self-Assessment Tool for Recipients of Federal Financial Assistance provides the framework for organizations to develop a comprehensive plan that supports Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)." While there is considerable flexibility for recipients in development of a comprehensive Language Assistance Plan, the ultimate goal is to provide meaningful access to LEP individuals.

Assessment

The state Workforce Investment Act (WIA) agency, as requested by the U.S. Department of Labor/Civil Rights Center, completed the Language Assistance Planning and Self-Assessment Tool to facilitate planning efforts, and has adopted its use for all future language assistance assessments conducted by DWD. This Self Assessment Tool document is intended to assist recipients in planning for the provision of language assistance to the LEP individuals they serve or encounter and to assist in assessing existing, other than English, language service capabilities.

Assessment involves identification of the languages that are likely to be encountered in the provider's service area, estimating the number of LEP individuals that are eligible to receive services or benefits who are directly affected by the provider's program or activity. It is required that the following four factors are considered to determine the nature of language assistance provided and to ensure the most effective, meaningful access for LEP individuals, participating in or seeking benefits from, the program or activity:

1. The number or proportion of LEP individuals served or encountered in the eligible service population or likely to be *directly or significantly* affected by program or activity;

2. The frequency with which LEP individuals come in contact with the program or activity;

3. The nature and importance of the program, activity, or service provided by the recipient; and

4. The resources available to the recipient and costs in carrying out the program or activity.

In cases where language barriers may have impeded access (i.e., LEP individuals did not know of the rights and/or the availability of free language assistance), statistics on past participation will not capture the true need. The proportion of LEP individuals in the overall program service population should correlate with the proportion of LEP individuals participating in or seeking benefits from the program or activity using the Four-Factor Analysis (i.e., Civil Rights Center; Enforcement of the Title VI of the Civil Rights Act of 1964; Policy Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting LEP Persons; Pages 32294-32295)..

Provision of Language Interpretation/Translation Services

DWD has contracted with CTS Language Link to provide telephone language interpretation services for the workforce system. Designated Career Center locations and Central Office have been provided individual accounts and instructions for use to ensure effective telephone communication between staff and LEP individuals. These instructions include tips for working with interpreters when initiating language assistance calls.

At a minimum, intake or Welcome Team staff, with whom the LEP individual has initial contact, will record the language of the LEP individual in his/her file (including files maintained electronically) so that all subsequent interaction will be conducted in the

appropriate language. Whenever the interpreter service is used, a brief description of how that service was used will be recorded in the LEP individual's file.

The use of "I Speak" cards is required by intake workers and other staff, who have direct contact with LEP individuals. This language identification aid will assist staff to record the LEP individual's language and be able to obtain appropriate interpreter services.

A system to receive incoming telephone calls from LEP individuals via the agency's existing 888-728-JOBS (5627) line has been developed. The system to receive calls from LEP individuals will be coordinated by the State WIA Equal Opportunity (EO) Officer, utilizing CTS Language Link and the agency's current telephone provider. A three-way response to the LEP individual will be initiated by the State WIA EO Officer directing the caller to the nearest Career Center location.

All LEP individuals will be notified that upon request, they will receive language assistance at no cost, and that vital documents (i.e., documents developed with the purpose of describing a LEP individual's rights, responsibilities, or benefits; requesting information or a response from LEP individuals; notifying LEP individuals of an action that may adversely affect them; requiring the LEP individual's informed consent or acknowledgement; and notifying LEP individuals of the opportunity for free language assistance) will be translated at no cost.

Essentially, translation of applications to participate in a program or activity or to receive benefits or services; consent and complaint forms; list(s) of partners at the One-Stop Career Center and the services provided; other outreach materials; and other informational and instructional documents into languages other than English, is required for LEP individuals after applying the four-factor analysis. The standard "menu" of services will support the identification of vital documents for the workforce system. To the extent reasonable, DWD will support translating vital documents into languages other than English.

Use of Family, Friends or Others as Interpreters

Use of family members, friends, or other informal interpreters present ethical and other privacy complications and is not supported nor recommended. It is our obligation to provide qualified interpreters to all individuals who need and/or request oral language assistance.

Use of family, friends, or others as interpreters may expose the recipient to liability under Title VI of the Civil Rights Act of 1964 and Section 188 of the WIA. Do not require, suggest, or encourage the use of friends, family members (including minor children), and other non-professionals as interpreters. Use of such persons could result in a breach of confidentiality or a reluctance of an LEP individual to disclose personal

information critical to the LEP individual's situation. Although the LEP individual's decision to use his or her own interpreter should be respected, there are concerns of confidentiality, conflict of interest, or a minor child's competency in communication to provide interpretation.

When staff inform the LEP individual of the right to free interpreter services and the individual declines (wanting to use a family member or friend as an interpreter), the staff may use the LEP individual's designated person as an interpreter while taking steps to document the LEP individual's choice is strictly voluntary and the offer of free interpreter services was declined. Staff should document all offers for language services that are declined; in the LEP individual's file, including those files maintained electronically.

Outreach/Training/Monitoring

Outreach efforts, ensuring awareness among workforce system (i.e., jobseekers, businesses, and workforce professionals) entities, will include the implementation of the language access policy. LEP individuals in need of language assistance services will receive "reasonable" notice of the availability of such services. The availability of free language assistance will be promoted/advertised as a part of regional outreach. Signage and other notices in lobbies, waiting areas, intake desks, etc. should be available in the two or three primary languages identified by region. Postings should inform individuals of their right to free interpreter services and invite them to identify themselves as individuals needing language assistance.

All staff should be knowledgeable regarding:

1. The nature and scope of language assistance services and resources available, and

2. The procedures to access language services for their LEP individuals.

A successful language access plan aligns with the overall obligation to ensure programs and services are provided in a non-discriminatory and equal manner. Access to services and programs has to be as effective for LEP individuals as the general public. It is unlawful to discriminate due to national origin; and through this plan; we affirm consistent, effective LEP access and compliance for all federally assisted programs and services operated within the Missouri workforce system.

Intake Procedures for LEP Individuals

1. When a walk-in LEP individual for services indicates the language of choice using the "I Speak" card, the intake personnel (i.e., welcome team member) will contact the Language Link contractor by telephone for language interpretation

services. At that time, the intake personnel will conduct the standard steps, with the assistance of the interpreter, to serve the LEP individual.

2. The LEP individual will be served in a location suitable to allow confidentiality, such as a conference room with speaker phone or other suitable arrangement.

3. During intake, the LEP individual will be provided a language identification card ("I Speak" card) listing the language of their choice. The LEP individual may keep this language identification card in their possession to display to staff as they are processed through the Career Center. Accepting and/or maintaining this language identification card is voluntary and will not impede the delivery of services.

4. In the event the intake personnel are unable to determine the LEP individual's language choice (after using the "I Speak" cards or any other readily available method, i.e., bilingual/multilingual staff), the intake staff will immediately contact the language interpretation service to attempt to determine the appropriate language to use with the LEP individual.

5. Each step of the initial assessment for services, including and up to service delivery, will include the language interpretation service.

United States Census 2000

U.S. Department of Commerce
Bureau of the Census

LANGUAGE IDENTIFICATION FLASHCARD

☐ املأ هذا المربع اذا كنت تقرأ أو تتحدث العربية.	Arabic
☐ Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	Armenian
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	Bengali
☐ សូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ។	Cambodian
☐ Matka i kahhon komu un taitai pat un sang i Chamorro.	Chamorro
☐ 如果您具有中文閱讀和會話能力，請在本空格內標上X記號。	Chinese
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	Creole
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	Croatian (Serbo-Croatian)
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	Czech
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	Dutch
☐ Mark this box if you read or speak English.	English
☐ اگر خواندن ونوشتن فارسی بدرهستین، این مربع را علامت بگذارید.	Farsi

D-3309

☐ Cocher ici si vous lisez ou parlez le français.	French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	Greek
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस गोले पर चिह्न लगाएँ।	Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	Ilocano
☐ Marchi questa casella se legge o parla italiano.	Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	Laotian
☐ Zaznacz tę kratkęjeżeli czyta Pan/Pani lub mówi po polsku.	Polish
☐ Assinale este quadrado se voce lê ou fala Português.	Portuguese

D-3309

☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi Româneşte.	Romanian
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	Russian
☐ Maka pe fa'ailoga le pusa lea pe afai e te faitau pe tusitusi i le gagana Samoa.	Samoan
☐ Обележите овај квадратић уколико читате или говорите српски језик.	Serbian (Serbo-Croatian)
☐ Označte tento štvorček, ak viete čitať alebo hovoriť po slovensky.	Slovak
☐ Marque esta casilla si lee o habla español.	Spanish
☐ Markahan ang kahon na ito kung ikaw ay nagsasalita o nagbabasa ng Tagalog.	Tagalog
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	Thai
☐ Faka'ilonga'i 'ae puha ko'eni kapau 'oku te lau pe lea 'ae lea fakatonga.	Tongan
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	Ukrainian
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانہ میں نشان لگائیں۔	Urdu
☐ Xin đánh dấu vào ô này nếu quý biết đọc và nói được Việt Ngữ.	Vietnamese
☐ צייכנט דעם קעסטל אויב איר שרייבט אדער ליינט אידיש.	Yiddish

Attachment C:

CTS Language Link

Point to your language

Amharic	Hebrew	Portuguese
አማርኛ	עברית	Português
Arabic	Hindi	Punjabi
العربية	हिन्दी	ਪੰਜਾਬੀ
Bosnian (Serbo Croatian)	Hmong	Romanian
Bosanski	Hmoob	Română
Burmese	Italian	Russian
မြန်မာစာ။	italiano	Русский
Cambodian	Japanese	Somali
ខ្មែរ	日本語	Soomaali
Cantonese	Karen	Spanish
廣東話	ကညီ	Español
Haitian Creole	Kirundi	Swahili
Kreyól Ayisyen	Ikirundi	Kiswahili
Farsi	Korean	Tagalog
فارسی	한국어	Tagalog
French	Laotian	Thai
Français	ພາສາລາວ	ภาษาไทย
French Canadian	Mandarin	Tigrinya
français canadien	國語	ትግርኛ
German	Nepali	Urdu
Deutsch	नेपाली	اردو
Turkish	Polish	Vietnamese
Türkçe	Polski	Tiếng Việt

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Find us online: ctslanguagelink
Telephone: 1.800.208.2620

CTS languagelink
We speak your customer's language

CTS languagelink™
We speak your customer's language

How to Use Interactive Voice Response (IVR)

Step 1: **Call 1 888-338-7394**

Step 2: Enter Account Number 20702 followed by # sign (Refer to intranet or contact center supervisor for Account number)

Step 3: Select 1 to be connected directly to your Spanish interpreter, *or*
Select 2 to be connected directly to your Russian Interpreter, *or*
Select 3 to be connected directly to your Vietnamese interpreter, *or*
Select 4 to be connected directly to your Somali Interpreter, *or*
Select 9 for all other languages

***If you require a 3rd party call, press 9 to reach a Customer Service Representative**

Step 4: Enter Location Code, followed by # sign (Refer to intranet or contact center supervisor for Location Code)

IVR FAQs:

What if I do not know my Account number?
You do need this information in order to reach the interpreter directly. If you are unsure of your account number, wait and the system will direct you to a live operator who will look up your account.

What is IVR?
IVR stands for Interactive Voice Response. CTS LanguageLink's IVR system allows a customer to quickly select the language desired for interpretation and be connected immediately to an interpreter without interaction with a live attendant. The benefit of this is an even faster connect time to your interpreter and better service to your limited English proficient (LEP) client.

What is a third party call?
A third party call is when you need CTS LanguageLink to call the LEP client and then bridge the call together with you and the interpreter.

How do I make a third party call with CTS LanguageLink?
If you need a third party call, **press 9** ***(even for Spanish)*** to reach a Customer Service Representative (CSR) and let the operator know you need a third party call. We are happy to assist you with this at no additional charge. Our ***interpreters are not able to make the third party call*** directly.

I need another language other than the ones listed. How do I get my interpreter on the line?
Press 9 for other languages and let the CSR know which language you require and they will connect you. If the language is unknown, you may reference the "Point to your Language" visual for help with most requested languages or ask a representative for assistance.

Please contact our Client Relations Team if you have any further questions:

Email: clientrelations@ctslanguagelink.com
Toll Free: 1 (855) 579-2704

CTS languagelink™
We speak your customer's language

TIPS AND ADVICE

How to Work with a Telephone Interpreter

YOUR ROLE

Telephone interpreters may receive several calls a day—each one requiring special attention in a specific field. When working with an interpreter over the phone, there are a few things you should keep in mind to ensure your call is handled quickly and successfully.

- Always speak in first person, just as you would in normal conversation. For example, say, "Do you have a fever?" rather than "Ask her if she has a fever, please."
- Immediately introduce yourself to the limited-English proficient (LEP) client and explain your reason for calling.
- Telephone interpretation is "consecutive" interpretation. That means you will experience pauses when the interpreter repeats each statement in the respective language.
- After you speak one-two sentences or finish a thought, pause to give the interpreter enough time to interpret.
- Be prepared to explain some things in more detail for the telephone interpreter. Some terminology and concepts may not have an equivalent in the target language.
- Control the conversation. The telephone interpreter is only there to interpret. You are responsible for making sure the LEP client receives the same service as an English-speaking client.
- Ask the interpreter and the LEP client questions to ensure they understand what you want to communicate.
- Avoid asking the interpreter for his/her opinion about the situation being interpreted.
- We can accommodate three-way telephone interpretation calls. Tell the call center agent the name and phone number of the third party, and they will arrange the call for you. The interpreter cannot facilitate this for you. You must ask the call center agent at the beginning of the call.
- Follow up by providing us with feedback about your interpretation services.

YOUR TELEPHONE INTERPRETER'S ROLE

We expect our interpreters to meet high standards and want to know when they are meeting our expectations. To that end, your feedback is critical

- Make sure your interpreter introduces himself/herself using a first name and ID number. They are not required to provide a last name.
- Your interpreter should not have a side conversation with you or the client. He or she must relay everything that is said back to you or your client. This includes any advice that the client may ask of the interpreter.
- Your interpreter should not discuss anything unrelated to the telephone interpretation assignment.

More questions about telephone interpretation? Contact us at 1-866-610-1338 or email info@ctslanguagelink.com.

911 Main Street, Suite 10 | Vancouver, Washington 98660 | Toll Free: +1 800-208-2620 | Fax: (360) 693-9292
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'ACTS INFORMATION; JOB CENTER CODES

ress	DWD Supervisor (click to email)	Email	Phone Number	Fax	Job Center Code
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ATTACHMENT 23.
Integration of Services Policy (Co-enrollment Policy)

Workforce Innovation and Opportunity Act (WIOA) Policy

INTEGRATION OF SERVICES THROUGH CO-ENROLLMENT POLICY

POLICY NUMBER: 2018-011, Modification 1

EFFECTIVE DATE: 02-20-2018

MODIFICATION DATE: 01-21-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this Issuance is to describe how the Kansas City and Vicinity Workforce Development Board will provide the integration of services through co-enrollment processes.

BACKGROUND

Under the Workforce Innovation and Opportunity Act (WIOA) and Missouri Department of Workforce Development regulations, certain co-enrollments are required for Job Center customers. Co-enrollment maximizes the resources available to customers, is cost effective and enables customers to be active participants in the decision-making process. This Issuance is based upon Division of Workforce Development Issuance No. 03-2019, Co-Enrollment and Provision of Services by Workforce Staff Policy and the associated Frequently Asked Questions (FAQ) associated with this Issuance, last revised on December 19, 2019.

POLICY

I. MANDATORY CO-ENROLLMENTS

The following co-enrollment requirements will be followed:

(a.) All customers of the Job Center, including Youth, must be enrolled into the Wagner-Peyser program.
(b.) Trade Adjustment Assistance and National Dislocated Worker Grant (DWG) participants who are receiving training services shall be co-enrolled in the WIOA Dislocated Worker program. This shall apply to individuals who are interested in training in the targeted sectors of Information Technology, Warehouse, Logistics and transportation, Healthcare, Business and Financial Services and Advanced Manufacturing. **These dual enrollment participant files shall be maintained in the MIS department at 1740 Paseo Boulevard.**

Both WIOA and Wagner-Peyser funds are to be used to provide Career Services.

II. COMBINED STAFF ACTIVITIES WITH CUSTOMERS

Any Job Center staff may provide self-service or informational services (such as workshops) to individuals regardless of WIOA program enrollment status. All staff can provide immediate assistance each time the customer comes into the Job Center, including reviewing a customer's online file in the state's case management system, determining their status, and directing the customer to the appropriate staff person. These services do not trigger program participation, and do not require the collection of eligibility documentation:

- Eligibility determination;
- Outreach, Intake, Orientation;
- Job Search assistance (Self-directed);
- Providing information on in-demand sectors, occupations, or nontraditional employment;
- Provision of referrals and associated coordination of activities with other programs and services;
- Provision of workforce and labor market employment statistics information;
- Provision of information on job vacancies;
- Provision of information on job skills necessary to fill vacancies;
- Provision of information on local demand occupations, with earnings, skill requirements, and opportunities for advancement for those jobs;
- Provision of performance and program cost information for providers of education and training;
- Provision of information on local performance;
- Provision of information on availability of supportive services or assistance; and
- Referral to supportive services.

Any Career Service not defined as self-service or informational provided by WIOA funded staff will require enrollment into the WIOA program for which the participant is determined eligible.

III. ONGOING COMMUNICATION WITH CUSTOMERS

Subsequent review is appropriate during the customer's enrollment. A member of the Skills Team will review the customer's progress in planned training activities, will schedule customer meetings as appropriate to ensure customer success in these activities, and will make adjustments to the Employment Plan as needed. Upon completion of every planned training activity and at appropriate times during the course of activities (for example, when mid-term grades are released), the Team Member will evaluate the progress of the customer in their skill development and job placement efforts.

IV. STAFF TRAINING

All Job Center staff meet at least once monthly to ensure the integration of services and to increase the number of clients dually enrolled in WIOA and Wagner-Peyser activities.

ATTACHMENT 24. Adult Education and Literacy Policy (AEL Policy)

Workforce Opportunity and Innovation Act (WIOA) Policy

COORDINATION OF WORKFORCE DEVELOPMENT ACTIVITIES WITH PARTNER ACTIVITIES POLICY

POLICY NUMBER: 2017-021, Modification 1

EFFECTIVE DATE: 12-01-2017

MODIFICATION DATE: 1-28-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, Program Development and Evaluation at LCollins@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board Officers

BACKGROUND

The purpose of this Issuance is to specify how the Workforce Development Board will coordinate workforce development activities with the Missouri Department of Elementary and Secondary Education (DESE) Title II providers—those providing Adult Education and Literacy (AEL) services, Missouri Division of Vocational Rehabilitation and Missouri Rehabilitation Services for the Blind. WIOA mandates that the partner's activities, programs, services, and contributions to the effort be coordinated and formalized in a Memorandum of Understanding (MOU) to ensure that Customers, including individuals with disabilities, have access to these programs, services, and activities during regular business hours. This Issuance utilizes Missouri Office of Workforce Development (OWD) Issuance No. 26-2015. For inquiries into accessibility policy, please refer to Issuance No. 2017-015, Modification 1, Accessibility Policy, of the Workforce Development Board.

POLICY

I. TITLE II: ADULT EDUCATION AND LITERACY (AEL) POLICY

Coordination of workforce development activities with the Missouri Department of Elementary and Secondary Education (DESE) Title II provider(s) of Adult Education and Literacy (AEL)

AEL services will be co-located either adjacent to or within a Missouri Career Center site. As established in OWD Issuance 26-2015, Adult Education Classes to Prepare Workforce Customers to Achieve a High School Equivalency, the AEL Office of the Missouri Department of Elementary and Secondary Education (DESE) is the authority to certify provider eligibility. The Full Employment Council will use providers designated by DESE for AEL to provide AEL services.

II. TITLE IV: VOCATIONAL REHABILITATION/REHABILITATION SERVICES FOR THE BLIND POLICY

Coordination of workforce development activities with the Vocational Rehabilitation/Rehabilitation Services for the Blind Title IV of the Rehabilitation Act

A provision for Vocational Rehabilitation services will be assigned on a rotating basis to each comprehensive Job Center site. Career Service Specialists at the Full Employment Council will coordinate information and services with State Vocational Rehabilitation personnel as appropriate, and refer customers as appropriate to these services. Customer confidentiality will be maintained and the customer provided a choice for the utilization of services available at the Job Center. Referrals shall also be made to Missouri Rehabilitation Services for the Blind, as appropriate.

ATTACHMENT 25.
VR/RSB Coordination Policy

Workforce Opportunity and Innovation Act (WIOA) Policy

COORDINATION OF WORKFORCE DEVELOPMENT ACTIVITIES WITH PARTNER ACTIVITIES POLICY

POLICY NUMBER: 2017-021, Modification 1

EFFECTIVE DATE: 12-01-2017

MODIFICATION DATE: 1-28-2020

APPROVED BY

Clyde McQueen, President/CEO
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Kansas City and Vicinity Workforce Development Board

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ATTACHMENT 26.

Youth Apprenticeships Policy

Workforce Innovation and Opportunity Act (WIOA) Policy

APPRENTICESHIP POLICY

POLICY NUMBER: 2020-002

EFFECTIVE DATE: 01-27-2020

APPROVED BY

_____

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this Issuance is to describe how the Kansas City and Vicinity Workforce Development Board administers apprenticeships. Please refer to attachments from the Missouri Office of Workforce Development (Issuance No. 21-2017, *Statewide On0the-Job Training Policy and Guidelines*, associated *Frequently Asked Questions*), and the Full Employment Council's *Standards of Apprenticeship* document.

BACKGROUND

Apprenticeship, as defined by U.S. Department of Labor (DOL), is "applied education in skilled occupations that require a wide and diverse range of skill and knowledge, as well as maturity and independence of judgment. It is comprised of planned, day-by-day On the Job Training (OJT) and experience under proper supervision of a skilled worker, combined with related theoretical instruction. Apprenticeship is an educational training strategy that prepares people for professional employment by training in bona fide, formalized and structured employment settings." The content of training, both on the job and related instruction, is defined and dictated by the needs of the particular industry. The length of training is determined by the needs of the specific occupation within an industry. For the occupations to train a Specialist the minimum length established determined by the hours and standards created by Department of labor and can be a year to six years depending on the position for which the apprentice is training in, and a minimum of (144) hours of related classroom instruction.

POLICY

I. APPRENTICESHIP REQUIREMENTS

Employer must provide a list of competencies for which they will train an apprentice on the job Progression of wage which clearly shows the percentage and amount of progression and when they will occur.

Training must occur under the direction of a skilled worker on the job who are also referred to as journey workers, an apprenticeship can last anywhere from 1 to 6 years depending on the skills and technical knowledge required.

A. Full Employment Council As the Sponsor of DOL Approved Apprenticeship

The Full Employment Council's Apprenticeship programs began in 2015 with a plan to engage five (5) sectors to offer the program and then to grow it to other industries. The five (5) sectors included the following:

Healthcare
Information Technology
Advanced Manufacturing
Finance
Business Services

The Full Employment Council serves as the "sponsor" for the DOL Approved Apprenticeship in Cass, Platte, Ray, Clay and Jackson Counties in Missouri. The role of the sponsor is to do the following:

Engage Employers: who provide progression of wage and valuable training to develop a new workers are targeted to participate in the apprenticeship program by hiring new workers who are either newly trained through classroom training in an accelerated training or through ongoing training to develop them over the course of the program.

Facilitate Cohort Hires: the newly trained applicants who are provided a minimum (144) hours of classroom training to meet the requirements as set by DOL standards are tracked as they begin a course.

Direct Hires: This is for those individuals who come with previous training and are given credit by DOL for past training they may have received and not through direct association with the program. In these cases, the Full Employment Council will collect documents related to the previous training and negotiate with DOL to provide credit for the required (144) hours of required classroom training.

B. Registration of Agency

In the Kansas City Regions the apprenticeship registration agency is:
Department of Labor - Office of Apprenticeship (OA). The Full Employment Council works closely with the representatives from the Department of Labor office of Apprenticeship and the employers to create the standards for each apprenticeship program.

The Full Employment Council is the Sponsor for the apprenticeship and is responsible to monitors the progress of the apprentice with employer representatives and enter the outcomes in DOL's Rapids System every two weeks.

II. STANDARDS AND PRACTICES OF REGISTERED APPRENTICSHIPS

The Full Employment Council ensures that all apprenticeship programs must meet the minimum guideline requirements delineated in Federal and State laws and regulations and as stated by the DOL office of apprenticeship who ensures the standards are created.

A. Development and Implementation of Apprenticeship Standards

These standards contain the basic elements to establish a registered program and is created by the office of DOL Apprenticeship (See Attachment C, Standards of Apprenticeship Developed by the Full Employment Council). They embody the terms and conditions of employment, training, and supervision of one or more apprentices. Elements contained in the standards include wage progression, term of apprenticeship, safety, ratio of apprentices to mentors, Equal Employment Opportunity (EEO) guidelines and record keeping, and other standards.

B. Registration of Apprentices

Once the standards have been registered by the DOL office of Apprenticeship, then the Full Employment Council, who serves as the sponsor, can begin to register apprentices. This is accomplished by completing a registration form provided by the DOL registration agency. Once the form is completed and signed by the Full Employment Council, it is forwarded to the DOL local representative for registration and the appropriate signature of the agency representative. It will then be returned to the Full Employment Council to serve as the sponsor and the apprentice for their record.

Throughout the Apprenticeship process, the Full Employment Council will in each case submit the application for apprenticeship to DOL. These are reviewed by DOT and upon approval, the apprenticeship may begin.

Each participant starting as an apprentice must first be enrolled to receive funds for classroom training. Classroom training providers must be on the State of Missouri's Eligible Training Provider Selection list and approved by the Workforce Development Board. MOJOBS code 314-Apprenticeship-Approved Provider List ITA is entered.

After enrollment, the apprenticeship is recorded in the Registered Apprenticeship Partners Information Data System (RAPIDS).

C. Creating the Training Plan

Once the standards have been registered by the DOL the Full Employment Council will create a training plan which will lay out the document outlining the skills which the employer will focus on training the apprentice on this could begin while the apprentice is participating in a class or once they enter on the job.

D. Monitoring and Follow-Up

Once the standards have been registered by the DOL the Full Employment Council will create a skills attainment document which will lay out the list of skills attained in the classroom and on the job.

E. Completion of Apprenticeship

Upon completion of the apprenticeship, DOL will provide a certificate of completion to each apprentice.

ATTACHMENT 27.
ETPL Policy

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816-471-2330 • KCWorks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

ELIGIBLE TRAINING PROVIDER SELECTION POLICY

POLICY NUMBER: 2017-043, Modification 5

EFFECTIVE DATE: 07-01-2018
MODIFICATION DATE: 9-27-2019

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Managing Entity/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, Program Development and Evaluation at LCollins@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board Officers.

PURPOSE

The purpose of this issuance is to establish the guidelines and procedures for utilizing Eligible Training Providers to assure quality of services and compliance with Division of Workforce Development policy, as stated in DWD Issuance No. 011-2018, Local Eligible Training Provider Selection Policy (Attachment A), and Eligible Training Provider System Policy and Procedures Guidance for the State of Missouri (Attachment B). This Issuance replaces Issuance No. 2017-043, Modification 4, Eligible Training Provider Selection Policy.

BACKGROUND

The training institutions and programs customers are referred to must meet specific requirements. This assures both quality and consistency in the provision of training services.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

ELIGIBLE TRAINING PROVIDER SELECTION POLICY

Policy Number 2017-043, Modification 5

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Attachment A: Missouri Division of Workforce Development Issuance 11-2018, Local Eligible Training Provider Selection Policy

Attachment B: Eligible Training Provider System Policy and Procedures Guidance for the State of Missouri

POLICY

I. WIOA REQUIREMENTS FOR TRAINING PROVIDERS

The use of educational training providers must follow the guidance outlined below:

A. Characteristics of Training Providers.

- Selected training courses are based upon growth sectors, times of available training sessions, accessibility of training and industry input regarding curriculum.
- The training provider can be an institution of higher education that provides a program that leads to a recognized postsecondary credential, or
- The training provider can be another public or private provider of a program of training services, which may include joint labor-management organizations or eligible providers of adult education and literacy activities under Title II of WIOA, if such activities are provided in combination with occupational skills training.
- The training provider may be an entity that carries out programs registered under the National Apprenticeship Act.
- The Workforce Development Board will focus on facilitating training within the targeted sectors of Information Technology, Healthcare, Advanced Manufacturing, Warehouse/Logistics, Business/Financial Services and Construction. These sectors have been selected because of the growth, expansion and income levels of jobs in these sectors within the Greater Kansas City region.
- Any of the afore mentioned sectors may be deleted as an occupational training area in the event of a hiring downturn in the sector, and other sectors may be added with demonstrated evidence that it is a high-growth, in-demand sector that offers increased opportunities for employment and accessible jobs that provide family sustaining wages within the workforce development board's region.
- Training slots are limited and based upon funding availability as well as the present allocations of training slots per sector.

B. Administrative Requirements for Eligible Training Providers. The Training Provider must:

- Meet the approval of the Division of Workforce Development and be listed on the Missouri Eligible Training Provider Selection site as found at jobs.mo.gov.
- Offer training in high-demand occupations and occupations through recognized postsecondary credentials or certifications that are consistent with the Local Plan,
- Demonstrate the ability to provide training to those who are employed and those who have barriers to employment by means of scheduled availability and accommodations that may be required.
- Have a clear statement as to specifics of a training program as to content and curriculum and regarding the duration and intensity of training programs,
- Have an up-to-date website that features available trainings, skills attained, tuition, all fees, and other costs and supply costs.
- Be able to modify training curriculum, techniques and technology, as required by businesses, to assure training and education is current with workforce needs,
- Have at least 12 months experience in providing successful training and placement outcomes.

- Hold and make available upon request a current license to operate by the appropriate governing body authorizing this, including date of expiration.
- Be able to proctor or otherwise oversee the training progress of customers in a manner that is substantially documented and easily shared with training sponsors.
- Be a training provider with no known or documented insufficiencies as to the capacity to provide regularly scheduled and qualified and quality training.
- Be a business that is e-verified and provide documentation of e-verification.
- List other sources of funding in the event that WIOA funding is insufficient does not cover the entire cost of training. Examples: Pell grants, scholarships, and or training entity discounts. The Workforce Development Board will only pay for training costs that have been budgeted for.
- Abide by the Workforce Development Board's complaint procedures. Such procedures are available at the Full Employment Council website.
- Agree to external reviews conducted by U.S. Department of Labor, the Office of Civil Rights and any other oversite body associated with the administration of funds by the Workforce Development Board.
- Provide, upon request to Workforce Development Board, copies of certifications awarded or other information as required for student funding under WIOA or other funds administered by the Workforce Development Board. Participants receiving training services must sign a release of information form allowing for this.

II. OUT-OF-SATE TRAINING PROVIDERS

Out-of-state institutions already approved in their "home" state are required to print out the WIOA-approved ETPS list for that state and highlight the programs listed on the ETPS application. If tuition costs are not provided on governing-body documentation, search the institution website for each program listed on the application and locate and print out the institution's tuition/fees/supplies cost. Out-of-state institutions *not* already approved in their home state must follow that state's ETP Policy to become eligible as a prerequisite to an application to be on Missouri's approved ETP list. When the review process is complete, and the application has met all criteria, login to ETPS and approve or reject each program. If rejecting a program, note the reason for the rejection on ETPS. Verify the program information's appearance on the public site, and send an approval email to each of the institution contacts. This email will list all approved programs. Finally, hardcopies of the following information must be placed in the paper file:

- Approval email sent to the institution;
- List of approved programs;
- Governing-body information; and
- Tuition information; Additional notes.

III. EXPECTED PERFORMANCE LEVELS FOR TRAINING PROVIDERS

The educational training shall agree to and perform the following:

- Not discriminate against any participant because of race, creed, color, gender, sexual orientation, gender identity or national origin, age, marital status, or disability,
- Provide updated training that meets the current needs of businesses,

- Provide training in adequate facilities and with adequate quality and quantity of technology applications,
- Provide training without undue disruption in scheduling of meeting times and facility locations,
- Be able to anticipate and adapt to future educational needs of businesses,
- Be able to provide on-site off-campus training, where this is appropriate and feasible,
- Provide a safe and otherwise suitable environment for training and education,
- Cooperate and coordinate on individuals' training activities, including updates, student status and other programmatic and fiscal issues,
- Provide an attendance record that accompanies the invoice; the training provider may only bill for the current semester/class after verification that the participant actually started the class,
- Provide monthly progress reports on student progress to the Career Development Executive,
- Contact the Career Development Executive if the participant has a leave of absence of three (3) class sessions,
- Provide training termination report upon the termination of a student's training, whether due to training being discontinued or student program completion,
- Bill the Workforce Development Board at the lowest rate available for training programs,
- Bill the Workforce Development Board at a price not exceeding the price listed on the Missouri Office of Workforce Development Eligible Training Provider Selection (ETPS) site,
- Clearly document all books, supplies and tools when these are included on the participant's Individual Training Account,
- Submit invoicing by the 15th of the month to allow for payment during the month,
- **All invoices for payments must be submitted for processing within 45 days after program completion. The Workforce Development Board reserves the right to refuse payment for any invoice submitted past the deadline.**
- **Submit all final invoices by June 30th; invoices submitted after the June 30th deadline may be denied payment due to fiscal year close-out requirements.**
- **A copy of the certificate/certification/credential must accompany all invoices prior to reimbursement.**
- **Where training involves commercial transportation, a copy of the CDL Class A or B license is required in addition to the certificate of program completion.**
- Forward documentation for payment for books, tools and other supply costs to the fiscal department at fecbilling@feckc.org and the Career Development Executive,
- Maintain participant records pertaining to the program for a period of three (3) years,
- If the participant does not start the program, no ITA funds will be paid to the training provider.

Additionally, the training provider must meet specific performance measures:

- The provider shall maintain a graduation or completion rate of no less than 80 percent (80%) of matriculated students,
- The approved training programs shall have an employment placement rate of not less than 70 percent (70%) of graduated students, placed in the field for which the student was trained.

These performance measures shall be listed on the provider's web site.

- Training providers must submit credentials for all successful graduates trained, when training funds are provided by the Full Employment Council. If credentials are not provided, no further trainees will be referred to the training provider until all credentials for all student graduates are provided to the Full Employment Council, for the documentation of graduate credentials for audit and marketing purposes.

IV. CUSTOMER CHARACTERISTICS AND INFORMED CHOICE

The customer, in accordance with the intent and purpose of workforce training policy related to high-demand occupations, will have informed access to labor market information as contained on the Missouri Economic and Research Information Center (MERIC) site as well as information regarding the Missouri Training Provider Search Tool at: https://etps.mo.gov/etps/etpsSearch/InstitutionSearch.aspx.

V. PROCEDURES FOR USE OF PELL GRANT FUNDING

When a student is awarded Pell Grant funding, and this funding is applicable to an approved training, the counselor shall obtain notice of Pell Grant funding and information on the appropriation of Pell Grant funding for each term or semester it is scheduled. The Pell Grant funding shall be applied first to a student's tuition, fees, program supplies or other cost items, except for those covered under Supportive Services. Should the Pell Grant amount be insufficient to cover educational costs of a semester or term, other funding shall be available per educational and training policy.

Should a participant be awarded funding for training under a Title I WIOA program, and currently or subsequently receive Pell Grant funding for the same training period that is not first applied, the training provider shall provide reimbursement of WIOA funds to the extent that the Pell Grant funding covers the cost, fees and supplies of the training when it is applied as a first funding source. This does not apply when the total cost of the specific training exceeds both the combined WIOA capped amount and the Pell Grant amount.

VI. REGIONAL REVIEW PROCESS

Under the policy given in DWD Issuance No. 07-2017, training providers and training programs must be selected by the Local Workforce Development Board (Attachment B, Region Review, details the review and selection process). This review and selection process of training providers and training programs will only be executed by the team of Career Center Directors, in conjunction with the Senior Vice President/COO, using the MO Login site https://etps.mo.gov.etps.

When performing a query of training providers and programs, the Career Development Executive shall view the "Region Review" field located at the end of the summation of a training program to determine if it is listed as "Approved." Only programs which have been approved shall be forwarded to the Enrollment Committee. Directors shall review all files forwarded to the Enrollment Committee, including those forwarded by other staff who

are preparing files for discretionary programs where dual WIOA enrollment is possible. No file shall be forwarded to the Enrollment Committee when training is not specifically approved by the Workforce Development Board. Exceptions to this, such as specialty funding from the Missouri Division of Workforce Development, will be announced if no regional approval is required.

The printout of the training program from the Eligible Training Provider Selection list shall be printed off and submitted with any enrollment request.

VII. ONGOING QUALITY REVIEW OF PROVIDERS

Training providers shall be reviewed for their appropriateness and suitability under this Issuance on a yearly basis, with final review being conducted by Career Center Directors and the Senior Vice President/COO.

The review shall consider a number of factors to assure quality of the training programs:

- Outcomes regarding the completion of training and post-training employment (counting only employment in the area of training), as specified in Section II, above,
- Assuring that the training provider has an established protocol for tracking attendance and that they adhere to their policy for tracking student attendance,
- Establishing the training provider's method of student testing and assessment, including when a student's first testing or assessment is scheduled.

For the outcome measures of training program completion and post-training employment, data shall be collected and reviewed by the Planning Department during the first quarter of the program year. This data will cover the outcomes for the previous program year, for each training provider. A report will be submitted to Career Center Directors and Senior Vice President/COO for their final review and approval of training providers.

VIII. TIMELY REVIEW OF STATE-APPROVED ELIGIBLE TRAINING PROVIDERS AND PROGRAMS

After the ETPS Coordinator approves a program at the state level the WDB reviewer(s), those signed up to review the programs for the region in ETPS, will receive an email generated by the ETPS system informing them that there are programs that have been approved at the State level. Each time a provider updates and submits their programs for approval at the State level, those program will need to be approved by the WDB.

Each email from the ETPS system will list the mandatory providers and programs that are located within their region. The WDB will also have access to providers and programs outside of their region, these are the optional providers and programs that may be approved.

IX. BILLINGS AND PAYMENTS GUIDELINES

1. For each instructional period, billings may be submitted upon the first day after the last withdrawal date according to the institution's Tuition Refund Schedule. Bills should be submitted by the last working day of the month in order for those bills to be processed and

paid the following month by the 15th. For billing purposes, the training provider must use the billing form provided by FEC (See Attachment A). The form must be submitted along with documentation of expenses, invoice, or statement of accounts.

2. For billing purposes, the student must be attending the program before the training provider submits an invoice to FEC.

3. A training provider may not bill twice for the same course.

4. If a student receives Pell grant funds, those funds shall be applied before WIOA training funds will be utilized.

5. FEC must be billed at the lowest rate available.

6. The billing has to be according to the budget line Item approved.

7. Approval of training services is always dependent upon the availability of training funds.

8. The training provider must provide the participant's Record Number provided on the FEC-ITA form.

9. The school may only bill for actual costs incurred. Documentation is required for all expenses. There must be documentation for all tuition, fees, and supply costs being billed. If the documentation does not support the costs being billed, payment will be withheld until appropriate documentation is submitted.

10. Payment for books, tools and other supply costs must be documented. Such documentation must be forwarded to the FEC Fiscal Department with the appropriate billing form. An itemized list of supplies or receipts must be attached to the FEC-ITA billing form. All supply costs must be reasonable and must be items required to complete the class. For example, a watch with a second hand would be an acceptable supply cost for a student enrolled in a Registered Nurse program. A book bag would not be an acceptable supply cost for any program; it is not a necessity or a requirement of a class. FEC may, at its option, correct billings to comply with this policy.

11. Billings submitted incorrectly will be returned to the training provider for correction.

12. Changes will be consistent with the most recent individual training account to facilitate prompt payment. Corrections to billings will be reflected on the payment printout included with the monthly payment. Corrections, when required, may delay payment by one month.

13. Payment may be withheld, revoked or suspended by FEC for inaccurate or fraudulent documentation.

14. In the case of student termination (defined as the last day of attendance), the refund policy of the training provider shall be applied. Should a refund be required, it must be forwarded to

the Full Employment Council, 1740 Paseo Boulevard, Kansas City, MO, 64108, or FEC may, at its option, withhold an equal amount from future reimbursements. The instructional period in which the student terminated will be the basis for determining the refund. The refund policy will be applied to the payment made for the last instructional period attended. Payments will not be made for subsequent instructional periods.

15. Equipment, books, tools and supplies paid with Workforce Training funds are the property of the student to whom they were issued.

16. Billing shall be forwarded by the training provider to FEC using one of the three options:

- Mailed to:
  Full Employment Council
  1740 Paseo Boulevard
  Kansas City, MO 64108

- Or emailed to: fecbilling@feckc.org,
- Or faxed to: Attention: Fiscal Department or Fax the completed forms and supporting documentation to FEC at: (816) 471-3828, ATTENTION: FISCAL DEPARTMENT.

X. REPORTS AND RECORD KEEPING

A Training providers must complete a FEC ITA Termination Report (See Attachment B) for any participant that receives funding from FEC. This form must be completed 30 days following a participant's last day of attendance (completion of program, termination from program, or drop date from program).

The training providers must maintain participant records pertaining to the program for a period of three (3) years from the end of each fiscal year.

WIOA participant records that should be maintained are:

1. A printed record of the FEC-ITA (Individual Training/Referral Account) form

2. Individual Training Account Billing Form (Attachment A)

3. FEC-ITA Participant Termination Report (Attachment B)

4. Source documentation for supplies and tools which are reimbursed

5. Other relevant documents regarding training payments

6. Training providers must submit credentials for all successful graduates trained, when training funds are provided by the Full Employment Council. If credentials are not provided, no further trainees will be referred to the training provider until all credentials for all student graduates are provided to the Full Employment Council, for the documentation of graduate credentials for audit and marketing purposes.

XI. TRAINING PROVIDER TERMINATION PROCEDURE

During the course of ongoing review, should a training provider demonstrate any of the following deemed to interfere with the provision of services, the provider shall be terminated as a training provider. A training provider may be terminated due to:

- Failure to provide quality training geared toward business needs,
- Issues related to business integrity, adverse business practices, malfeasance or other conduct, including but not excluded to: Failure to provide regular times of training for customers, as scheduled; fraud; non-refund of student training cost based on lack of student attendance; exorbitant training fees; charging other costs not identified prior to enrollment.
- Violation of WIOA requirements that are beyond remedy.
- Other issues that may arise that significantly impair the relationship between or among parties utilizing the training provider.
- Training providers that drop below the graduation or completion rate of less than 80 percent (80%) of matriculated students, or that drop below an employment placement rate of less than 70 percent (70%) of graduated students will be suspended from the local eligible training provider list and marked as "Unapproved" until such time they attain the performance measures referenced above. Clients will not be referred to any training providers with "Unapproved" status.
- Being on the Eligible Training Provider list does not guarantee utilization or funding by the Workforce Development Board.

Upon consideration of any of the above issues, the Senior Vice President and Directors of Career Services shall meet, review the concerns and investigate as needed, and make a determination regarding designating the status as "Unapproved."

ATTACHMENT A:

Missouri Division of Workforce Development Issuance No. 01-2018,

Local Eligible Training Provider Selection Policy

Missouri Division of Workforce Development
Missouri Department of Economic Development

DWD Issuance
11-2018
(Release Number—Program Year)

Release Date:
June 25, 2019
Effective Date:
June 25, 2019
Expiration Date:
Continuous, until further notice

SUBJECT:

Local Eligible Training Provider Selection Policy

ATTACHMENTS: None. (Referenced documents are available in the "Related Resources" directory of the Eligible Training Provider System webpage on *jobs.mo.gov*. Updates to these documents may post-date this Issuance.)

This Issuance is Official Policy of the Missouri Division of Workforce Development

ISSUING AUTHORITY:

Mardy Leathers
Director
Missouri Division of Workforce Development

THIS ISSUANCE MAY REQUIRE CREATION OR ALTERATION OF A CORRESPONDING LOCAL POLICY

KEYWORDS:

Eligible Training Provider System; Local Workforce Development Boards (WDB); selection; training; Workforce Innovation and Opportunity act (WIOA).

THIS ISSUANCE AFFECTS: WIOA Title I Local Areas/Local Boards/Local Plans

WIOA Title I One-Stop Delivery/Service Providers
WIOA Adult Employment/Training
WIOA Dislocated Worker Employment/Training
WIOA Youth Workforce Investment Activities
State of Missouri Workforce System Procedures

FOR THE ATTENTION OF:
DWD State Professional Staff

One-Stop frontline staff
Local WDB Directors
Local WDB Members
One-Stop Operators
One-Stop Functional Leaders
Service Providers
Local Quality Assurance Monitors

RESCISSIONS:
DWD Issuance 07-2017, "Local Eligible Training Provider Selection Policy," September 22, 2017.

REFERENCES:
Missouri Eligible Training Provider System
https://jobs.mo.gov/community/missouri-eligible-training-provider-system

Related Resources:

- "Summary of Required Criteria for Eligible Training Providers"
- "WIOA Eligible Training Provider System Policy and Procedures Guidance for State of Missouri"
- "Eligible Training Provider System, Training Provider Applicant Assurances Agreement"
- ETPS FAQ

https://jobs.mo.gov/related-resources/node/174

WIOA State Plan for the State of Missouri FY 2018

WIOA Section 122 [29 U.S.C. 3152], "Identification of eligible providers of training services"

WIOA sec. 107(d)(10) [29 U.S.C. 3122(d)(10)], "Local workforce development boards"

20 CFR 680.230, "What are the requirements for coordination of Workforce Innovation and Opportunity Act training funds and other grant assistance"

20 CFR 680.430, "Who is responsible for managing the training provider eligibility process"

20 CFR 680.510, "In what ways can a Local WDBs supplement the information available from the State list of eligible training providers and programs"

SUMMARY:

Providers of training services under Title I of WIOA[1] must meet the eligibility requirements of the law,[2] be approved by the State agencies and under the criteria as described in the State Plan,[3] and be approved by the Local WDB to provide services in that Local Workforce Development Area (LWDA). Local WDBs, therefore, must develop a written, standing policy for selecting and approving eligible training providers (ETP)[4]. This policy must include required performance levels, procedures for Pell Grant reimbursement to WIOA for tuition,[5] and specific terms and expectations of the ETPs. Previous guidance[6] on this topic is herein rescinded due to updated procedures. Some requirements also have been eliminated to streamline local administration.

BACKGROUND:

WIOA assigns Local WDBs final responsibility for approving ETPs, and their corresponding services, as *consumer choices*[7] for participants in their LWDAs. The regulations implementing WIOA further require[8] the Local WDB to carry out the eligibility determinations assigned to it by the State. These can include determining the initial eligibility of entities providing a program of training services, renewing the eligibility of providers and programs, and possible termination of any ETP submitting inaccurate eligibility or performance information or violating WIOA requirements. Other procedures include informing ETPs of requirements of the program and methods for reimbursement. Expectations for specific actions and timelines for action must be described in detail.

Previous State requirements for submission of the Local ETP Selection Policy to the Division of Workforce Development (DWD) for review are hereby rescinded. However, as with all Local WDB standing policies, it should be publicly available electronically or at the Local WDB office—or both—for verification in the Local Quality Assurance Monitor's sub-State monitoring report. The Local ETP Selection Policy should be reviewed in conjunction with preparation of the Local Plan and during the midpoint (two-year mark) plan modification review. The Local WDB may set higher levels of performance standards than those required by the State as criteria for training providers to become—or remain—eligible to provide services in its LWDA[9] (However, the implementation regulations for WIOA forbid creation of additional local standards or information requirements for Registered Apprenticeship training programs.[10]).

SUBSTANCE:

The requirements for development of a Local ETP policy are available online in the "Related Resources" directory of the Eligible Training Provider System (ETPS) webpage on *jobs.mo.gov*. The local policy must outline methods of gaining Local WDB approval, expected performance levels, procedures for reimbursement, the eligibility renewal process, and conditions that would result in termination of training providers due to performance issues or failure to fulfill WIOA requirements. The underlying statewide eligibility criteria and information requirements (as detailed in the State Plan) are in the ETPS Policy and Procedures Guidance in the ETPS Related Resources Directory.

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[1] Pub. L. 113-128 [29 U.S.C. 3101 et seq.].
[2] WIOA Section 122(a)(2) [29 U.S.C. 3152(a)(2)].
[3] WIOA State Plan for the State of Missouri FY 2018
[4] WIOA Section 122 [29 U.S.C. 3152], "Identification of eligible providers of training services."
[5] 20 CFR 680.230(c).
[6] DWD Issuance 07-2017, "Local Eligible Training Provider Selection Policy," September 22, 2017 *[herein rescinded]*.
[7] WIOA sec. 107(d)(10)(e) [29 U.S.C. 3122(d)(10)(e)].
[8] 20 CFR 680.430.
[9] 20 CFR 680.430(d)(2).
[10] 20 CFR 680.510(a).

Additionally, the Local ETP Selection Policy must be consistent with approval processes and performance criteria contained within the Local Plan. The Local ETP Selection Policy should be reviewed and its content coordinated with the scheduled creation process and modification review process for the Local Plan. If the development of the policy requires redefinition of those processes and criteria, a Local Plan Modification must be filed.[11]). Designated staff for the Local WDBs already have access to the State's ETPS application, where they are responsible for reviewing and approving providers and their programs at the local level.

ROLES, RESPONSIBILITES, and REQUIRED ACTIONS:

This Issuance is in immediate effect and should be made available to all Local WDB members and appropriate Local WDB staff. The referenced online documents for policy creation, implementation, and review will be updated as frequently as necessary, independent of the release date of this Issuance.

Therefore, the current versions should be consulted when creating, updating, or reviewing the Local ETP Selection Policy. Coordination with the Local Plan and Local Plan Modification Review processes should follow the timeline below.

Local Quality Assurance Monitors must verify the status of the Local ETP Selection Policy when compiling their sub-state monitoring report.

TIMELINE:

Local WDBs — Review and approval of ETP applicants..... **Ongoing**
Local WDBs — Review of Local ETP Selection Policy/Coordination with Local Plan preparation..... **February 1, 2020**
Local WDBs — Review of Local ETP Selection Policy/Coordination with Midpoint Local Plan Review. ..... **February 1, 2022**

INQUIRIES:

Please direct all questions or comments regarding this Issuance document to dwdpolicy@ded.mo.gov. All active DWD Issuances are available at jobs.mo.gov/dwdissuances. Expired/rescinded Issuances are available on request.

For information about Missouri Division of Workforce Development services, contact a Missouri Job Center near you.
Locations and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627).
Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri Relay Services at 711.

[11] DWD Issuance 14-2018, "Local and Regional Plan Modification Procedures," May 24, 2019.

ATTACHMENT B:

Missouri Division of Workforce Development

Eligible Training Provider System Policy and Procedures Guidance for State of Missouri

DEPARTMENT OF
HIGHER EDUCATION &
WORKFORCE DEVELOPMENT

Workforce Innovation and Opportunity Act

Eligible Training Provider System Policy and Procedures Guidance for the State of Missouri

For additional information about Missouri Office of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at jobs.mo.gov or (888) 728-JOBS (5627). The Missouri Office of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services are available at 711.

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I. Introduction

Welcome to the Eligible Training Provider System (ETPS). ETPS is an Internet web-based system that allows training institutions to electronically submit their applications for approval by the Department of Higher Education and Workforce Development (DHEWD).

Training institutions and their programs meeting specific criteria may be eligible for the State of Missouri, ETP list. Eligible training providers may deliver occupational training programs to Workforce Innovation and Opportunity Act (WIOA) participants with an Individual Training Account (ITA).

This document, along with the Workforce Innovation and Opportunity Act, provides guidance and information to local Workforce Development Boards (WDBs), Missouri Job Centers and training institutions about eligible training provider procedures.

Training institutions, local WDBs and the public at large may access WIOA approved providers and programs at https://scorecard.mo.gov/scorecard/Search.

II. Background

Statutory requirements for the procedure to determine eligibility of training institutions and their programs are in Section 122 of the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-28), enacted July 22, 2014, which succeeded the Workforce Investment Act of 1998 (P.L. 105-220) as the primary federal workforce development legislation.

WIOA includes five titles: Workforce Development Activities (Title I), Adult Education and Literacy (Title II), Amendments to the Wagner-Peyser Act (Title III), Amendments to the Rehabilitation Act of 1973 (Title IV), and General Provisions (Title V).

III. Guidance

The Department of Higher Education and Workforce Development (DHEWD) is the designated state agency responsible for the development, operation and maintenance of the statewide WIOA Eligible Training Provider (ETP) list and consumer report (§680.430(b)). As required by the Act, DHEWD must ensure that Missouri providers meet the following:

A. ***Who Can Apply***

Training institutions may be a public sector entity, private for profit or private nonprofit and may be faith-based; and

- must be at least one of the following: accredited, approved, certified, licensed, or registered by an authorized agency or organization;
- must be authorized by the state of Missouri to do business and provide postsecondary education; and
- cannot currently be in a state of federal debarment status

Training institutions must offer postsecondary occupational training programs for occupations that are in-demand, as determined by a local WDB. The postsecondary occupational training program must:

- ✓ Lead to a certificate, an associate, or baccalaureate degree, or a competency or skill recognized by employers; and
- ✓ Be at least one of the following: accredited, approved, certified, licensed, or registered by an authorizing agency or organization.

NOTE: Local WDBs may be subject to questioned costs if staff enrolls WIOA participants in a training institution not authorized to conduct business in Missouri. Local WDBs should apply due diligence at all times when reviewing the status of a training institution prior to the enrollment of participants.

Training Providers Outside the Local Area or State

Source: §680.520

WIOA participants may choose training providers and programs outside of the local area or the State of Missouri, provided that the provider/training is on the ETP list in accordance with local policies and procedures.

Applications may be accepted from training institutions that originate from other states. However, in order to be approved as an ETP for the state of Missouri, the training institution must have their programs posted as WIOA approved by their respective state's Eligible Training Provider System.

All approved training programs must be located within the continental United States.

Exempt Training Providers
Source: §680.530

Providers of pre-vocational services, youth program services (other than training provided by ITA's), on-the-job training (OJT), customized training/programs, incumbent worker training, internships (paid or unpaid), work experience, transitional jobs and institutions that offer specialized services are exempt from submitting an application in the ETP selection procedure.

Training providers offering individual career services such as pre-vocational services and youth program services must contract with a local WDB through the board's competitive bid process. OJT and customized training providers may also contract with a local WDB to deliver training services.

Exempt Training Programs
Source: §680.420

Master and higher degree or certificate programs, individual career services and pre-vocational services, secondary level training programs and K-12 grade levels are not eligible for the State ETP list.

Because ETPS does not prevent training institutions from entering programs that are not eligible, DHEWD must review program details carefully before approving them for the State ETP list. Local WDBs should also have a clear understanding about the programs.

ETPS requires training institutions to answer questions to determine if their programs are eligible. Using the questions below, a training institution should review its programs before entering them into ETPS.

Below is a guide for training institutions to use when determining if a program should be included in ETPS. Training institutions that answer, **'YES'** to any one of these questions for a specific program should not enter that program into ETPS. The state reserves the right to remove programs deemed individual career services.

1. Does the program of training services train only on pre-vocational skills? *This question should assist in determining if the program is postsecondary occupational training.*
2. Does the training services program give a certificate for attendance only? *One of the WIOA performance measures is whether a WIOA participant receives a credential. A credential for ETP is an associate degree, a baccalaureate degree, a certificate, a license, or a competency or skill recognized by an employer. An individual successfully completing an occupational training curriculum achieves at least one of these credentials.*

3. Is the program of training services considered continuing education that requires an individual to maintain or retain a certification? *This question should rule out programs that are not preparing individuals to acquire the skills or competencies leading to employment, rather than maintaining credential.*
4. Should a short-term course or program known as a refresher or remedial or for preparing an individual for testing be kept as a current certification? *This question determines if it should rule out programs that are considered individual career services.*

Registered Apprenticeships
Source: §680.460, §680.470

Inclusion of a registered apprenticeship on the State (DHEWD) list of ETPs and programs allows an individual that is eligible to receive WIOA Title I, Subtitle B assistance to apply those funds toward the cost of registered apprenticeship training.

Registered Apprenticeship sponsors that request to be on the ETPS list are automatically approved and will remain on the list as long as the program(s):

- Is registered with the U.S. Department of Labor Office of Apprenticeship.
- Has not been deregistered by a finding of the U.S. Department of Labor.
- Has not had the program sponsor notify the State (DHEWD) that it no longer wants the program to be included on the list.
- Has not intentionally provided inaccurate information or has not violated any provision of Title 1 of WIOA or the WIOA regulation including 29 CFR Part 38 for no less than two years.

Registered Apprenticeship programs are not subject to the same application and performance information requirements, or to a period of initial eligibility, or initial eligibility procedures as other providers, due to the detailed application and vetting procedures required to be a Registered Apprenticeship program sponsor with the United States Department of Labor (USDOL).

Pre-apprenticeship Programs
Sources: §680.470

Pre-apprenticeship programs must be vetted under the same criteria as any other provider applying to become an eligible training provider.

Financial Stability and Capacity

Providers must show evidence of overall financial stability and the capacity to administer funding following accepted accounting practices and the following:

1. Registered and issued a certificate of good standing with the Missouri Division of Employment Security.
2. No outstanding citations from the Office of the Attorney General, Fair Labor Standards or Consumer Protection Division within the prior five years.
3. No willful or repeat violations issued by the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA).
4. Active workers' compensation insurance policy.
5. Good standing with the Missouri Department of Revenue.
6. Good standing with the Missouri Secretary of State's Office.

Programmatic Capacity

Source: §680.410

Providers must show evidence of programmatic capacity. Evidence of program capacity will be satisfied by oversight/accreditation organizations such as the Missouri Department of Elementary and Secondary Education (DESE) or other recognized accrediting agencies. Eligible Training providers include:

- Institutions of higher education accredited by DHEWD that offer training programs leading to a recognized post-secondary credential.
- Vocational or public schools accredited by DESE offering training programs leading to a recognized post-secondary credential.
- Private providers of training services licensed or exempted from licensure by the Missouri Division of Professional Registration or other authorizing accrediting board or agency.
- Private providers of training services that have documented exemption from licensure.
- Entities that carry out programs registered under the National Apprenticeship Act (29 U.S.C. 50 at seq.).
- Non-Missouri based providers must be on their home state's Eligible Training Provider List.

B. How to Apply

To apply, a training institution must:

- Have a Federal Employer Identification Number (FEIN).
- New institution to ETPS must have been providing classes a minimum of 12 months.
- Show documentation of approved programs from their authorizing authority if the institution is not required to report to DHEWD.
- Provide their website address that displays the programs submitted for WIOA consideration.
- If an out-of-state institution, must have posted their programs on their respective state's Eligible Training Provider List.
- Agree to accept the terms and conditions of ETPS Assurances Agreement.
- Agree to provide and report performance information regarding its training institution and programs.

Training Institution Online Account

A training institution must request an online account from the ETPS Coordinator via email at trainingprovideradmin@dhewd.mo.gov in order to submit an application and programs for approval. Training institutions may access the ETPS webpage at https://jobs.mo.gov/community/missouri-eligible-training-provider-system.

Verifiable Performance

Source: §680.450

Training providers must provide the most recent available and verifiable performance data on all course participants. At a minimum, outcome data must be from performance within the previous two (2) years. Training providers must give sufficient explanation if performance data are not available (example: course was not offered previously).

State Program Performance Levels

Source: §680.460

The State is required by law in WIOA Section 116 to report to the U.S. Department of Labor the performance outcomes reflected for WIOA student/training participants annually every program year. The data for Missouri will be submitted to the U.S. Department of Labor every year on October 1. Subsequently, this data will be provided to each of the local WDBs.

The source of this data will be from MoJobs the case management and client enrollment software used by the State for all participants and it will report the outcomes of WIOA participant/students if referred to training at approved training providers.

The State will review and provide subsequent approval of all training providers effectively in business and performing as they have over the past year. However, in accordance with WIOA Section 107, it is the role of the local workforce development board to assess these outcomes for programs of study among schools and to make a determination of whether or not providers are approved for a subsequent approval for the workforce area for next WIOA Program Year, which begins July 1.

Apprenticeship programs registered under the National Apprenticeship Act are not required to submit performance information, but may voluntarily submit the information to the State.

Timeline

Prospective training providers may apply at any time on a year-round basis. Eligibility will be open and rolling; however, provider and program approvals will end on a fiscal year basis by June 30th, regardless of when application was submitted. ETPS will be available at the beginning of each April for providers to reapply and submit by June 30th, see Appendix C (The State reserves the right to review training providers and programs at any time and to place providers or programs in hold status, if necessary, to resolvequestions or concerns regarding a provider or program, or to remove a provider or program from the ETPS.)

Assurances Agreement
Source: §680.480

To affirm the commitment in becoming an Eligible Training Provider, the following Assurances Agreement is required to be signed by the ETPS contact. **Note**: By attaining approval to become an Eligible Training Provider, there is no assurance of receiving WIOA Title 1 funds.

Nondiscrimination and Equal Opportunity Provisions

Each Training Provider seeking eligibility approval for the Workforce Innovation and Opportunity Act (WIOA) must guarantee that the required nondiscrimination and equal opportunity language listed below will be included in all grants, cooperative agreements, plans, contracts, and other similar documents as noted in 29 CFR Part 38. The Training Provider agrees they will comply fully with all nondiscrimination and equal opportunity provisions of the following laws:

a. WIOA Section 188, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basisof either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity;
b. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
c. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

d. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
e. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
f. Title II Subpart A of the American with Disabilities Act of 1990, as amended, which state in part, " no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity; and
g. Genetic Information Nondiscrimination Act of 2008, which prohibits discrimination on the basis of genetic information with respect to health insurance and employment.
h. The Training Provider also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to the Training Provider's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the provider makes to carry out the WIOA Title I- financially assisted program or activity. The Training Provider understands that the United States has the right to seek judicial enforcement of this assurance.

General Provisions

A. New training providers that have never been on Missouri's eligible training provider list must meet the requirements for initial eligibility and may be approved for placement on the state list. New providers must also provide accurate information in order to retain their status as and eligible training provider.
B. If it is determined that an eligible provider is intentionally supplying inaccurate information the provider's eligibility for the program shall be terminated for 2 years §680.480(b).
C. If an eligible provider substantially violates any requirements under the Workforce Innovation and Opportunity Act (as determined by the local board(s) and state agency), the eligibility of the provider may be terminated for the program involved, or other action as determined appropriate may be taken.
D. A provider whose eligibility is terminated under paragraphs B or C for a program shall be liable for repayment of all funds received for the program during any period of noncompliance.
E. Should a provider lose its eligibility for a program(s) as described in B or C, the provider will continue to be reimbursed for all students enrolled prior to the loss of eligibility and all conditions of the application will continue to be applied until those enrollments have completed training for the instruction for which they are currently enrolled.
F. To appeal a denial of eligibility or to appeal a termination of eligibility, the appeal process outlined in the Eligibility Training Provider System (ETPS) Policy and Procedures Guidance will be followed.
G. The status as an approved eligible training provider is not a guarantee of student referrals or, the award of training funds. Local WDB must also approve providers in ETPS based on justification that the training provided is for in-demand industry sectors and occupations within each region. Providers wishing to explore occupations in-demand in the

Missouri economy may view labor market data found at www.missourieconomy.org.

H. The Training Provider agrees to accept Individual Training Accounts (ITA) and provide training services for eligible WIOA participants enrolling in approved programs where admission and program performance requirements have been met.

I. The Training Provider shall permit on-site visits by the local WDBs, Missouri Department of Elementary and Secondary Education, Missouri Department of Higher Education and Workforce Development, U.S. Department of Labor, and any other state, federal or local agency as legally authorized to monitor activities for funds that have been provided.

J. The Training Provider may, at its option, cancel this agreement without penalty upon 30 days written notice.

By signing the document, the institution shall provide the following Certification regarding Debarment and Suspension in accordance with 2 CFR Part 180, OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement), and certifies that to the best of its knowledge and belief that it and its principals:

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- Have not within a three-year period preceding this Assurances Agreement been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in this certification; and,
- Have not within a three-year period preceding this Annual Agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.
- Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall submit an explanation to the ETPS Coordinator via email at trainingprovideradmin@dhewd.mo.gov.

It shall be noted that the Training Provider's authorized signatory acknowledges that the document has been read and fully understands the language and are bound by the specified terms and attachments of the application, and that they are responsible for complying with all of the requirements contained in the document.

Application Review Timeline

DHEWD will ensure applications and programs meet state requirements and criteria. DHEWD is responsible for approving training institutions authorized to do business in Missouri and have postsecondary occupational training programs. DHEWD must review and make a decision about a training institution and each postsecondary occupational training program submitted.

DHEWD will make a decision on applications and programs within 30 calendar days from the submission date of the application.

The approval of providers for ETPS is a process of collecting applications and brokering the validation of information provided by the training institutions. Though DHEWD does not have statutory curriculum advisory authority, the Department of Higher Education is permitted to make that determination for State established two and four year institutions; for proprietary schools, DHEWD verifies they use a nationally recognized credentialing authority and that the institution has not been suspended or debarred and are authorized to conduct business. For training institutions listed as approved in ETPS, the review process provided in Appendix C, was utilized to vet each provider for compliance with eligibility requirements.

Summary of ETPS Application/Reporting Elements

Before logging on to ETPS to complete the application, if available, all information should be collected to satisfy the required elements in the first column labeled, 'ETPS Application Elements' in the table below.

The ETPS Reporting Elements in the second column will be obtained from MoJobs the State's management information system.

ETPS Application Elements	***ETPS Reporting Elements (MoJobs)***
Institution Information	To be obtained at program intake and at outcome.
1) Training Provider Name & Contact Info.	
2) Institution Type	
Program Information	
1) Credential Earned	
2) CIP Code	
3) Cost Information	
4) Program Description	
	**Performance*
	% Employment 2nd Quarter after Exit
	% Employment 4th Quarter after Exit
	Median Earnings 2nd Quarter after Exit
	% Credential – Completers
	Total served – (WIOA & Non-WIOA)
	Total exited – (WIOA & Non-WIOA)
§680.490	§680.460

C. *After the Application*

Statewide Eligible Provider List

Source: §680.500

ETPS will be accessible to all Job Centers and customers, to all local WDBs and to the public through www.jobs.mo.gov. ETPS includes the following information:

- ✓ Training providers and contact information
- ✓ Description of training programs, credentials offered and business partnerships
- ✓ Performance and cost information about training programs
- ✓ Local workforce areas in which the programs are eligible
- ✓ Program linked to in-demand industries and occupations

If the training program has been approved by any of DHEWD local WDBs, the training program will be included on ETPS. Programs not approved by any local WDB for ITA or by DESE are considered to be excluded from ETPS and will be removed.

ETPS Solicitation

DHEWD is responsible for conducting the solicitation of applications from training institutions, including public notice, announcements and information conferences.

Prospective training providers must apply for eligibility approval status for their programs electronically using ETPS, a web-based training application. It is designed to enable prospective providers to simultaneously apply for program approval for the following;

- ➢ WIOA Title I Individual Training Accounts (ITAs)
- ➢ Eligible Training Provider System (ETPS)

Training providers can access ETPS at
https://jobs.mo.gov/community/missouri-eligible-training-provider-system

Initial Eligibility

Source: §680.450

Providers and programs that have not previously been eligible to provide training services must submit an application including their programs for the first time for initial eligibility.

Being placed on the State ETPS list is contingent upon the approval of a training institution's application and at least one postsecondary occupational program. Eligibility

status for a training institution is one fiscal year from the date of approval by the State; however, provider and program approvals will end on a fiscal year basis by June 30th.

Training institutions include:

- Two and four-year colleges and universities whose programs lead to an associate degree, baccalaureate degree, license or certificate;
- Community-based organizations;
- An entity that carries out apprenticeship programs registered with the United States Department of Labor;
- Joint vocational schools; and
- Proprietary entities.

Annual Subsequent Eligibility Procedures
Source: §680.460

A WIOA eligible training provider must resubmit the application and the programs to avoid any interruption of eligibility by the end of each program year, June 30th. The subsequent eligibility review performed is on both the program and the eligible training provider as an institution.

The training provider and program approval date(s) will be extended for an additional year if the training providers meets the fiscal, programmatic integrity and performance standards. The State will not update any program approval for subsequent eligibility that does not meet the eligibility criteria.

Upon completion of the review of eligibility criteria, the training provider will be made aware of all programs approved via a system generated email correspondence.

Each local WDB are provided access on ETPS to the following:

- ✓ A list of all providers and their programs that have been reviewed and approved by the State (DHEWD) for subsequent eligibility.
- ✓ The local WDBs may use eligibility performance statistics report(s) based on data collected in MoJOBS for WIOA participants.

State Appeal Process for Denied Training Providers/Programs

The Appeal Process is defined in 20 CFR 683.630(b).

1. The training provider must submit the appeal in writing to the Division of Workforce Development, Appeal Board*. The Appeal Board will review the appeal and provide a written decision to the training provider within 30 days after receipt of the appeal.
2. If the Appeal Board's decision fails to resolve the appeal, the training provider has 15 days from the receipt of the Board's decision to submit a written request for a hearing. A hearing will be conducted within 30 days from the receipt of the hearing request. Representatives from the appealing training provider and the Appeal Board shall be assembled to discuss the appeal. A written decision shall be issued within 15 days following the hearing.
3. If the decision fails to resolve the appeal, the training provider has 15 days to submit a written request for a review by the Local Workforce Development Board (WDB) from the area in which the training provider operates. The local WDB or its designee shall review the appeal and issue a final decision within 30 days from the receipt of the request. The local WDB or its designee's decision shall be final.

*The Appeal Review Board shall be comprised of a representative each from the Department of Higher Education and Workforce Development, Department of Elementary & Secondary Education and a standing member from the Local Workforce Development Board(s) impacted.

Attainment Verification

Training institutions with programs that require individuals, after completing the required program or regimen, to test for the attainment and whereby another organization may award such attainments without requiring individuals to test are eligible. However, training institutions must ensure that local WDBs understand when attainments are awarded and by whom.

Changes to Application & Programs After Submission

If an ETP wants to edit an application and/or program information because of errors, price change or program name change, the ETP will need to login and complete the needed edits and resubmit for review and approval.

Removal of Training Providers and Programs

Source: §680.480

A training provider must meet the requirements for eligibility and provide accurate information in order to retain its status as an eligible training provider.

Only the State can remove eligible training providers and programs from the ETP list after appropriate due process. Local WDBs may take steps to request removal of eligible training providers and/or programs from the ETP list in consultation with the ETPS Coordinator (Review local WDB ETPS Verification section). The State can remove a program, an eligible training provider, or both when it:

- Intentionally submits inaccurate data and there is evidence ofthis;
- Has substantially violated any provision of Title 1 of WIOA and its regulations, including 29 CFR Part 38;
- Is in violation of state and/or local laws; and/or
- Has ceased to be in business and/or lost its license to operate
- Fails to meet performance levels

As part of the biennial review of eligibility, when the consumer report process and subsequent eligibility is complete, eligible training providers and/or programs may be subject to the removal procedure due to not meeting criteria or failure to meet established minimum performance levels.

After removing a training provider and/or programs from the ETPS list, local WDBs cannot send WIOA participants to that training provider and/or its programs. Per WOA Section 122, a training provider removed from the ETPS list for failure to meet performance or is in violation of the WIOA regulations, cannot apply for eligibility for **two years** after the official removal date. Training providers may appeal a removal decision under the appeal process.

Meeting Customer Needs

Source: §680.430

Training institutions must use ETPS to submit applications and programs in order to become and remain a WIOA eligible training provider. The process for determining initial and subsequent eligibility of providers' training programs is an integral part of the strategy for achieving consumer choice.

The statewide list of training programs is compiled based on the eligible provider programs as determined by the State and local WDBs during the initial eligibility review/approval process and the subsequent eligibility process. Only those provider training programs appearing on the State List of Eligible Training Providers/Programs are authorized for Individual Training Account (ITA) training services for WIOA Title I participants.

Local Job Center staff must ensure that ITA participants are provided career orientation and apprised of how to view consumer information, where to apply their ITA funding, for what types of training, in what likely occupations and how to compare a given training provider with another regarding successful placements and earnings of graduates.

D. Consumer Information Post Application

Consumer Report

Source: §680.430, §680.500

The consumer report is the mechanism for informing customers using the One-Stop delivery system about training programs offered and performance of training providers in the local areas. The consumer report is built upon the State (DHEWD) ETPS list of eligible training providers' program performance and cost information submitted with applications. The consumer report will contain information necessary for customers to understand the options available in choosing a postsecondary occupational training program.

The State and local WDBs are responsible for collecting program performance and cost information from the eligible training providers and disseminating the consumer report throughout the One-Stop delivery system.

Local WDB & Responsibilities

Local WDBs may be subject to questioned costs if staff enrolls WIOA participants in a training institution not authorized to conduct business in Missouri. Local WDBs should apply due diligence at all times when reviewing the status of a training institution prior to the enrollment of participants.

Correspondence & Distance Learning/Internet–Based Programs

A local WDB must decide whether to accept training programs when instruction is remotely off-site and the curriculum is self-instructional online. The training institution must be authorized to do business with the state of Missouri.

Participating in Provider Approval

Source: §680.430

Local WDBs have discretion and are permitted and encouraged to direct potential providers to apply for ETP eligibility.

Local WDBs have local discretion and are responsible for the identification of new and emerging sector strategies and occupations relevant to specific curriculum. DHEWDWD identified in-demand sectors may differ from new and emerging sectors within the labor market of the local area. Local WDBs are responsible for determining when new sectors are sufficiently in-demand to justify the approval of new providers by way of a request to the ETP system.

Demand Occupations
Source: §680.460

Local WDBs may approve a training provider program if there is a demand for an occupation. Local WDBs are responsible for giving training institutions information on occupations in-demand and sectors of the economy that have a high potential for sustained demand or growth within the labor market area. Using labor market information, a local WDB is responsible for determining occupational demand in its local area or in another local area to which a youth, adult or dislocated worker is likely to be willing to relocate. Local WDBs should instruct providers wishing to explore occupations in-demand in the Missouri economy to view labor market data found at www.missourieconomy.org.

Local WDB Application Review Timeline
Source: §680.430

Local WDBs must develop a policy describing the process in alignment with its approved local plan. Staff within the Job Centers for a particular local WDB must be trained on the policy.

The local WDB designated reviewer(s) must complete the review and determine the eligibility of a training program for use in their area within 10 business days following the date the training provider was approved by the State (DHEWD). Only training programs approved by the local WDB are eligible for WIOA funding in their local area.

Individual Training Account
Source: §680.300, §680.310, §680.340

WIOA participants **MUST** have an Individual Training Account (ITA) under the direction of a local WDB. An ITA should be set up in a manner that maximizes customer choice in selecting an eligible training provider and helps the participant successfully obtain a credential for completing the requirements of the postsecondary occupational training program. ITA funds are to be used only for skills training for in-demand occupations as determined by the local WDB.

Local WDBs have the authority to write procedures for making payments, selecting individual training account options such as; vouchers, checkbooks, electronic transfers, setting duration and amounts of individual training accounts and policy regarding exceptions. The authority to restrict the duration of ITAs or to restrict funding amounts should not be used to establish limits that arbitrarily preclude WIOA participants from selecting a training provider of their choice.

Local Area/Program Annual Subsequent Eligibility Procedures

Each local WDB will designate a representative(s) to review the subsequent eligibility of providers and programs approved by the State. The representative(s) will assess the consistency of the planned program/provider subsequent eligibility update with local or programmatic approved standards (related to local performance criteria such as completion rate, entered employment rate, etc.). If a subsequent eligibility update decision for a specific program is found to be inconsistent with local policy, the designated representative(s) may contact Workforce in writing stating their concerns.

Transferring WIOA Participants

Local WDBs will determine the feasibility of transferring WIOA participants to another eligible training provider with the same or similar program, when an eligible training provider is removed from the ETPS list. Primary factors to consider in transferring participants are the length of time remaining to complete the training program, necessity and reasonability of allowing participants to continue with a training provider removed from the State (DHEWD) ETPS list.

WIOA participants enrolled with an eligible training provider removed from the ETPS list may complete the program for the duration of an ITA. Local WDBs are encouraged to minimize disruption to WIOA participants, to the extent as possible.

Local Performance Criteria

Source: §680.430, §680.510

Each local WDB may supplement the information requirements to set higher levels of performance than the State minimum as criteria for training providers to become or remain on ETPS list to provide services in their local area as well as to support informed consumer choice and to achieve local performance indicators. However, local WDBs may not do so for registered apprenticeship programs.

Local policy must describe how reviewers will apply local performance standards in an objective and consistent manner. Training providers must provide sufficient justification for program approval if performance data is not currently available (example: course was not offered previously).

Local WDB Agreement and/or Policy Manual

Source: §680.300

Local WDBs should provide a document to eligible training providers such as a policy manual or non-financial agreement explaining WIOA requirements, including expected performance levels, procedure for PELL grant reimbursement to WIOA for tuition and specific terms and expectations of the eligible training provider.

Payment from ITAs may be made in a variety of ways and may also be made incrementally during the training course. If incremental payments are the chosen method, this may impact how training expenditures can be officially reported on the local WDB's Contract Progress Report (CPR) submitted by the fiscal manager/agent.

Local WDB ETPS Verification
Source: §680.430, §680.480

The local WDB must maintain a local list which consists of training providers and programs that a local WDB has conducted business with and are approved on the State ETPS list. The purpose of the local list is to:

- serve as documentation for the local WDB to know which eligible training providers and programs are on the State ETPS list;
- allow a local WDB to know which eligible training providers WIOA participants have been enrolled;
- assist the local WDB in setting up a system to evaluate training providers' performance;
- track the WIOA participant outcome by training provider and program for which the local WDB has enrolled participants;

WIOA participants must view and select eligible training providers from the State ETPS list. Local WDBs cannot use the local list to limit choices for WIOA participants.

Local WDBs have the option, by law to establish higher performance levels and make a case for in-demand occupations that may differ from the State's. Any local WDBs that have established higher minimum performance standards above the state minimum requirements may remove a program of training services from the eligible programs in the local area for failure to meet the higher performance levels, but only if applied consistently to all approved providers within their local area.

Local Eligibility Review Process
Source: §680.510

On an annual basis, the State will approve training providers that meet the requirements of financial stability and programmatic capacity. Local WDBs will recommend approval of training programs approved by DHEWD for use in their respective area.

Each local WDB must develop and maintain procedures to determine the eligibility of a training provider's programs in an objective and consistent manner. Each local WDB must define its own procedures, consistent with the requirements of this policy.

Procedures must clearly describe how reviewer(s) will apply any local policies related to the following factors:

- Quality training programs linked to in-demand occupations as determined by the local WDB.
- Performance and cost information, including program-specific performance and cost information of the local outlet(s) of multi-site eligible training providers.
- Information indicating how programs are responsive to local requirements.
- Other appropriate information related to the objectives of WIOA.

Note: Local WDB should notify ETPS Coordinator at any time regarding questions or concerns about the programmatic or fiscal capacity of a provider in ETPS.

Local Monitoring Approved Training Providers

Eligible training providers on the State ETPS list are vendors that provide a service that is supported by WIOA funds granted to a local WIOA grant recipient. Eligible training providers on the ETPS list have an obligation to meet Equal Employment Opportunity (EEO) and non-discrimination requirements of federal law. Those providers utilizing WIOA funds may be subject to monitoring for evidence of EEO compliance. For complete EEO monitoring details, visit Missouri's Methods of Administration.

Because local WDBs are accountable for their own WIOA performance and training providers may affect that performance, local WDBs must ensure that programs can meet acceptable levels of performance.

Onsite visits are recommended for potential newly applied for as well as existing eligible training providers particularly if there have been problems that relate to curriculum, instructions, equipment and non-compliance with WIOA administrative or financial requirements.

The Missouri State Workforce Board

The State Workforce Board will be consulted on this policy and procedures manual and has the option of adopting higher levels of performance for providers or changing them when necessary or on a periodic basis.

The Board may also be consulted regarding the establishment of program curriculum and its relationship to occupations "in-demand" within Missouri's economy.

IV. Eligible Training Provider Glossary

Attainment – Is a credential given by a WIOA eligible training provider to an individual who has successfully completed an occupational training program without regard to posttest requirements. The attainments for completing specific occupational training programs include, Baccalaureate Degree, Associate's Degree, Certificate, License or Competency or Skill recognized by an employer. Master and higher degree programs are not eligible for the ETPS system.

Certificate of Good Standing, Secretary of State – Is a status signifying that a business entity is current with the filing requirements of the Secretary of State's office and current with the entity's corporate franchise taxes. The Certificate of Good Standing is used by a business entity to prove it is incorporated and authorized to do business.

CIP Code, National Center for Education Statistics (NCES) – Is a 6-digit subject code that identifies fields of study and links to an occupational title.

Classification of Instructional Programs (CIP) – Is a taxonomic scheme that supports the accurate tracking, assessment and reporting of fields of study, and program completions activity. CIP was originally developed by the U.S. Department of Education's National Center for Education Statistics (NCES).

Community-Based Organization (CBO) – A private nonprofit organization that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce investment.

Eligible Provider: A provider -

- In respect to providing training services, who is placed or retained on the state's eligible training provider list;
- In respect to providing individual career services, a provider who is identified or awarded a contract;
- For youth activities, a provider who is competitively awarded a grantor contract on recommendation from a Youth Council and approved by a local board; or
- For other Workforce Innovation and Opportunity Activities, a public or private entity selected to be responsible for such WIOA activities, such as a designated or certified one-stop operator.

Eligible Training Provider (ETP) – Is eligible to receive funding for training services through an ITA, must be included on the State (DHEWDWD) list of eligible training providers and provide program(s) of training services, and must be one of the following; an institutions of higher education, entities that carry out programs of Registered Apprenticeships under the National Apprenticeship Act (29 U.S.C. 50 et seq.) or other public or private provider such as; community-based organizations, joint labor-management organizations or eligible

providers of adult education and literacy activities under title II of WIOA.

Eligible Training Provider System (ETPS) – Is a web based application that allows a training institution to submit an online application to become a Workforce Innovation and Opportunity Act (WIOA) eligible training provider of postsecondary occupational training programs. DHEWDWD maintains the State list of eligible training providers and their eligible programs.

Employment Rates – is the percentage of participants who are in unsubsidized employment during the second/fourth quarter after exit from the program.

Exiter – is the number of WIOA participants who have completed, withdrew or transferred from a program of study.

Federal Employer Identification Number (FEIN) – A nine-digit number used to identify a business and used by the Federal Internal Revenue Service for Federal Unemployment Insurance, Income Tax and other tax purposes.

Individual Career Services – Services provided to adults and dislocated workers. Such services may include the following:

- Comprehensive and specialized assessments of the skill levels, and service needs of adults and dislocated workers, which may include diagnostic testing, use of other assessment tools, in-depth interviewing, evaluation to identify employment barriers and appropriate employment goals.
- Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives and appropriate combination of services for the participant to achieve the employment goals.
- Group counseling.
- Individual counseling.
- Career planning.
- 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.

Refresher or remedial programs that require an individual to take a test to keep or maintain a certification or license is also an individual career service.

This list is not all-inclusive and other individual career services, such as out-of-area job search assistance, literacy activities related to basic workforce readiness, relocation assistance, internships and work experience may be provided, based on an assessment or individual employment plan.

Individual career services must be provided through the One-Stop delivery system. Individual career services may be provided directly by the One-Stop operator or through contracts with service providers, which may include contracts with public, private for-profit, and private nonprofit service providers (including specialized service providers).

Training providers who offer testing services upon request of either a participant or employer for determining proficiency will be considered individual career services when an industry-recognized certification or credential is not offered.

Individual Training Account (ITA) – Is an instrument the local WDB may use to establish an obligation to pay on behalf of WIOA customers to give them financial power to purchase training services from a WIOA eligible training provider. WIOA Title I adult and dislocated workers purchase training services from eligible providers they select in consultation with the career planner.

Industry Recognized Competency or Skill – The skills and competencies needed for a specific job or jobs, an occupation, occupational group or generally for many types of jobs or occupations as recognized by employers. The skills or competencies are determined prior to training and may yield an industry-recognized certification.

Initial Application – Is an application with training programs submitted by a training institution for the first time seeking approval to be an eligible training provider for individuals who have an ITA approved by a local WDB.

Initial Eligibility Review – Is an evaluation of the first application and training program(s) from a training institution seeking approval to become a WIOA eligible training provider to be placed on the State Eligible Training Provider System (ETPS) list.

Initial Eligibility Period – The initial eligibility period for a training provider is one fiscal year from the date of the first application approval, however; provider and program approvals will end on a fiscal year basis by June 30th.

Institutional Credential Attainment Rate – is the percentage of those participants enrolled in an education or training program who attain a recognized postsecondary credential or a secondary; school diploma or its recognized equivalent during participation in or within one year after exit from the program.

Local Workforce Development Area (LWDA) – A geographic area, comprising single or multiple units of general local governments, designated as a local workforce investment area by the Governor. A local workforce investment area is often referred to as a local area.

Local Workforce Development Board (WDB) – A local board established and certified by the Governor in each local area to set policy for the portion of the statewide workforce development system within the local area.

Median Earnings – is the median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program. For all individuals in this program of study who exited during the reporting period, report the wage that is at the midpoint between the highest and lowest wage earned in the second quarter after exit.

Occupational Information Network O*NET – A database accessible from any web browser. The O*NET database contains comprehensive information on job characteristics and worker attributes. It replaces the Dictionary of Occupational Titles (DOT), and offers a dynamic framework for exploring the world of work. O*NET is the nation's primary source of occupational information. The database currently contains information developed by job analysts using the O*NET skill-based structure. Future data will come directly from workers and employers themselves describing the work they do, the skills they need and the knowledge they use on the job.

O*NET Code – is an 8-digit code that links job requirements and worker competencies in the Occupational Information Network (O*NET) database.

Postsecondary – Training programs are those above the K-12 secondary education level.

Pre-apprenticeship – is a program designed to prepare individuals to enter and succeed in an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act";50 Stat. 664, chapter 663; 29 U.S.C. 50 et.seq.)

Pre-vocational Services – Are individual career services. Pre-vocational services are short-term basic job readiness skills known as soft skills training, which may include development of learning skills and professional conduct to prepare individuals for unsubsidized employment or training. Pre-vocational services may also include, but not be limited to, communication skills, interviewing skills, punctuality, personal maintenance skills, English as a Second Language (ESL), remediation and workplace literacy and basic computer literacy.

NOTE: Pre-vocational services are considered individual career services. Pre-vocational services do not require an individual training account and are not submitted through ETPS.

Program Name – The name a training institution gives to an occupational training program entered into ETPS.

Program of Training Services – One or more courses or classes, or a structured regimen that leads to:

1) An industry-recognized certificate or certification, completion of a register apprenticeship, a license recognized by the State or Federal government, an associate or baccalaureate degree.
2) A recognized post-secondary credential, secondary school diploma or its equivalent,
3) Employment, or
4) Measurable skill gains toward such a credential or employment.

Proprietary – a private for profit business entity that may be a corporation, franchise or sole ownership.

Subject Code, NCES – Is a 6-digit number from the Classification of Instructional Program (CIP) taxonomy that supports the tracking, assessment, and reporting of fields of study and program completions, and links to an occupational title.

Subject Title, NCES – Is the name of an occupational title from the Classification of Instructional Program (CIP) taxonomy that links to a subject code.

Subsequent Eligibility – Is the review and determination whether to retain an eligible training provider on the State (DHEWDWD) ETPS list.

Tuition Cost – The average one-year tuition cost for an occupational training program for full-time status. Tuition cost does not include costs for books and other education related expenses.

Workforce Innovation and Opportunity Act (WIOA) Completer – An individual who finishes a predefined series of courses that result in the receipt of a credential, which could consist of a degree, a certificate awarded by the institution, or a credential achieved through a third party standard organization (the credential should be generally recognized by employers who hire for the particular occupation for which the individual was being trained.)

This definition does not include those individuals who do not finish the curriculum or complete only one course. For example, a student who receives a certification for completing one course on desktop publishing would not be a completer, but a student who completes a series of courses including desktop publishing that result in the receipt of a credential would be considered a completer.

Workforce Innovation and Opportunity Act (WIOA) Title I, WIOA Regulations – The purpose of Title I of the Workforce Innovation and Opportunity Act is to provide activities that increase the employment, retention and earnings of participants, and increase occupational skill attainment by participants, that will improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation's economy.

The programs under the Workforce Innovation and Opportunity Act are administered through One-Stop workforce investment area delivery systems. Title I of the Workforce Innovation and Opportunity Act includes: Statewide and Local Workforce Development Systems; State and Local Workforce Boards; One Stop Systems; Eligible Training Providers for adults, dislocated workers and youth; Youth activities; Adult and Dislocated Worker Employment and Training Activities; Performance Accountability System, Job Corps and National WIOA programs administered by the US Department of Labor.

Appendix A – ETPS Application Elements

Provider Details	Mandatory/Optional Fields
Training Provider Name	Mandatory
Federal Employer FEIN/SSN	Mandatory
Federal Employer FEIN/SSN	Mandatory
Out of State Provider	Mandatory
Institution Ownership	Mandatory
State Agency Accredited Provider	Mandatory
Institution Type	Mandatory

Physical Address of Training Location	Mandatory/Optional Fields
Zip Code	Mandatory
Address	Mandatory
City	Mandatory
State	Auto Fill-In
County	Auto Fill-In
Website	Mandatory
Year Established	Mandatory
Pell Grant Percentage	Optional

Public Contact	Mandatory/Optional Fields
First Name	Mandatory
Last Name	Mandatory
Title	Mandatory
Phone	Mandatory
Fax	Mandatory
Email	Mandatory
School President/Owner	Mandatory
President/Owner Email	Mandatory

Program Information	Mandatory/ Optional Field
DHEWD Institution Code	Mandatory
IPEDS code	Mandatory
DHEWD Site Code	Mandatory
ETPS ID Number	Mandatory
DHEWD Program ID Number	Mandatory
ETPS Program Application ID	Mandatory
Online program option	Mandatory
Classroom program option	Mandatory
Hybrid program option	Mandatory
Other options	Mandatory
Program Site Address	Optional - if blank the site address will be used
Program City	Optional - if blank the site city will be used
Program State	Optional - if blank the site state will be used
Program Zip code	Optional - if blank the site zip will be used
Address Stat Cd	Mandatory
First Name	Optional - if blank the site contact first name will be used
Last Name	Optional - if blank the site contact last name will be used
Phone	Optional - if blank the site contact phone will be used
Email	Optional - if blank the site contact e-mail will be used
Contact Stat Code	Mandatory
Pell Grant Eligible (Optional)	Optional
Catalog URL	Mandatory
Program 6 digit CIP Code	Mandatory
WIOA Eligibility Requested	Mandatory
Title of Program	Mandatory
Detailed Program Description	Mandatory
Transfer Degree	Mandatory
State Licensure	Mandatory
Federal Licensure	Mandatory
Industry Recognized Credential	Mandatory
Program Time Offerings	Mandatory
Program Time Offerings	Mandatory
Program Time Offerings	Mandatory
Program Time Offerings	Mandatory
Program Time Offerings	Mandatory
Program Time Offerings	Mandatory
Program Category	Mandatory
Credit	Mandatory
Non Credit	Mandatory
Apprenticeship Credit	Mandatory
Apprenticeship Non Credit	Mandatory
Number of Apprentices	Mandatory
Outcome	Mandatory
Degree Type	Optional

Program Level	Mandatory
Program Length	Mandatory
Length Type Identifier	Mandatory
Additional Requirements	Optional
Comments	Optional
Notes	Optional
Admission Requirements	Optional
Admissions URL	Optional
Tuition Unit	Mandatory
Resident Tuition: In-District	Mandatory
Resident Tuition: Out-of-District	Mandatory
Non-Resident Tuition	Mandatory
International Tuition	Mandatory
Fees	Mandatory
Fees - Unit	Mandatory
Books	Mandatory
Books - Unit	Mandatory
Tools	Mandatory
Tools - Unit	Mandatory
Supplies	Mandatory
Supplies - Unit	Mandatory
Other Costs	Optional
Other Costs - Unit	Optional/Mandatory when a number is entered in Other Costs
Other Costs Description	Optional/Mandatory when a number is entered in Other Costs
Financial Notes	Optional
Financial Page URL	Optional
Program Cost Effective Start Date	Mandatory
Program Cost Effective End Date	Mandatory
Refund Policy	Mandatory

Appendix B – Eligible Training Provider System Application Review Process

1) **Pull file or make a file if there is not one already set up.**
2) Review each submitted program.
3) Find governing body websites for program name, certification/authorization to offer/teach:

    a. Department of Higher Education (DHEWD)

    b. Department of Elementary & Secondary Education (DESE)

    c. Department of Health & Senior Services (DHSS) CNA/CMT Registry (select Approved Training Entity Directory) OR EMT Registry (select training Entity Directory)

    d. Department of Public Safety (select Training Partners)

    e. Professional Registration (select Licensee Search)

    f. Secretary of State

    g. Non-Missouri WIOA website for out of state institutions (America's Service Locator)

4) Print Out Supporting Documentation

    a. Printing out the governing body documentation for each program. Then highlight the programs listed on the governing body print out (note differences).
    b. For an out-of-state institution print out the approved ETPL list for that state's institution. Then highlight the programs listed on the print out (note differences).
    c. For non-credit programs not listed on governing documentation, search institution website for each program listed on the ETPS application.

5) If tuition is not provided on governing body documentation, search web site and print out institution's tuition/fees/supplies cost (note differences).

6) When the review processes has been completed either approve or reject each program. If rejecting a program note the reason for the rejection on ETPS.

7) Send automated approval email from the ETPS system. This email will list all approved program(s).

8) A hard copy of the following information must be placed in the file. Please place in the file the following in this order paper clipped:

   a. Approval email sent to the institution
   b. Governing body information
   c. Tuition information if separate;

NOTE: Institutions use more than one website for programs (ex. DESE & DHSS).

If there are differences during the application review contact the institution to ask about the differences. If needed instruct the institution to clear up all the discrepancies and resubmit the program. Follow up with contact at the institution by email or phone call weekly/monthly if the response is not received by expected date. Email or call governing body if assistance is needed to determine program eligibility. Reasons program(s) may not be approved:

Program not listed on governing body website (ex. DHEWD, Public Safety, etc.) Program information does not match governing body website (ex. CIP code, tuition)
Program not listed as WIOA approved on out-of-state website for Non-Missouri applicant(s)

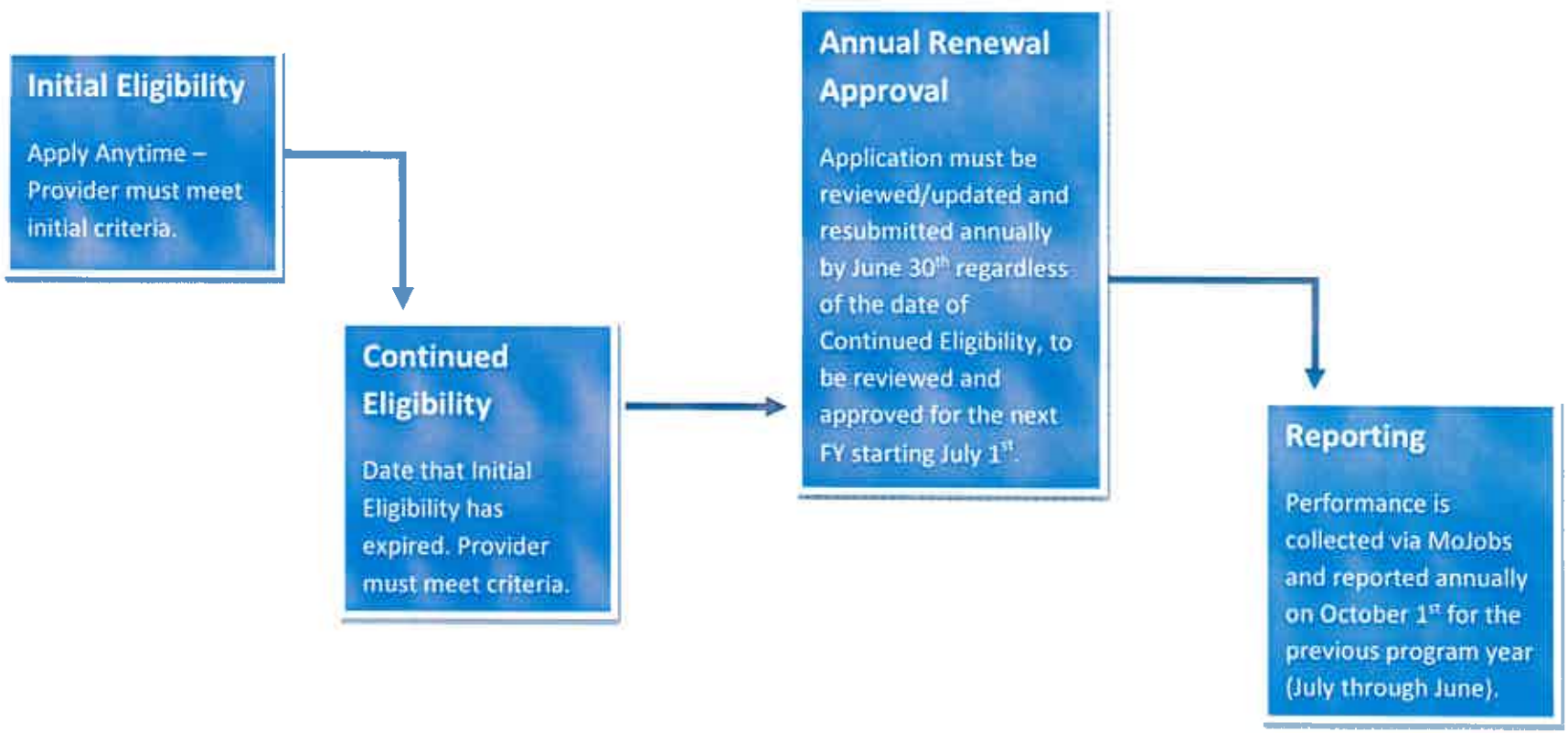
Subsequent ETPS Application Review Process

1. Review application program information that has been updated and submitted for review and approval. Check information;
    a. That was corrected per discussion via email or phone call
    b. Deleted program(s)
    c. Added program(s)

Archiving Application Process

1. An application is archived when an institution:
    a. Indicates that campuses are closed
    b. Whole institution is closed
    c. Institution decides to no longer participate in WIOA
2. Place paper file in Archive draw in the file cabinet

Appendix C - Timeline for Eligible Training Provider System Participants



ATTACHMENT 28.

(DW) Employment Transition Team Policy

1740 Paseo Blvd. • Kansas City, MO 64108 816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

COORDINATION OF EMPLOYMENT TRANSITION TEAM (ETT), (FORMERLY KNOWN AS STATEWIDE RAPID RESPONSE) POLICY

POLICY NUMBER: 2018-009

EFFECTIVE DATE: 02-07-2018

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this Issuance should be addressed by email to Monique Johnston, Director of Program Development/Evaluation, at mjohnston@feckc.org. Monique Johnston shall respond, with copies to Officers and Managers, after securing the appropriate answers through Senior Management.

PURPOSE

The purpose of this Issuance is to provide guidance on ETT requirements, roles, responsibilities, and protocols in the local area when disasters, mass layoffs, plant closings, or other events occur that precipitate substantial increases in the number of unemployed individuals. This Issuance describes the measures that will take place in identifying potential layoffs and how information is shared with the Workforce Development Board Employment Transition Team Coordinators.

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires each state to carry out statewide ETT activities. The Division of Workforce Development (DWD) has designated Workforce Development Boards to coordinate ETT activities. DWD's Workforce Coordinators, located regionally, shall take the lead role in responding to layoff events, and shall be responsible for coordinating, providing, and overseeing ETT services in their assigned areas. This Issuance is based upon Missouri Division of Workforce Issuance 07-2015, Statewide Employment Transition Team Policy. This Issuance supersedes and replaces Issuance No. 2004-2, Dislocated Worker and Rapid Response Practices and Procedures Manual.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

COORDINATIN OF EMPLOYMENT TRANSITION TEAM (ETT) (FORMERLY KNOWN AS STATEWIDE RAPID RESPONSE) POLICY

Policy Number 2018-009

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Attachment A: Missouri Division of Workforce Development Issuance 07-2015, Statewide Employment Transition Team Policy

Attachment B: Employment Transition Team Checklist DWD-ETT-4

Attachment C: Employment Transition Interview Employer Characteristics DWD-ETT-6 (for Employers)

Attachment D: ETT Registration Form DWD-ETT-7 (for Individual Workers)

POLICY

I. PRE-LAYOFF, LAYOFF AVERSION AND LAYOFF RESPONSE SERVICES

Pre-layoff, layoff aversion and lay-off activities shall be offered in the local area through the Workforce Development Board. The Job Center will coordinate these Workforce Development activities carried out in the local area with statewide rapid response activities in accordance with DWD Issuance 07-2015 and the attached DWD Statewide Employment Transition Team Practices & Procedure Manual (See Attachment A). The Workforce Development Board will provide pre-layoff, layoff aversion and lay-off services through a team of business services representatives and career counselor executives who will be deployed in concert with state local Employment Transition Team Coordinators, adhering to DWD Employment Transition Team Checklist DWD-ETT-4 (Attachment B).

II. THE RESPONSIBILIIES OF WORKFORCE DEVELOPMENT EXECUTIVES

Workforce Development Executives will track layoffs or potential layoffs in the Efforts to Outcomes (ETO) system. Dislocated worker program staff and State staff will inform one another of layoffs or potential layoffs as soon as these are known. Pre-layoff, layoff aversion and lay-off activities will be offered when a company is experiencing a job loss of 50 or more employees. All services will be coordinated with the employer on-site or in person to minimize disruption of work schedules. Conducting the session will be the local Employment Transition Team for that region. Affected employees will be given the same information describing all services available at Job Centers. Affected employees will be encouraged to visit the Job Center and complete all eligibility requirements to engage them in core, intensive or training services as needed. Meetings are set up at company sites for the purpose of describing program services to laid-off workers who expect to be laid off. Workforce Development Executives will also respond to referrals from current clients, private placement firms and area training organizations.

III. PROTOCOL FOR RECEIVING DATA AND PROJECT EXECUTION

The following protocol shall be observed:

1. State personnel will contact Workforce Development Board personnel with notice of layoff for layoffs involving 50 or more workers.
2. A conference will be convened by State personnel and conducted to discuss what the respective responsibilities are for State personnel and Workforce Investment Board staff.
3. A list of names of the transitioning workers who are impacted by the layoffs will be provided by State personnel to the Directors of Career Services within 5 working day after such list is received by State personnel.
4. The Senior Vice President/COO will assign a Workforce Development Executive (WDE) to attend by Workforce Development region through the Team Lead WDE.
5. Presentations will be conducted to workers affected in a meeting and in a timely manner, addressing services available to workers.

IV. SERVICES PROVIDED BY THE WORKFORCE DEVELOPMENT BOARD STAFF

Services include, but are not excluded to:

- Job Clinic / Job Search Workshop – customer will participate to improve their skills and facilitate their job search process.
- Resume Update / Development
- Career Assessment & Testing
- Ilostmyjob.com – a free resource for individuals coping with and recovering from job loss
- US Department of Labor Tools for Job Seekers – includes employment websites, career planning tools, career exploration tools, and social media job search
- Computer Literacy Classes –Basics / intermediate
- Career Counseling
- Labor Market Information Sessions
- Missouri Career Readiness Certificate
- How to create an email account and conduct an online job search

Attachment A:

Missouri Division of Workforce Development (DWD) Issuance No. 07-2015,

Statewide Employment Transition Team Policy, with attached

DWD Statewide Employment Transition Team Practices & Procedure Manual

Missouri Division of Workforce Development
DWD Issuance 07-2015

Issued: October 21, 2015
Effective: October 21, 2015

Subject: **Statewide Employment Transition Team Policy**

1. Purpose: This Issuance is written to provide a Statewide Employment Transition Team (ETT) Policy to be utilized across all Local Workforce Development Areas (LWDA).

2. Background: Workforce Innovation and Opportunity Act (WIOA) Section 134 (2)(A) requires the State to carry out statewide Rapid Response activities (henceforth, referred to as Employment Transition Team or ETT), which shall include the provision of ETT activities, carried out in LWDAs by the State and/or by an entity designated by the State, and the provision of additional assistance to local areas that experience disasters, mass layoffs, plant closings, or other events that precipitate substantial increases in the number of unemployed individuals. This Policy provides a consistent and clear standard for ETT coordination in the LWDAs. It is important that all Missouri Job Center staff and local Workforce Development Board personnel understand the roles and responsibilities of Staff assigned to carry out ETT activities, and the importance of local coordination to ensure services are delivered efficiently and seamlessly.

3. Substance: Statewide Policy which provides a guide to staff on ETT requirements, roles, responsibilities, and protocols.

4. Action: Effective immediately, all LWDAs are required to distribute this Policy to appropriate staff and implement its contents in local Missouri Job Center operating procedures.

5. Contact: Direct any questions or comments regarding this Issuance to Kristie Davis, Employer Services Manager, at 573.522.4019, or kristie.davis@ded.mo.gov.

6. Reference: DWD establishes this Policy to meet the requirements outlined in WIOA Notice of Proposed Rulemaking 20 CFR 682 Subpart C.

7. Rescissions: None.

8. Attachments: DWD Employment Transition Team Practices & Procedures Manual.

The Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY Users can call (800) 735-2966 or dial 711.

Amy J. Sublett

Amy Sublett
Director
Missouri Division of Workforce Development

DIVISION OF WORKFORCE DEVELOPMENT
STATEWIDE EMPLOYMENT TRANSITION TEAM
PRACTICES & PROCEDURE MANUAL

Overview

The purpose of the Employment Transition Team (ETT) program is to promote economic recovery and vitality by developing an ongoing, comprehensive approach to identifying, planning for, and responding to layoffs; and preventing or minimizing their impact on workers, businesses, and communities. ETT is flexible and focused on delivering solutions to businesses and workers in transition, planning, and responding as quickly as possible to dislocation events, and delivering services that enable affected workers to transition to new employment as quickly as possible.

The Workforce Innovation and Opportunity Act (WIOA) requires each state to carry out statewide ETT activities and/or designate an entity to do so on its behalf. The Division of Workforce Development (DWD) has opted to operate the ETT program at the state level in coordination with local Workforce Development Boards (LWDB). DWD's Workforce Coordinators, located regionally, shall take the lead role in responding to layoff events, and shall be responsible for coordinating, providing, and overseeing ETT services in their assigned areas.

Required ETT Activities

Per WIOA NPR 682.330, States are required to provide certain ETT activities, including:

- Layoff aversion activities;
- Immediate and on-site contact with affected employers, worker representatives, and local community representatives;
- Assessment and planning to address:
  - The layoff schedule;
  - Assistance needs of the affected workers;
  - Reemployment prospects; and
  - Available resources to meet the needs of the affected workers.
- Providing information and access to unemployment compensation benefits and programs, comprehensive one-stop system services, and employment and training activities, including Trade Act, Pell Grants, GI Bill, and other resources;
- Delivering necessary services and resources, such as workshops, mobile career centers, resource fairs, and job fairs to support reemployment efforts;
- Partnership with LWDBs and communities to ensure a coordinated response;
- Emergency assistance adapted to a particular layoff or disaster event;
- Developing systems and processes for identifying and gathering information of early warning of potential layoffs or opportunities for layoff aversion, analyzing and acting on dislocation data, and tracking outcome and performance data related to the ETT program;
- Developing and maintaining partnerships with appropriate agencies, employer groups, labor organizations and other organizations in order to conduct strategic planning to address dislocations, gathering and sharing information and data related to dislocations, available resources and the customization of services;

ATTACHMENT

- Delivering services to worker groups where a Trade Act petition has been filed;
- Providing additional assistance to Local Workforce Development Areas (LWDA) that experience disasters or dislocation events that exceed the capacity of the LWDA's resources; and
- Establishment of a labor management committee (Transition Team) if voluntarily agreed to by the employee's bargaining representative and company management.

WIOA does not define any threshold for the size of a layoff for which ETT services must be provided. While ETT is required for mass layoffs and closures, it is the intent of the Act for services to be provided to as many workers as possible. Based upon the fact that most layoffs do affect less than 50 and that ETT services provide significant value to both workers and employers, the U.S. Department of Labor (USDOL) expects that services will be provided to layoffs of all sizes, as is practical.

DWD Workforce Coordinators shall provide on-site or in-person ETT services to any layoff affecting 25 or more. Layoffs affecting 24 or less may be offered on-site services as needed or requested by the employer. At a minimum, smaller layoffs will be provided informational packets that include the ETT programs and services brochure, the Division of Employment Security (DES) UI Benefits fact sheet, the Missouri Economic Research Information Center (MERIC) regional Real Time Labor Market Summary and any local flyer/brochure, as requested by the LWDB.

Every ETT event is unique, therefore, each event shall be assessed individually, and services provided shall be determined based on the wishes of the employer, the needs of the affected workers, and the timeframe of the layoff.

Local Coordination

Effective ETT requires local partnership. Workforce Coordinators are the designated lead for any and all layoff events, however, local coordination is critical and required to ensure both employers and affected workers receive all needed services, and that they are delivered in a seamless fashion. Workforce Coordinators shall ensure coordination with LWDB Directors, Functional Leaders, regional business services teams, Union Representatives, and community groups. Directors and Missouri Job Center (MJC) Functional Leaders shall be kept informed throughout the ETT process and notified of layoff activity, meeting dates, planned events, and changes in layoff schedules.

The Workforce Coordinator shall be the primary contact for employers participating in ETT. To avoid duplication and confusion for the employer, local staff shall not initiate contact with an employer regarding a layoff without first coordinating with the Workforce Coordinator. Generally, if the Workforce Coordinator is unavailable for more than a day, another staff is assigned as the point of contact in their absence.

It is up to each LWDB Director to determine the role their staff will play in the ETT process. It is encouraged that each LWDA designate an individual to attend ETT meetings and cover the MJC services portion of the presentation; and have a role in any on or off site services provided, such as resource fairs, mobile career centers, registration events, etc.

ETT should be proactive and strategic, not just a response to layoffs. Building and maintaining relationships with the business community is critical. Establishing these relationships allows for early warning of potential layoffs and early intervention. Regional Business Services teams typically have established relationships with local businesses and can provide valuable information and facilitate introductions between the company and

the Workforce Coordinator in the event of a layoff. The Workforce Coordinator should maintain contact with business services staff, attend team meetings, and share information on a regular basis.

Maintaining open lines of communication with local MJC Functional Leaders is also critical to ensuring MJCs are informed and ready to assist groups of dislocated workers. Workforce Coordinators shall ensure MJC staff are aware of pending layoffs, the layoff schedule, the number to be laid off, and the occupations affected.

Roles and Responsibilities

DWD Central Office

- Maintains and distributes ETT materials
- Provides Labor Market Summaries, customized to each event
- Distributes Worker Adjustment and Retraining Notifications (WARN) and layoff memos
- Maintains and updates layoff logs
- Provides staffing assistance for meetings and events as needed
- Arranges and delivers workshops

Workforce Coordinator

- Serves as the single point of contact for downsizing employers and makes immediate contact upon notification
- Assesses layoff events to determine appropriate and necessary ETT services, in collaboration with the employer, LWDA, and union representatives
- Ensures Central Office, LWDB Director, MJCs, and appropriate partners are kept informed and up to date
- Coordinates all aspects of ETT worker meetings
- Coordinates on and off site events
- Documents ETT activity in DWD's electronic case management system
- Arranges and coordinates workshops
- Coordinates with DWD training for workshops
- Forwards the ETT partial registration forms and surveys to Central Office

WDB Director

- Serves as or appoints a regional contact for the Workforce Coordinator
- Informs the Workforce Coordinator of layoffs or potential layoffs
- Assigns staff to attend ETT worker meetings and present MJC programs and services information

Statewide Union Representatives

- Informs the Workforce Coordinator of layoffs or potential layoffs at union sites
- Assists in gathering layoff information and providing layoff lists, as needed
- Assists in coordinating worker meetings
- Attends worker meetings and presents information regarding union services
- Coordinates and delivers ETT services

Service Delivery

DWD Workforce Coordinators shall contact the affected employers within 24 hours of being informed of a potential layoff to inform them of ETT services and arrange for an in-person planning meeting. Workforce Coordinators shall also immediately notify the LWDB Director and/or their designee.

All on-site worker meetings and other services shall be coordinated with the employer and delivered based on the employer's schedule. Workforce Coordinators shall conduct meetings on dates/times that work best for the employer, regardless of time of day. Worker meeting agendas and participants shall be approved by the employer in advance.

ETT meetings should include a representative from DES to present Unemployment Insurance information, a MJC representative to present programs and services information, a Trade Act Representative (if applicable) and the appropriate union representative (if applicable). In addition, a representative from the USDOL Employee Benefits Administration shall be included when appropriate. If a MJC representative is unavailable or a LWDA chooses not to participate, the Workforce Coordinator shall be responsible for presenting MJC information.

ETT meeting presentations must follow the official ETT Protocol. Workforce Coordinators should customize the presentation to include local MJC locations and service information.

ETT participants shall be given the basic ETT packet, which includes, the ETT programs and services brochure, the Division of Employment Security (DES) UI Benefits fact sheet, the MERIC regional Real Time Labor Market Summary and any local flyer/brochure the LWDA would like to include. Additional brochures and flyers should be made available on a resource table.

ETT participants shall be asked to fill out a Partial Registration Form and Survey. Forms and surveys must be forwarded to Central Office within three days.

Attachment B:

Employment Transition Team Checklist DWD-ETT-4

Employment Transition Team Checklist

Make initial employer contact (within 24 hours)

- ○ Explain ETT & inform employer they will be contacted by DES to establish UI base case
- ○ Arrange for in-person meeting
- ○ Partial employer survey (at a minimum, obtains list of occupations and pay rates)
- ○ Transition Team (if appropriate)

Send Anne Malone (with cc to Kristie Davis) occupation and wage information for UI estimate & LMI insert

Email Janet Lepper company-contact information for base-case contact.

In-person meeting to develop plan for ETT

- ○ Complete survey
- ○ Develop informational meetings for affected workers
- ○ On-site follow up services:
  - on-site workshops
  - other on-site services
- ○ Provide posters, flyers, etc., for employer to advertise meetings

Ensure affected workers notified of meetings (work with employer)

○ Posters ○ Flyers ○ Email

Complete memo (send to Kim Hoehn and cc Kristie Davis.)

- ○ Memo should get to Kim three days prior to meeting (when possible)
- ○ Email Kim the mass-layoff code
- ○ Email Kim the Senate/Rep district numbers (find at www.senate.mo.gov and www.house.mo.gov)

Contact UI for Representation

- ○ (At DOLIR, email Janet Lepper and Patty Loehr)

Arrange for partners to be available during meeting

- ○ Local representative ○ Union Rep (if appropriate)
- ○ University Extension (if appropriate) ○ Employment Benefits Security Administration (if appropriate)

Copy UI/LMI inserts for brochures

- ○ Will be emailed to you as far in advance as possible and may not be available for last minute meetings

Hold meetings

- ○ Worker Survey
- ○ Use video and powerpoint (when possible)
- ○ ETT handout
- ○ UI handouts
- ○ Partial registration

Contact UMC Extension for workshops

- ○ Forward list of interested participants to Rebecca Schnell at University Extension:

  Email: schnellrl@umsystem.edu
  Mail: Mizzou North
  115 Business Loop 70 W
  Columbia, MO 65203

Arrange for any on-site follow up services agreed to by the employer

- ○ Work with local Region
- ○ Contact Anne Malone for staffing assistance from Central Office

Follow up with employer or participants directly, if needed

Forward Surveys to Kim Hoehn in Central Office

- ○ Mail to:

  Kim Hoehn
  Division of Workforce Development
  PO Box 1087
  Jefferson City, MO 65102

Consider need for job fair (work with Missouri Job Center)

Contact Anne Malone if a DWG might be needed

For additional information about Missouri Division of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at jobs.mo.gov or (888) 728-JOBS (5627). Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY Users can call (800) 735-2966 or dial 7-1-1. This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the contracting agency and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner.

Attachment C:

Employment Transition Interview Employer Characteristics

DWD-ETT-6 (for Employers)

Missouri Department of Economic Development
Missouri Division of Workforce Development
EMPLOYMENT TRANSITION INTERVIEW

EMPLOYER CHARACTERISTICS

Company/Corporate Information

COMPANY NAME

Date Notified:

COMPANY ADDRESS

SOURCE OF NOTIFICATION EXPANDABLE

COMPANY 2nd ADDRESS LINE (if needed)

CITY | STATE: MO | ZIP CODE

SELECT WORKFORCE INVESTMENT REGION WHERE THIS LAYOFF IS LOCATED

COMPANY CONTACT NAME

COMPANY CONTACT TELEPHONE NUMBER/EXT

LAYOFF WORKSITE CONTACT EMAIL ADDRESS

Event Characteristics

TYPE OF PRODUCTS AND/OR SERVICES PRODUCED EXPANDABLE

REASON FOR LAYOFF EXPANDABLE

Layoff date(s):

TOTAL NUMBER OF WORKERS AT THIS LOCATION

TOTAL NUMBER OF SALARIED WORKERS EFFECTED

TOTAL NUMBER OF HOURLY WORKERS EFFECTED

OCCUPATIONS AFFECTED AND WAGE/EXPERIENCE INFORMATION

Occupation	No. of Employees Affected	Average Wage	Estimated Average Years on the Job

SHIFTS EXPANDABLE

TRANSFER OPTIONS EXPANDABLE

NO. EXPECTED TO TAKE RETIREMENT

OUTPLACEMENT SERVICES EXPANDABLE

COMPANY ADVISED ON PRESS RELEASES POLICY? ☐Yes ☐No

TRANSITION TEAM ☐Yes ☐No

Union Information

UNION AFFILIATION 1 (& LOCAL NUMBER)

UNION 1 CONTACT NAME

UNION 1 CONTACT TELEPHONE NUMBER/EXT

UNION 1 CONTACT EMAIL ADDRESS

UNION 1 BUMPING/RECALL OPTIONS EXPANDABLE

UNION AFFILIATION 2 (& LOCAL NUMBER)

UNION 2 CONTACT NAME

UNION 2 CONTACT TELEPHONE NUMBER/EXT

UNION 2 CONTACT EMAIL ADDRESS

UNION 3 BUMPING/RECALL OPTIONS EXPANDABLE

UNION AFFILIATION 3 (& LOCAL NUMBER)

UNION 3 CONTACT NAME

UNION 3 CONTACT TELEPHONE NUMBER/EXT

UNION 3 CONTACT EMAIL ADDRESS

UNION 3 BUMPING/RECALL OPTIONS EXPANDABLE

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VETERAN'S INFORMATION

VETERANS AND THEIR SPOUSES MAY BE ENTITLED TO STATE AND FEDERAL BENEFITS. PLEASE ANSWER THE FOLLOWING QUESTIONS. **IF THERE WAS NO MILITARY SERVICE FOR YOU OR YOUR SPOUSE, LEAVE THESE ANSWERS BLANK.**

Are you a family member or caregiver to a member of the armed forces who is wounded, ill or injured and receiving treatment in a military facility or warrior transition unit? ☐ YES ☐ NO

Are you a member of the armed forces who is wounded, ill or injured and receiving treatment in a military facility or warrior transition unit? ☐ YES ☐ NO

Are you currently in the military, a veteran, or the spouse of a veteran?

☐ In the Military ☐ Veteran ☐ Spouse of a Veteran

Are you the Spouse/Dependent of someone in the active-duty military service, National Guard or Reserves who is currently activated? ☐ YES ☐ NO

Are you a current member of the Missouri National Guard? ☐ YES ☐ NO

Type:_____

Are you a Transitioning Service Member? ☐ YES ☐ NO

If yes, please answer the following:

a. Within 24 months of Retirement ☐ YES ☐ NO

b. Within 12 months of Discharge ☐ YES ☐ NO

c. Planned Retirement/Discharge Date:_____

d. Attended a Transition Assistance Program (TAP) Workshop? ☐ YES ☐ NO

Received a DD-2958? ☐ YES ☐ NO

e. Being involuntary separated from active duty due to reduction in force? ☐ YES ☐ NO

Have you served on active duty in the armed forces and were discharged or released from such service under conditions other than dishonorable? ☐ YES ☐ NO

Are you the spouse of a veteran who has a total service connected disability, is Missing In Action, captured in the line of duty by a hostile force, is a Prisoner Of War or who died from a service connected disability? ☐ YES ☐ NO

Did you serve more than 1 tour of duty? ☐ YES ☐ NO

Military Service Begin/End Dates: _____

Received a Military Campaign Badge: ☐ YES ☐ NO

Most Recent Character of Service: Honorable_____ Other: _____

Branch of Service: _____

Active in the National Guard or military reserves: ☐ YES ☐ NO

Called to or on Active Duty? ☐ YES ☐ NO

Type:_____

Are you a disabled Veteran? ☐YES ☐NO Percentage _____%

Homeless Veteran: ☐ YES ☐ NO

Are you currently incarcerated or been released from incarceration? ☐YES ☐NO ☐Do Not Wish to Disclose

Within the last 12 months, have you been without a paycheck for 27 weeks? ☐YES ☐NO ☐Do Not Wish to Disclose

Have you attended a Transition Assistance Program (TAP) Workshop within the last three years? ☐YES ☐NO

Attachment D:

ETT Registration Form DWD-ETT-7 (for Individual Workers)

Missouri Department of Economic Development
Division of Workforce Development

ETT Registration Form

MoJOBS Missouri's Job Search Resource
A proud partner of the americanjobcenter network

INDIVIDUAL INFORMATION

FULL NAME	DATE OF BIRTH	SSN

CELL PHONE	HOME PHONE	WORK PHONE	OTHER PHONE

EMAIL ADDRESS

PREFERRED METHOD OF CONTACT
EMAIL ☐ TEXT MESSAGE ☐ INTERNAL MESSAGE ☐

HOME ADDRESS	CITY	STATE	COUNTY	ZIP CODE

IS YOUR HOME ADDRESS ALSO YOUR MAILING ADDRESS?
☐ YES ☐ NO IF NOT, WHAT IS YOUR MAILING ADDRESS? _____

EDUCATION INFORMATION

HIGHEST EDUCATION LEVEL ACHIEVED
☐ High School Diploma ☐ Associates
☐ GED/HiSET ☐ Bachelors
☐ Did Not Graduate ☐ Masters
☐ Other

ARE YOU CURRENTLY ATTENDING SCHOOL? ☐ YES ☐ NO

IF YES, WHICH TYPE? ☐ High School ☐ Vocational
☐ College ☐ Technical

CITIZENSHIP & ETHNIC ORIGIN

☐ U.S. Citizen
☐ Permanent Resident Registration No._____ Expires _____
☐ Alien or Refugee Registration No._____ Expires _____

RACE *(Please select all that apply)*
☐ African American ☐ Asian
☐ American Indian ☐ White
☐ Hawaiian or Pacific Islander ☐ Do Not Wish To Answer

HISPANIC OR LATINO HERITAGE? ☐ YES ☐ NO
OF HAITIAN ORIGIN? ☐ YES ☐ NO

DO YOU PRIMARILY SPEAK A LANGUAGE **OTHER** THAN ENGLISH AT HOME? ☐ YES ☐ NO

HOW WELL DO YOU SPEAK IT? ☐ Very Well ☐ Well ☐ Not Well

DISABILITY INFORMATION

DO YOU HAVE A DISABILITY?
☐ YES
☐ NO
☐ PREFER NOT TO ANSWER

Are you deaf or have serious difficulty hearing? ☐ YES ☐ NO
Are you a ticketholder in the Social Security Administration's *Ticket to Work Program*? ☐ YES ☐ NO
Are you currently receiving or ever received services through Voc Rehab? ☐ YES ☐ NO

MIGRANT SEASONAL FARMWORKER INFORMATION

IN THE LAST 12 MONTHS HAVE YOU BEEN EMPLOYED AS A FARMWORKER, EITHER SEASONALLY OR TEMPORARILY? ☐ YES ☐ NO

PUBLIC ASSISTANCE INFORMATION

HAVE YOU
- RECEIVED THE FOLLOWING SERVICE(S) IN THE LAST 6 MONTHS
- APPLIED FOR THE FOLLOWING SERVICE(S) IN THE LAST 30 DAYS

☐ TANF (Temporary Assistance for Needy Families)
☐ SNAP (Supplemental Nutrition Assistant Program)
☐ Refugee Cash Assistance
☐ General Assistance
☐ Support through the State's Foster Care System

HOW MANY PEOPLE LIVE IN YOUR HOUSEHOLD?_____ TOTAL INCOME EARNED WITHIN THE LAST 6 MONTHS? $_____

MISCELLANEOUS INFORMATION

GENDER ☐ Male ☐ Female MALES ONLY: REGISTERED WITH THE SELECTIVE SERVICE? ☐ YES ☐ NO ☐ EXEMPT

CURRENTLY EMPLOYED ☐ FULL-TIME ☐ PART-TIME ☐ NOT EMPLOYED EXPECTED LAYOFF DATE: _____

ARE YOU LOOKING/PLANNING TO LOOK FOR WORK? ☐ YES ☐ NO

WHAT IS YOUR DESIRED OCCUPATION? _____

For additional information about Missouri Division of Workforce Development services, contact a Missouri Job Center near you. Locations and additional information are available at jobs.mo.gov or (888) 728-JOBS (5627).

Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services are available at 711.

ATTACHMENT 29. Business Services Plan and Policy

1740 Paseo Blvd. • Kansas City, MO 64108 816-471-2330 • KCVworks.org

KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD

Serving the city of Kansas City, Mo. and Cass, Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal agent and workforce support organization for the Kansas City & Vicinity Workforce Development Board.

Workforce Innovation and Opportunity Act (WIOA) Policy

BUSINESS SERVICES POLICY

POLICY NUMBER: 2018-010, Modification 3

EFFECTIVE DATE: 04-04-2018
MODIFICATION DATE: 02-06-2019

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Program Development/Evaluation, at lcollins@feckc.org, who shall disseminate the agency response after consultation with Workforce Development Board staff.

PURPOSE

The purpose of this Issuance is to provide guidelines for the Business Services Plan which outlines the team members, WIOA core partners, and the marketing and outreach roles and expectations of team members. This Issuance also incorporates Division of Workforce Development Issuance No. 22-2017, Effectiveness in Servicing Employers Performance Measure.

BACKGROUND

The Business Services Plan outlines the Business Services team's purpose, goals, and policies and procedures Business Services Plan to ensure seamless delivery of services, avoid duplication, and ensure feedback to the Board's Job Centers.

The Full Employment Council, Inc. is an Equal Opportunity Employer/Program. Auxiliary services are available. MO relay 711.

BUSINESS SERVICES POLICY
POLICY NUMBER: 2018-010, Modification 3

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Attachment D: Business Services Feedback flyer
Attachment E: Business Services Feedback Survey

POLICY

I. JOB CENTER REGIONAL COORDINATION: INTEGRATED BUSINESS SERVICES

Business Services staff of the Kansas City and Vicinity Workforce Development Board will integrate and coordinate the activities of the Employment Teams from all Job Centers. The Business Services Team will meet on a monthly basis to ensure consistency of service delivery to job seekers, employers, and strategic partners including, but not limited to, local economic development entities as directed by the Business Services Team.

The Department of Business Services will develop a direct linkage for customers from being job seekers to becoming employees of area businesses in high demand sectors through the developing the mechanisms and means to promote market employment opportunities. The Business Services Department will also track the economic impact of Business Services efforts through maintaining data on the number of customers that began work by industrial sector, the total wages earned by industrial sector, the number of retained and repeat business customers and the number of new businesses served. Measurable outcomes are the overall focus and goal in increasing business engagement, transactions and recording results.

The Business Services Team will meet to review and assess the team's direction, performance, effectiveness, and to plan future next steps and functions. Among, but not limited to, areas that will be analyzed will be: job development efforts in growth/targeted industry sectors; job referral activity for recently developed jobs; direct placements, OJTs, and Internships resulting from job development activities; on-the-ground strategic information gathered regarding business development and retention; and quality of product being produced from the skills development and career readiness staff.

Future employer initiatives and/or hiring fairs will be scheduled and coordinated among the Job Centers to ensure all clients have access to developed job opportunities. Coordination with the Skills Development team, in combination with current labor market analysis, will drive job development efforts.

The Business Services Team will meet monthly to execute the outlined objectives lead by the Senior Vice President/COO.

All activities, functions and assignments are directed and managed directly by Shelley Penn, Senior Vice President/COO.

II. BUSINESS SERVICES REGIONAL TEAM

The Business Services Regional Team will collaborate efforts within multi organizational units to provide a strategic and comprehensive business engagement and development for the Job Center which includes a focus on industries with increasing employment opportunities within a variety of sector with primary focus on growth industries such as Advanced Manufacturing, Healthcare, Information Technology, Transportation and Logistics, Business Services and Finance.

The goal is to strengthen the Kansas City region's global competitiveness by training and development of workforce through innovative processes and partnerships and to provide full business services to small, mid-sized and large companies, helping them obtain skilled and diverse workforce to grow their business.

Several collaborative meetings were held in 2016 and 2017 to analyze activities organized by staff and to create a cohesive plan and a Service Metrics which is used to compare choices relative to criteria like service level delivery, demographics and tools used to provide services to employers in the Workforce Development Board Region. This occurred among the following organizations:

- The Kansas City and Vicinity Workforce Development Board
- Missouri Division of Workforce Development
- Missouri Veterans Administrations
- Missouri Vocational Rehabilitation
- Rehabilitation Services for the Blind

This tool can be used effectively by individuals across all partner agencies, it is also intended to help the project teams with decision making and execution of effective and comprehensive employer services to reduce duplication of services. This will be accomplished through monthly and quarterly meetings and allow the team to focus on prioritizing the best practices to conduct, which will greatly increase the opportunities for implementing their success. The teams will provide delivery of services with following guideline:

- Create a seamless system of services under the Workforce Development system.
- Use the service matrix review of Retained businesses, Repeat business customers and business market penetration to gauge effectiveness and progress toward goals.
- Increase the chance of follow-through because consensus is sought at each step in the process (from criteria to conclusions) with" more feet on the street".
- Reduce the duplication of service using the service matrix review.
- Leverage system resources to provide a wider range of services and adhere to single point of contact policy.

A. Missouri Division of Vocational Rehabilitation

The Missouri Division of Vocational Rehabilitation assists eligible persons with disabilities in obtaining and maintaining quality employment. Eligible job seekers must have a documented physical, mental health, intellectual, or medical disability that keeps the candidate from finding, keeping, or advancing in a job.

Services provided include:
Guidance and Counseling – Information about previous work, education/training, interests and capabilities, rehabilitation needs and employment goals is gathered to help the job seeker develop a plan for employment. Guidance is provided to help the job seeker achieve suitable employment.
Vocational Exploration – Interest and ability assessments as well as trial work experiences and job shadowing are some techniques used to determine a suitable employment goal.
Vocational Training – Training necessary to prepare the job seeker for employment in the identified employment goal is provided. This can include tuition/fees, books / supplies for education in a college, university, trade school, community rehabilitation program, or on the job training program
Job Seeking Skills and Job Placement – job related tools and licenses, help in developing job seeking skills, assistance finding a job, transportation costs necessary to participate in a training program or to conduct a job search.
Transition Services – working in conjunction with local school districts services are provided with a student is still in school. Services primarily consist of planning and preparing for when student graduates or exits the school system.
Supported Employment Services – Provided for individuals with more significant disabilities, which require special on the job supervision to maintain working in a competitive integrated employment setting.
Rehabilitation Technology Services - Assistive devices (such as artificial limbs, wheel chairs, hearing aids, etc.) help job seekers to maintain or improve functional capabilities and independence. This can include evaluation, design, adaptation, or technical training.
Business Outreach – Assists businesses in developing strategies for handling disability related issues. Consults with businesses to provide worksite assessments, information regarding tax breaks, and follow up support.
Website: http://dese.mo.gov/adult-learning-rehabilitation-services/vocational-rehabiltiation

B. Rehabilitation Services for the Blind Programs and Services

Rehabilitation Services for the Blind programs consist of the following:

1. Vocational Rehabilitation Program

This program assists people with visual impairment to prepare for and successfully engage in employment. Services include:

- Assessment of barriers to employment
- Vocational guidance and counseling
- Physical and mental health services

- Specialized training for the individual to function safely
- Vocational services for high school students
- Tuition and maintenance for college and vocational training
- Employment related tools, accommodations and equipment
- Mobility training
- Job development, coaching and OJT
- We receive Federal and state grants and provide services to our clients free of charge
- Provide services to the Deaf Blind community in agreement with Vocational Rehab.

Our mission is to create opportunities for eligible blind and visually impaired persons in order that they may attain personal and vocational success.

2. Older Blind Services Program

This program offers services to seniors with visual impairments age 55 and older. Our goal is for them to live as independently as possible. Rehabilitation Teachers and Mobility Instructors are able to provide training along with specialized aids to improve their ability to function in the home and community safely.

3. Independent Living Rehabilitation Program

This program provides in home services for people with visual impairment age 55 and younger. The rehabilitation teacher will provide training on activities of daily living. This might include cooking, mobility, sewing, hygiene, entertainment and communication.

C. Veterans Administration: Local Veterans Employment Representatives (LVER) Essential Functions and Responsibilities

- Facilitate employment, training and placement services for veterans.
- Maintain regular contact with regional community leaders, employers, labor unions, training programs, and employer organizations for the purpose of keeping them advised of eligible veterans and eligible persons available for employment and training. (On site visits required throughout the area of responsibility)
- Encourage employers and labor unions to employ eligible veterans and eligible persons and conduct job development, on-the-job training and apprenticeship programs for veterans. (On site visits required throughout the area of responsibility)
- Promote and monitor the participation of veterans in federally funded employment and training programs, monitor the listing of vacant positions with State employment agencies by Federal agencies, and report to the Director for Veterans' Employment and Training for

the State concerned any evidence of failure to provide priority or other special consideration in the provision of services to veterans as is required by law or regulation

- Responsible for providing quarterly reports to the manager of the office and to the Director for Veterans' Employment and Training for the State regarding compliance with Federal law and regulations with respect to special services and priorities for eligible veterans and eligible persons.
- Provide workshops and training to employers, and Job Center staff.
- Provide veteran related resources to Job Center staff.
- Document all services and activities in MOJOBS as required by program guidelines.
- Perform other related work as assigned.

III. WORKFORCE DEVELOPMENT EXECUTIVE TEAM DESCRIPTION

The following are the responsibilities of the Workforce Development Executive Team:

- Work with Business Services Team to coordinate employer services with local economic development efforts to support and retain local employers, while eliminating duplicative services.
- Work in concert with local economic development organizations to form a team whose purpose is to retain and expand area businesses to create a seamless system that responds to regional business needs as coordinated and facilitated by the Senior Vice President with Business Services.
- Provide overview of services available to translate specific workforce needs to the local workforce system, while identifying employer specific needs.
- Provide a coordinated workforce team members to help coordinate resources and/or programs to assist targeted employers with workforce needs.
- Focus upon the retention of businesses and the utilization of the public workforce system to meet and develop a single point of contact for businesses seeking to hire and candidates that meet the qualifications of employers.
- Call on local businesses to discuss workforce needs and service solutions offered by the public workforce system, based on Missouri Economic Research and Information Center (MERIC) data and regional data to determine targeted sectors.
- Facilitate local forums and/or business groups and sector specific intermediaries to solicit input from employers in all covered jurisdictions regarding their business retention needs and current and future workforce needs.
- Perform other related duties as assigned.

IV. BUSINESS SERVICES STRATEGIC TARGETING AND TRACKING

The focus will be on penetrating the Kansas City and Vicinity area to increase and diversify of the employers with ground workforce intelligence to support employment and development of pipeline of skilled workers and skills to meet current and future needs of area employers. By utilizing the Workforce Development Board's skill in partnership and employer development, the focus of employer services team will be the engagement of employers in growth industries and sectors within the Region which will include manufacturing, healthcare, transportation/logistics, business services, finance and information technology. Focus on both the private and not for profit sector will be done in order to meet the goals of our service region.

The Kansas City and Vicinity Workforce Development Board has an employment and training strategy that outlines a workforce development plan that focuses on employer's needs for skilled workers as well as training applicants to meet shortages of talent for all growing industries in the region. Job development, recruitment and training of new employees; recruitment for employer hiring needs utilizing Labor Market information to also allows for geographic-specific recruitment, and providing technical advice in high turnover situations.

The intent of targeted employer engagement and building of long term relationships with employers in the region in all growing industries is to provide customized recruitment services with innovative processes that places the Kansas City and Vicinity Workforce Development Board at an advantage of becoming the first source of recruitment for employers who have current and future employment needs. The goal is to expand the reach and maximize the deliverables by conducting research, creating a single point of contact and single message.

Employer Development Approach:

- Workforce intelligence to identify in-demand jobs, industries, skills, requirements, competencies and career pathways used to forecast and market services.
- Align industry sector training with employers' current and future employment needs.
- Face-to-face marketing with employers, and connecting to training providers when needed.
- Employment & training strategy MOA signed between the Workforce Development Board and the employer that provides services to be delivered and that is identified by employer.
- Develop First Source agreement with employer.

A. Employer and Sector Development Strategy

The Kansas City and Vicinity Workforce Development Board's business development strategy is focused on engagement of employers in growth and emerging industries and sectors within the Region which will include healthcare, manufacturing, information technology, transportation/logistics, business services and finance. Focus is on both the private and non-for profit sector to meet the needs of businesses to find workers through workforce solutions to meet the goals of the service regions.

The Kansas City and Vicinity Workforce Development Board has an employment and training strategy which outlines a workforce development plan that focuses on employer's needs for skilled workers as well as training applicants to meet shortages of talent for all growing industries in the region. Job development, recruitment and training of new employees, for employer hiring needs utilizing Labor Market information also allow for geographic-specific recruitment, and providing technical advice in high turnover situations. The strategy is to also identify employer needs and the associated availability of workers appropriate to fill those needs.

The intent of targeted employer engagement and building of long term relationships with employers in the region within growing industries and to support their recruiting to provide custom services with innovative processes that places the Kansas City and Vicinity Workforce Development Board in an advantage of becoming the first source of recruitment for employers who have current and future employment needs. This is also to help employers find skilled and trained workforce with an emphasis to support the regional economies.

Employers will also be identified to support the changes in and new approaches to workforce systems to create employment opportunities that will including Priority of Service for adults and also individuals with barriers with an emphasis on veterans, dislocated workers, youth, seniors, ex-offenders and low-income individuals. Face to face and business to business activities will focus on repeat business and new business development to increase the usability of the system and to meet the needs of employers.

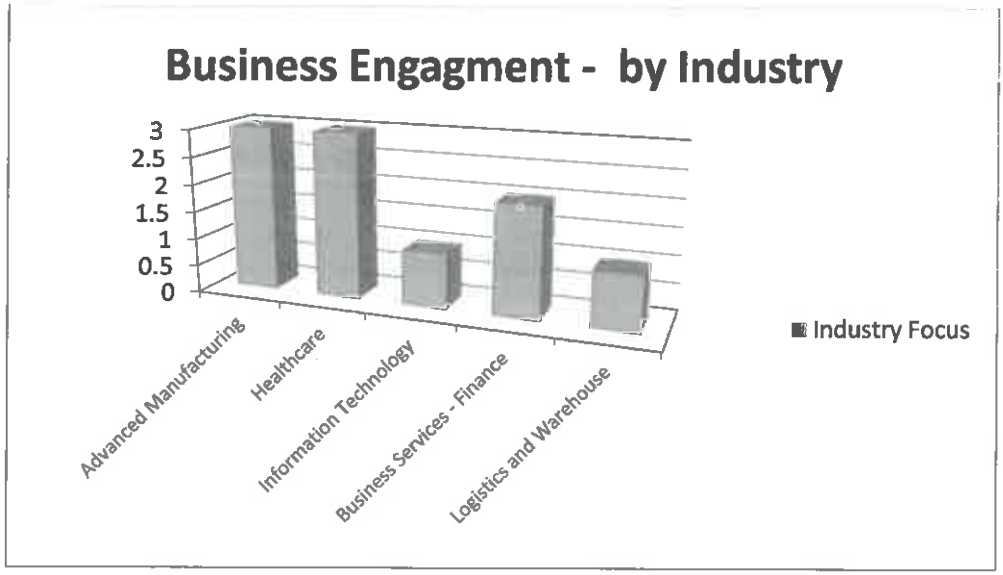


Figure 1: Business Engagement by Industry

B. Business Engagement

Business targeting and engagement activities will be conducted using a planned workforce intelligence approach to identify key employers within the identified sectors for in-demand jobs, within industries addressing skills gap, hiring requirements, and competencies and career pathways (See Figure 1, above).

Business engagement will focus on the following:

1. Existing Industry Sectors and Occupations – Identifying the industries and occupations for which there is existing high demand and providing support.

2. Emerging Industry Sectors and Occupations – Research and analysis of occupations for which demand is emerging within the regions and industries.

3. Targeting business and industry sectors and occupations - Identifying the job skills necessary to obtain current and projected employment opportunities:

4. Work with local economic development entities to engage, support and retain local employers and connect them with the services of the Americas Job Centers.

5. Translate specific workforce needs to the local workforce system and communicate it to industries and businesses to better engage them with the Job Center services.

6. Call on local businesses to discuss workforce needs and service solutions offered by the public workforce system.

7. Connect the workforce to full-time employment opportunities that are generally considered to be within the realm of regular employment or verified temp-to-hire opportunities.

8. Facilitate local forums and/or roundtable discussions groups in conjunction with industry Associations, intermediaries and economic development organizations to solicit input from employers to expand employers in all covered jurisdictions regarding their employment and business retention needs.

9. Utilize Labor market information and research businesses in their respective regions by using the many on-line resources:

10. Missouri Economic Research and Information Center (MERIC) accessed at www.missourieconomy.org

11. O*Net Online accessed at www.onetonline.org

12. North American Industry Classification System (NAICS) accessed at www.naics.com

13. All hiring events must accompany a signed Hiring Fair Event Project Planning and Completion Form (Attachment A) prior to scheduling and participation.

C. Workforce Development Executive Reporting and Tracking of Efforts

1. Weekly Plan of Action

Workforce Development Executives will provide a weekly Plan of Action which will outline all planned activities such as target job development, Employer Presentations scheduled, presentations to the Chamber of Commerce, Economic Development Corporation, Trade Associations, attending Business After hours, Employer Hiring initiatives, Employer services paperwork, Employer research and inter agency activities and functions with a high focus on developing strong employer partners in every region, industry and sectors served.

2. Weekly Reports

Weekly reports will provide information and outcomes for the previous week as well as cumulative information regarding external employer engagement and development and inter agency activities and functions to perform in concert with the Job Center programs to ensure timely placement of applicants from various programs in jobs within the growth industries with livable wages.
The reports will include information in all areas listed below:

a. Goals (Presentations, contacts, hiring events, new contacts, job development activities) versus Actual

b. Number of Employer Contacts and new/repeat business, including:
- Company Name
- Contact Info including address, email and phone number
- Industry
- Sector
- Region
- County

c. Results of Contacts (Presentation, Job Order, Hiring Fair, Resumes)

d. Placement (Direct, OJT, Internship, Work Experience)

e. Current Activity (Must include - Employer Name, Pay Rate, Title, Industry):
- OJT
- Internship
- Work Experience
- Direct Placement

f. Hiring Events:
- Event Date
- Event location
- Number Hired

g. Retention:
- OJT
- Internship
- Work Experience
- Direct Placement

3. Monthly Meetings

The Business Services Team will conduct monthly meetings to:

a. Assess and evaluate employment opportunities and changes within the region

b. Evaluate strategies and practices

c. Plan based upon emerging economic conditions or regional characteristics and events

D. Training Sequencing

The sequencing of classroom training and on-the-job training or paid internships and apprenticeship programs will be determined by the Kansas City and Vicinity Workforce Development Board and this will allow the Employer Advisory Group, and educational partners for each project within each industry and sector to maximize the likelihood that participants rapidly develop the necessary competencies.

Program participants may be eligible for on-the-job training. Through this program, employers can be reimbursed 50% of employee wages for on-the-job training. Participants will be identified and pre-screened, but employers themselves retain full control over all hiring and placement. Program participants may also be eligible for "try-out" or "audition" employment, in the form of internships where the full cost of an internship stipend for a few weeks will be paid. Job seekers get the benefit of paid work experience, valuable training, and the opportunity to demonstrate they would be good fits at the companies where they are placed; employers are able to minimize the risk involved in making a new hire, as they carry none of the personnel costs for the potential employee. Again, potential internship participants will be pre-screened, but employers have full control over all selection and placement.

E. Business Services Survey Invitation

Employers shall be provided information to complete a customer satisfaction survey for the purpose of continuous quality improvement. A flyer (Attachment D) will be distributed to business who receive staff-assisted services, including businesses engaged with Summer Jobs League, On-the-Job Training, Work Experience or any other staff assisted service. The goal is for a minimum of twenty percent (20%) of businesses to be surveyed, with a minimum of ten percent (10%) responding to the survey. Additional surveys may need to be conducted to meet the goal of a 10% response rate.

V. CUSTOMER CONNECTION TO BUSINESS SERVICES ACTIVITIES

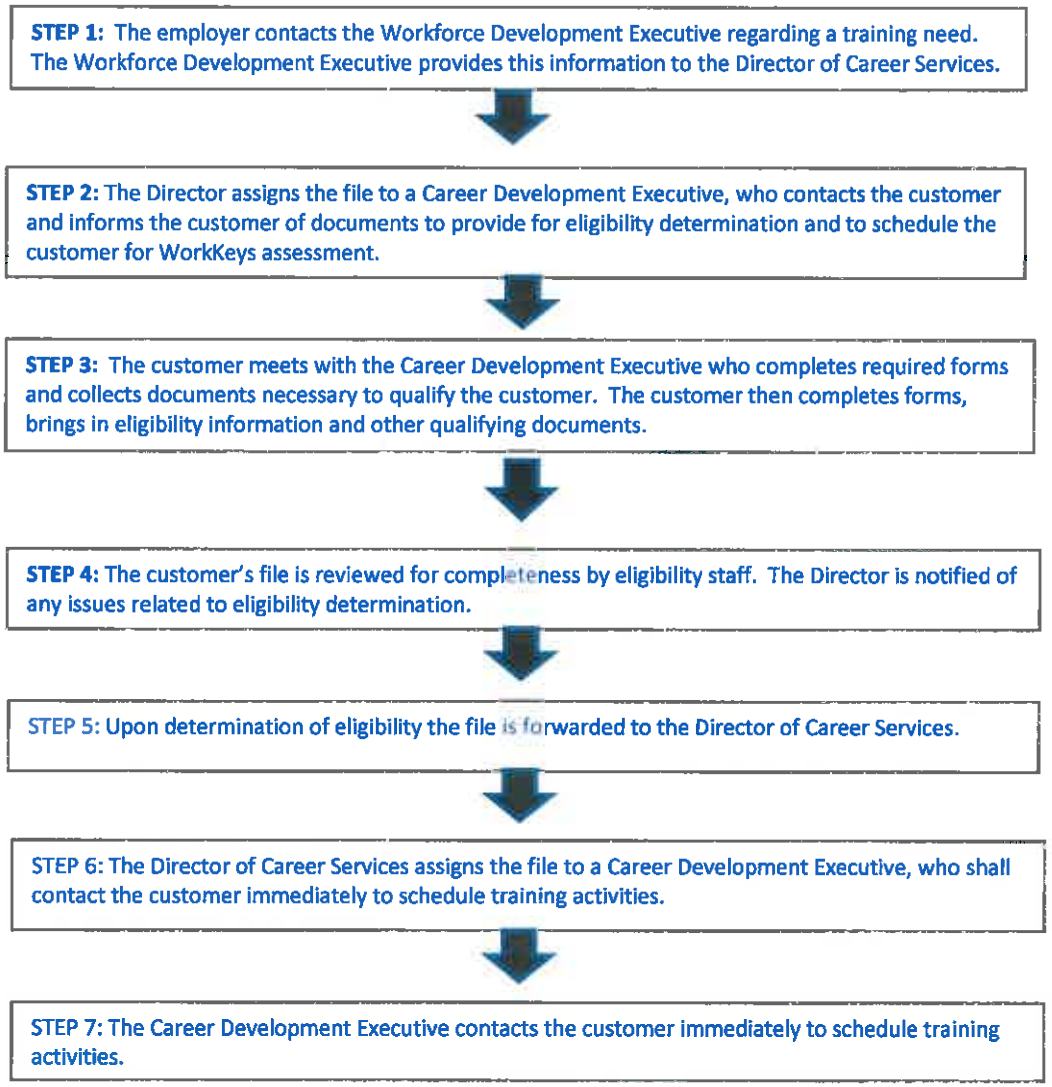
A. Assignment of Customers to Workforce Development Executives

After determination and approval of customer eligibility, Workforce Development Executives will be assigned a caseload of customers, based upon the funding source for the customer. The Senior Director of Career Services or Director of Career Services shall make this assignment. When the Career Development Executive is assigned a file, a determination is made at that time as to the

training enrollment details regarding the customer and the date of completion. Customers who are Job Center members and express an interest in work-based training will complete the WorkKeys assessment after the Career Exploration workshop. Customers who are community and employer referrals and express an interest in work-based training will complete the WorkKeys assessment after a positive determination of eligibility.

B. Fast Track for Services

Steps for Fast Track Services:



STEP 1: The employer provides the contact information to the Workforce Development Executive, who provides it to the Director or Program Manager for assignment.

STEP 2: The Director assigns the file to a Career Development Executive, who contacts the customer and informs the customer of documents to provide for eligibility determination and to schedule the customer for WorkKeys assessment.

STEP 3: The customer meets with the Career Development Executive who completes required forms and collects documents necessary to qualify the customer. The customer then completes:

- Career Ready 101, Talify, a resume, and initial interview
- The 21st Century Application and Wagner-Peyser Enrollment
- Provides State issued identification or Drivers License
- Provides Social Security Card
- Provides proof of address if current address is not listed on the customer's identification document (Postmarked mail or a utility bill in customer's name may be provided if NOT over 30-days old)
- Income for the last 180 days and Family Size, or Attestation if documentation is not available
- Birth certificate for all family members or most recent tax return
- High School diploma or transcript

STEP 4: Prior to departure, the customer's file is reviewed by eligibility staff to determine and ensure all documents were collect and to make a preliminary determination of what the customer qualifies for. Any issues regarding eligibility will be immediately referred to the Director of Career Services for determination of eligibility issues and possible resolution if issues, as possible.

STEP 5: Upon determination of eligibility the file is forwarded to the Director of Career Services.

STEP 6: The Director of Career Services will assign the file to a Career Development Executive.

STEP 7: The Career Development Executive contacts the customer immediately to schedule training activities.

VI. EFFECTIVENESS IN SERVING EMPLOYERS PERFORMANCE MEASURES

The Division of Workforce Development collects performance across six core programs (Adult, Dislocated Worker, Youth, Wagner-Peyser, Adult Education and Literacy, and Vocational Rehabilitation). Performance on the Local Workforce Development Board level are collected for Adult, Dislocated Worker, Youth and Wagner-Peyser clients.

Performance of the Business Services Team of the Workforce Development Board will be tracked regarding two measures, Repeat Business Customers and Employer Penetration Rate:

A. Repeat Business Customers

The measure for Repeat Business Customers is the number of employer establishments that have used core program employer services during the current reporting period (current program year) that also have used core program employer services one or more times during the previous three program years. Codes must be entered into MOJOBS that reflect employer services for Repeat Business Customers; these codes are found in DWD Issuance No 22-2017, Effectiveness in Service Employers Performance Measure, in pages 1 and 2 of the attachment to that Issuance.

B. Employer Penetration Rate

The measure for Employer Penetration Rate is a percentage of employers using services out of all employers. This tracks the percentage of employers who are using the core program services out of all the employers. The employer establishments served within a program year will be compared to the aggregate of all employers. Codes must be entered into MOJOBS that reflect employer services for new employers; these codes are found in DWD Issuance No 22-2017, Effectiveness in Service Employers Performance Measure, in pages 1 and 2 of the attachment to that Issuance.

C. Documentation of Repeat Business Customers and Employer Penetration Rate

Repeat Business Customers and Employer Penetration Rate will be documented. Reports will be generated by the Management Information System (MIS) Department on a weekly bases and evaluated on a weekly basis.

Attachment A:

Missouri Division of Workforce Development Issuance No. 22-2017,

Effectiveness in Serving Employers Performance Measure

A proud partner of the americanjobcenter network

Missouri Division of Workforce Development
DWD Issuance 22-2017

Issued: April 4, 2018
Effective: April 4, 2018

Subject: **Effectiveness in Serving Employers Performance Measure**

1. Purpose:

The Workforce Innovation and Opportunity Act (WIOA)[1] requires recordkeeping for six primary performance indicators. These indicators provide the accountability[2] required by the WIOA, and are obtained as specified by the WIOA's implementing regulations.[3] This Issuance explains to workforce system staff how to properly identify and record in the statewide electronic case management system those employer services they deliver which count toward the sixth of these measures—Effectiveness in Serving Employers.

2. Background:

Effectiveness in Serving Employers is unlike the other five performance indicators required by WIOA.[4] It is a *shared* indicator across all six core programs (Adult, Dislocated Worker, Youth, Wagner-Peyser, Adult Education and Literacy, and Vocational Rehabilitation). Also, it is reported as a *combined* measurement for the State. Therefore, assembling the data for this indicator requires collaboration among the core program partners. States will report Effectiveness in Serving Employers on an annual basis, and the reporting period will be the program year.

The purpose of this performance indicator is to gauge how well the workforce development system meets three workforce needs[5] of the business community:

1. Providing employers with skilled workers;
2. Building ongoing, productive relationships with employers and industry sectors extending over time; and
3. Providing quality engagement and services to all employers and sectors within State and local economies.

As a pilot procedure to implement this indicator, the U.S. Departments of Labor (DOL) and Education (ED) offered the states three options for measuring Effectiveness in Serving Employers. Each state had to choose at least two of the choices for reporting data. Missouri selected "Repeat Business Customers" and "Employer Penetration Rate," which combined, produce the Effectiveness in Serving Employers performance indicator. DOL and ED will evaluate the states' experiences with the various approaches. DOL and ED originally expected to identify a permanent, standardized indicator to replace the pilot approaches by the

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[1] Pub. L. 113-128 [29 U.S.C. 3101, et seq.]
[2] WIOA Sec. 116(b)(2)(A) [29 U.S.C. 3141(b)(2)(A)].
[3] 20 CFR 677.155, "What are the primary indicators of performance under the Workforce Innovation and Opportunity Acts?"
[4] WIOA Sec. 116(b)(2)(A)(i)(VI) [29 U.S.C. 3141(b)(A)(i)(VI)].
[5] U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) 10-16, Change 1, "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs," August 23, 2017.

beginning of Program Year 2019.[6] However, DOL and ED recently announced[7] they will conduct nationwide surveys and interviews with state WIOA administrators and employers to refine the indicator. They anticipate this process will require 36 months to complete.

Repeat Business Customers is the number of employer establishments that have used core program employer services during the current reporting period (current program year) that also have used core program employer services one or more times during the previous three program years. This can indicate whether employers who receive services from the core programs are satisfied with those services and become repeat customers. It also indicates the ability to develop and maintain strong relationships with employers over time. Therefore, it is critical to develop a long-term strategy to engage employers, to develop a relationship with them, to earn their trust, and to ensure they are aware of and understand the range of business solutions the workforce system offers.

Employer Penetration Rate is a percentage of employers using services out of all employers in the State. This tracks the percentage of employers who are using the core program services out of all the employers in the State. The number of employer establishments served within a program year will be compared to the aggregate total of State employers. That total will be based on the Bureau of Labor Statistics Quarterly Census of Employment and Wages.[8]

The Quarterly Census of Employment and Wages defines an "establishment" as a single economic unit, such as a farm, a mine, a factory, or a store, that produces goods or services. Establishments are typically at one physical location and are engaged mainly in one type of economic activity identifiable by a single industry code. For counting purposes, in the case of a large chain store or franchise employer, the business establishment is the local physical location, not the entirety of the company's locations within the State.

3. Substance:

For **Repeat Business Customers**, Missouri Job Centers will uniquely identify each separate employer establishment served during the program year. (Chain, outlet, or franchise establishments must be clearly distinguished from each other.) As this data accumulates, repeat business customers serving during the previous three program years will be cross-matched. The Division of Workforce Development will collect the number of Repeat Business Customers from the State electronic case management system.

For **Employer Penetration Rate**, Missouri Job Centers will keep track of the number of establishments served within a program year, and the Division of Workforce Development will collect that data from the State electronic case management system and compare it to the aggregate number of employers in the State.

The Employer Penetration and Repeat Business Customers approaches are not based on individual participant data and are not to be derived from the Participant Individual Record Layout. Therefore, the State must establish processes and policies for collecting and validating data related to these

[6] TEGL 10-16, Change 1, page 25.
[7] "Agency Information Collection Activities; Submission for OMB Review; Comment Request; Analysis of Employer Performance Measurement Approaches," 83 FR 9548, "March 6, 2018.
[8] https://www.bls.gov/cew/.

approaches before reporting the outcomes to DOL.[9] Because this is a performance measure, it eventually will affect funding to the State and the Local Workforce Development Areas. Therefore, it is vital that conscientious attention be paid to recording—thoroughly and accurately—all services rendered to employer customers.

The State will begin reporting outcomes on this indicator in October 2018.

4. Action: All staff providing employer services must accurately record those services in the statewide electronic case management system. "Record" means to select the appropriate code (see **ATTACHMENT**) for the service(s) given to each business. Record all applicable services for each employer at the time the service was provided.

The **ATTACHMENT** lists activities and their definitions that identity those activities as a staff-assisted service to an employer. Use this reference to determine which term is the best fit for the services provided.

This Issuance is effective immediately. Please distribute to all appropriate staff.

5. Contact: Please direct questions or comments regarding this Issuance to dwdpolicy@ded.mo.gov.

6. References:

- WIOA Sect. 116(b)(2)(A) [29 U.S.C. 3141(b)(2)(A)].
- 20 CFR 677.155–677.175 (Subpart A—State Indicators of Performance for Core Programs."
- U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) No. 10-16, Change 1, "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs," August 23, 2017, and Attachment 4, "Table A— Effectiveness in Serving Employers Data Elements and Specifications," and "Table B— Employer Repeat Business Customers and Penetration Rate."

7. Rescissions: None.

8. Attachment: Staff-Assisted Services that Count for Effectiveness in Serving Employers

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.

Mardy Leathers
Director
Missouri Division of Workforce Development

[9] TEGL 10-16, Change 1, page 30.

DWD ISSUANCE 22-2017: EFFECTIVENESS IN SERVING EMPLOYERS; ATTACHMENT

Service Types	Staff-assisted Services that Count for Effectiveness (Repeat Business and Market Share Measures)	Entry Codes for Statewide Electronic Case Management System: Employer Service/Activity & Title *(see DWD Issuance 08-2017)*

Employer Information and Support Services	Services designed to educate employers about, and engage them in, the local job market/economy and the range of services available through the local One-Stop delivery system. Services can include orientation sessions, workshops, or other business consultations, and may include providing information about:
	• State and federal tax credits or workforce investment incentives (e.g., Work Opportunity Tax Credits [WOTC]);
	• Customized labor market information (LMI). This includes:
	  ○ Information on state, regional and local labor market conditions, industries, occupations, and the characteristics of the workforce, skills that businesses need;
	  ○ local employment dynamics information,* such as workforce availability, supply, and demand;
	  ○ business turnover rates, job creation, and job identification of high-growth and high-demand industries; and
	• Proactive linkage and referral of establishments to community resources that support their workforce needs.
	
	* Local employment dynamics is a specific program of the U.S. Census, reporting such information, located at: https://lehd.ces.census.gov/
		E02 Participate in Job/Career Fair
		E03 Assistance with Job Order
		E04 Assist with Recruitment
		E05 Provide Labor Market Information
		E09 Agricultural Services Marketing
		E10 Customer Service Follow Up
		E11 DVOP Service Organization Outreach
		E12 Work Based Learning Contract
		E13 Job Development Contact
		E14 LVER Outreach
		E15 Make Business Presentation
		E16 NCRC Contact
		E17 Summer Youth
		E18 Work Based Learning Marketing
		E19 Participated in Workshop/Seminar/Conference
		E20 Provide Business Services Information
		E21 Provide Business Retention Assistance
		E22 ETT Contact
		E23 Show Me Heroes Contact
		E24 VEVRAA Federal Compliance
		E25 WREAP Contact
		E92 Notification to employer of potential applicant
		**E93 Notification to employer or résumés via Virtual Recruiter
		**E94 Employers view internal résumés
		**E95 Employers view external résumés
		
		**Automatically recorded by the system; no manual entry involved.

DWD ISSUANCE 22-2017: EFFECTIVENESS IN SERVING EMPLOYERS; ATTACHMENT

Service Types	Staff-assisted Services that Count for Effectiveness (Repeat Business and Market Share Measures)	Entry Codes for Statewide Electronic Case Management System: Employer Service/Activity & Title *(see DWD Issuance 08-2017)*
Engaged in Strategic Planning/Economic Development	Either workforce investment strategic planning or business growth and economic development strategic planning. These activities may include participating in community-based information for the purpose of corporate economic development planning, and partnering in collaborative efforts to identify workforce challenges and developing strategies to address those challenges.	E05 Provide Labor Market Information E16 NCRC Contact E20 Provide Business Services Information
Accessing Untapped Labor Pools	Establishments that create talent pipeline activities in partnership with the public workforce system. These activities include: outreach to youth, veterans, individuals with disabilities, older workers, ex-offenders, and other targeted demographic groups; industry awareness campaigns; joint partnerships with high schools, community colleges, or other education programs to improve skill levels; and programs to address limited English proficiency and vocational training.	E04 Assist with Recruitment E09 Agricultural Services Marketing E12 Work Based Learning Contract E13 Job Development Contact E17 Summer Youth E18 Work Based Learning Marketing E23 Show-Me Heroes OJT Contact E24 VEVRAA Federal Compliance E25 WREAP Contact
Training Services	Providing publicly funded training assistance, including customized training, OJT, and incumbent worker training. Note: incumbent worker distinctly listed below.	E12 Work Based Learning Contract E21 Provide Business Retention Assistance
Incumbent worker training services	Providing publicly funded incumbent worker training assistance.	E21 Provide Business Retention Assistance E26 Incumbent Worker Training
Rapid Response/Business Downsizing Assistance	Providing initial, on-site visit or contact to either (a) discuss the range of rapid response services and other assistance available to workers and employers affected by layoff, plant closure(s), or natural disasters, or (b) as required by WIOA Section 3(51)(A), plan a layoff response following notification of a current or projected permanent closure or mass layoff, including national or other disasters.	E05 Provide Labor Market Information E21 Provide Business Retention Assistance E22 ETT Contact
Planning Layoff Response	Providing initial, on-site visit or contact to, as required by WIOA Section 3(51)(A), plan a layoff response following notification of a current or projected permanent closure or mass layoff, including national or other disasters.	E05 Provide Labor Market Information E22 ETT Contact

Attachment B:

Hiring Fair Event Project Planning and Completion form

FEC FORM O-57

HIRING FAIR EVENT PROJECT PLANNING AND COMPLETION FORM

Employer: _____ Position Type: Seasonal ☐ Part-time ☐ Full-time ☐

Target: Credentialed Customers: _____ Career Center Customers: _____

Day and Date of Event: _____ Time: 10:00 a.m. - 12:00 (noon) _____ Location: FEC- Missouri Career Center EJAC INDEP. _____

WDE Hosting Event: _____ CDE: _____

Lead Sr. Regional Business Service Manager/Lead WDE Coordinator: _____

Functional Manager: _____

Lead Skills Team Member: _____

Lead Employment Team Member: _____

Office and Room Location of Event: _____ Number of Interview Rooms Needed _____

Planning Meeting Dates: 1) _____ 2) _____ 3) _____

Number of Positions Recruiting for (_____) Total Interview Slots (_____)
Hosting location will refer 50% of the available interview slots. All other locations will refer 25% of available interview slots.

Position Available	Number of Positions	Wage	Job Order Number

Pre-screening requirements:

_____

_____

_____

Please sign this form after initial planning meeting:
I have been provided meeting dates for the planning purposes and evaluation of the hiring fair event:

_____
Functional Manager

_____
Lead Employer Services Regional Manager/ Lead WDE Coordinator

_____
WDE Hosting Event

The Full Employment Council is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers may be reached by persons using TTY/TDD equipment via the Missouri Relay Service at 711.
Revised: October 14, 2014

FULL EMPLOYMENT COUNCIL

FEC FORM O-57

Outcomes:

Position	Number of Positions	Interview Slots	Scheduled	Attended	Interviewed	Hired

Career Center Referrals:

Hosting location will refer 50% of the available interview slots. All other locations will refer 25% of available interview slots.

Location/Office				
	Goal (based on interview slots)	# Referred	Variance (goal to referred)	# Attended
Central City				
Cube				
Independence				
Cass County				
Northland Human Services				
Platte				
Richmond				

Program Referrals:

Program	# Referred
Youth	
Dislocated Worker	
MWA	
Core	
Other	
Other	

Lead CDE

WDE Hosting Event

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Revised: October 14, 2014

FULL EMPLOYMENT COUNCIL

FEC FORM O-57

Event Requirements

Communications:

Signage	Flyer	Postcard	News Release
Social Media	Newspaper	Radio	Television
Photography	Video	Table Tents	FEC Tablecloth
FEC Stanchions	Surveys	Sign-in Sheets	Information Table
Giveaways	Presenters/Speakers		

I.T.

Microphone(s)	Speakers	Projector	Laptop(s)
Printer/Copier	Scanner	Website posting	Wireless Internet Access

Two-Way Radio/Wireless Communication

Facilities:

Table(s)	Chair(s)	Extension Cord(s)	Surge Protector(s)
Table cloths	Designated Parking	Refreshments (pickup/delivery)	Transportation Arrangements

Other

_____

Additional Notes:

The Social Security Administration will have a informational session for Veterans. They will go over the Social Security Administration application process.

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Revised: October 14, 2014

Attachment C:

One-Stop Business Services Survey Initiative Introductory Letter

Date: February 08, 2018
Subject: One-Stop Business Services Survey Initiative Introductory Letter
To: Functional Leader, Supervisors, Director of Business Development
DWD Regional Manager

Overview:
WIOA One-Stop Missouri Job Center certification requires a review of customer satisfaction levels from both job seekers and businesses. Businesses who receive a staff-assisted survey should receive a DWD statewide Survey Monkey survey.

Key Business Survey Components:

- Questions (6), as required by DWD Issuance 02-2016, are streamlined from last year's survey initiative.
- Business customer satisfaction levels are considered validated w/at least a 10% return of employer surveys.
- At least 20% of all businesses receiving a staff-assisted survey should be surveyed.

Regional Delivery Model Features:

- Business customers are invited to complete a customer satisfaction survey via post cards and/or business cards.
- The post cards and/or business cards are delivered directly by staff to One-Stop Job Center business customers following delivery of a staff-assisted service.
- The business customer follows the jobs.mo.gov/survey URL to the appropriate on-line regional Survey Monkey survey according to county.
- Completed surveys show up, by region, in DWD's Survey Monkey account.
- Survey results are relayed to each region's business services team on a monthly basis or as needed.

Regional Business Services Survey Reports:

- *A cumulative (excel) report*, showing the number of survey returns by region, is sent *monthly* to each WDB Director.
- *A comprehensive (ppt) summary* of regional returns is sent *quarterly* to each WDB Director, *unless requested more frequently.*
- *A cumulative (excel) report* showing the number of survey returns by region is sent monthly to each region's business services team – FL's, Supervisors, Reg. Mgr. and Business Team Leads and/or Employment Services Representatives.
- *A comprehensive (ppt) summary* of returns by region is sent monthly to each region's business services team – FL's, Supervisors, Reg. Mgr. and Business Team Leads and/or Employment Services Representatives (ESR).

DWD Collaboration:

- "Current need" surveys will immediately be sent to a region's local office to respond to the employer's service request.
- "Issues" reported by the employer will receive a courtesy follow-up call to provide a neutral hearing of the issue; the issue will be immediately relayed to the appropriate local office for further follow-up as needed.
- Note: it is not otherwise possible to connect surveys to a specific office when contact information is not provided.

Regional 10% Return Figure:

- We are currently checking with IT on the ability of MoJobs to provide a # for staff-assisted services by region.
- Regional input may be needed for tracking the # of surveys issued in order to calculate a 10% survey return goal.

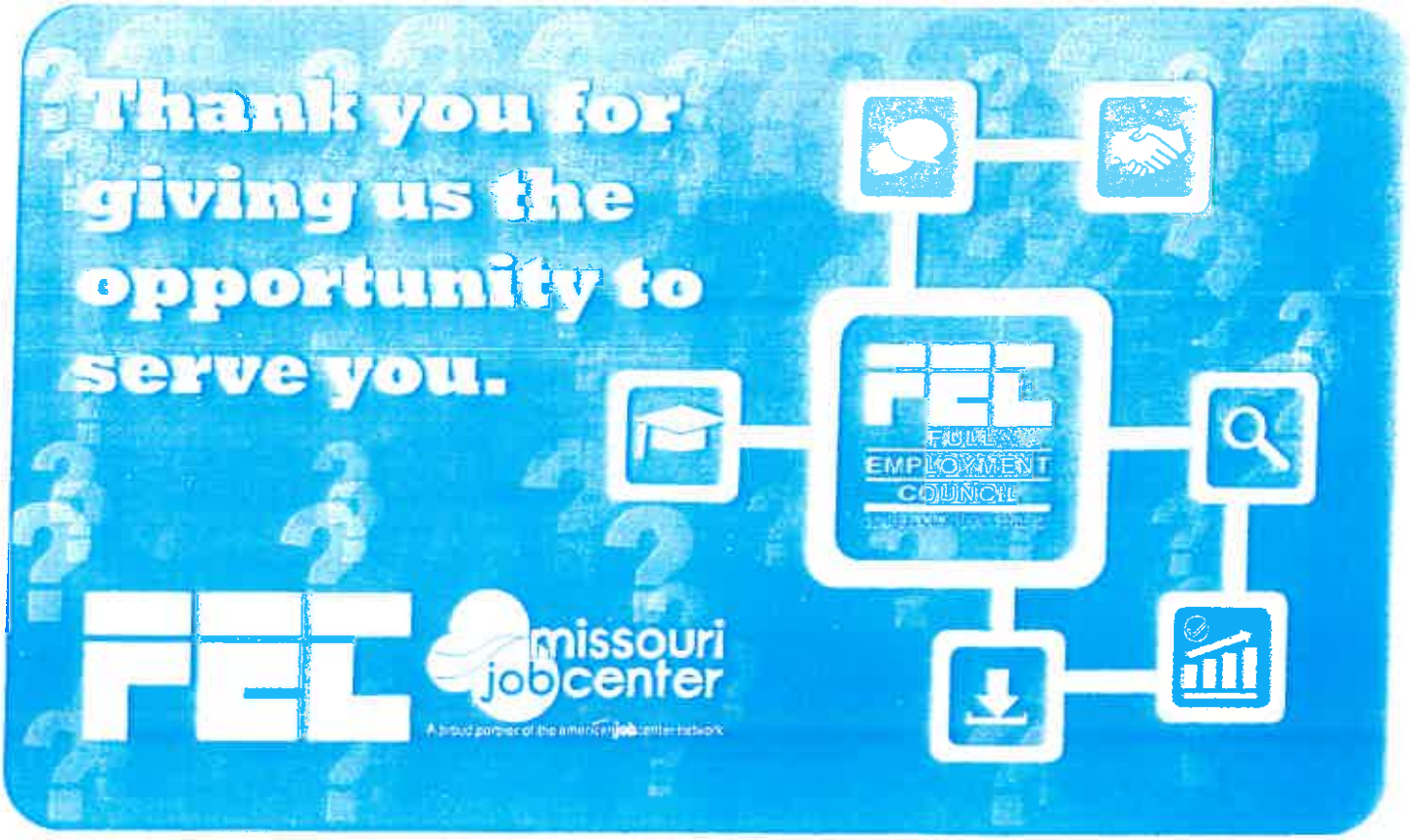
Thank you for your assistance and partnership with this business services survey initiative!

Steve Dempsey

DWD Business Surveys Unit
Division of Workforce Development
Jefferson City , MO 65102
816-521-57000 (3246) – office
816-813-4912 - cell

Attachment D:

Business Services Feedback Flyer



Dear Business Partner,

As part of our continuous quality improvement in service to businesses, The Full Employment Council is requesting your feedback through a brief survey on our services and how we may improve.

To provide your feedback,

1. Go to jobs.mo.gov/survey
2. Click on "Take Our Survey" and "OK"
3. Select your county and "Next"
4. Click on "Please Click this Link to Take the Appropriate Survey"
5. You are at the survey!

Thank you for our feedback to help us continually improve in providing quality services to businesses.

FULL EMPLOYMENT COUNCIL

missouri jobcenter

A proud partner of the americanjobcenter network

The Full Employment Council/Missouri Division of Workforce Development is an equal opportunity employer/ program. Auxiliary aids and services are available upon request to individuals with disabilities.

Attachment E:

Business Services Feedback Survey

KANSAS CITY & VICINITY / EASTERN JACKSON COUNTY REGION
Missouri Job Centers

Business Services Feedback Survey

You recently received a business service through a Missouri Job Center.
Please tell us about your experience.

OK

1 Did you receive the service(s) you requested?

2 Were you satisfied with the service(s) you received?

0 of 10 answered

CONTINUE

Powered by
SurveyMonkey
See how easy it is to create a survey.

Privacy & Cookie Policy

0 of 10 answered

ATTACHMENT 30.

MOU (Cooperative Agreement) between the Community College & LWDB

ATTACHMENT 31.
Incumbent Worker Policy

Workforce Innovation and Opportunity Act (WIOA) Policy

INCUMBENT WORKER TRAINING POLICY

POLICY NUMBER: 2017-002, Modification 2

EFFECTIVE DATE: 04-27-2018

MODIFICATION DATE: 01-27-2020

APPROVED BY

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
East Jackson County Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this Issuance is to update Incumbent Worker Training Policy No. 2017-002, Modification 1, reflecting changes made with Missouri Office of Workforce Development (OWD) Frequently Asked Questions regarding Issuance No. 23-2017, Incumbent Worker Training Policy and updated Attachments and guidance (see Attachment B, Incumbent Worker Training Practices and Procedures Manual).

BACKGROUND

Incumbent Worker Training meets the needs of an employer, or a group of employers, by averting potential layoffs, by increasing the skill levels of current employees to make the most of company career advancement opportunities and by creating advancement opportunities for less skilled employees. Incumbent worker training is outlined in the Local Plan.

POLICY

I. INCUMBENT WORKER TRAINING ELIGIBILITY AND PROCEDURES

1. Incumbent Worker Training funds may only be used for training to avert layoffs, advance career skills, or allow lower skilled workers to advance their position, wages and careers within a company. Incumbent worker training meets the needs of an employer or a group of employers, by averting potential layoffs (by assisting workers to update regarding new practices and technology), by increasing the skill levels of current employees to make the most of company career-advancement opportunities, and by creating backfill opportunities for less skilled employees (i.e. allowing employees working at one level to advance their career to another level with a pay increase and title promotion). Incumbent worker funds will not be used for training new hires within a company.

2. Incumbent Worker Training Program will focus on the following:
   - Creating the opportunity for career progression and identifying career pathways,
   - Providing the opportunity for a jobseeker from the public workforce system to obtain the position left vacant by the ascension of the incumbent worker training graduate; employer approval is needed,
   - Supporting classroom training tuition costs by securing a employer match,
   - Providing training in labor market growth sectors as identified by the Local Plan,
   - Providing defined career pathways as part of the classroom training program,
   - Approving training programs on a "position-by-position" basis, which will be tied to the skill training deficit of each affected employee seeking support, and tied to training, competencies developed in the training plan.

3. The following must be documented regarding the incumbent worker training:
   - How the training improves the labor market competitiveness of the employee or both the employee and the employer,
   - The wages and benefits associated with the training,
   - The number of employees trained with the company,
   - How Incumbent Worker Training interacts with other training and advancement opportunities within the company,
   - The results associated with Incumbent Worker Training, such a skills gain, credential attainment, layoff aversion, and utilization of sector strategies and career pathways,
   - Procedures as to how employers will pay the required non-federal share of the cost of providing Incumbent Worker Training.

4. The employee receiving the training must:
   - Be currently employed,
   - Meet the Fair Labor Standards Act requirements for an employer-employee relationship,
   - Have an established employment history with the employer, working for the employer an average minimum of 32 hours per week for six consecutive months. This can include time spent as a temporary or contract worker for the employee.

5. Exception to the six month requirement: If 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 (6) months or more if the majority of employees being trained meets the employment history requirement.

6. It must be demonstrated, through labor market studies and data that the training results in increased labor market competitiveness of the employees or both the employees and the employer.

7. Incumbent workers **do not** have to meet eligibility requirements for Adults/Dislocated Worker training and career services. Incumbent workers do have to meet the basic requirements by showing:

- Social security number
- Date of birth
- U.S. citizenship
- Selective service registration, as appropriate
- Residence

8. The following is required for Incumbent Worker Training eligibility:

- Employers and their employee trainees must be enrolled into the statewide electronic case management system; **and**
- Documentation must include: A six-month work history requirement. Local WDBs are required to utilize the OWD Incumbent Worker Training Agreement (or its equivalent)*;* **and**
- Increased skills to be obtained by the participant, such as an industry-recognized certificate or credential, or a promotion, that correlates to the competiveness of the job and the employer; **or**
- Proof of averting the need to lay off employees through assisting workers to obtain the skills necessary to retain employment. This must increase both a participant's and a company's competitiveness.

- Training must lead to opportunities for advancement and wage increases within 60 days of the successful completion of training**.** This entails a wage increase with title change, or obtaining a position that is full-time equivalent (at least 32 regular hours per week) with a wage increase, with access to company-provided benefits including healthcare for the participant within 60 days of successful completion of training, whereas before the worker was a contractor of the employer.

9. Employer contributions may include the wages the employer pays to the incumbent worker trainee for the hours the worker is actually receiving instruction (That is, the duration of the training agreement is not used to determine in-kind wage contributions.).

10. The minimum amount of employer share in the Incumbent Worker Training depends upon the size of the employer and may not be less than:

- 10 percent of the cost, for employers with 50 or fewer employees,
- 25 percent of the cost, for employers with between 51-100 employees, and

- 50 percent of the cost, for employers with more than 100 employees.

11. Employer share must be reported on the quarterly ETA-9130 financial report, and costs must be reported in the OWD Financial Reporting System (FRS).

12. Up to twenty percent (20%) of combined total allotments for Adult and Dislocated Workers may be used for incumbent worker training. This twenty percent (20%) must be used **exclusively** for direct program activities. Administrative activities must be paid for out of the Workforce Development Board's administrative funds.

13. Missouri state law requires the Department of Higher Education and Workforce Development to ensure no duplication of training funds exists, therefore Boards should prioritize working with employers who are not eligible for/are not currently participating in the State's Incumbent Worker Training Program to target a wider range of employers and workers.

14. The Local Workforce Development Board shall notify OWD prior to entering into any agreement. The local board will also clearly flag a desired incumbent worker training project with a company that is already participation in Missouri Works Training. In such cases, training will be used only to supplement limited resources and there will be no duplication. Respective areas of training investments must be identified so that there is no duplication.

15. If a collective bargaining agreement covers the employer, then union concurrence with the training services is required. Incumbent worker training projects must comply with general WIOA requirements and restrictions.

16. Reporting on participant and employer performance outcomes is required.

II. REQUIRED DOCUMENTATION

The following documents are required in association with Incumbent Worker Training:

- Incumbent Worker Training Application (Attachment B),
- Incumbent Worker Training Program Agreement, Legal Certifications, Business Entity Certification, and Incumbent Worker Training Program General assurances (Attachment C),
- Incumbent Worker Training Supplemental Agreement (Attachment D),
- Incumbent Worker Training Budget (Attachment E),
- Incumbent Worker Training End Monitoring Report (Attachment F),
- Incumbent Worker Training Registration Form (Attachment G)

- There is also a requirement for reporting the cumulative total for employer contributions associated with incumbent worker training. The cumulative total is to be entered monthly on the Contract Progress Report (CRP), under the 'cumulative cash drawn' entry box on the CPR (see Frequently Asked Questions regarding OWD Issuance No. 23-2017, Incumbent Worker Training Policy (Attachment G).

ATTACHMENT 32. Regional Plans (St. Louis / KC)

Regional Planning

The Workforce Innovation and Opportunity Act (WIOA) of 2014 require local WIOA areas that make up an economic region to include a Program Delivery Coordination Plan on how services and programs will be delivered within the Region. The intent is to describe a coordination of resources across local areas.

The Kansas City Metropolitan Economic Region is comprised of two workforce investment areas in Missouri – Kansas City & Vicinity, which encompasses the City of Kansas City, Missouri and the Counties of Cass, Clay, Platte, Ray, and Platte, and East Jackson County, which is the Jackson county excluding the City of Kansas City, Missouri. The Full Employment Council (FEC) is the One Stop Operator and WIOA Grant Recipient for both Kansas City region Local Workforce Development Boards – Eastern Jackson County and Kansas City & Vicinity, which serves a 5-county jurisdiction, covering 2,700 square miles, encompassing urban, suburban, and rural populations with diverse ethnic populations in Cass, Clay, Jackson, Platte, and Ray Counties.

Section 106 (c) of the Act states that local boards and chief elected officials in each planning region shall engage in a regional planning process; the following are the responses to that regional planning process:

A) The preparation of a regional plan

The FEC as the operator for both the Eastern Jackson County and Kansas City & Vicinity is providing this regional plan for the Kansas City region as required.

B) The establishment of regional service strategies, including use of cooperative service delivery agreements

The Full Employment Council is the one stop operator and fiscal agent for both the KCV and EJAC Workforce Development Boards. Although each Board and region is independent and autonomous, the FEC as the operator ensures that the integrity and independence is maintained. The regional geographic configuration of the region necessitates that job seeking and employer customers are assured of equal access to the delivery services and activities provided by the workforce system. Job seeking and employer customers can access all services provided by the system at any job center operated by either the KCV or EJAC WDB. This delivery of services is seamless for the customer. FEC program and fiscal staff ensure that costs for services are appropriately allocated to the proper funding region based on the residence of the customer.

Staffs are cross-trained and informed of any unique requirements for the individual regions. All management staff for both regions is under the direction of one set of leadership and meet weekly to coordinate program services. FEC schedules regular meetings and training for all staff by position and bi-weekly schedules all staff meetings for communications, coordination,

training and informational sharing. All staff is connected electronically through one email exchange system ad one telephone communication system.

Workforce development executives for both regions and assigned to all offices who make up the Business Services team meet regularly to coordinate strategies with employer engagement, employment development activities, job fairs, and hiring events.in addition to weekly job developer meetings, job development staff send notices through the exchange system regarding upcoming recruitment events. Designated staff maintains a calendar of employer events agency wide.

In addition to the sharing of data and information through the state case management system, Toolbox, FEC has its own management information system, which is currently ETO, which allows staff across both regions to share participant information and ensures no duplication of services.

C) The development and implementation of sector initiatives for in-demand industry sectors or occupations for the region

The KCV and EJAC regions are guided by the same set of policies and procedures. Sector initiatives for in-demand industries and occupations is determined for the entire 5-county Kansas City metropolitan region and delineated in the agency' s policies and procedures manual regarding sector focus for training and employment. Analysis of current labor market information from MERIC and "on- the-street" job developer business intelligence informs the determination of sector initiatives for the region. In addition, the two WDBs scheduled a series of sector convening's in 2015-2016 to inform the focus on the 5 sectors (Advanced manufacturing, Healthcare, Information Technology, Construction, Warehouse & Logistics, Financial Services and Business Services have been selected for focus.

D) The collection and analysis of regional labor market data (in conjunction with the State)

See Local Plan Section IV Labor Market Information

E) The establishment of administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate, for the region

The KCV and EJAC regions are fiscally managed by the FEC. Administrative costs are allocated appropriately according to accepted financial management procedures.

F) The coordination of transportation and other supportive services, as appropriate, for the region

The KCV and EJAC regions are fiscally managed by the FEC. Administrative costs are allocated appropriately according to accepted financial management procedures. The KCV and EJAC regions are guided by the same set of programmatic and financial policies and procedures, including training and supportive services policies, which includes transportation services.

G) The coordination of services with regional economic development services and providers

The two WDBs collaborate with all the local economic development councils in the region, the Greater Kansas City Economic Development Council, the Greater Kansas City Chamber of Commerce and Mid-America Regional Council (MARC). the President of FEC as well as agency Job Developers are members of these local business and economic development agencies.

H) The establishment of an agreement concerning how the planning region will collectively negotiate and reach agreement with the Governor on local levels of performance for and report on the performance accountability measures described in Section 116(c) for the local areas or the planning region

The 2 regions will negotiate local levels of performance for, and report on, the performance-accountability measures as required for each region separately.

ATTACHMENT 33.

Statement of Assurances - Form provided