
Policy Number: WIOA I-B – 3.9 Updated

Effective Date: August 27, 2018

Supportive Services

PURPOSE: The purpose of this policy is to describe and to detail the regulations and requirements concerning supportive services, in accordance with the rules and regulations of Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, Training and Employment Guidance Letters (TEGLs) published by the Employment and Training Administration of the U.S. Department of Labor (ETA), and policies of the Arkansas Workforce Development Board (AWDB).

REFERENCE:

WIOA § 3(59); 134(c)(2)(A)(iv); 134(d)(2)
20 CFR 679.430, 680 & 681
TEGLs 19-16 & 21-16

POLICY:

Supportive services are designed to provide a participant with the resources necessary to enable an individual to participate in WIOA Title I-B Adult, Dislocated Worker, or Youth activities. The activities need not be provided with WIOA funds, but the program provider must be allowed to provide such activities by federal and state laws, regulations, policies, and guidance [WIOA § 3(59); 20 CFR 680.910(b) 681.570; TEGLs 19-16 & 21-16]. Local areas are not required to provide supportive services to Adults and Dislocated Workers, but such services are permitted for participants who need such services and meet eligibility requirements. Supportive services are Program Element 7 of the Youth program, and such services must be available to Youth as when needed, appropriate, and in accordance with the local Supportive Service Policy. Supportive services may be provided with WIOA Title I-B funds when such services are not available through non-WIOA funding sources. Local programs have the discretion to determine what specific program services a youth participant receives based on each participant's objective assessment and individual service strategy [WIOA §129(c)(2); 20 CFR 681.460].

Each local area, in consultation with the American Job Center partners and other community service providers, must develop a supportive service policy, including procedures that ensure resource and service coordination in the local area. Local areas have the discretion to provide the supportive services they deem appropriate, subject to WIOA's limitations. The policy should address procedures for referral to such services, including how such services will be funded when they are not otherwise available from other sources. The policy may establish limits on the provision of supportive services, including a maximum amount of funding and maximum length of time for supportive services to be available to participants. The policy may also describe procedures for determining exceptions to these limits. The policy and procedures must ensure that supportive services are WIOA-funded only when these services are not available through other agencies and that the services are necessary for the individual to participate in Title I-B authorized activities. The provision of accurate information about the availability

of supportive services in each local area, as well as referral to such services, must be available as a Basic Career Service [WIOA § 134(c)(2)(A)(iv); 20 CFR 678.430 & 680.900; 680.920; TEGL 19-16].

If funding is spent on supportive services, the need for such services, including eligibility determination as listed below and the inability to obtain services from other sources, must be documented in the participant's case notes. Supportive services may include, but are not limited to [WIOA § 3(59); 20 CFR 680.900, 681.460(a)(7), & 681.570; TEGLs 19-16 & 21-16]:

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

WIOA Title I-B program providers are encouraged to partner with American Job Center partners and other entities that can provide supportive services to participants [WIOA § 134(d)(2); 20 CFR 680.910; 20 CFR 681.460(c); 20 CFR 681.470; TEGLs 19-16 & 21-16]. The WIOA case manager must work with the other entities to ensure that participants receive coordinated service to create an appropriate total package [20 CFR 681.470; TEGLs 19-16 & 21-16].

Eligibility for Supportive Services

For any individual to receive supportive services, he or she must meet all eligibility requirements for a WIOA Title I-B program. The need for supportive services to participate in an eligible activity of the program may be determined through an interview, an evaluation or assessment, or the development of either an individual service strategy (ISS) or and individual employment plan (IEP). Documentation of the need for supportive services must be maintained in the participant file.

Adults & Dislocated Workers

The primary requirements for an Adult or Dislocated Workers to receive a supportive service are [WIOA § 3(59) & 134(d)(2); 20 CFR 680.140, 680.900 & 680.910; TEGL 19-16]:

- The participant is participating in an activity authorized as a WIOA Title I-B Adult or Dislocated Worker (DLW) career (except follow-up) or training service. (There is no requirement that WIOA

fund the service or activity, but WIOA Title I-B must be authorized by WIOA § 134 and/or the appropriate other sections of the Final Rule or TEGs to fund the service or activity.)

- The supportive services must be necessary to enable the participant to participate in the activity or training service.
- The participant is unable to obtain the needed supportive services through another program providing such services [WIOA § 134(d)(2) 20 CFR 680.910(a)].

Youth

The primary requirements for a Youth to receive a supportive service are [WIOA § 3(59); 20 CFR 681.570 & 681.580; TEGs 21-16]:

- The participant is participating in an activity authorized as a WIOA Title I-B Youth activity or service, including follow-up services. (There is no requirement that WIOA fund the service or activity, but it must be one of the 14 program elements or a follow-up service.)
- The supportive services must be necessary to enable the participant to participate in the activity or training service.
- The participant is unable to obtain the needed supportive services through another program providing such services.

Needs-related payments may be provided to Adults and Dislocated Workers to enable them to participate in training services. Needs-related payments may not be provided for participation in Career Services [WIOA § 134(d)(3)(A); 20 CFR 680.930].

To receive needs-related payments, an Adult must meet all of the following bulleted eligibility requirements [WIOA § 134(d)(3)(A); 20 CFR 680.940]:

- Be unemployed
- Not qualify for, or have ceased qualifying for, unemployment compensation
- Be enrolled (registered for classes) in a WIOA Title I-B training service

To receive needs-related payments, a Dislocated Worker must meet one of the following two numbered eligibility requirements [WIOA § 134(d)(3)(A); 20 CFR 680.950]:

1. For DLWs who qualified for unemployment benefits or trade readjustment allowance under TAA, meet all of the following bulleted requirements:
 - Be unemployed
 - Have ceased qualifying for, unemployment compensation or trade readjustment allowance under TAA
 - Be enrolled (registered for classes) in a program of WIOA Title I-B training service by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility for the DLW program, OR if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months

2. For DLWs who did not qualify for unemployment benefits or trade readjustment assistance under TAA, meet all of the following bulleted requirements:

- Be unemployed
- Did not qualify for unemployment benefits or trade readjustment assistance under TAA
- Be enrolled (registered for classes) in a WIOA Title I-B training service

Needs-related payments may be paid while a participant is waiting to start training classes, provided he or she has been accepted into a training program and enrolled in (registered for) classes, and provided the classes will begin within 30 days. The Governor may authorize local areas to extend the 30-day period to address appropriate circumstances [20 CFR 680.960].

If needs-related payments are provided to Adults, the local level of needs-related payments made to eligible Adults must be established by the LWDB's supportive services policy [20 CFR 680.970(a)]. The level of a needs-related payment made to an eligible Dislocated Worker may not exceed the greater of:

- (a) the applicable level of unemployment compensation; or
- (b) if the DLW did not qualify for unemployment compensation, an amount equal to the poverty line for an equivalent period, adjusted to reflect changes in total family income, as determined by the LWDB policies [WIOA § 134(d)(3)(C); 20 CFR 680.970].

20 CFR 680.330(c) specifically states that needs-related payments may be provided to adults and dislocated workers in registered apprenticeship programs, as described in 20 CFR 680.930 – 970. On the other hand, 20 CFR 680.940 - 950 state that needs-related payments may not be provided to employed participants. TEGs 10-16 and 13-16 state that participants in registered apprenticeship programs are considered to be employed from the first day of their RA training. Because of this conflict, it is recommended that local areas not give needs-related payments to individuals in registered apprenticeship programs.

Although needs-related-payments is listed as a potential supportive service for Youth in WIOA § 3(59), 20 CFR 681.570, and TEG 21-16, there are no specific eligibility requirements given for youth. If a local area plans to provide needs-related payments to Youth, guidelines must be given in the local Supportive Service Plan.