



WORKFORCE DEVELOPMENT COUNCIL

SERVING CLALLAM, JEFFERSON, & KITSAP COUNTIES

## WIOA Policy Handbook

November 2024

*Olympic Workforce Development Council*  
614 Division Street, MS-23  
Port Orchard, Washington 98366

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**2022 Revisions**

1600POL Records & Documentation (Rev2)  
5100POL Program Eligibility (Wording and Definitions)  
5210POL Case Note Policy (Rev1)  
5410ATT Lower Living Standard Income Level (LLSIL)  
5510POL Individual Training Account (Rev1)  
5510POL Individual Training Accounts  
5520POL Supportive Services (Rev3)  
5540POL Incumbent Worker Training  
5550POL TA –WIOA Title CoEnrollment (Rev1)  
5570ATT NRP Training Analysis  
5570POL Needs Related Payments  
Updated WIN & WorkSource Policy updates (1/1/2022 –  
12/1/2022)

**2023 Updates**

Revisions:

1100POL Complaint and Grievance Policy (Rev1)  
1103ATT Complaint Log  
1300POL Conflict of Interest (Rev1)  
5130POL Youth Eligibility (Rev1)  
5520POL Supportive Services (Rev4)  
5580POL Youth Incentive Policy (Rev 1)  
7140PNG Incentive for EcSA (Rev1)

Addition:

5590POL Transitional Jobs  
5600POL Work Experience Training  
5610POL Serving EcSA Participants Above 200% FPL  
1211PRO One-Stop Assessment and Certification Procedure  
3310POL Stevens Amendment Language Requirements

**Policy Naming Convention**

**Prefix**

1000 – 2000 ADMINISTRATION  
3000 – 4000 FISCALS  
5000 – 6000 PROGRAM  
7000 – 8000 PROGRAM NOTICES & GUIDANCE

5140POL Veterans Priority of Service  
5581POL Adult & DW Incentive Payments  
Full references/citations update (11/27/2023)  
\*November 2023 – In addition to the new policies added  
(marked with an asterisk \*), a full review and approval of entire  
policy handbook was conducted and adopted (see OWDC  
Meeting Minutes 2023NOV17).

**2024 Updates**

Full references/citations update (3/28/24)  
1100POL Olympic Consortium Complaint Policy  
1300POL Conflict of Interest (Rev2)  
1400POL Dispute Resolution  
5611POL CRF Incentive (Rev1)  
5612POL formally 7140PNG moved /renamed  
5620POL Supportive Services (Rev5)  
1300POL Conflict of Interest (Rev3)  
1600POL Records & Documentation Retention (Rev3)  
1601POL Protection of Personally Identifiable Information (Rev1)  
3110POL Stevens Amendment Language Requirement (Rev1)  
3500POL Procurement (Rev1)  
5130POL Youth Eligibility (Rev2)  
5410ATT Lower Living Standard Income Level (LLSIL) (Rev4)  
5150POL EcSa Program Eligibility and Guidance  
5570POL Needs Related Payments (Rev1)  
3100POL Allowable Costs, Classifications (Rev1)  
1500POL Fraud  
Program Policy Reorganization

**Suffix**

POL | Policy-Administrative directive  
PRO | Procedure-two or more completing an activity.  
TSK | Task-One individual completing an activity.  
PNG | Program Notice and Guidance  
ATT | Attachment

*If there is no local policy, refer to Washington State Policy located at <https://wpc.wa.gov/policy>. Per WorkSource Information Notice WorkSource System Policy 1028 (Rev1)*

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# **Administrative Policy & Procedure**

## 1100POL Complaint and Grievance Policy (Rev1)

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Effective Date: February 2021

Last Updated: July 11, 2024

To ensure Olympic Workforce Development Council (OWDC) policy compliance with complaints and grievance procedures defined by *WorkSource System Policy 1012, Rev 2 –Complaint Resolution and Policy 1017 - Discrimination Complaint Processing Policy*.

1. **There are three types of complaints or grievances an applicant, participant, or registrant may file:**
  - a. Complaints against the program (see Policy Handbook attachment 1101ATT Olympic Consortium Complaint Form)
  - b. Complaints against an employer/business
  - c. Discrimination complaints (see Policy Handbook attachments Discrimination Complaint Forms – English and Spanish).
2. **There is one log for all Consortium complaints, maintained by Olympic Equal Opportunity Officer and One-Stop Operator.** To review the log, please contact OWDC Program Supervisor or One-stop Operator.

### **Complaints against the program and complaints against an employer/business**

3. **The One-Stop Operator handles complaints against program and employer/business (type 1.a. and 1.b. complaints listed above) and is responsible for processing, logging, and tracking all complaints within the OWDC.**
  - a. All WorkSource offices and affiliates within the OWDC are required to work with the One-Stop Operator to ensure accurate complaints from point of entry to resolution.
  - b. If a complaint involves multiple partners, those affected/involved partners are required to collaborate in resolving the complaint. To the extent feasible, all efforts will be made to resolve customer concerns at the lowest level.
  - c. In the case of a complaint filed against an employer, the employer complaint's grievance procedures must be followed unless the employer uses a grievance procedure required under a covered collective bargaining agreement. In the absence of a collective bargaining agreement or an employer grievance procedure, the state policy shall be followed.

### **Discrimination complaints**

4. **The Olympic Equal Opportunity Officer (WIOA Program Supervisor) handles discrimination complaints (type 1.c. complaint listed above) and is responsible for processing, logging, and tracking all discrimination complaints within the OWDC.**
  - a. Discrimination complaints may be filed when a participant believes that they have been or is being subjected to discrimination based on race, color, religion, sex, national origin, age,

disability, political affiliation, or belief, and for beneficiaries only, citizenship or participation in WIOA.

- b. Strict adherence to *WorkSource System Policy 1017 – Discrimination Complaint Processing Policy* and enclosed handbook is required.

#### **References**

Complaint Resolution, [WorkSource System Policy 1012 \(Rev2\)](#)

Discrimination Complaint Processing Policy and Handbook, [WorkSource System Policy 1017 Discrimination Complaint Form English](#), [Discrimination Complaint Form Spanish](#).

Equal Opportunity and Non-Discrimination, [Workforce Innovation and Opportunity Act Policy 5402 \(Rev3\)](#)

Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA, Subpart A – General Provisions, Code of Federal Regulations, Title 29, [29 CFR Part 38](#)

[Olympic Consortium Complaint Form](#)

Revised Code of Washington 49.60, Discrimination – Human Rights Commission, [49.60 RCW](#)

## 1200POL Compliance Monitoring

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Effective Date: July 2015

### **Purpose**

Monitoring Workforce Innovation and Opportunity Act (WIOA) contractors ensures their compliance with statutory, regulatory and policy requirements from the federal, state and Consortium levels. In addition to reviewing contractors, self-monitoring of the Consortium administrative unit also helps to maintain system integrity and conformance to pertinent laws, regulations and policies. Monitoring is critical to the workforce development system by ensuring that WIOA resources are being used lawfully and effectively.

Generally, monitoring of contracts will:

1. Identify problems and areas of non-compliance.
2. Result in program operators stopping activities or procedures that are not in compliance with existing regulations and policies.
3. Establish corrective action plans for resolution of identified problems.
4. Identify issues requiring technical assistance.
5. Determine the extent to which internal or contracted program operations are effectively and efficiently meeting their obligations.
6. Identify internal problems within the administrative organization of the Olympic Consortium and effect timely solutions.

### **General**

All Workforce Innovation and Opportunity Act (WIOA) contracts that contain participant service work requirements will be reviewed annually.

A standard compliance monitoring checklist will be used by Consortium staff to review the contract. Additions and deletions to the checklist will be done on an as-needed basis depending on the type of contract and its work statement requirements.

Staff will schedule compliance reviews in consultation with contractors every June for the following program year beginning July 1. Contractors should be reminded of the upcoming review visit about a month prior to the monitoring. The annual monitoring schedule will be submitted to the Employment Security Department.

Reports of compliance monitoring will be issued to contractors and the Employment Security Department.

On-site monitoring visits will focus on one or several programmatic and fiscal areas but will at a minimum cover each of the following annually:

1. Participant Eligibility
2. Fiscal Management
3. Management Information Systems
4. Property Management
5. Equal Opportunity and Affirmative Action
6. Prevention of fraud and abuse



## **Roles and Responsibilities**

In order to achieve the objectives specified in this section, the Olympic Consortium has delegated responsibility to assigned staff of the Administrative Unit and designated Olympic Workforce Development Council members for adult and dislocated worker operations and Youth Council members for youth operations. The respective responsibilities of each are delineated as follows:

### *Administrative Unit*

- Generate Management Information System (MIS) reports for review.
- Conduct formal monitoring to include on-site monitoring visits, generate reports and develop and implement corrective action.
- Coordinate, receive and review reports from contractors and internal operations.
- Monitor the implementation of and adherence to policies developed by the Consortium.
- Do a self-monitoring of Consortium administrative functions using the most current state WIOA monitoring forms.

### *Olympic Workforce Development Council and Youth Council:*

- Identifies kind, format, and frequency of information necessary to review performance.
- Monitor program progress and outcomes against program goals.
- Report on program performance to Executive Committee.

## **Corrective Action**

A Corrective Action Plan is defined as a specific plan of action established by a contractor or the administrative unit, which is intended by design to correct a specific problem of non-compliance with WIOA law, regulations, or contract, when implemented within a specified period of time.

The contractor is responsible for the development and implementation of corrective action plans, and the successful correction of each problem of non-compliance.

Corrective Action Plans established by the contractor will be evaluated for acceptability by the Consortium monitor and presented to the Director for approval.

Corrective Action Plans may be written when a variance in excess of +15% is determined to exist in enrollments, exits, and entered employments. Corrective plans for expenditure by cost category (in-school and out-of-school youth) or overall expenditure rate are only required if there is a variance in excess of +15% during the second (2nd) and fourth (4th) quarter.

Monitoring for Corrective Action Plan completion and status of problems resulting in non-compliance notification will be conducted through review and analysis of reports and/or during an on-site visit within thirty (30) days following the completion due date.

## **Monitoring Visits**

Monitoring visits should begin with an entrance meeting between monitoring staff and contractor staff. This meeting will outline the purpose of the visit, the areas to be reviewed, and the level of involvement required of contractor staff and training sites.

Monitoring visits may include interviews with directors, staff, participants and training supervisors, on-site observation, review of relevant source documents and systems. An exit meeting, which summarizes the monitoring activities, will be conducted with the contractor at the conclusion of the monitoring visit.

### **Monitoring Reports**

The Consortium staff will issue a monitoring report usually within thirty (30) working days of the conclusion of the scheduled visit. The report and accompanying documentation detail the areas of review, the findings of non-compliance or other additional problems, needed for Correction Action Plans, and suggested assistance. A report section entitled "Observations/Recommendations" will comment on "best practices" and/or areas that can be improved upon.

The Contractor may submit comments and disagreements with findings identified in Monitoring Reports in writing as soon as possible after receipt of the report.

Disputes regarding the findings will be resolved by the Olympic Workforce Development Council Director.

### **Audit Trail**

Complete the Audit Trail Form by looking at a sample of transactions (a minimum of 10) from the disbursement journal or record of expenditures. These should be dated within the period being reviewed.

Each disbursement should contain information indicating the purpose of the expenditure. Ensure the following:

- Original requisitions and invoices should be present in addition to any statement summarizing several purchases.
- The appropriate individual should have given approval for the disbursement.
- Invoices/statement of authorization forms should have check numbers entered to
- indicate that payment has been made.
- If a direct cost, cost classification should be entered on the invoice, statement, or authorization form.

**Note:** Credit card statements should have original receipts. Purpose, allowability, and cost category should be determined for each item in the statement.

## 1211PRO One-Stop Site Assessment and Certification

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Effective Date: April 2023

Last Modified: September 2023

Local Workforce Development Boards (LWDB) must evaluate one-stop sites and the one-stop delivery system for effectiveness, including customer satisfaction, physical and programmatic accessibility, and continuous improvement. (In instances where the LWDB is the one-stop operator, the State Workforce Development Board (SWDB) must certify those one-stop sites (per *WIN 1016, Rev1*).

### I. Certification Frequency

- a. LWDBs must conduct one-stop evaluation and certification not less than once every three years.
- b. LWDBs may direct “for-cause” site evaluation and certification as determined appropriate and warranted.
- c. For any new comprehensive, affiliate, specialized, or connection site, certification must be completed within **60 calendar days of the site being opened**.

### II. Certification Teams

- a. One-Stop certification teams will be established by LWDBs and are responsible for conducting independent and objective evaluation of one-stop sites and making certification recommendations to LWDBs.
- b. One-Stop certification teams are comprised of LWDB members, staff, and individuals who represent local partners with specific expertise serving populations with barriers. Certification team members should be free of any conflicts of interest. Certification teams may utilize experts from the state level or outside of the local area to ensure evaluations are objective. They may also utilize local experts who represent targeted populations but have no financial ties to the one-stop site.

### III. On-Site Evaluation

- a. For each site to be certified, a locally determined cross-program committee or team with experience working and delivering services in said site will forward their completed assessment application to LWDB, which will be provided to the Certification team members prior to their on-site evaluation.
- b. Certification team members will evaluate one-stop sites and the one-stop delivery system for effectiveness, including customer satisfaction, physical and programmatic accessibility, and continuous improvement based on each site’s completed assessment tool.
  - i. Evaluations of effectiveness must include how well the one-stop center integrates available services for participants and businesses, meets the workforce development needs of participants and the employment needs of local employers,

operates in a cost-effective manner, coordinates services among the one-stop partner programs, and provides access to partner program services.

- ii. Evaluations of physical and programmatic accessibility must include how well the centers and delivery systems take actions to comply with disability-related regulations implementing WIOA sec. 188, set forth by 29 CFR part 38.
- iii. Evaluations of continuous improvement must include how well the one-stop center supports the achievement of the negotiated local levels of performance for the indicators of performance for the local area. Other continuous improvement factors may include a regular process for identifying and responding to technical assistance needs, a regular system of continuing professional staff development, and having systems in place to capture and respond to specific customer feedback.

#### **IV. Certification Team Recommendation**

- a. The certification team using results of its site visit and responses from sites Assessment Application, determines in writing, that the site meets all the criteria to become certified or re-certified. This approval is communicated to the LWDB, the one-stop operator, if applicable, and one-stop leadership within **30 days of completing on-site evaluations**. There are three possible determinations: (1) certification, (2) provisional certification with a requirement that one-stop operators or one-stop leadership provide action plans and timelines for meeting certification standards, and (3) non-certification with a requirement a detailed description of the deficiencies, including an explanation as to why the certification team (or the SWDB certification team, in instances where the LWDB is the one-stop operator) believed the deficiencies could not be addressed or resolved provisionally.

#### **V. Olympic Workforce Development Council Approval**

- a. LWDB will present the Certification Team site recommendations for certification, provisional certification, or non-certification to the Olympic Workforce Development Council board for final approval.
- b. Certification approval must be notated within council meeting minutes.

#### **VI. Appeals**

- a. Should any comprehensive, affiliate, or specialized one-stop sites be determined not certified those sites have a right to appeal those determinations, in writing, to the LWDB. The appeals will follow the processes and procedures outlined in the Olympic Workforce Development Councils Dispute Resolution policy.

#### **References**

Description of the One-Stop Delivery System Under Title I of the Workforce Innovation and Opportunity Act. Title 20, Chapter V Subpart A, B, F, and G [20 CFR § 678](#).

Guidance on Services provided through the Adult and Dislocated Worker Programs under WIOA and WP. Training and Employment Guidance Letter [\(TEGL\) 19-16](#).

Implementation of the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act. Title 29, Subtitle A, Part 38, [29 CFR Part 38](#).

One-Stop Assessment and Certification, [WorkSource System Policy 1016\(Rev1\)](#).

One-Stop Operations Guidance for the American Job Center Network, Change 1, Training and Employment Guidance letter [\(TEGL\) 16-16, Change 1](#).

One-Stop System Dispute Resolution and Appeals, [Washington System Policy 1025](#).

OWDC Dispute Resolution Policy 1400POL.

WIOA Establishing One-Stop Delivery Systems, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) §121(e) and §188.

## 1300POL Conflict of Interest (Rev3)

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Effective Date: July 2015

Last Modified: July 2024

This conflict-of-interest policy is to ensure that individuals or representatives of organizations entrusted with public funds will not personally or professionally benefit from the award, administration, or expenditure of such funds.

A "Conflict of Interest" means the conflict between the official responsibilities and the private interests of a person or entity that is in a position of trust. A conflict of interest would arise when an individual or organization has a financial or other interest in or participates in the selection or award of funding for an organization. Financial or other interests can be established either through ownership or employment.

The conflict-of-interest policy for the Olympic Consortium consists of the following elements:

- a. Each grant recipient and subrecipient must maintain a written code of standards or conduct governing the performance of persons engaged in the award and administration of WIOA contracts and subgrants.
- b. No individual in a decision-making capacity shall engage in any activity, including participation in the selection, award, or administration of a subgrant or contract supported by WIOA funds if a conflict of interest - real, implied, or apparent- would be involved.
- c. No Workforce Development Council member shall engage in any activity, including participation in the selection, award, or administration of a grant or contract supported by WIOA funds if a conflict of interest, real or apparent, is involved. Such a conflict would arise when:
  1. The individual
  2. Any member of the individual's immediate family
  3. The individual's partner.
  4. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm or organization selected for the award.
- d. No member shall cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or any organization which that member directly represents), nor on any matter, which would provide any direct financial benefit to that member. If a matter arises which places a member in a conflict-of-interest situation or potential conflict of interest situation, that member will notify the chair and abstain from voting.
- e. Each grant recipient and subrecipient is prohibited from participating in political activities when these activities take place under the auspices of the WorkSource system or within its environment (i.e. WorkSource Center, Affiliate Site, or in the service delivery environment of WorkSource. Prohibited political activities include, but are not limited to, the following:
  1. Attempting to influence the outcomes of any federal, state, or local election, referendum initiative, or similar procedure through in-kind or cash

contributions, endorsements, publicity, or similar activities.

2. Establishing, administering, contributing to, or paying the expenses of a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcomes of elections.
- f. Olympic Workforce Development Council officers, employees, or agents of the agencies and members of the Council standing committee making awards cannot solicit or accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other parties to agreements.
- g. Penalties, sanctions, or other disciplinary actions for violations of these conflict-of-interest provisions will be in accordance with local and state laws and procedures.

If the administrative entity has been selected as the One-Stop Operator in accordance with the WIOA, a separate written plan will be promulgated that clarifies how the administrative entity will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and the state and local WIOA policies on conflict of interest. The written plan will limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within the administrative entity if performing multiple functions. This plan will be agreed upon by the Olympic Workforce Development Council and the Olympic Consortium Board.

As administrative employees and employees of Kitsap County, the Conflict-of-Interest provision of the Kitsap County Code applies. It states:

*Kitsap County Personnel Manual, Chapter 9 Employee Relations: Section D: Conflict of Interest & Employee Ethics (pg. 53). All persons involved in county purchasing are required to follow the rules regarding conflicts of interest as set forth in Chapter 42.23 RCW as now or hereafter amended and, in addition thereto, are expressly prohibited from accepting, directly or indirectly, from any person, company, firm, or corporation to which any procurement contract is or might be awarded, any rebate, gift, money or anything of value whatsoever, except where given for the use and benefit of the county.*

#### **References**

Code of Ethics for Municipal Officers, [Washington State Legislature Revised Code of Washington \(RCW\) 42.23 Conflict of Interest, Workforce Innovation and Opportunity Act Final Law H.R. 803 \(113-128\) §184 & §107\(h\)](#)  
Conflicts of Interest, [Workforce Innovation and Opportunity Act Policy 5405 \(Rev2\)](#)  
[Kitsap County Personnel Manual, Chapter 9 Employee Relations: Section D: Conflict of Interest & Employee Ethics \(pg. 53\).](#)

# 1400POL Dispute Resolution (Rev1)

Effective Date: October 2021  
Last Modified: March 2024

OWDC Approved 3/14/2024

To communicate the Olympic Workforce Development Council (OWDC) operational guidance regarding dispute resolution among the WDC and WorkSource partners under Workforce Innovation and Opportunity Act (WIOA).

1. **When disputes arise during the course of conducting business, OWDC's goal is to handle at the lowest level possible.**
2. **This policy applies to all organizations involved with WorkSource in the Olympic Workforce Region, including those offering business and jobseeker services, and the One-Stop Operator, regarding contracts, awards, monitoring, oversight outcomes, administrative agreements, memorandum of understanding, and all partnerships.**
  - a. All parties are expected to put forth good faith efforts to communicate and compromise to resolve disputes in a cooperative and timely manner.
  - b. In the event disputes should arise regarding the terms and conditions, the performance, or administration of this Agreement which cannot be resolved informally, the following procedures will be conducted.
    - a. Each party to this agreement shall select between three and six individuals comprising of an equal representation of executive committee members, council members, and one-stop system partners to participate in a dispute resolution panel.
    - b. These individuals shall select, by a simple majority vote, a person not a party to this Agreement who will chair the dispute resolution panel.
    - c. The panel shall hear the facts of the dispute and render a decision by simple majority vote.
3. **Disputes related to funding on one-stop infrastructure costs are exempt from this policy.**
  - a. Per WIOA Section 121(h) and 20 CFR 678.725-750, infrastructure cost disputes are addressed through application of the state one-stop funding mechanism determined by the governor and subject to state-level appeals process (see Infrastructure Funding Agreement and State Funding Mechanism, WorkSource System Policy 1024 (Rev2)).
  - b. When the local boards and partners have entered good faith negotiations and still reach an impasse, the State Funding Mechanism and the following additional step shall be taken:
    - i. The local board must send the Governor's designee, WTECB, a notification of impasse. Upon receipt of notification, the Governor must issue guidance, and the WTECB (as the designated Representative) must assist with the issuance of that guidance and with developing the formula used by the Governor under the State Funding Mechanism to determine one-stop center budgets in the event local consensus cannot be reached (*per 1024 (Rev1)*).
    - ii. These steps do not supersede or replace language in WIOA or regulations.
4. **All disputes will be documented thoroughly by the OWDC and made available for local, state, and federal monitor review.**

## Reference

Infrastructure Funding Agreement and State Funding Mechanism, [WorkSource System Policy 1024 \(Rev2\)](#)  
One-Stop Operating Costs, Code of Federal Regulations Title 20, Chapter V, Part 678 Subpart E, [20 CFR §678.725-750](#)  
One-Stop Memorandum of Understanding (MOU), Worksource System Policy 1013 (Rev4)  
One-Stop System Dispute Resolution and Appeals, [Washington System Policy 1025](#)  
WIOA Establishing One-Stop Delivery Systems, Funding of One-Stop Infrastructure, Workforce Innovation and Opportunity Act  
Final Law H.R. 803 (113-128) [§121\(h\)](#)



## 1401PRO Dispute Resolution Procedure

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Addressing the procedure for resolution of disputes that consist of general conflicts among the parties described in the policy and related to the items identified above. .

**TRIGGER:** Dispute

**TARGET:** Resolution.

- |                          |   |
|--------------------------|---|
| <i>Disputing Parties</i> | 1 Attempts to resolve the dispute will begin with negotiations between the disagreeing parties.<br>2 Should the parties be unable to resolve their dispute, they will notify the WDC of the dispute and provide a written explanation of the matter.  |
| <i>WDC Management</i>    | 3 Reviews the dispute and provide a written recommendation.<br><br><u><i>If the WDC is one of the parties, or if the resolution process fails and the disagreement proceeds:</i></u>  |
| <i>All Entities</i>      | 4 May appeal to the Employment Security Department (ESD) Commissioner in writing notifying of the impasse.<br>5 Written notification will outline the dispute, provide applicable documentation, and the attempts to resolve the dispute.   |
| <i>ESD Commissioner</i>  | 6 In consultation with appropriate local Chief Elected Official(s), must offer a resolution with 30 calendar days of receiving appeals (WS Policy 1013 (Rev3)).<br>7 May seek alternatives to propose a resolution.<br><br><u><i>If the impasse related to the Memorandum of Understanding (MOU) and is not resolved by the Commissioner</i></u><br>8 Notifications of failure to resolve will be issued with applicable sanctions to the extent of state and federal laws. |

Disputes involving Employment Security Department (ESD) will proceed as follows:

- |                                 |  |
|---------------------------------|--|
| <i>Disputing Parties</i>        | 1 Attempts to resolve at the local level.<br><br><u><i>If not resolved at the local level:</i></u><br>2 Request the services of an independent mediator or hearing officer <ol style="list-style-type: none"><li>a. The selection of the hearing officer must be concluded within 10 business days.</li><li>b. Through a mutually agreed upon source (e.g., local dispute resolution councils, State Department of Enterprise Services, etc.) a list of three mediators/hearing officers will be made.</li><li>c. Each party to the dispute will identify one representative from a list of three mediators/hearing officers to eliminate.</li><li>d. Remaining individual will be the mediator/hearing officer, by process of elimination.</li><li>e. All parties in the dispute will share the cost for the mediator/hearing office.</li></ol> |
| <i>Mediator/Hearing Officer</i> | 3 Within 30 days of being retained, deliver a recommendation, in writing to the ESD Commissioner.  |
| <i>ESD Commissioner</i>         | 4 Must render decision within five business days of acceptance or rejection of recommendation.<br><br><u><i>If rejected (through "just cause" allowances):</i></u> <ol style="list-style-type: none"><li>a. Undisclosed conflict of interest on the part of the mediator/hearing officer.</li></ol>  |

- b. Clear misapplication of the law and/or regulations.
- c. The finding does not fit the record or facts of the case.

*If ESD Commissioner rejects the mediator/hearing officer's recommendation:*

- a. Disputing parties may appeal the decision to the U.S. Department of Labor as described in WIOA 181(c).

**References**

Implementation of the Nondiscrimination and Equal Opportunity Provisions of the WIOA, Code of Federal Regulations, Subpart A – General Provisions. [29 CFR Part 38](#)

Infrastructure Funding Agreement and State Funding Mechanism, [WorkSource System Policy 1024 \(Rev2\)](#)

One-Stop Operating Costs, Code of Federal Regulations, Title 20, Chapter V, Part 678, Subpart E, [§678.725-750](#)

Requirements and Restrictions, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§181\(d\)\(2\)](#)

Revised Code of Washington 49.60, Discrimination – Human Rights Commission, [49.60 RCW](#)

WorkSource Memorandum of Understanding, [WorkSource System Policy 1013 \(Rev4\)](#)

# 1500POL Fraud

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Effective Date: March 2016 Last  
Modified: September 27, 2024

## Purpose:

This policy applies to all Workforce Innovation and Opportunity Act programs. It describes the fraud policy and procedures that the Olympic Consortium and its service providers will follow.

## Background:

Department of Labor 20 CFR Section 683.620 and TEGL 15-23 provide expectations and requirements for reporting information and complaints involving criminal fraud, waste, abuse or other criminal activity that must be reported immediately through DOL's Incident Reporting System to the OIG.

The [Incident Report \(IR\) form, Office of Inspector General \(OIG\) 1-156](#), is the official form to be used for reporting allegations of criminal and other illegal or improper activities in WIOA funded programs. When the OIG receives an IR, they determine whether the allegations have merit and, when appropriate, conduct or arrange for an investigation and/or audit. If the OIG determines that the case does not have investigative or audit merit, the case is referred to DOL for resolution.

No action will be taken against any individual who discloses information concerning criminal or improper activities or makes a valid complaint to proper authorities. These individuals may remain anonymous. If an individual believes that his/her position will be compromised by reporting information through the IR system, he/she may send the report directly to the OIG or the DOL Office of Financial and Administrative Management (OFAM).

## Policy:

It is the policy of the Olympic Consortium and its subrecipients to immediately report information or complaints regarding fraud, waste, abuse, or mismanagement of funds.

1. Internal controls must be in place to prevent the possibility of fraudulent activity within the organizations of the Consortium and its subrecipients. However, if the known or suspected activity of fraud is related to the organization, this information should be immediately reported to the Consortium Director or management unrelated to the activity.
2. Appropriate actions will be taken immediately to stop the fraudulent activities, safeguard remaining assets and records and prevent future instances from recurring, including personnel action if necessary.
3. Whenever the entity reporting the allegation of an incident believes that immediate action to prevent further financial loss or other damage is necessary, or recovery of funds or property may be impeded if immediate action is not taken, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the local law enforcement agency. Any immediate action taken or planned by the reporting entity must be reported to the Employment Security Department (ESD) when the incident report is submitted.
4. All incident reports, emergency or other, must be sent to ESD and the OIG using the contact information provided below. The Consortium and our subrecipients will use the IR (OIG 1- 156)

form as provided by the Department of Labor to immediately document and report suspicions, allegations or complaints involving:

- a. WIOA-related fraud;
- b. Misfeasance, nonfeasance or malfeasance;
- c. Misapplication of funds;
- d. Gross mismanagement;
- e. Employee/participant misconduct; or
- f. Other potential or suspected criminal action.

\*See link to the Hotline Online Complaint Form in the contact info provided under item 7 below.

5. Situations involving imminent health or safety concerns or the imminent loss of funds exceeding \$50,000 are considered emergencies and must be immediately reported to ESD and the OIG using the most expedient venue listed below.
6. All subrecipients of the Consortium shall also adhere to the state and federal reporting requirements noted above for all incidents of fraud as detailed in this policy, as well as notifying the Olympic Consortium immediately of any suspected fraud.
7. Report Submission. All incidents must be reported to each of the following entities either by phone, mail or email:

**Olympic Consortium**

Olympic Consortium  
614 Division Street MS-  
23 Port Orchard, WA  
98366 360-337-5777  
[adurkin@kitsap.gov](mailto:adurkin@kitsap.gov)

**Employment & Training Administration**

Send screen shots or photos taken of  
each of the three OIG Hotline Portal  
Screens to ETA via email:

[ETAIncidentReporting@dol.gov](mailto:ETAIncidentReporting@dol.gov)

Subject line-ETA Incident Report-Washington State

**Office of Inspector General**

**[Hotline Complaint Form](#)**

Hotline for emergency situations:  
1-800-347-3756 or 202-693-6999

**Reference**

[Public Law 113-128, Workforce Innovation and Opportunity Act \(WIOA\) of 2014, Section 185\(b\)](#)

Oversight and Resolution of Findings, Code of Federal Regulations Title 20, Subtitle V Part 683, [20 CFR 683.430 and 683.620](#)

Employment and Training Administration Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse, and Criminal Conduct, [Training and Employment Guidance Letter \(TEGL\) 15-23](#)

Reporting Incidents Involving Suspected Fraud, Program Abuse and Criminal Misconduct, [Washington Information Notice \(WIN\) 1034](#)

[Incident Report \(IR\) form, Office of Inspector General \(OIG\) 1-156](#)

## 1600POL Records and Documentation Retention (Rev3)

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Effective Date: July 2020

Last Modified: July 2024

The Olympic Workforce Development Council follows state and federal laws and regulations to ensure Workforce Innovation and Opportunity Act (WIOA) Title I financial and program records meet the provisions of *WIOA Policy 5403 Records Retention and Public Access*, and the Washington State Archive Local Government Common Records Retention Schedule (CORE).

- 1. WIOA Title I contract, agreements, or any other award, including financial, statistical, and property records and documentation retention per WIOA Policy 5403 Records Retention and Public Access with a 6-year retention schedule.**
  - a. Final expenditure report (closeout) submittal initiates retention period.
    - i. Exception: if litigation, audit, or claim involving the contract begins, the retention begins on the date of resolution. All records beyond the required three (3) or six (6) years if any litigation or audit is under way or a claim is instituted involving the grant or agreement covered by the records. The records must be retained for at least six (6) years after the litigation, audit, or claim has been resolved.
  - b. Non-expendable property records have a 3-year retention period after final disposition of property.
  - c. Complaints and actions taken have a 3-year retention period from the date of resolution.
- 2. WIOA Title I retain all program and data validation records pertinent to applicants, registrants, eligible applicants/registrants, participants, employees, and applicants for employment are maintained per WIOA Policy 5403 Records Retention and Public Access and have at least a 6 -year retention period after the end of the fiscal year**
  - a. Subrecipients and contractors house and maintain participant files under the laws and regulations of specific federal, state, and local law requirements.
- 3. OWDC contractors and subrecipients are required to manage the cost of storage and keep records and documents in a manner to prevent loss or damage.**
  - a. Storage costs shall be entered as a liability, requiring payment to the vendor.
- 4. WIOA Title I records and documents will be made available in the case of audits, monitoring, and/or examination by the Olympic Consortium Board (OCB), Olympic Workforce Development Council (OWDC), U.S. Department of Labor (DOL), or The State of Washington.**
  - a. This right also includes timely and reasonable access to Contractor's and subcontractor's personnel, for the purpose of interviews and discussions related to such documents.
- 5. The statewide Management Information System, Efforts to Outcomes (ETO), houses all program participant records and documentation per 1611TSK Digital Documentation procedure.**
  - a. If specific documentation is not obtained or required, case notes within the participant record must explain why documentation is missing or unnecessary.
  - b. Records retained beyond the mandatory retention period are subject to audit and/or review.

- 6. Confidential files are defined as** medical or legal documentation which includes information covered under HIPAA or PPII information required to determine WIOA program eligibility or participation in training services or outcome “Medical Exit” verification that is not entered into case management system (ETO).
  - a. Confidential (medical/legal) information must be kept in physical paper form in subrecipient designated locked file cabinet.
    - i. Files are required to be labeled with Case Management number (ETO#), last name (at least), and date of exit (to verify retention dates).
    - ii. A dated note/letter of staff explanation for keeping information.
    - iii. Participant medical information has a three-year retention after date of exit and will be kept in confidential file cabinet until retention is met (see also *Management of Medical and Disability Related Information, WIN 0023(Change 2)*).
- 7. Protection of personally identifiable information (PII) will be housed per 1601POL Protection of Personally Identifiable Information policy.**
- 8. The OWDC acknowledges subrecipient use of a participant “Working File”.**
  - a. Working files are defined as physical documents not yet uploaded into applicable TouchPoints (TP). This may include:
    - i. Missing pages or documentation
    - ii. Missing or incomplete information
    - iii. Documents waiting signature (application, purchase orders, etc.)
  - b. Once documentation is uploaded into case management system (ETO#), subrecipients are required to destroy Working File and all applicable documentation.
  - c. All working file documentation is subject to audit and/or review (per #4 above).
- 9. Once a record or document reaches retention date (Six-years after exit date), the record is required to be logged (see below) per CORE destruction procedure and destroyed.**
  - a. Destruction logs are required, have an indefinite retention period, and are to be kept in Confidential file cabinet and must include:
    - i. Case management number (ETO#)
    - ii. Last name and first initial
    - iii. Date of exit (to verify retention was met)

#### References

Financial Transactions – General, Washington State Archive Local Government Common Records Retention Schedule [CORE, GS2011-184 Rev3](#)

Management of Medical and Disability Related Information, Washington Information Notice (WIN) [0023 \(Rev2\)](#)

OWDC Digital Documentation Procedure 1611TSK

OWDC Protection of Personally Identifiable Information Policy 1601POL(Rev 2)

Records Retention and Public Access, [Workforce Innovation and Opportunity Act Policy 5403 \(Rev2\)](#)

## 1611TSK Digital Documentation Uploading

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Effective Date: July 2020

Last Modified: August 2021

Local Workforce Development Board (LWDB) must maintain documentation to ensure credibility of eligibility determinations and support Data Element Validation requirements in alignment with this policy and *WorkSource System Policy 1003 (Rev6) Data Element Validation and 1600POL Records and Documentation*.

All physical documentation is required to be uploaded in the applicable Efforts to Outcomes (ETO) TouchPoint (TP) location. If specific documentation was not required or obtained case notes are required to explain why documentation is missing or unnecessary.

**TRIGGER:** Case worker receives documentation from participant, training/school, support service, or internal accounting department.

**TARGET:** All participant documentation uploaded correctly into MIS (currently ETO).

Subrecipients for WIOA Adult and Dislocated Worker opted for online application delivery system, provided by Kitsap County's Cognito Forms. Deletion of all entries will be performed by OWDC staff on a quarterly basis.

OWDC Internal Deletion Procedure/Task:

1. Log into Cognito Forms → OWF
  - a. Two separate forms, one for ESD and one for KCR. Both require the same actions
  - b. Hover mouse over one of the applications (ESD or KCR)
    - i. Click Entries
  - c. List of entries will populate, click on check box at top to select all.
  - d. Click Actions
    - i. Export → All Fields
    - ii. Excel file will download
      1. Email file to supervisor
  - e. Back in Cognito → Click Actions
    - i. Delete
    - ii. Delete Entry window → Select Delete
  - f. Complete steps c – f for the second form (ESD or KCR)
  - g. Log out of Cognito

Immediately upon receiving all WIOA eligibility documentation.

1. Separate documentation by type.
2. Scan documentation to computer.
3. (At computer) Rename documentation using naming convention.
4. Upload documents into corresponding TP in ETO.
5. Shred physical documents (*or* follow subrecipient policy for file documentation requirements).
6. Delete documentation on computer.

Uploading documentation into ETO TP's.

<b>TouchPoint</b>	<b>Documents:</b>
WIOA Eligibility Application	All application fields need to be completed; the following are document upload fields: Demographics Tab: <ul style="list-style-type: none"><li>• Date of Birth Verification Driver's License or Birth Certificate</li><li>• Legally Entitled to Work Attachment I9 documentation</li></ul>

- Selective Service Information Tab
  - Selective Service Printout
- Veteran Information Tab
  - Veteran Verification Attachment  
DD-214
- Employment Tab
  - Employment Attachment
  - Dislocated Worker Verification
- Income Information Tab
  - TANF Verification Attachment
  - Other Public Assistance
  - SSI/SSCI Attachment
- Barriers Tab
  - Basic Literacy Deficiency Verification

Program Enrollment Complete the Program Enrollment  
If co-enrolling, two separate TPs for each program are required.

Individual Participant Plan Fill in completely  
**YOUTH** – Goals Tab  
Upload Paper Version of Plan  
ISS  
Objective Assessment

Individual Training and Support Service ***Development of Individual Employment Plans (2.0)***

- Upload Files
- Signed and dated:  
Equal Opportunity Notice of the Right to File Discrimination Complaint  
Notice of Right to file WIOA Complaint and Grievance  
Data Sharing Notice
  - WIOA Enrollment Application
  - Labor Market Information  
In-Demand or Not In-Demand
  - Financial Worksheet
- \*Program Enrollment Case Notes*

Basic Service ***Basic Assessment (2.0)***

**TRAINING SERVICES**

- Apprenticeship Training***
- Customized Training***
- Entrepreneurial Training***
- Incumbent Worker***
- Occupational Skills***
- On-The-Job***
- Training Paid by Other***
- Workplace Training (WEX)***

- Upload Files
- Eligible Training Provider (Career Bridge Printout)
  - Employer Contract
  - Course Schedule
  - Commissioners Approved Training
  - Individual Training Account
  - Valid and Applicable correspondence
  - Invoice / Receipt
  - Purchase Order/ A19
  - Time Sheets
  - Any documentation of other resources explored  
FASFA/Worker Retraining/etc.

**SUPPORT SERVICES**

- Program Support Services (Other)***

- Upload Files
- Invoice/Receipt



***Program Support Services  
(Transportation)***

- A19 or Purchase Order
- All supporting documentation of services provided.

**CAREER SERVICES**

Upload Files

- Any career services documentation

**MEASURABLE SKILLS GAINS**

***Tests and Measures***

Upload Files

- CASAS Testing Results
- Progress Reports
- Transcriptions
- Report Cards
- Diplomas
- Certifications

**OUTCOMES**

Upload Files

- All application outcome documentations

Uploaded Documents

All other documentation not listed above.

**NAMING CONVENTION:** Participant last name, first name initial, document name, date (ex. SmithJ WIOA App 2020SEPT20).

**REFERENCES**

Data Element Validation, [WorkSource System Policy 1003 \(Rev6\)](#)

OWDC Records and Documentation [1600POL](#)

# 1601POL Protection of Personally Identifiable Information (PII) (Rev1)

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Effective Date: November 2020

Last Modified: July 2024

To provide services to job seekers and other WorkSource System customers, Olympic Workforce Development Council (OWDC) staff, subrecipients, contractors and partners collect and store a variety of protected, personal identifiable information (PII). OWDC is committed to ensuring appropriate use, storage, and protection of PII from unauthorized use or disclosure that align with federal Workforce Innovation and Opportunity Act (WIOA) law, regulation, and guidance

1. **Confidential PII Records** include entire record systems, specific records or individual identifiable data.
  - a. Records may include; documents, file content, computer files, letters, and other notations of records or data.
2. **Subrecipients are required to employ proactive methods for protecting PII, including internal controls and written policies and procedures for safeguarding PII in compliance with 2 CFR 200.303. Including methods for collecting, maintaining, storing, purging, and securely transmitting PII.**
3. **Protection of PII: Physical documents that contain PII**, such as (participants' or family members') social security numbers, driver's license, birth certificates, or I-9 documents, must be stored in a confidential, locked file cabinet, only accessible by appropriate staff.
  - a. At no time should any staff retain PII on personal devices or unsecured networks.
  - b. **Computers that have access to PII data** must be locked when not in use and anytime a staff person is not attending their workstation.
  - c. **All staff with access to online systems containing PII** must follow the procedures established by the administering agency. Electronic information and data are subject to all the requirements of this policy.
4. **Staff and subrecipients are required to ensure the privacy of all PPII and to protect such information from unauthorized disclosure.** Loss of PII can result in substantial harm to individuals, including identify theft or other fraudulent use of this information.
  - Maintain PII in accordance with the standards for information security described in *TEGL 39-11*.
  - Ensure that during the performance of each grant/contract, PII has been obtained in conformity with applicable Federal and State laws governing the confidentiality of information.
  - If improper use of PII or unauthorized access to PII occur, staff are required to immediately notify OWDC Program Supervisor and Program Analyst of the breach. OWDC staff will take required action to notify partner agencies and corrective action plans will be issued.
5. **Failure to comply with the *TEGL 39-11* requirements may result in disciplinary action.**
  - Subrecipient's improper use of PII for an unauthorized purpose, may result in the termination or suspension of the contract, the imposition of special conditions or restrictions, or other actions the OWDC deem necessary to protect the privacy of participants or the integrity of data.

## References

Guidance on the Handling and Protection of Personally Identifiable Information, Training and Employment Guidance Letter, [TEGL 39-11](#)

Personally Identifiable Information, Subpart A – Acronyms and Definitions, Code of Federal Regulations Title 2, Subtitle A, Chapter 11 Part 200, [2 CFR §200.79](#) & [2 CFR § 200.303](#).

Records Retention and Public Access, [Workforce Innovation and Opportunity Act Policy 5403 \(Rev1\)](#) Safeguarding Personally Identifiable Information (PII), [WorkSource System Policy 1026](#)



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**Fiscal Policy  
&  
Procedure**

## 3100POL Allowable Costs, Classification of Costs and Prior Approval Policy

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Effective Date: July 2015

Last Modified September 27, 2024

### **Policy**

The policy of the Olympic Consortium is to follow the allowable cost requirements stated in the 2 CFR 200; the Workforce Innovation and Opportunity Act and its regulations, and state policies.

Some equipment and capital expenditures are allowable only if approval is granted prior to the purchase. In accordance with 2 CFR 200, Employment Security requires that all entities receiving WIOA funds request and obtain prior approval for all single item equipment and capital improvement purchases that cost \$10,000 or more.

### **Factors affecting allowability of costs (§200.403)**

Except where otherwise authorized by statute, costs must meet the following general criteria to be allowable under Federal awards (Costs must additionally meet criteria for being reasonable (2 CFR 200.404) and allocable (2 CFR 200.405):

- a. Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- b. Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- c. Be consistent with policies and procedures that apply uniformly to both federally financed and other activities of the non-Federal entity.
- d. Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- e. Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this Part.
- f. Not be included as a cost or used to meet cost sharing or matching requirements of any other federally financed program in either the current or a prior period.
- g. Be adequately documented.
- h. Be incurred during the approved budget period; Federal awarding agencies are authorized, at their discretion, to waive prior written approvals to carry forward unobligated balances to subsequent budget period.

### **Allowable Costs**

- a. Expenditures of WIOA funds are allowable only for activities permitted by the WIOA Title I and related regulations. Allowable activities include basic, individualized and follow-up career services, training services, and supportive services.
- b. Allowable basic, individualized, follow-up and training services are described in WIOA Law Section 134(c) (2) and (3).
- c. Allowable supportive services and needs-related payments funds use are described in Section 134(d) (2) and (3) and in WIOA Title I Policy 5602, Revision 5 – Supportive Services and Needs-Related Payments.
- d. Allowable activities for the youth program are detailed in WIOA Law Section 129.
- e. Allowable incentive payments to Title I participants are described in WIOA Title I Policy 5621 Revision 5 – Incentive Payments to WIOA Title I Participants.
- f. Allowable stipend payments to Title I youth participants are described in WIOA Title I Policy 5622, WIOA Title I-B Youth Stipends. General principles and guidance on selected items and on allowable and unallowable costs are provided in 2 CFR Part 200; prohibited activities are specified in Sections 683.235 through 683.270 and Section 679.410 of the Rules.

### Classification of Costs

Costs are classified as direct or indirect costs according to 2 CFR 200.400. All costs will be consistently classified to avoid any duplicates within the system. All direct costs will be identified with the principles of the Direct Costs, 2 CFR 200.413. All indirect costs will follow the Indirect Costs, 2 CFR 200.414 principles.

### Prior Approval

Some equipment and capital expenditures are allowable only if approval is granted prior to the purchase. The Olympic Consortium requires all entities that receive Consortium funds request and obtain prior approval for all single item equipment and capital improvement purchases that cost \$10,000 or more. This request must be in writing and detail not only the item(s) description and cost but the reason for the proposed purchase. The request will be forwarded to the grantor agency, Washington State Employment Security Department, using the [Request for Approval Form](#) for acceptance or rejection, to [esdgpworkforceinitiatives@esd.wa.gov](mailto:esdgpworkforceinitiatives@esd.wa.gov).

### **REFERENCES**

Allowable Cost and Prior Approval Requirements, Washington Information Notice ([WIN\) 5260, Revision 5](#)

[Generally Accepted Accounting Principles \(GAAP\)](#)

Incentive Payments to WIOA Title I Participants, [WIOA Title I Policy 5621 \(Rev5\)](#)

[Public Law 113-128, Workforce Innovation and Opportunity Act \(WIOA\) of 2014, Section 185\(b\)](#)

Resources Sharing for Workforce Investment Act One-Stop Centers, [Federal Register Vol. 65, No.124](#)

Supportive Services and Needs-Related Payments, [WIOA Title I Policy 5602 \(Rev5\)](#)

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as amended on April 22, 2024, [2 CFR Part 200](#)

[2 CFR Part 215 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations \(OMB Circular 110\)](#)

[2 CFR Part 220 - Cost Principles for Educational Institutions \(A-21\)](#)

[2 CFR Part 225 - Cost Principles for State, Local, and Indian tribal Governments \(A-87\)](#)

[2 CFR Part 230 - Cost principles for non-profit organizations \(A-122\)](#)

What general fiscal and administrative rules apply to the use of WIOA Title I and Wagner-Peyser funds? Title 20, Chapter V, Part 683, Subpart B, [20 CFR §683.200](#)

WIOA Title I-B Youth Stipends, [WIOA Title I Policy 5622](#)

To ensure Olympic Workforce Development Council (OWDC) policy compliance, this policy provides guidance on the requirement that all recipients of U.S. Department of Labor (DOL) grants must include funding information language for all state and local government projects or programs that utilize those funds.

1. **OWDC staff as well as all subrecipients receiving DOL grants, and cooperative agreements will include a statement in all applicable outreach and marketing materials acknowledging the use of federal funds.** Applicable outreach and marketing materials include but are not limited to:
  - statements
  - press releases
  - requests for proposals
  - bid solicitations
  - blogs/vlogs
  - brochures
  - email blasts
  - manuals
  - promotional materials (e.g., fliers, posters, advertisements)
  - visual presentations (e.g., PowerPoint presentations)
  - other documents describing projects or programs funded in whole or in part with federal funds.
  
2. The following are considered some examples of documents that are not required to have Stevens Amendment language:
  - Contracts
  - WEX and OJT contracts
  - RESEA Action Plans
  - Unemployment Insurance claim-specific communications, including eligibility letters, requests for information, and determination letters.
  
3. All grantees receiving federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state:
  - The dollar amount of Federal Funds for the program or program.
  - Federal funding entity (name of the fund allocation, grant, or program).
  - The funding period.
  - The dollar amount of the total costs of the project or program that will be financed by non-federal sources.

Full Stevens Amendment statement example:

*The local WIOA Adult/Dislocated Worker program is supported by the USDOL Employment and Training Administration. \$76,123 is financed by PY23 allocation of federal funds to (insert*

*agency name), and \$50,000 is financed by other sources OR 0% is being financed by other sources.*

4. The Stevens Amendment is not required on all pages of a document or communication nor is it required on each separate web page. At least one page must contain the disclosure statement.

5. When it is not practicable to put the entire disclosure statement within a communication, a hyperlink to the state is sufficient, stating:

*“This [fill in the blank-project(s)/program(s)] receive(s) support and funding from a U.S. Department of Labor [fill in the blank] grant(s). Read more about USDOL grant funding at [esd.wa.gov/usdol](http://esd.wa.gov/usdol).”*

6. Link to their own website or webpage where users will find the following statement:

*QR Code and accompanying grant funding statement:*

*(insert QR Code)*

*“XXX Grant is funded through a USDOL grant. To learn more about funding, follow this QR code.”*

7. **OWDC will formally monitor annually web pages, and outreach and marketing materials distributed by self and subrecipients receiving state or federal funds in accordance with the grant requirements.**

a. Upon completion of monitoring, any items out of compliance will be documented in a Corrective Action Plan with 60 days to resolve issue.

## References

Stevens Amendment Language Requirement, WorkSource Information Notice (WIN) 1027 Rev1.

## 3200POL Cash Depositories and Cash Management

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Effective Date: July 2015

### **Purpose and Background**

To provide standards for requesting, retention, and disbursement of Workforce Innovation and Opportunity Act (WIOA) funds. The WIOA Consortium Contractors must have systems in place to receive funds after reimbursement requests are submitted as required. The manner in which funds are to be requested, retained and disbursed are outlined below:

### **Eligibility Requirements-Cash Depositories**

The Consortium Contractors must deposit WIOA funds in the following financial institutions:

- i. A bank insured by the Federal Deposit Insurance Corporation (FDIC).
- ii. An institution insured by the Federal Savings and Loan Corporation.
- iii. A credit union insured by the administrator of the National Credit Union.

### **Use of Minority and/or Women-Owned Banks**

Consistent with the federal and state goal of expanding the opportunities for minorities and women-owned business enterprises, the Olympic Consortium Contractors are encouraged to use minority and/or women-owned banks, under the proviso that the above eligibility requirements are met.

### **Cash Balance**

The Contractor will minimize the time elapsing between the receipt of WIOA funds and disbursement in order to maintain a minimum cash balance as per federal guidelines.

### **Cash Requests**

The Consortium Contractor will request cash on a Consortium invoice with supporting documentation that provides justification for the cash draw, timing each request to coincide with cash needs and assuring no excess cash is drawn. Contractors requesting reimbursement on an invoice will receive an Electronic Fund Transfer (EFT) to the bank chosen by the Contractor on the next available EFT.



## 3300POL Debt Collection

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Effective Date: November 2017

Last Modified January 2019

### **Purpose:**

WIOA requires, as specified in 20 CFR 683.420(a)(i), the OWDC establish a process for collecting debts. Information on appeals, waivers and offsets is contained in the Department of Labor, One-Stop Comprehensive Financial Management Technical Assistance Guide, Part II, Chapter II-13 - Disposition of Disallowed Costs.

### **Policy:**

All debts of WIOA funds incurred by OWDC subrecipients, or other entities (excluding vendors) providing contracted services, whether the result of unresolved audit findings or other unallowable costs, will be vigorously pursued. A subrecipient debt is established when local OWDC staff judge a previously reimbursed expense to be unreasonable or unallowable in accordance with applicable DOL, OMB 2 CFR Part 200 and/or WIOA Title IB requirements and guidelines, because of a subrecipient audit, fiscal or performance monitoring or in the normal course of project management.

### **Process:**

1. Upon receipt of an initial report showing an unallowable cost from a subrecipient or entity (excluding vendors) providing contracted services, the OWDC Programs Supervisor, or designee, shall verify the acceptability of the report and determine if any of the disallowed costs pertain to the contract funded through the OWDC. The OWDC shall demand from the subrecipient the repayment of the disallowed costs.

The OWDC Programs Supervisor shall notify the Employment Security Department of the on-going process. If no resolution is reached, then a final determination of the debt is issued.

2. Within five working days of the receipt of the final determination and/or decision, a letter will be sent to the debtor indicating the official establishment of the debt, the debtor's right to appeal, the appeal process including notification of the right to appeal the decision and request a hearing (see Appeal Rights, #5, below), the date the debt will be considered delinquent, the sanctions that may be imposed if the debt is not paid and the interest rate to be charged. (Interest rate will be based on the prime rate at the date of the letter) The letter should also specify that payment must be made within 30 days from the date of the letter and encourage debtor to respond to the request as soon as possible.
3. If the debt is not paid within 30 days of the first official notification, a follow-up letter will be sent to the debtor. Two more collection letters will be sent to the debtor at 30-day intervals. At any time during the date of the initial notification of the debt up to the third notification, the debtor may appeal the determination and negotiate for resolution of the issue (see process in Appeal Rights, #5, below).
4. **Debt Repayment:** Cash repayment from non-Federal funds is the preferred method of collection. If the debtor is unable to pay the full amount of the debt, the Deputy Director may enter into negotiation with the debtor for the satisfactory disposition of the amount owed. Options may include the following:

*Installment Payments* - Installment repayment will be of short duration, from 3 to 12 months, with a maximum of 36 months unless a waiver to State Policy is obtained. The length of the repayment agreement will be negotiated based on the size of the debt and the debtor's ability to pay. This agreement is subject to approval of ESD prior to implementation.

*Adjustment in payments offset*: Under this method, an agreement is entered into with the debtor whereby the contract is reduced by the amount of the debt while the program is maintained at an undiminished cost level supported by non-federal contributions;

*Withholding*: This repayment will involve withholding amounts owed to the debtor for past services or other considerations already provided in satisfaction of the debt owed.

*Additional Services*: This method involves a repayment agreement with the debtor whereby additional grant services, above those originally agreed to with the OWDC, paid through non-federal funds are received in lieu of cash. This method requires a written agreement signed by both parties with conditions regarding the type of funds to be used, documentation subject to audit, a description of the services rendered, and a time limitation.

#### **5. Appeal Rights:**

- a. The debtor has been advised throughout the process of the right to appeal before an impartial hearing officer, with the final date to request an appeal 10 days following the third notification of the debt.
- b. Upon receipt of a hearing request, the Council's will arrange such hearing consistent with the Northwest Workforce Council's Complaint and Hearing Procedures.
- c. Upon receiving the decision of the hearing officer, the Council will ensure that the adversely affected party is advised of any rights under WIOA and Washington State Policy for further appeal.
- d. Upon final determination or a decision issued on an appeal lodged by a subrecipient or other entities for cost disallowance or incidents of fraud, malfeasance or other serious violations or illegal acts which confirms the debt owed, the Deputy Director must implement the formal debt collection procedure as described above.

#### **Documentation of All Debt Collection Actions Maintained**

A file will be kept in the Programs Supervisor's office that will contain a list of all the actions taken and copies of letters and/all documents provided and/or received from the debtor through the process described throughout this policy. The Financial Director shall be notified of this action and instructed to set it up in the accounts receivable system.

#### **Settlement Funds Returned to ESD**

The settlement of all debts resulting from fraud, malfeasance, misapplication of funds or other serious violations or illegal acts must be cash from nonfederal sources. Funds collected by the OWDC in settlement of these debts must be returned to ESD immediately, identified as "Debts Collected", on their receipt to:

Finance and Administrative Services Division  
Employment Security Department  
P.O. Box 9046  
Olympia, Washington 98507-9046

### **Cash Repayment Credit**

When the debt was not a result of fraud, malfeasance, misapplication of funds or other serious violations or illegal acts, the cash repayment of the disallowance is a credit to the title and year to which it was originally charged. The credit reduces the expenditures of the period of the cost that was refunded. If the year of allocation is still open, local areas may expend the funds within the cost limits. Cash payments received after the fund availability period must be remitted to the Financial and Administrative Services Division at the address noted above.

### **Request for Waiver of Liability**

The OWDC may request the State for waiver of liability if all collection efforts fail if the debt was not the result of fraud, gross negligence, willful disregard of the WIOA Act and/or regulations or failure to follow accepted standards of administration.

### **References**

Administrative Provisions under Title I of the Workforce Innovation and Opportunity Act, Code of Federal Regulations Title 20, Chapter V-II, [20 CFR Part §683](#)

Grants and Agreements, Office of Management and Budget Guidance for Grants and Agreements, Code of Federal Regulations Title 2, Subtitle A, Chapter II [Part 200](#)

One-Stop Comprehensive Financial Management Technical Assistance Guide, Part II, Chapter II-13 - Disposition of Disallowed Costs

Resolution of findings arising from audits, investigations, monitoring, and oversight reviews, Code of Federal Regulations Title 20, Chapter 20, Chapter v, Subpart D, [20 CFR §683.420\(a\)\(i\)](#)

Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§184](#)

## 3400POL Internal Controls

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Effective Date: July 2015

Revised: December 2016

This internal controls policy is implemented to ensure that the Consortium and its service providers adhere to the 2 CFR 200 Omni-Circular that governs federal fund accounting.

Internal control is the process designed to ensure reliable financial reporting, effective and efficient operations, and compliance with applicable laws and regulations. Safeguarding assets against theft and unauthorized use, acquisition, or disposal is also part of internal control

An internal control used by the Consortium is the reconciliation of fund accounts with the revenue department or bank. In the case of Kitsap County Department of Human Services, the bank reconciliation is done between the Department and the County Treasurer's Office. The procedure includes accounting for all check numbers used, identifying outstanding checks, investigating all checks outstanding 30 days or more and voiding outstanding checks after a reasonable period.

The Consortium and its providers are non-Federal entities that receive federal funds. As such they will comply with federal guidelines and regulations. The pertinent federal guideline in this case is the 2 CFR 200.300 which states:

The non-Federal entity must:

- a. Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- b. Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- c. Evaluate and monitor the non-Federal entity's compliance with statute, regulations and the terms and conditions of Federal awards.
- d. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- e. Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or passthrough entity designates as sensitive or the non-Federal entity considers sensitive consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

### Reference

Cost Principles, General Provisions, Code of Federal Regulations Title 2, Subtitle A, Chapter II, Part 200, [2 CFR §200.400](#)

Post Federal Award Requirements, Statutory and national policy requirements, Code of Federal Regulations Title 2, Subtitle A, Chapter II [Part 200, Subpart D](#)

## 3500POL Procurement (Rev1)

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Effective Date: July 2017

Last Modified: July 2024

### **Purpose:**

To communicate requirements for the procurement and selection of one-stop operators and service providers under the Workforce Innovation and Opportunity Act (WIOA) and non-federal sources. Effective immediately, all new procurement processes must conform to the requirements in this policy. Effective July 1, 2024, all WIOA and non-WIOA service deliveries must have been selected in accordance with this policy.

### **Background:**

WIOA changed the law and rules governing procurement and selection of one-stop operators and service providers. The Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (commonly known as the OMB Super Circular) also changed procurement requirements, consolidated eight previous circulars into one Uniform Guidance document, and introduced new requirements for performance-based contracting.

WIOA sets the general expectation that Local Workforce Development Boards (LWDBs) conduct open and competitive procurement processes to identify appropriate providers of one-stop operator and other services. Per WIOA Section 107(10)(E) and proposed 20 CFR 679.370 (m), LWDBs work with the State to ensure that the amount and quality of providers is sufficient to meet the needs of the community. WIOA sets the expectation that LWDBs will serve as strategic entities and the Department of Labor further clarified that expectation in proposed 20 CFR 679.410 by citing “restrictions” on LWDBs (and LWDB staff) as one-stop operators and service providers and outlining the requirements of LWDBs that want to assume those roles.

### **Policy:**

It is the policy of the Olympic Consortium (OC) that all WIOA recipients must conform to specific policies and procedures which ensure the safeguarding of public assets and that ensures competition is conducted in a fair and open manner, as is feasible. The extent of competition should be consistent with the dollar amount of the award.

All contract procurement is conducted in a fair and open process. To the extent possible, small, minority, disabled and women-owned businesses will be provided the maximum opportunity to compete in all goods and services. To that end, all procurement must be open, available for the public to respond and all procurement decisions completely and thoroughly documented.

It is the policy of the OC that WIOA recipients will not discriminate in the procurement and award process against any bidders based on federal, state, and local laws governing nondiscrimination and equal opportunity, including that of WIOA.

#### 1. Requirements

WIOA recipients must have written procurement procedures to ensure that each procurement (1) Contains a clear and accurate description of the technical requirements (including quantities), (2) Identifies all requirements that must be fulfilled, and (3) States what factors will be used for evaluation,

There must be a written code of conduct for the procurement, award and administration of contracts. To the extent permitted by state or local law or regulation, the code of conduct shall contain penalties, sanctions or other disciplinary action for violations of the code of conduct. The code of conduct must ensure that no one in a decision-making capacity has any real or apparent

conflict of interest in the selection, award, or administration of contracts or sub-grants. No procurement will occur that commits the OC to amounts in excess of funds available. Procurement standards shall ensure fiscal accountability and prevent waste, fraud, and abuse in WIOA programs.

Officers, employees, or agents of a service provider or contractor may not accept or solicit gratuities, favors, or anything of monetary value from anyone intending to respond to a proposal, who has responded to a proposal, or who has received an award.

WIOA recipients may only accept gifts when, a) they are unsolicited; b) they are unconnected with anyone who is intending to respond to a proposal, has responded to a proposal, or who has received an award, and c) the value is nominal (interpreted by the WDC as \$50).

## 2. Programmatic Requirements

### a. Procurement of One-Stop Operators

- i. One-stop operators are designated and certified through a competitive procurement process. LWDBs must be able to document, in writing, that they made their board members, and the public aware of the competitive process to be used. That includes providing at least 30-day public notice through media where prospective local, state, and national bidders typically identify such opportunities (e.g., local print newspapers, on-line newspapers, LWDB web sites, other community web sites, etc.). Solicitations must include the selection criteria to be used in the process and will be maintained as part of the documentation.
- ii. The competitive process used by LWDBs to procure one-stop operators must be conducted at least once every four years and follow the principles of competitive procurement set forth in Uniform Administrative Guidance at 2 CFR 200.318-326.
- iii. The allowable forms of competitive procurement processes are as follows:
  1. Sealed Bids
  2. Competitive Proposals
  3. Sole Source
    - A. Sole source can be exercised as per local policies that comply with state and federal procurement laws and regulations and only if documented factors, including published notice(s) of intent made available to the public for at least 30 days in media where prospective local, state, and national bidders typically identify such opportunities, lead to a determination that only one entity could serve as an operator, compelling circumstances outweigh the delay that would result from a competitive solicitation, or results of the competition conducted per Section 3(c)(i)(C)(1-2) of this policy are determined inadequate, and only with the agreement of the Olympic Workforce Development Council (OWDC).

Examples of compelling circumstances that outweigh delays that would result from competitive solicitations include the need to avoid a break in services if an operator is terminated for cause or is unable to continue providing services through the end of the contact period. Inadequate responses are those judged by a panel of impartial reviewers to score below a pre-determined minimum level on scoring criteria published as part of the solicitation.
    - B. LWDBs may be selected as one-stop operators under a sole source agreement only if they demonstrate adherence to appropriate

internal controls and establish conflict of interest policies and procedures that identify appropriate internal controls and are approved by the Governor. LWDBs must complete Attachment A of the state's Washington WorkSource System Policy 5404 Rev. 1 – Procurement and Selection of One-Stop Operators and Service Providers, Request for Waiver to Serve as a One-Stop and submit it to the State Workforce Development Board (SWDB).

- iv. LWDBs may serve as one-stop operators in the region for which they are designated if they are determined to be the successful bidder in a solicitation that conforms to the principles of competitive procurement set forth in Uniform Administrative Guidance at 2 CFR 200.318-326, and only if approved internal control and conflict of interest policies are followed. Internal controls include the requirement that the solicitation and scoring process be managed by a fair and impartial third party free of conflicts of interest and that OC staff and the agency that employs such staff cannot develop the solicitation for proposals, facilitate the scoring process, or score proposals. The SWDB and OC may work together to establish a list of pre-qualified bidders for this role.
- b. Procurement of Youth Service Providers.
- i. LWDBs must competitively award grants/contracts for eligible providers of youth workforce investment activities, except in the case of sole-source awards/contracts, and only then if there is satisfactory and demonstrable evidence that there are insufficient number of providers with the expertise required for serving in-school or out of school youth. Bid solicitations must include the selection criteria to be used in this process and will be maintained as documentation of the process.
  - ii. LWDBs must be able to document, in writing, that they made their board members and the public aware of the competitive process to be used to identify youth service providers. This includes providing at least 30-day public notice through media where prospective local, state, and national bidders typically identify such opportunities (e.g., local print newspapers, on-line newspapers, OC web sites, other community web sites, etc.).
  - iii. LWDBs must establish and use criteria, including the ability of service providers to meet performance accountability measures based on common measures, as well as full and open competition consistent with 2 CFR parts 200 and 2900 in addition to applicable state and local procurement laws to procure eligible providers of youth workforce investment activities.
  - iv. In accordance with USDOL regulations, design framework services (intake, objective assessment, development of individual service strategies, case management, follow-up services) may be exempted from a competitive process if LWDBs determine that they can more appropriately and efficiently perform these activities. However, LWDBs must receive approval of the Local Elected Official(s) and Governor to provide design framework services for youth program participants by submitting Request for Approval to Provide WIOA Youth Design Framework Services (see Attachment D of WIOA Policy 5404 Rev. 1) to the SWDB.
  - v. LWDBs must establish local policies and procedures to assess the ability of youth program providers to meet performance accountability measures based on the primary federal indicators of performance for the youth program.
  - vi. LWDBs may serve as youth service providers if they are determined to be the successful bidder in a solicitation that conforms to the principles of competitive procurement set forth in Uniform Administrative Guidance at 2 CFR 200.318-326, and only if approved internal control and conflict of interest policies are followed. Internal controls include the requirement that the

solicitation and scoring process be managed by an impartial third party free of conflicts of interest and that LWDB staff and the agency that employs such staff cannot develop the solicitation for proposals, facilitate the scoring process, or score proposals.

c. Procurement of Adult or Dislocated Worker Training Services

- i. LWDBs must select providers of adult and dislocated worker training services through a competitive procurement process. Allowable forms of competitive procurement include sealed bid, competitive proposals, and sole source. LWDBs must be able to document, in writing, that they made their board members and the public aware of the competitive process to be used. This includes providing at least 30-day public notice through media where prospective local, state, and national bidders typically identify such opportunities (e.g., local print newspapers, on-line newspapers, LWDB web sites, other community web sites, etc.). Solicitations must include the selection criteria to be used in this process and must be maintained as part of the documentation.
- ii. LWDBs may serve as training service providers if they are determined to be the successful bidder in a solicitation that conforms to the principles of competitive procurement set forth in Uniform Administrative Guidance at 2 CFR 200.318-326, and only if approved internal control and conflict of interest policies are followed. Internal controls include the requirement that the solicitation and scoring process be managed by an impartial third party free of conflicts of interest and that LWDB staff and the agency that employs such staff cannot develop the solicitation for proposals, facilitate the scoring process, or score proposals.
- iii. LWDBs can provide Adult or Dislocated Worker training services if granted a written waiver by the Governor based on satisfactory and demonstrable evidence that:
  1. The LWDB determined that there were an insufficient number of eligible providers with expertise in serving Adults or Dislocated Workers to meet local demand. LWDBs must have come to this determination after having either received no response to a Request for Qualifications (RFQ) or Request for Interest (RFI) or received no response to a Request for Proposal (RFP) or conducted a competitive procurement in which no bidders met the minimum criteria;
  2. The LWDB meets the requirements of an eligible training provider under Section 122;
  3. The LWDB's proposed training services prepare participants for in-demand industry sectors or occupations in the local area; and
  4. The LWDB subjected its waiver determination and request to a minimum 30-day public comment period and included all comments received in the final waiver request.
  5. LWDBs must complete the Request for Waiver to Provide WIOA Adult and/or Dislocated Worker Training Services form (see Attachment B of WIOA policy 5404 Rev. 1) and submit it to the SWDB.

d. Procurement of Career Services

- i. LWDBs are encouraged to select providers of career services through a competitive procurement process, though WIOA law and proposed rules do not require this. Allowable forms of competitive procurement include sealed bid, competitive proposals, and sole source.
- ii. LWDBs can provide basic and individualized career services by agreement of the local Chief Elected Official and Governor. LWDBs must complete Attachment C of the state's WIOA Policy 5404 Rev. 1 – Procurement and Selection of One-Stop Operators and Service Providers, (Request for Approval to Provide WIOA Basic and/or Individualized Career Services) and submit it to the SWDB.



### 3. Procurement of Non-Federal Sources

- a. When using such funds, the LWDB may award contracts to subrecipients without adhering to the competitive procurement requirements outlined above, provided that:
  - i. The procurement is in compliance with the terms and conditions specified by the non-federal source.
  - ii. A risk assessment is conducted to evaluate and confirm the subrecipient's capability to effectively manage and utilize the funds.

### 4. Procurement-Related Fiscal Requirements

- a. Subawards are not procurement actions governed by this policy or other procurement laws, rules, or policies unless:
  - i. Required by statute;
  - ii. Required by own policies and procedures; or
  - iii. Awarded on a competitive basis, in which instance the subaward will be governed by procurement rules detailed in 2 CFR 200.318-326.
- b. When a competitive procurement process is not used in the selection of a subrecipient for a subaward, it must be guided by:
  - i. Documented internal controls, including written procedures for employee conduct and conflict of interest provisions;
  - ii. The service provider's track record, considering past record of performance, cost principles, record of compliance and audit and monitoring results.
  - iii. Procurement standards must ensure fiscal accountability and prevent waste, fraud, and abuse in WIOA programs. Where applicable, standards must support fair and competitive procurement of goods and services.
  - iv. Wherever possible and where required, all agreements must be performance-based, as defined in Federal Acquisition Regulations (FAR) 37.6, and include the following minimum requirements:
    - 1. Performance requirements defined in measurable, mission-related terms;
    - 2. Performance standards (e.g., quality metrics, required quantities, and timeliness) tied to performance requirements;
    - 3. Quality assurance plan describing how the contractor's performance will be measured against performance standards; and
    - 4. Appropriate positive and negative incentives for performance standards critical to accomplishing agreement objectives.
  - v. All other non-federal entities, including LWDBs, must:
    - 1. Follow general procurement standards established through state law, rule and policy, as well as through 2 CFR 200.318-326;
    - 2. Develop and document their own procurement policies, procedures and standards that reflect applicable state law, rule and policy and conform to federal law and standards of OMB Uniform Guidance;
    - 3. Ensure full and open competition, where necessary;
    - 4. Use the most economical approach to the procurement of goods and services;
    - 5. Award only to responsible contractors;
    - 6. Maintain oversight in order to monitor contractor performance regarding contract terms, conditions and specifications; and

7. Maintain records detailing the history of the procurement, including the rationale for the selected method of procurement, selection of contract type, basis for contractor selection or rejection, and basis for contract price.

## 5. Methods of Procurement

- a. Reasonableness of costs and prices are determined for large procurement through a Request for Proposal process. Smaller procurements are documented through County procurement procedures. Reference: Kitsap County Code Chapter 4.116 Purchasing Procedures. OC will document, in writing, that their board members and the public were made aware of the competitive process used to identify the One-Stop Operator and WIOA services providers. This includes providing at least 30-day public notice through media where prospective local, state, and national bidders typically identify such opportunities. Solicitations must include the selection criteria to be used in this process and must be maintained as part of the documentation.
  - i. Price quotations (4.116.030 Attachment 9(A)):
    1. Whenever practical, price quotations from at least three vendors shall be solicited for purchases of leases of supplies, materials, or equipment in amounts not exceeding \$3,500.00 in a single transaction. Records of quotations obtained shall be maintained and open to public inspection.
    2. Price quotes will be solicited from at least three and up to five vendors for purchase of leases of supplies, materials, or equipment in amounts from \$3,500.00 to \$25,000.00 in a single transaction. Records of quotations obtained shall be maintained and open to public inspection.
  - ii. Human Services and computer services (4.116.100 Attachment 9(A)):

Human services and computer services may be procured using the competitive bidding process or the request for proposal process. When procuring computer services, the agency shall specify in the request for proposal that cost shall be a significant, but not necessarily the major, evaluation factor. The information services and purchasing division shall review all proposed procurement of data processing hardware, software, data telecommunications, and automated records storage systems, and all contracts for computer services.
  - iii. Bid specifications, deposits, and awards (4.116.070 Attachment 9(A)):
    1. In developing specifications for bids or proposals, all reasonable efforts shall be made to ensure that a variety of vendors shall be capable of fulfilling the stated requirements of the county. Performance considerations shall be included in the specifications. However, nothing in this section shall be construed to limit the county from pursuing sole source procurement where adequate justification has been presented that such procurement is in the best interests of county operations.
    2. When the amount of any contract purchase or lease exceeds \$25,000.00, the purchasing office shall be responsible for the review and preparation of invitations to bid pursuant to provisions in this chapter.
    3. All bid specifications for public works, leases, or purchases prepared under the provisions of this chapter shall be in writing and placed on file for public inspection.
    4. An advertisement that written specifications are on file and available for public inspection shall be published in the official county newspaper. Advertisements shall be published at least once thirteen days prior to the last date upon which bids will be received and may be published for as many additional publications as shall be considered in the county's best interest. Such advertisement shall state:
      - A. The date after which bids will not be received;

- B. The character of the work to be done, or the materials, equipment, or services to be purchased; and
  - C. Where the specifications may be seen.
- 5. Should the bidder to whom the contract is awarded fail to enter the contract or fail to furnish the contractor's bond within 10 days (exclusive of the bid date notice) after notice of the award, the amount of the bid deposit shall be forfeited to the county. If there is a forfeit, the award shall be made to the next lowest responsive responsible bidder. The bid deposit of an unsuccessful bidder (if their bid deposit has not been forfeited) shall be returned after the required contractor's bond of the successful bidder has been accepted.
- 6. Bids received shall be opened and read in public on the date named in the advertisement for bids, or such adjourned time as may then be publicly announced.
- 7. After opening, all bids shall be reviewed and referred to the requisitioning department for recommendation of award by the purchasing office.
- 8. After opening and award, all bids shall be filed for public inspection and available by telephone inquiry.  
Any or all bids may be rejected for good cause. If all bids are not rejected, the award shall be to the lowest responsive responsible bidder. In determining which is the lowest responsive responsible bidder, the county may take into consideration the bidder's responsiveness to the county's requirements the quality of the articles to be purchased or leased, availability of parts and service, delivery time, and prior dealings with the vendor.
- 9. The county may issue requests for proposals for services, or for technologically complex equipment, including but not limited to, computers, software, or telephone systems. If all proposals are not rejected, the award shall be to the highest rated proposal taking into account the selection criteria published in the request for proposals.
- 10. The county may award multiple bidders for the same commodity or service when the bid specifications provide for special circumstances in the determination of which vendor is truly the lowest price to the county. Special circumstances may include differences in ability to deliver, delivery time, availability of material, special loading or unloading conditions, total cost including transport or labor if not included with bid item, performance of the delivered material, location of the source and proximity to the delivery point.
- 11. Contracts may be administratively amended in accordance with the procedures prescribed in Chapter 3.56 of this code.
- iv. Consideration will be given to small, minority, disabled, and women-owned businesses in the procurement process.
- v. Contracts will only be awarded to contractors that demonstrate the technical expertise to successfully operate such contracts.
- vi. Contracts with successful bidders shall contain at a minimum:
  - 1. Price or estimated cost;
  - 2. Method of payment;
  - 3. Scope and extent of work;
  - 4. Period of performance;
  - 5. Signature of authorized officials;
  - 6. Provisions that allow for administrative, contractual, or legal remedies if the contractor violates or breaches terms of the contract;
  - 7. A provision for termination because of circumstances beyond the control of the WDC (the provision shall include conditions under which termination actions will be taken, the manner of taking such actions, and the basis for settlement);

8. A provision that the contractor shall maintain adequate participant, financial and administrative records under the contract and make those records available to the WDC or any duly authorized representative, as specified by the WDC;
  9. A provision that subcontracts must contain selected paragraphs of 29 CFR parts 31 and 32 implementing the nondiscrimination and equal opportunity provisions of Title VI of the Civil Rights Act of 1964, as amended;
  10. A provision that qualified small minority and women's businesses have the maximum practicable opportunity to participate in the subcontract performance; and
  11. Include the appropriate provisions as specified by the funding source.
- vii. All work performed as part of a contract shall be monitored periodically by the WDC to determine compliance with the contract requirements.
  - viii. The OWDC will select One-Stop Operators through designation or certification through a competitive bid process, or under an agreement between the local council and a consortium of entities that include at least three or more of the required One-Stop partners.
  - ix. Contracts to provide core and intensive services are authorized under WIOA Title IB as specified in the MOU or resource sharing agreement, between partners and the WDC.
  - x. Subdivision of purchases prohibited (4.116.140 Attachment 9(A)):
    1. No contract or purchase shall be subdivided to avoid the requirements of this chapter. Dollar limits will be determined, not per item, but per purchase event. To determine the full cost of an item(s), the following criteria are applicable: (a) cost is determined before any trade-in allowance; (b) cost includes shipping; (c) cost does not include sales taxes, if any.
    2. Simultaneous purchases of supplies or services which are unrelated or otherwise not constituent parts of a larger item or service do not constitute "subdivisions" or "purchase events" for purposes of this section.
  - xi. Amendment to chapter (4.116.170 Attachment 9(A): The board reserves the exclusive right to alter, amend, rescind, abrogate, delete, supersede, or replace the provisions of this chapter or any part thereof, in any manner not inconsistent with state law. Whether or not the county takes action, the provisions of this chapter shall be deemed automatically altered, amended, or superseded to conform to any mandatory state administrative ruling or statute, as of the effective date of any such enactment appertaining to the matters covered in this chapter, to the effect that the provisions of this chapter shall at all times conform to, and never conflict with, said state laws and regulations.

## 6. **Bidders List**

A Bidder's list will be established. Such List will be continually open for prospective bidders who will be added as received. The list will be by type of goods and/or services identified by the Bidder as its area of interest or expertise.

To the extent possible, small, minority, disabled and women-owned businesses will be in bidder's lists, and will be targeted for mailings and advertised procurement.

If mail sent to a Bidder is returned undeliverable, they will be removed from the list. Similarly, the WDC will periodically purge its list and request bidders to reapply.

## 7. **Vendors List**

Based upon responses received from procurement actions, the WDC may establish pre-approved vendor lists for staff use. The vendor lists may detail several pre-approved vendors/consultants that may be used.

## 8. Waivers

The OWDC Director, or designee, may waive the procedural requirements for a specific RFP or contract under the following circumstances:

- i. The OWDC Director, or designee, finds that compliance with these procurement requirements would create an undue burden and risk on the WDC.

## References

Grants and Agreements, Office of Management and Budget Guidance for Grants and Agreements, Title 2, Subtitle A, Chapter II [Part 200 and 290](#)

Nondiscrimination in Federally Assisted Programs of the Department of Labor, Code of Federal Regulations Title 29, Subtitle A, [29 CFR Parts 31 -32](#)

Performance-Based Acquisition, Federal Acquisition Regulation (FAR), Subchapter F, [Subpart 37.6](#)

Procurement and Selection of One-Stop Operators and Service Providers, [Workforce Innovation and Opportunity Act Policy 5404 \(Rev1\)](#)

Purchasing Procedures, Kitsap County Code Title 4 Revenue and Finance, [Kitsap County Code 4.116](#) Service Contracts-General, Federal Acquisition Regulation (FAR), Subchapter F, [Subpart 37.1](#)

Statewide and Local governance of the Workforce Development System under Title I of the WIOA, Code of Federal Regulations Title 20, Chapter V-I1 [20 CFR §679](#)

Title VI of the Civil Rights Act of 1964, The United States Department of Justice, [§2000d et esp.](#) Uniform Administrative Requirements, Cost Principles, and Audit Requirements, OMG [82 FR 22609](#)

WIOA Selection of Operators and Providers, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§107\(10\)\(e\)](#)

WIOA Youth Program Transition, Training and Employment Guidance Letter, [TEGL 23-14, Section 8](#)

## 3600POL Property Management and Inventory

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Effective Date: March 2016

Last Modified: January 2017

The Olympic Consortium will retain property records of all inventoriable items purchased with Workforce Innovation and Opportunity Act (WIOA) funds. These records will contain information on:

- item description;
- serial and model number or other identification number;
- source of property, including grant or agreement number;
- whether title rests with grantee, state or federal government, other entity – Note that all titles rests with the Consortium unless otherwise noted;
- acquisition date and cost;
- percent of federal participation in the project that purchased the equipment –Note that all equipment is 100% WIOA unless otherwise noted;
- location, use, condition, and date the information was reported;
- the date of disposal;
- use procedures to gain highest possible return on sold items;
- property records be maintained for up to three years after disposal of property; and,
- tag all WIOA property that has a purchase price or depreciated value of \$5,000 or more.

The Consortium requires that all service providers maintain their own inventory of WIOA-purchased items, and that they keep them in good condition.

Depreciation will be calculated using the OFM Guidelines State Accounting Manual Section 30.20.70.c.

The Kitsap County Risk Manager is responsible for conducting a risk assessment (both financial and operational) of the Consortium's assets to identify those assets that are particularly at risk or vulnerable to loss. Assets so identified that fall below capitalization policies are considered small and attractive assets. The Risk Manager is also responsible for implementing measures to control small and attractive assets in order to minimize identified risks.

Small and attractive items are those that have unit costs of \$300 or more and fall into one of the categories below:

- Communications Equipment, Public Safety: Audio and Video
- Optical Devices, Binoculars, Telescopes, Infrared Viewers, and Rangefinders
- Cameras and Photographic Projection Equipment
- Microcomputer Systems, Laptop and Notebook Computers, Tablets and Smart Phones
- Other IT Accessorial Equip. and Components (Scanners, Data Displays, etc.)
- Office Equipment
- Record Players, Radios, Television Sets, Tape Recorders, DVD Players, VCRs, Blue-ray Players, and Video Cameras, Home Type

**Useful Life for Capital Assets** – The Olympic Consortium uses the useful life shown in the state's OFM Policy 30.50.1, Schedule A, Capital Asset Commodity Class Code List and Useful Life Schedule

[\(Subsection 30.50.10\)](#) for capital assets acquired in new condition. The Consortium follows the Kitsap County method of establishing and utilizing an appropriate useful life for assets acquired in less than new condition.

**Reference**

Accounting Manual, Valuing, Capitalizing, Depreciating and Reconciling Capital Assets, Depreciation and amortization policy, [§30.20.70](#)

Accounting Manual, Valuing, Capitalizing, Depreciating and Reconciling Capital Assets, 30.20 OFM 30.20; Capital Assets Class and Location Code Tables, 30.50.10(a) [§30.50.10.a](#)

Property Management and Inventory, [Workforce Innovation and Opportunity Act Policy 5407](#)



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# **Program Policy & Procedure**

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## ELIGIBILITY

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5100POL Program Eligibility

5101POL Additional Program Guidance

5102POL Veterans Priority of Service

5110POL Adult Eligibility

5120POL Dislocated Worker Eligibility

5130POL Youth Eligibility (Rev2)

5140POL Economic Security for All

## 5100POL Program Eligibility

Effective Date: March 2021

Last Modified: February 2021

This policy applies to applicants of Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker, and Youth programs and provides program eligibility guidelines and documentation requirements for the Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker, and Youth programs.

- 1. OWDC policies adhere to WIOA, State WorkSource System Policies, WorkSource Information Notices (WIN), and Training and Employment Guidance Letters (TEGL) in determining eligibility for WIOA programs.**
- 2. The state's Management Information System (MIS) is the designated record keeping system** used to ensure valid documentation evidence is present, confirming participant eligibility.
- 3. Staff is required to maintain copies of acceptable source documentation** in the client's file as described in *1600POL Records and Documentation Policy*, *1601POL Protected Personal Identifying Information* and *5200POL Data Validation*, for eligibility and program data elements.
- 4. Program Eligibility Requirements** include verification and documentation of (per *WorkSource System Policy 1019, Rev9*):
  - a. U.S. citizenship or otherwise legally entitled to work in the U.S.
  - b. Age verification Adult and DW 18 or older, Youth 14-26 (see preceding *5130POL Youth Eligibility*)
  - c. Selective Service Registration (males who are 18 or older and born on or after January 1, 1960, unless an exception is justified) further guidance is located on the Selective Service System Website (<https://www.sss.gov/>) or in the proceeding definition section of this policy; and
  - d. Additional Adult, Dislocated Worker, and Youth eligibility criteria, detailed in *5110PRO Adult Eligibility*, *5120PRO Dislocated Worker Eligibility* and *5130PRO Youth Eligibility*
- 5. Self-Attestation is acceptable for certain eligibility criteria.** Self-attestation occurs when a participant states their status for a particular data element and then signs and dates (either physically or a date-stamped electronical signature) acknowledging their status (*WS 1019 (Rev9), Section 4*).
- 6. Staff are required to review additional policies and guidance with the following participant barriers.**
  - a. Assisting victims of Human Trafficking *TEGL 9-12*
  - b. Address Confidentiality Program *WorkSource Policy 1019, Rev9*
  - c. Use of Unemployment Insurance Service Web Site *WIN 0027, Change 4*
  - d. Washington's Marriage Equality Act *RCW 26.60*

## References

Address Confidentiality Program, WorkSource Information Notice [WIN 0041 \(Rev1\)](#)

Assisting Customers in Using the UI Claimants Website (eService's), WorkSource Information Notice [WIN 0027 \(Rev1\)](#)

Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)

Human Trafficking: The Role of the Public Workforce System in the Delivery of Services and Referrals to Victims of Trafficking, Training and Employment Guidance Letter, [TEGL 9-12](#)

OWDC 5200POL Data Validation, 1600POL Records and Documentation, 1601POL Protection of Personally Identifiable Information

Washington's Marriage Equality Act, State Registered Domestic Partnerships, [RCW 26.60](#)

Implementing Priority of Service for Veterans & Eligible Spouse's in all Qualified Job Training Programs Funded in by the U.S. Department of Labor (DOL), Training and Employment Guidance Letter, [TEGL 10-09](#)

**Selective Service (SS) Registration** from Program Eligibility Requirements 4(c)

- All males born on or after January 1, 1960 (*TEGL 11-11, change2*) must provide SS registration or documentation of exception that failure to register was not knowing and willful.
- Acceptable documentation includes SS Acknowledgement Letter, Registration Card, or Verification Form, or Local area approved waiver.
- Males 25 years or under who have not reached their 26<sup>th</sup> birthday must register through the SS System website or provide documentation of exemption prior to receiving WIOA Title I-B services. Males turning 18 while participating in WIOA funded services must complete SS registration no later than 30 days after becoming 18 to continue to receive WIOA services.

**Exceptions Process: Determining Knowing and Willful Failure to Register**

*Case Manager*

1. Identifies client has not registered for SS, through staff/participant interview using the 5101ATT Selective Service Exemption Request Form (located in the Attachments)

2. Obtain details of why client did not register, include documentation. Documentation should include evidence that the failure was not knowingly and willful.

3. Email client details and documentation to OWDC Program Supervisor for determination, cc program case manager's Supervisor/Manager.

*OWDC Program Supervisor*

4. Upon receipt of exception request, Program Supervisor will determine if the failure was knowing and willful.

5. Using *TEGL 11-11, Change 2*, determine clients registration exception.

6. Email staff (cc'ing their supervisor/manager) of determination.

*Case Manager*

7. Notify client of determination.

8. Documentation including email of determination is required to be uploaded into WIOA Eligibility Application SS Registration Tab.

**References**

Selective Service Registration and Requirements for Employment and Training Administration Funded Programs, Training and Employment Guidance Letter ([TEGL 11-11, Change2](#))

To ensure Olympic Workforce Development Council (OWDC) service providers throughout the three-county region understand and implement the Veterans Priority of Service and Eligibility requirements for covered veterans and their eligible spouses.

**1. All WIOA service providers must comply with federal law, regulations, and guidance on veterans' priority of service per 20 CFR Part 1010.**

a. Priority of service entitles veterans and their eligible spouse (covered persons) precedence over eligible non-covered persons accessing services. The covered persons are enrolled or provided services earlier in time than others who are waiting for the same assistance.

- o If program or service resources are limited, then the covered persons are given access instead of others.

NOTE: this does not mean that the covered person is given "bumping rights" over others who are already enrolled and/or receiving services. Additionally, covered persons must meet program eligibility requirements before receiving priority into a program or service.

b. After meeting the eligibility requirements for the program, the veteran must be given priority over all non-covered persons who also meet the eligibility requirements. Priorities set by the federal statute are at the top of the hierarchy. Priority of service for veterans takes precedence over state and local level targeting.

**2. All WIOA service providers are required to notify customers accessing services of the veteran's priority of service, whether through physical or online access.**

c. Covered persons must indicate whether they are entitled to priority of service at entry point into the system to take advantage of this priority policy.

- i. Once identified, the covered person must be made aware of their entitlement to priority of service.
- ii. In addition to allowing applicants to claim entitlement to priority, identified covered persons are to be given a menu of services to which the entitlement applies, and eligibility requirements for those programs.

**3. It is required for all providers to collect, retain, and report data in accordance with 20 CFR 101.320 and Washington WorkSource System Policy 1009 (Rev3). The state case management system (Efforts to Outcomes (ETO)) is the system housing all data collection.** Programs that are required to obtain and house documentation:

- WIOA Title I Adult and Dislocated Worker
- National Dislocated Worker Grants
- WIOA Title III Wagner-Peyser Employment Services

- Trade Adjustment Assistance
  - Senior Community Service Employment Program
4. **All staff within the OWDC One-Stop system receive training on priority of service and its documentation, as well as information on qualified programs to which the priority applies.**
  5. **The Washington State Governor may, at times, determine a different priority of service for the WIOA Statewide (10%) Discretionary Grants/Contracts or other programs.** Within those defined priorities for the Governor, the Veteran’s Priority of Service and Eligibility still applies in that once qualified within a certain group of customers, the veteran receives priority among that group.

**DEFINITIONS:**

**Point of Entry:** the point of contact with the One-Stop system, either in-person or virtually, whether a service is provided. It may include reception at the front-end of a WorkSource center, as part of a program-specific application process, or any other method by which covered persons express an interest in receiving services.

**Veteran:** a person who was in active military service, and who was discharged or released under conditions other than dishonorable, as specified in 38 USC 101(2). For clarification, a *disabled veteran* is one whose disability is permanent, and service connected. Active service also includes full-time duty in the National Guard or a Reserve component, other than full time duty for training purposes.

**Eligible Spouse:** defined in section 2(a) of JVA 38 USC 4215(a)) means the spouse of any of the following: (1) any veteran who died of service-connected disability; (2) any member of the Armed Forces service on active duty who, at the time of application for the priority, is listed in one or more of the following categories (for a total of more than 90 days): missing in action, 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; (3) any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; or (4) any veteran who died while a disability, as indicated above was in existence.

**References**

Application of Priority of Service for Covered Persons, [20 CFR part 1010](#).

Priority of Service for Veterans and Eligible Souses, [Washington WorkSource System Policy 1009 \(Rev3\)](#).

Priority of Service for Veterans and Eligible Souses Final Rule, [Training and Employment Guidance Letter \(TEGL\) 10-09](#).

Jobs for Veterans Act, [Public Law 107-288 \(38 USC4215\(a\)\)](#).

Veterans’ Benefits, Health Care, and Information Technology Act, [Public Law 109-461](#).

WIOA emphasizes providing services to individuals with barriers, thus WIOA Adult Eligibility is based on *5100POL Program Eligibility 4(a-c)* and:

1. **Adult Priority of Service** as defined in *WIOA section 134(c)(3)(E)* and *WorkSource System Policy 1009, Rev2* Covered person is defined as veterans or their eligible spouses (see eligibility definitions section).
  - a. **FIRST PRIORITY:** Covered persons (veterans and eligible spouses) who are low income, recipients of public assistance, or basic skills deficient.
  - b. **SECOND PRIORITY:** Individuals (non-covered persons) who are low income, recipients of public assistance, or basic skills deficient.
  - c. **THIRD PRIORITY:** Covered persons (veterans and eligible spouses) who are not low income, are not recipients of public assistance, or not basic skills deficient.
  - d. **FOURTH PRIORITY:** Covered persons not meeting any other program-eligibility who are unemployed or employed individuals in need of individualized career and training services to **obtain or retain employment that leads to suitable, subsistence-level employment.**
2. **WorkSource Staff are required to ensure qualified veterans and eligible spouses are identified at the point of entry into the WorkSource system.** Participant will be notified of their priority status and given a “menu of services and programs.” Staff must also provide applicants with information pertaining to eligibility requirements for applicable programs.
3. **Priority of Service will be recorded in participant’s case notes per 5210PRO Case Notes.**

#### References

Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)  
Selective Service Registration and Requirements for Employment and Training Administration Funded Programs, Training and Employment Guidance Letter ([TEGL 11-11, Change2](#))  
Selective Service System Organization, Title 32, Chapter XVI, Subtitle B, [32 CFR 1605](#)  
When must adults and dislocated workers be registered and considered a participant? Code of Federal Regulations Title 20, Chapter V, Part 680, Subpart A, [20 CFR §680.110](#)  
WIOA 2023 Lower Living Standard Income Level ([LLSIL](#)); OWDC Policy(s) 5400POL  
WIOA Definition of Low-Income Individual, Workforce Innovation and Opportunity Act H.R. 803 (113<sup>th</sup>) [USC §3](#); OWDC Policy(s) 5210POL

## 5120POL Dislocated Worker Eligibility

Effective Date: March 2021

Last Modified: February 2022

WIOA Dislocated Worker is a worker who is “unlikely to return to a previous industry or occupation.” Eligibility is based on *5100POL Program Eligibility 4(a-c)* and one of the six dislocated worker status categories:

### 1. General Dislocation

- a. An individual who was terminated, laid off, or received a notice of termination or layoff, **AND**
- b. Is determined unlikely to return to previous industry or occupation, **AND**
  - i. Is eligible for or has exhausted entitlement to unemployment compensation; **OR**
  - ii. Is not eligible for unemployment compensation but can show attachment to the workforce of sufficient duration.

### 2. Dislocation from Facility Closure/Substantial Layoff

- a. An individual who was terminated, laid off, or received a notice of layoff from employment at a plant, facility, or enterprise as a result of: Permanent closure; or substantial layoff; **OR**
- b. An individual employed at a facility at which the employer has made a general announcement that the facility will close within 180 days.

### 3. Self-employed Dislocated

- a. Was self-employed (including employment as a farmer, rancher, or a fisher), but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disaster.

### 4. Displaced Homemaker

- a. An individual who was dependent on the income of another legal family member and is no longer supported by the income of that family member; **OR**  
Is the depended spouse of a member of the armed forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, or a service-connected death or disability of the member;
- b. **AND**  
Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
- c. Individuals cannot cite long-term partners to whom they were not married as family members. Individuals can cite adult children upon whom they were financially dependent as family members as long as it is appropriately documented.

### 5. Dislocated/Separated Military Service Members

- a. A non-retiree military service member who was discharged or released from service under other reasons than dishonorable discharge or has received notice of military separation. *Per 20 CFR 680.660*, separating military service members automatically



qualify as unlikely to return to a previous industry or occupation and as eligible for exhausted entitlement to Unemployment Insurance.

- b. Priority of Service (POS) (as described in *WorkSource System Policy 1009, Rev2.*) is applicable for dislocated military service members, veterans and other covered persons eligible for Priority of Service (POS)

## 6. Spouses of Military Service Members

- a. The spouse of a member of the armed forces on active duty, and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member, **OR**
- b. The spouse of a member of the armed forces on active duty and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
- c. A military spouse may also qualify as a displaced homemaker (Category 4).

### Establishing DW eligibility also includes the following:

1. **Eligible veterans and other covered persons are given priority of service** as defined in *5120POL Adult Eligibility*.
2. **Self-attestation is allowable for participants out of work through no fault of their own, where no physical documentation is attainable.** ([5122ATT Self-Attestation](#)).
3. **Someone ‘unlikely to return’ to a previous industry or occupation** are individuals that have a specific recall date from the employer of the qualifying dislocation that is within 12 weeks of termination of layoff. Staff uses labor market and economic conditions to determine “unlikely to return,” but should also be based on relevant circumstances of the individual. Examples include but are not limited to:
  - The industry and/or occupation is in decline based on local labor market information or the job has become obsolete.
  - The individual’s wage from their job of dislocation is significantly higher than local labor market information indicates.
  - The individual is considered long-term unemployed, defined as 27 or more consecutive weeks of being unemployed.
  - The individual has adequate skills (learned on-the-job) but lacks the credential or certificate required by most employers.
  - Physical limitation or injury which limits the individual’s ability to perform the essential job tasks required of the position or is no longer able to work in an industry environment.
  - Has exhausted UI Benefits and has been unable to find a job in their previous industry or occupation.
  - Has a gap in employment that decreases their chances of returning to the same level of occupation or type of job.
4. **Spouses of Military Service Members unlikely to return to previous industry or occupation if:**

- The spouse of the military service member voluntarily quits because they relocate with the service member to a new duty location.
  - The spouse of a military service member is no longer eligible to work on the base as a result of military service member's discharge.
  - **The military member has a 100% service-connected disability.**
  - **Military spouse lacks certification to be employed in their customary area of employment due to a lack of needed Washington state certification.**
5. **Designated time frame (prior to planned separation) during which service members can receive Dislocated Worker services** is within 90 days of planned separation (career basic services only). Additionally, the transitioning military members are not considered veterans for the purposes of Dept. of Labor reporting. Any military member at any time can receive any services provided at the WorkSource at the Wagner-Peyser level.
6. **The category and how the participant met eligibility requires documentation within MIS and participant file.** See *5200POL Data Validations* and *5210POL Case Note Policy*.

#### References

Data Element Validation, [WorkSource System Policy 1003 \(Rev6\)](#)

Data Integrity and Performance Policy and Handbook, [WorkSource System Policy 1020 \(Rev2\)](#)

Definition of Disability, United States Code [42 USC §12102 Ch.126](#);

Department of Labor Employment and Training Administration (DOL ETA) 20 CFR Parts 603, 651, 652, 653, 654,658, 675, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, and 688 Workforce Innovation and Opportunity Act; Final Rule.

Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)

OWDC 1600POL Records and Documentation Policy, 1601POL Protected Personal Identifying Information Policy, 5200POL Data Validation Policy, 5200POL Data Validation, 5400POL Income Verification Policy, 5730PRO Case Notes Policy

When must adults and dislocated workers be registered and considered a participant? Code of Federal Regulations Title 20, Chapter V, Part 680, Subpart A, [20 CFR §680.110](#)

WIOA In-School Youth (ISY) and Out-of-School (OSY) **basic eligibility requirements** (outlined in *5100POL Program Eligibility 4(a-c)*) include:

1. U.S citizen or otherwise legally entitled to work in the U.S.
2. Selective Service registration (see eligibility definitions)
3. ISY or OSY determination as outlined below:

**In addition to basic eligibility requirements, In-School-Youth (ISY) eligibility requirements include:**

1. Age 14 through 21
2. Attending school as defined by state law
3. Low-income individual as defined in *5400POL Income Validation*
4. One or more of the following:
  - a. Basic Skills Deficient (BSD)
  - b. An English language learner
  - c. An offender
  - d. A homeless individual as defined below
  - e. Pregnant or parenting
  - f. A youth who is an individual with a disability
  - g. An individual who requires additional assistance to complete an educational program or to secure employment, defined as
    - i. At risk of dropping out of school as identified by program staff or based where the youth is living in a household:
      1. where one member has substance use issues
      2. affected by domestic violence
      3. where Temporary Assistance for Needy Families (TANF) benefits are exhausted
    - ii. Attending a post-secondary school, or vocational school, but needs assistance meeting the prerequisites (e.g., pre-college math) for the vocational program. **AND** would benefit from additional temporary services to secure and hold employment due to:
      1. a disability, or
      2. extra tutoring and remedial education that is more than is required to achieve basic literacy, or
      3. more intensive work habits or education experience that require temporary one-on-one job coaching or assessment of skills and needs
    - iii. Local policy allows Self-Attestation for youth individuals requiring additional assistance.

**In addition to basic eligibility requirements, Out-of-School Youth (OSY) eligibility requirement include:**

1. Age 16 through 24
2. Not attending school as defined by state law
3. One of more of the following:
  - a. A school dropout
  - b. A youth who is within the age of required school attendance but has not attended school for at least the most recent calendar year quarter
  - c. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual **and** is basic skills deficient **or** an English language learner
  - d. An individual who is subject to the juvenile or adult justice system
  - e. A homeless individual as defined below
  - f. Pregnant or parenting
  - g. An individual with a disability
    - Low-income who requires additional assistance to enter or complete an educational program or to secure or hold employment
      - i. Has no work history or has an insignificant work history, i.e., has not held a job for more than three (3) months or has recently been fired from a job.
      - ii. Needs the prerequisites to enter an appropriate occupational training program.
      - iii. Would benefit from additional temporary services to secure and hold employment due to a disability. Additional temporary services would include (a) extra tutoring and remedial education that is more than required to achieve basic literacy; (b) more intensive work habits, education experience requiring one-on-one job coaching, or skill/needs assessment.

**Exception to low-income requirement:**

- a. Per WIOA Section 129(a)(3)(B), 20 CFR 681.250, and WIN 1019 (Rev9), in any single program year, no more than five percent of a local area's total youth participants can be those who are not low-income despite the low-income eligibility requirement (In-School or Out-of-School Youth).
- b. The OWDC will calculate five percent based on the percent of newly enrolled youth in WDA-1 in a given program year.

**Youth References**

Data Element Validation, [WorkSource System Policy 1003 \(Rev6\)](#)  
 Data Integrity and Performance Policy and Handbook, [WorkSource System Policy 1020 \(Rev2\)](#)  
 Definition of Disability, United States Code [42 USC §12102 Ch.126](#);  
 Dropout Prevention, Intervention, and Retrieval System, [RCW 28A.175.105](#)  
 Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)  
 OWDC 1600POL Records and Documentation Policy, 1601POL Protected Personal Identifying Information Policy, 5200POL Data Validation Policy, 5200POL Data Validation, 5400POL Income Verification Policy, 5730PRO Case Notes Policy  
 Priority of Service for Veterans and Eligible Spouses, [WorkSource System Policy 1009 \(Rev3\)](#)  
 Priority of Service, Workforce Innovation and Opportunity Act H.R. 803 (113th), [USC §134\(c\)\(3\)\(E\)](#)  
 WIOA Training Services, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§134](#)  
 Youth Activities Under WIOA Title I, Code of Federal Regulations Title 20, Chapter V, [20 CFR §681](#)  
 Youth Activities Under WIOA, Code of Federal Regulations Title 20, Chapter V-11, Part 681, [20 CFR §681.400 - 681.650](#)  
 Youth Formula Program Guidance, Training and Employment Guidance Letter, [TEGL 21-16, Change1](#)

To communicate Economic Security for All (EcSA) program eligibility and provide guidance on Olympic Workforce Development Council (OWDC) local area implementation and procedure. EcSA supports the 2022 Legislature initiative to serve individuals below or at risk of falling below the Federal Poverty Line (FPL).

The primary goal of EcSA is to work collaboratively across local, state, and federal levels to remove job seeker barriers, especially for underrepresented populations including black, tribal, and people of color communities. The OWDC's wrap-around integrated service delivery models bundle WIOA and non-WIOA services and builds customized career plans to move individuals experiencing poverty or those in financial need into self-sufficient wage jobs.

EcSA consists of two funding sources, Governor's WIOA Statewide called Federal EcSA and state general funds called State EcSA. **These funds are measured based on:**

- Reaching target number of participants:
  - With income above their self-sufficiency goal. NOTE: not an exit-based measure, continued support for participants is encouraged to ensure they remain permanently out of poverty.
  - Enrolled in training for a career with wages starting above their unique self-sufficiency goal.
  - Enrollments who meet eligibility requirements.
- Measuring the proportion of target population EcSA participants.

### 1. **EcSA Program Eligibility:**

To be eligible for Federal or State EcSA, job seekers must meet basic eligibility requirements for any of the three WIOA Title I-B formula programs (Selective Service registration not required), **AND** meet one of the criteria below:

#### A. **Individuals experiencing poverty, individuals below 200% FPL:**

- **Income Requirement:** Must come from households earning less than 200% FPL.

#### B. **Individuals demonstrating financial need, individuals above 200% FPL:**

- **Income Requirement:** Must come from households earning more than 200% FPL at the time of program enrollment.
- **Self-Sufficiency Status:** Must be below their self-sufficiency goal or determined likely to fall into poverty, documented appropriately in case notes.
  - At risk include the below factors:
    - Recent or pending lay-off or upcoming loss of employment.
    - Change or increase in family size.
    - Loss of housing
    - End of unemployment insurance payments or other public assistance
    - Status as a recent victim of domestic violence or stalking.

2. **Co-enrollment into one of the three WIOA programs or discretionary grants is encouraged but not required.** Meeting EcSA eligibility does not supplant the eligibility criteria for any other program. All eligibility criteria for those programs are required.
  
3. **Documentation Requirements:** In order to demonstrate eligibility, it is required to obtain the following documentation that verifies the individuals, Identity, U.S. Citizenship (or legal right to work in the U.S.), Age, and Income Status.
  - All documentation is required to be housed in the statewide MIS system (ETO) in the appropriate services and entered timely and accurately.
  - **Self-Sufficiency Calculator:** Assess clients using the UW Self-Sufficiency Calculator and store data to evaluate progress towards self-sufficiency.
  - To serve individuals demonstrating financial need (above 200% FPL) includes the following (where applicable):
    - Layoff letter
    - Documentation showing the end of benefits.
    - Notice of intend to evict.
    - Self-attestation. While allowable, self-attestation is a last resort option when no other documentation is available. Self-attestation as documentation requires a detailed case note explaining the circumstances that place the applicant at risk and follows local policy 5210POL Case Note Policy (Rev1).
  
4. **Allowable Uses of Funds:**
  - **Subrecipients must ensure funds are used fairly, considering overall financial allotment, the number of clients yet to be served, and individual client needs.**
  - Training and supportive services are not entitlements and must be provided on the basis of demonstrated need and individual circumstances, as documented in the participants' file.
  - Approved support services include food assistance, housing and rental support, medical and mental health care, and marketing/outreach (*see also 5400POL Supportive Services (Rev5) and 5401PRO Supportive Service Requirements*)
  - Participants demonstrating financial need (above 200% FPL) have a cap of \$5,000 per participant for incentives and support services to. This cap excludes staff support, career services, and training costs.

#### References

OWDC 5220POL Case Note Policy (Rev1)

OWDC 5400POL Supportive Services (Rev5)

OWDC 5401PRO Supportive Services Requirements

State Guidance and Instruction for the State Economic Security for ALL (EcSA) Program [7000](#)

State Guidance and Instructions for Federal Economic Security for all Program [5625](#)

# DATA & GENERAL SERVICE GUIDANCE

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5200POL Data Validation

Effective Date January 2021

Last Modified: August 2021

To ensure Olympic Workforce Development Council (OWDC) data integrity and performance policy compliance. As recipients of WIOA Title I funds the local Workforce Development Councils (WDCs) are required to collect and report accurate program information. The U.S. Department of Labor, Employment and Training Administration (U.S. DOL/ETA) mandates annual data element validation to maintain and demonstrate system integrity, as well as assess the accuracy of submitted participant data, identify and correct problems associated with reporting.

- 1. Olympic Consortium contractors and subcontractors must retain source documentation required to validate the DOL/ETA data validation data elements and/or provide case notes in the client's files.**
- 2. Record keeping includes WIOA Title I Adult, Dislocated Worker, Youth and applicable subgrants eligibility, participation, exit and follow-up documentation.**
  - a. Specific program requirements must align with local Program Eligibility Policy 5100POL, Employment Security Department (ESD) Monitoring Comprehensive Monitoring Participant File Checklist, and federal mandated requirements.
- 3. Ensure valid, reliable, and accurate data reporting via statewide MIS** (Efforts to Outcomes, ETO), records and documentation fall within CORE GS2011-184 Rev3 regulations and have a 6-year retention schedule (*see 1600POL Records and Documentation, 1601POL Protection of Personally Identifiable Information, and 1611TSK Digital Documentation*).
- 4. Review, audit, and monitor data elements per Participant Individual Record Layout (PIRL).** The OWDC uses a monitoring checklist provided and updated by the ESD Monitoring Team ([wpc.wa.gov/monitoring/tools](http://wpc.wa.gov/monitoring/tools)).
- 5. OWDC provides local, state, and federal level training to staff on data element requirements, as well as the importance of data element accuracy.**

## References

Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training

Programs Administered by USDOL, Training and Employment Guidance Letter [TEGL 14-18](#)

Data Element Validation, [WorkSource System Policy 1003 \(Rev6\)](#)

Data Integrity and Performance Policy and Handbook, [WorkSource System Policy 1020 \(Rev2\)](#)

Eligibility Policy and Handbook, [WorkSource System Policy 1019 Rev9 Handbook](#)

Financial Transactions – General, Washington State Archive Local Government Common Records Retention Schedule [CORE GS2011-184 Rev3](#)

Guidance for Validating Jointly Required Performance Data Submitted under Workforce Development and Opportunity Act, Training and Employment Guidance Letter [TEGL 07-18](#)

Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs, Training and Employment Guidance Letter [TEGL 23-19 Change2](#)

OWDC 1600POL Records and Documentation, 1601POL Protection of Personally Identifiable Information, 1611TSK Digital Documentation, 5100POL Program Eligibility, 5110POL Adult Eligibility, 5120POL Dislocated Worker Eligibility, 5130POL Youth Eligibility.

Workforce Innovation and Opportunity Act (WIOA) Title I-B provides a fully integrated system of job driven services accessible to all job seekers and customer centers. This policy details services provided through WIOA Title I-B Adult, Dislocated Worker, and Youth Programs and further defines local Olympic Workforce Development Council (OWDC) service utilization.

1. **OWDC utilizes the ESD WorkSource Services Catalog** which provides detailed description of services, citations/references, whether the service triggers participation and if it is a durational service (*WorkSource Services Catalog*).
2. **WIOA provides several types of services: basic, career, supportive, training, and follow-up.** No one service is exclusive as part of the integrated service delivery (ISD) system, which provides the customer with service options to acquire the skills needed to enter or return to the workforce.
  - a. **The One-Stop Delivery system provides all individuals with Basic Services.** Examples include self-service, informational services such as job listings, labor market information, and labor exchange services.
  - b. **Career services consists of the basic service level as well as individualized and follow-up services.**
    - i. Basic Career Services include eligibility determinations, initial skill assessments, provisions of information on programs, services, workshops, and program referrals.
    - ii. Individualized Career Services generally involve significant staff time and customization to client need and may include specialized assessments, developing an individual employment plan, counseling, resume assistance, etc.
    - iii. Follow-up Career Services are provided once a participant exits a program into unsubsidized employment (*see 5530POL Follow-up Services*) or postsecondary education and up to 12-months after exit.
  - c. **Supportive Services** (*see 5520POL Supportive Services*).
  - d. **Training services are specialized services meant to teach job skills, further education in post-secondary school, high school diploma or equivalent, teach position specific job requirements.** Eligibility for training services requires participant's enrollment into WIOA Adult, DW, or Youth and their need of additional service beyond career service (*per 20 CFR 680.210*).
    - i. Training is only allowable where the occupation is linked to an in-demand occupation (*see 5511PRO Occupation In-Demand Procedure and Labor Market Info Occupation in-demand*).
    - ii. Training services may be provided in conjunction with Individual Training Accounts (ITA) (*see 5510PRO Individual Training Accounts*).



- iii. Training is available through the Eligible Training Provider and Program List (ETPL), which lists the training providers by area and occupation.
  - 1. Washington Career Bridge posts the ETPL (*per WIOA Policy 5611, Rev2*), and comprised of entities determined eligible to receive funds through WIOA Title I, according to the Governor’s eligibility criteria and procedure.

d. **Staff must determine appropriate training services through an interview, an evaluation, or assessment, and career planning prior to allocation of training funds.** Determination of the following:

- i. The individual is unlikely or unable, by only receiving career services, to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment.
- ii. The individual has the skills and qualifications to successfully participate in and complete the training.
- iii. The training the individual receives will result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment.
- iv. The training program selected by the individual must be directly linked to employment opportunities in the local area or the planning region, or in another area to which the individual is willing to commute or relocate.
- v. The individual is unable to obtain grant assistance from other sources to pay for the costs of the training (such as State-funded training funds, Trade Adjustment Assistance, and Federal Pell Grants), or require WIOA assistance in addition to other grant assistance, including Federal Pell Grants.

e. **Training services include Occupational Skills Training, Entrepreneurial Training, Workplace Training w/Related instruction, and On-The-Job Training.**

f. **All career planning and training require detailed case notes consisting of the determination elements above** (*per 5210POL Case Note Policy*).

3. **Youth Services** per TEGL 21-16 “Title I of WIOA affirms the Department of Labor’s (DOL) commitment to providing high-quality services for youth, beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training, such as pre-apprenticeships or internships, for in-demand industries and occupations, and culminating with employment, enrollment in postsecondary education, or a Registered Apprenticeship.” Youth services are a combination of basic, individualized, supportive, training and follow-up. Including:

- a. Objective assessment is required, this includes an assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills, occupational skills, prior work experiences, employability, interests, aptitudes, supportive service needs, and developmental needs. Assessments must also consider a youth’s strengths rather than just focusing on areas that need improvement.
- b. Development of individual service strategy (ISS or IPP)

- c. Receive one or more of the 14 WIOA Youth program elements. TEGL 21-16 pages 14-23 provide in-depth definitions of each of the 14 elements with references and examples of what is included.
- 1) Tutoring, study skills training, instruction, and dropout prevention
  - 2) Alternative secondary school services or dropout recovery services
  - 3) Paid and unpaid work experience
  - 4) Occupational skills training
  - 5) Education offered concurrently with workforce preparation and training for a specific occupation
  - 6) Leadership development opportunities
  - 7) Supportive services
  - 8) Adult mentoring
  - 9) Follow-up services
  - 10) Comprehensive guidance and counseling
  - 11) Financial literacy education
  - 12) Entrepreneurial skills training
  - 13) Services that provide labor market information
  - 14) Postsecondary preparation and transition activities

**4. All services are recorded in the statewide MIS system, attached to appropriate program enrollment, with detailed case notes (per 1600POL, 5110POL, 5210POL).**

**References**

Governor's Procedures and Determining Training Provider Eligibility, [Workforce Innovation and Opportunity Act Policy 5611 \(Rev2\)](#)

Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#)

Individual Training Accounts, [Workforce Innovation and Opportunity Act Policy 5601 \(Rev2\)](#)

Occupations In-Demand (OID), [Labor Market Info: Learn about an Occupation](#)

OWDC 1600POL Records and Documentation Retention Policy, 5110POL Adult Eligibility, 5120POL Dislocated Worker Eligibility, 5130POL Youth Eligibility, 5210POL Case Note Policy, 5520POL Supportive Services, 5530POL Follow-up Services, 5511PRO Occupation In-Demand Procedure

Youth Formula Program Guidance, Training and Employment Guidance Letter, [TEGL 21-16, Change1](#)

Training Services, Code of Federal Regulations Title 20, Chapter V, Part 680, Subpart B, [20 CFR §680](#)

Who may receive training services? Code of Federal Regulations Title 20 Chapter V, Part 680, [20 CFR§ 680.210](#)

WorkSource Services Catalog, [WorkSource Information Notice 0077 \(Rev15\)](#)

### WIN 0082 Real-Time Data Entry

For any Activity Start Date of Basic and ITSS services errors identified after the 14-day calendar restriction, staff must correct the errors and request Department Head review and approve the correction. Department Head approval must be documented with a case note. The case note must identify the service name, the reason for the correction, and the Department Head's (DH) review and approval of the correction.

**NOTE:** Each local area has at least one designated point of contact (DH, OWDC Program Analyst) to handle the appropriate exceptions to data entry after the 14-day calendar restriction. They are responsible for ensuring the appropriate documentation and data integrity of the service dates in their local areas.

### Service Delayed Entry Reasons

- Incorrect service was recorded and required deletion and the correct service opened.
- Oversight or missed service entry.
  - \***Edits** of services entered do not require authorization. Services are editable without DH authorization and are up to the case managers and supervisor's discretion.
  - \***90-Days** is not a delay in service. If a case manager has not provided a service within 90-days participant is System Exited and services need to be entered to reopen the enrollment. This is different than missing entering a service that was delivered 14-days or more prior to the date of discovery.

### OWDC Procedure:

**TRIGGER:** Case Manager finds a service was not recorded within 14-days of service delivery date.

**TARGET:** Department Head authorizes late entry and Service is recorded.

- |                 |  |
|-----------------|--|
| Case Manager    | 1. Recognizes a service has not been entered within a participants ETO account that was provided more than 14-days.  |
|                 | 2. Emails ETO Department Head and cc's Program Supervisor/Lead with ETO # and short description of why the service was not entered on time.  |
| Department Head | 3. Reviews request and bases off Valid <b>Service Delayed Entry Reasons</b> .  |
|                 | 4. Emails Case Manager will authorization or denial of entry.  |
| Case Manager    | <u>Either</u>  |
|                 | 5. Enter the service, backdating to service delivery date.<br>Case notes will include "The [enter service name, i.e.: Occupational Skills service that was provided on {date service occurred}] was not entered within the 14-day allowable timeframe. Department Head (LB) reviewed and approved the late entry." |
|                 | <u>OR</u>  |
|                 | 5. Contacts participant, provides a service and records in ETO the day error was found.  |
| Department Head | 6. Monthly report to recipient supervisors of services entered outside the 14-day timeframe.   |

## 5212PRO Opt-Out Participant Procedure

Effective Date: March 2021

Last Modified: March 2021

Utilizing data sharing agreements, the Olympic Workforce Development Council (OWDC) in partnership with Washington State Employment Security Department (ESD) has been granted access to the state's case management system, Efforts to Outcomes (ETO). Data sharing allows for the OWDC and partner subrecipients to access ESD client information, enroll in WIOA programs, and provide services. Clients have the option to 'Opt-Out' of sharing their information. In this instance, client information is not accessible by partner staff.

### OWDC Procedure


**TRIGGER:** Case Manager is unable to locate participant within ETO.

**TARGET:** Opt-in participant to enable partner staff access to their ETO account.

#### Case Manager

1. Using Quick Search bar in ETO to locate client and results show zero.
2. Verify with client they have set up WorkSource.WA account.
  - a. Determine if participant is enrolled into case managers office.
    - i. To the right of the Quick Search bar, change the "in" field to WorkSource to search all participants in ETO.
    - ii. *If* client is found, enroll into your office using Add Seeker to Office from the dropdown Menu.
  - b. *If* client has not registered, instruct, or assist client with registering and setting up an account. During registration, clients must 'Opt-In' for partner staff to have access to their ETO account.
  - c. *If* client has registered with WorkSource.WA account but you are unable to locate, proceed to step 3.
3. Determine if client has 'Opted-out' of data sharing.
  - a. Click on "Opt-Out Lookup" widget.
  - b. Enter client SSN, click > and ok.
  - c. If client has Opted-out, report will generate Last and first name. Go to step 4.
4. Email ESD WIOA Supervisor.  
Include client name, phone number, and a brief reason client would like to 'opt-in' to data sharing.
5. Ask client to contact ESD WIOA Supervisor and ask for assist to opt-in to data sharing.
6. Once contact with client is made, verify they would like to 'opt-in' to data sharing.

#### Supervisor

- a. *If* client agrees to opt-in:
  - b. Using Quick Search bar in ETO, locate client.
  - c. Click on client's name, Edit Job Seeker page will populate.
  - d. Click the check-box next to Opt-Out.
  - e. Email partner staff back notifying of changes made.
- 
- f. *If* client request to remain Opted-Out:
  - g. ESD WIOA Supervisor will offer client to work with an ESD WIOA staff.
- AND**
- h. Notify partner staff of client's request to remain Opt-Out.

#### Case Manager

8. Contact client and proceed to assist with program information and/or enrollment.

5213PRO Occupation In-Demand

Effective Date: August 2019

Last Modified: January 2021

The Occupations In-Demand list is published annually by the Washington State Employment Security Department Labor Market and Economic Analysis (LMEA) Division. WIOA Specialists use the Occupations In-Demand list to assist WIOA participants with training in industry sectors that need skilled employees. To provide WIOA approved training funds to WIOA participants, the training must be linked to in-demand industry sectors or occupations in the local area. Coupled with [LMI Occupational In-Demand Procedure](#) and this Olympic Workforce Development Council (OWDC) procedure details the process to update occupation in-demand listing.

**TARGET:** Balanced or In-Demand occupation updated to In-Demand.

- Case Manager*
  1. Works with participants to create an Individual Participate Plan to find meaningful employment.
  2. Reviews In-Demand Occupations list and verifies training and participant occupation goal are aligned.
  3. If an occupation is listed as Balanced or In-Demand, reviews job listing and other workforce information within occupational goal to verify there are positions in the county and the occupation is in-demand.
- Program Manager*
  2. Contacts Program Manager to discuss balanced or in-decline occupation.
  3. Reviews LMEA and LMI occupations for the county area. Additional documentation research through WorkSourceWA and Indeed job search to prove occupation is in demand.  
If Kitsap, contact fellow WIOA Program Management subrecipient to discuss occupation and submitting proposal to change to in-demand.
- Program Manager*
- OWDC Director*
  4. Submits proposal to the OWDC Director.
  5. Verifies proposed occupation LMEA information.  
Either
  6. Communicates with original program manager that the occupation is not in-demand as this time. End of procedure.  
OR sends out communication to all WDA1 program managers working in the county who will be impacted, detailing a three (3) day period to contest proposed change.
  7. If approved by program managers, the OWDC Director will submit the proposal to LMI.
  8. Once received confirmation of change from LMI, communicates to area program managers of update.
- Program Manager*
- Case Manager*
  9. Communicates to staff update of in-demand occupation.
  10. Prints out or saves digitally in-demand occupation.
  11. Uploads to participants case manager system account.
  12. Case notes the change in corresponding service.

1. In the case where an occupation listed as In-Demand and should be updated to reflect a Balanced or Not In-Demand Occupation, the proceeding process is applicable.
2. In the event of a disagreement about specific changes arises the OWDC Director will make the final recommendation.

**References**

Individual Training Accounts, [Workforce Innovation and Opportunity Act Policy 5601 \(Rev2\)](#)  
Occupations In-Demand (OID), Labor Market Info: Learn about an Occupation. <https://esd.wa.gov/labormarketinfo/learn-about-an-occupation#/search>

Issued by the Olympic Workforce Development Council (OWDC), this policy provides case note documentation guidance for case management services provided to Workforce Innovation and Opportunity Act (WIOA) Title I-B participants. .

- 1. Case notes entered by staff are a requirement to document services and includes the essential elements of service delivery:**
  - assessment of the need for services
  - a plan outlining the services to be provided
  - The intent and outcomes of service delivery.
- 2. WIOA Title I-B records, including case notes, will be made available in the case of audits, monitoring, and/or examination Workforce Development Council (WDC), the United States Department of Labor (DOL), and the Washington State Employment Security Department (ESD).**
- 3. Case notes create both a historical record of service delivery and a compliance record for risk management and cost allowances.**
  - a. Case notes describe the actions, activities, plans and results of services provided to customers.
  - b. Accuracy and completeness in case notes is critical as they are used as planning tools between the WIOA Specialist and participant.
  - c. All case notes must be objective, relevant, and based on fact. Opinions, internal processes, and miscellaneous comments should be avoided.
  - d. Case notes are required to be entered at the time of service. If this is not possible, then within 14 days of service. If the case note is not entered at the time of service, a detailed reason for late entry is required (per *5220PRO Authorization of Service Entry After 14-Day Timeframe*).
  - e. Case notes must be consistent with applicable documentation kept in the customer file.
- 4. Case notes are maintained electronically in the state-wide Management Information System (MIS).**
- 5. Per 1600POL Records and Documentation Retention Policy no medical or disability documentation should be retained, see policy for further guidance.**
  - a. If confidential documentation is obtained for (based on case-by-case and extenuating circumstances) case notes may read “participant notified case manager of barrier to employment, for verification purposes the information was added to a confidential file
  - b. All documentation and notes regarding a customer’s medical information and/or disability and record of accommodations must be stored in a separate, physical file,

placed in a locked file cabinet, and only accessible by Administrator, Program Supervisor and/or Local EO Officer. *and [WIN 0023-Mgmt of Medical Disability Related](#)*).

- c. At **no** time should medical or disability information be entered into case notes.

**6. Staff are directed to follow these guidelines for creating and maintaining case notes in MIS:**

- a. Eligibility and Enrollment
  - i. Adult and Dislocated Worker case notes include how eligibility was determined.
  - ii. Identify assessment tools used, results and who administered the assessments.
  - iii. Any barriers to employment should be described in case notes, include any efforts to mitigate, excluding any medical or disability information. For example: "Participant notified case manager of barrier to employment, for documentation purposes the information was added to a confidential file.
  - iv. Any denial of services must have a detailed reason for denial documented in case notes.
- b. Services provided must include:
  - i. A brief description of the customer's needs, resources explored, and actions taken. Include services provided, expected results and dates.
  - ii. Document the rationale for any change in the customer's service plan.
- c. General Notes Content
  - i. Case notes should document the need for service provision or omission, the progress made in the service elements, results of those services, next steps based on progress of the services, and the program outcomes of service delivery.
  - ii. If issues arise and are mentioned in one case note, there should be a plan of action and/or resolution noted. Include followed-up in subsequent case notes to be clear how the issue was or will be resolved.
- d. Training Services
  - i. Document the resources explored, including what, if any, non-WIOA resources were applied for to assist in the cost of training, expected results, and the WIOA planned contributions. Record date of customer's completion of Training services.
  - ii. Occupational Skills Training Services case notes must document how training leads to self-sufficiency.
- e. Program Exit and Follow-up Services
  - i. Record the customer's program exit date.
  - ii. Document post-exit credentials and employment information.
  - iii. Identify any planned Follow-up Services.

**7. Case notes are a tool to help service providers organize and analyze the information gathered on participants and to plan case management strategies. It is important case notes are clear and accurate, as well as be able to recognize and discern services and expenditures provided.**

## References

Data Integrity and Performance Policy and Handbook, [WorkSource System Policy 1020 \(Rev2\)](#)

Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs, Training and Employment Guidance Letter, [TEGL 23-19 Change2](#)

Management of Medical and Disability Related Information, Washington Information Notice [WIN 0023 \(Rev2\)](#)

OWDC 1600POL Records and Documentation, 5220PRO Authorization for Service Entry After 14-Day Time Frame

Real-Time Data Entry in the Efforts to Outcomes (ETO) System, [WorkSource Information Notice 0082 \(Rev1\)](#)

Supportive Services and Needs-Related Payments, [Workforce Innovation and Opportunity Act 5602 \(Rev5\)](#)

Training Services Adult and Dislocated Worker Activities under WIOA, Title 20, Chapter V-I1, Subpart B, [20 CFR §680.230](#)

WIOA Definition of Low-Income Individual, Workforce Innovation and Opportunity Act H.R. 803 (113<sup>th</sup>) [USC §3](#)



## 5230POL Income Eligibility and Verification

Effective Date: March 2021

Last Modified: July 2021

Verifying income is a core requirement in Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Youth participation. Local Workforce Development Councils have the authority to develop additional criteria, policies, and procedures to assist staff determine family size and what may be included or excluded as income for the purpose of determining WIOA Title I Youth and Adult Program eligibility (*WorkSource System Policy 1019, Rev9, Section 3.d*). This policy outlines low-income requirements, defines family size, defines dependent and low-income, and details includable and excludable income.

- 1. Determining family size and family income is used to define an individual's low-income status under the WIOA Section 3(36) definition.** DOL has provided the following guidance for use in determining low-income status:
  - a. Unemployment Insurance, child support payments, and old-age survivors' insurance are includable income for adults and dislocated workers (*TEGL 19-16*).
  - b. Military pay or allowances 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 includable income (*TEGL 19-16; 20 CFR 683.230*).
  - c. Unemployment insurance and child support payments are includable income for youth (*TEGL 21-16*).
  
- 2. Determining family size:**
  - a. WIOA defines family as 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:
    - i. A married couple and dependent children;
    - ii. A parent or legal guardian and dependent children; or
    - iii. A married couple (Washington's Marriage Equality Act (*RCW 26.6046*) expands the definition of a "married couple" beyond that of a male and female couple).
  - b. If a 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 of WIOA section 3(36) (*20 CFR 681.280*). The disabled individual would be considered a family of one and only the individual's income would be considered when determining low income.
  
- 3. Defining Dependent:**
  - a. The state has identified three circumstances where youth must be considered dependents of parents or legal guardians for the purpose of determining family size for program eligibility:
    - i. Youth not yet 18 years old: who are not emancipated nor runaway youth, living "at home" with their parents or legal guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household).
    - ii. Youth ages 18-19 who are full-time students in a secondary school or equivalent and are living "at home" with their parents or legal guardians.
    - iii. Youth ages 18-24 who are not full-time students and are living "at home" with their parents or legal guardians and who are primarily supported by their parents.

- b. Youth who do not fit the above, are 18 years or older who reside with someone other than the parents or guardians (whether or not related by blood) and are not supported by parents or guardians shall be considered a family of one.
- i. Youth must provide a statement from the individual with whom he/she is residing documenting the support being provided (e.g., room and board); and
  - ii. Provide documentation of any income the youth has earned in the last six months.
  - iii. The income of the individual with whom the youth is residing is not included in determining the youth's income eligibility.
  - iv. Income earned within the last six months by the youth (multiplied by 2 to obtain the annualized income) must not exceed the OMB Poverty Income level guidelines for a family of one for 12 months.

#### **4. Includable and excludable income to determine an individual low-income**

a. **Family Income Shall Include:**

- Wages and salaries before any deductions;
- Net receipts from nonfarm self-employment (receipts from an individual's unincorporated business, professional enterprise, or partnership after deductions for business expenses);
- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- Regular payments from railroad retirement benefits, strike benefits from union funds, workers' compensation, and training stipends;
- Alimony;
- Military: Pension payments such as those received by military retirees and pension benefits.
- State and federal unemployment compensation;
- Pensions, whether private or government employee (including military retirement pay);
- Regular insurance or annuity payments;
- College or university grants, fellowships, and assistantships (other than needs-based scholarships);
- Wages earned by WIOA participants while in WIOA programs (except OJT participants);
- Dividends and interest, net rental income, net royalties, and/or periodic receipts from estates or trusts;
- Net gambling or lottery winnings; and
- Regular payments from Social Security Disability Insurance (SSDI)
- Child support payments
- Regular payments from social security (i.e., old-age survivors' insurance);

b. **Family Income Shall Exclude:**

- Public Assistance cash payments (including Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI) from SSA, Refugee Case Assistance, and General Assistance (GA))
- Needs-based scholarship assistance, and financial assistance under Title IV of the Higher Education Act (i.e., Pell Grants Federal Supplemental Educational Opportunity Grants and Federal Work Study, (Stafford and Perkins loans like any other kind of loan are debt and not income);

- Foster case child payments
- Non-cash benefits such as employer-paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, Food Stamps, school meals, fuel or other housing assistance;
- Tax refunds, gifts, loans, lump-sum inheritances, onetime insurance payments, or compensations for injury;
- Capital gains;
- Assets drawn down as withdrawals from a bank, sale of property, a house or a car;
- Income earned while a veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, family compensation for service-connected death, vocational rehabilitation, and education assistance;
- Tribal Government Payments (i.e., Capita Payments, Lease Payments)
- U.S. Housing and Urban Development (HUD) rental assistance subsidies;
- Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparent Program, Youthworks/AmeriCorps Programs, and Retired Senior Volunteer Program; and

## 5. Exemption of Military Service-Related Income

- a. 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 (see *20 CFR 683.230 and 38 USC Part 4213*).
- b. A veteran must meet each program's eligibility criteria to receive services under the respective employment and training program.
- c. 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 considered as income.
- d. This means many separate service members may qualify for the WIOA adult program because it provides for low-income individuals and military earnings are not to be considered income for this purpose. Title 38 of the USC 4213 also exempts from inclusion in "low income" calculations any financial benefits received by a covered person.
- e. Benefits received under chapter 106 of Title 10 USC Education assistance for members of the selected reserve.
- f. Certain other types of military-related income are not exempt. Specifically, pension payments authorized by Title 10 USC such as those received by military retirees whether or not their retirement was based on disability, are not exempt and are to be included in 'low income' calculations. Also, not exempt are pension benefits paid under Chapter 15 of Title 38 USC.

## References

Administrative Provisions Under Title I of the Workforce Innovation and Opportunity Act, Code of Federal Regulations Title 20, Chapter V, [20 CFR Part §683](#)

Do veterans receive priority of service under the WIOA, Code of Federal Regulations Title 20, Chapter V, [20 CFR §680.650](#)  
Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)

Eligibility requirements for veterans under Federal Employment, Title 38 Part III, Chapter 42, [38 CFR §4213](#)

Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#)  
HHS Poverty Guidelines Annual Update, Federal Register, [87 FR 3315](#)

Lower Living Standard Income Level by Family Size, [WorkSource Information Notice 0056 \(Rev10\)](#)

McKinney-Vento Homeless Assistance Act, [USC NCHE Title IX, Part A](#)

OWDC 5100POL Program Eligibility, 110POL Adult Eligibility, 5130POL Youth Eligibility, 5410ATT Lower Living Standard Income Level (LLSIL)

Pension for Non-Service-Connected Disability or Death or Service, Veteran's Benefits, Title 38, Chapter 15, [Title 38 USC](#) Veterans Benefits, Compilation of the Social Security Laws, [Title 38 USC §101](#)

Washington's Marriage Equality Act, State Registered Domestic Partnerships, [RCW 26.6046](#)

WIOA 2023 Lower Living Standard Income Level ([LLSIL](#))

Youth Formula Program Guidance, Training and Employment Guidance Letter, [TEGL 21-16, Change1](#)

## 5240POL Follow-up Services

Effective Date: July 2021

Last Modified: July 2021

The U.S. Department of Labor (DOL) issued guidance TEGL 10-16, which states follow-up services begin after exit. To ensure Olympic Workforce Development Council (OWDC) policy compliance, this policy describes the requirements for delivery of Follow-up Services.

1. **Requirements for Follow-up Services are authorized to begin after a WIOA Title I participants program completion (exit) into unsubsidized employment**, for at least a period of 12-months after the first day of employment. Adult, Dislocated Worker, and Youth program are required to offer follow-up services at the time of exit.
2. **The goal of follow-up services is to ensure job retention, wage gains, and career progress.**
  - a. Follow-up service must align with participants individual service strategies planning. The types of services are based on the needs of the individual and may differ for each participant.
  - b. Individuals who have multiple employment barriers and limited work histories may need significant follow-up services to ensure long-term success.
3. **Career Services during 12-month follow-up period include:**
  - a. Counseling individuals about the workplace
  - b. Contacting individuals or employers to verify employment
  - c. Contacting individuals or employers to help secure better paying jobs, additional career planning, and counseling for the individuals
  - d. Assisting individuals and employers in resolving work-related problems.
  - e. Connecting individuals to peer support groups
  - f. Providing individuals with information about additional educational or employment opportunities
  - g. Providing individuals with referrals to other community services
4. **Supportive services are allowable during follow-up** (*per Supportive Services and Needs-Related Payments 5602 (Rev5) and 5620 (Rev1), 5520POL Supportive Services Rev3*)
  - a. Assistance with transportation (gas, bus pass, etc.)
  - b. Assistance with childcare and dependent care

- c. Assistance with education testing
  - d. Payments and fees for employment and training related applications, tests, and certificates
  - e. Job specific tools not provided by employer but required for position
  - f. Appropriate work attire (slacks, blouse, scrubs, boots, etc.)
  - g. Hygiene products (soap, toothpaste, deodorant, etc.)
  - h. Technology (phone minutes, computer programs specific to job description/task not provided by employer (verification documentation is required). Laptops **are not** authorized as a follow-up support service.
5. **Youth participants must be offered an opportunity to receive follow-up services unless they decline or cannot be located. Youth follow-up services are allowable for unsubsidized employment or postsecondary education and training.**
- a. Follow-up service must align with their individual service strategies.
  - b. Youth follow-up services include services noted in step 3 and 4 of this policy *as well as*: adult mentoring, financial literacy, education, labor market information, prep and transition for post-secondary and training (per TEGL 21-16).
6. **Follow-up services do not trigger the exit date to change, or delay exit for performance reporting.** As such, subrecipients count each exit of a participant during a program year as a separate period of participants if a participant has more than one exit in program year.
7. **Follow-up services are required to be recorded in state MIS system Efforts to Outcomes (ETO).**
- a. If participant opts-out of further services, case notes are required to reflect participants selection within Outcome TouchPoint (TP) (*per 5210POL Case Note Policy*).
  - b. Staff must use the WorkSource service Catalog to select appropriate TP to enter into the MIS system.
  - c. All documentation obtained during follow-up services are required to be uploaded into applicable TP (*per 1600POL Records and Documentation*).
8. **Participants may be considered as opting out of follow-up after five failed contact attempts by case managers with participant or employer.**
- a. After the 5<sup>th</sup> unsuccessful contact attempt, a letter shall be sent to the participant indicating the opt-out action to be taken and the procedure to opt back in if the participant chooses. Copy of letter and date sent are required to be uploaded into last TP recorded.
  - b. All attempts to contact are required to be entered into MIS system.

#### References

Follow-up Services for Adults and Dislocated Workers, [Workforce Innovation and Opportunity Act 5620 \(Rev1\) Policy](#)  
 OWDC 1600POL Records and Documentation, 5210POL Case Note Policy, 5520POL Supportive Services (Rev3)  
 Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title, I, Title II, Title III, and Title IV Core Programs, Training and Employment Guidance Letter, [TEGL 10-16, Change 2](#)  
 Supportive Services and Needs-Related Payments, [Workforce Innovation and Opportunity Act Policy 5602 \(Rev5\)](#)  
 Youth Formula Program Guidance, Training and Employment Guidance Letter [TEGL 21-16, Change1](#)

To ensure Olympic Workforce Development Council (OWDC) compliance with 20 CFR 618.325 that requires co-enrollment of all Trade Adjustment Assistance (TAA) participants into the Workforce Innovation and Opportunity Act (WIOA) Title I-B Dislocated Worker (DW) program, subject to eligibility, unless they decline.

- 1. TAA participants must be co-enrolled in the WIOA Title I-B DW program if they are determined eligible, unless the participant declines.**
- 2. OWDC subrecipients will accept TAA participants referrals.**
  - a. Subrecipient staff have 30 days, after the date of the referral, to determine DW eligibility and enroll.
  - b. If found eligible or declines, staff will notify TAA of the co-enrollment status.
  - c. Subrecipient will follow their standard intake and enrollment process in assessment of co-enrollment.
- 3. TAA services will be considered the first dollar resource for allowable training and individualized program services.**
  - a. TAA program does not provide support services. When needed TAA staff will refer participants to WIOA staff for supportive services.
  - b. In the event of funding limits for a specific service, programs may co-fund a service if it is determined appropriate, allowable, and will result in a strong likelihood the participant will obtain suitable employment.
- 4. To best serve the participant, staff will work with TAA staff to ensure the participant is receiving training and support services best suited for their situation.**
  - a. TAA services entered do not extend DW participation. To mitigate DW program system exit, staff are required to review TAA services dates and enter a Career and Vocational Counseling TouchPoint (TP) into ETO.
  - b. Case notes must include TAA services reviewed and any action WIOA staff have taken to assist customers employment/training goals.
- 5. TAA and WIOA program staff will share the documentation of progress, credentials, and measurable skill gains.** Per local policy *1600POL Records and Documentation Retention* the state MIS system stores all participant documentation.

#### References

Co-enrollment of Trade Adjustment Assistance participants into the WIOA Title I-B Dislocated Worker program, Workforce Innovation and Opportunity Act [5617 \(Rev3\)](#)

Guidance on Integrating Services for Trade-Affected Workers under the TAA Program with the WIOA Title I DW Program, 2020 Training and Employment Guidance Letter, [TEGL 04-20](#).

Integrated service strategies and Workforce Innovation and Opportunity Act co-enrollment, Trade Adjustment Assistance Final Rule, Code of Federal Regulations, Title 20, Chapter V, Part 618, [20 CFR §618.325](#)

5251PRO WIOA Title I-B and TAA Co-enrollment Referral Procedure

To define referral procedure between Olympic Workforce Development WIOA Title I-B staff and Trade Adjustment Assistance (TAA) Staff.

**TRIGGER:** During TAA enrollment an assessment will be carried out to determine the client’s potential need for WIOA service

**TARGET:** Proper case notes and documentation of acceptance or declination of WIOA Title I-B and TAA co-enrollment.

**TAA WIOA Referral Procedure for TAA Staff**

- |   |    |   |
|---|----|---|
| <i>TAA Case Manager</i>                             | 1. | Engage client in discussion of process and suggest WIOA co-enrollment.  |
|   | 2. | Based on the discussion, the desires of the client, their residence location: client will be referred to the WIOA program.<br><u>Either</u><br>Jefferson and Clallam County residences will be referred to Clallam WorkSource, as there is only one WIOA provider<br>Kitsap County residences will be made aware of the two WIOA providers, Kitsap WorkSource that covers northern and central Kitsap, and Kitsap Community Resources that covers southern Kitsap.<br>Client will be offered referrals to their preferred office. |
| <i>TAA Case Manager</i>                             | 3. | Notify WIOA supervisor of client preferred office.  |
| <i>Client</i>                                       | 4. | Case notes co-enrollment discussion, client office preference, and the notification to WIOA supervisor.<br><u>IF</u> client pursues WIOA Services   |
| <i>TAA Case Manager</i>                             | 5. | Continue client assessment of services and resources available.   |
| <i>TAA Case Manager</i><br><i>WIOA Case Manager</i> | 6. | Notify and work together to ensure client is receiving all necessary and appropriate services and encourage the client to seek help as needed.  |

**TAA Enrollment procedure for WIOA Case Managers**

- |                          |    |  |
|--------------------------|----|--|
| <i>WIOA Case Manager</i> | 1. | Determine if client may be eligible for Trade Act Assistance through:<br><br>a. Check the TAA Entitlement Determination in ETO. It can be found in the Review Touchpoints section of the client’s dashboard. TAA benefits do not expire until used, so if they have not been enrolled in TAA, it is possible that they may still have benefits.<br><br>b. Discuss the client’s work history in order to determine if they lost their job as a result of foreign competition. |
|--------------------------|----|--|

NOTE: Pay particular attention if they were employed by regular TAA partners such as Boeing. Also, check their resume and work history should they have any background with these employers, as the client may have been laid off as part of a qualifying event.

If you suspect they may qualify, but they do not have anything listed in ETO, refer client to fill out a Request for Determination. These are available from TAA case manager or TAA supervisor.

- c. Continue to work with client as normal while they work their way through the above process. WIOA services can be valuable as a means of bridging gaps until TAA begins, and can sometimes prove a more reasonable option, especially in situations where a shorter-term training provided by WIOA would allow the client to return to work more quickly in suitable employment, while maintaining TAA eligibility should a more substantive change be required in the future.

#### **IF APPLICANT IS ALREADY ENROLLED IN TAA**

*WIOA Case  
Manager*

1. Follow standard protocol for enrollment into WIOA (collect documents and application from client).
2. Follow standard process to determine client's program eligibility.
3. Discuss WIOA with client, and the client's needs and WIOA resources available to assist with meeting client needs.
4. Determine if client would like to opt-in to co-enrollment.

*IF yes:*

Enroll in WIOA Program based on eligibility determination.

*IF no:*

If client declines, case note their decision.

5. Notify TAA Case Manager and TAA Supervisor of declination.
6. Email client to their address of record reiterating their decision, making it clear that they are welcome to reapply if circumstances change. Copy client's TAA case manager.
7. Once the client is co-enrolled, continue to case note services provided and work with TAA Case Manager as appropriate to ensure that the client is receiving all necessary and appropriate services.

*WIOA Case  
Manager*



# TRAINING SERVICES

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5300POL Individual Training Accounts (Rev1)

Effective Date: March 2015

Last Modified: May 2022

This policy provides guidance on Individual Training Accounts (ITAs) for WIOA Title I-B Adult, Dislocated Worker and Out-of-School Youth participants who are found eligible for training services (see *5500POL Service Guidance*) within the Olympic Workforce Development Council (OWDC) three counties.

1. **ITA is an account internally managed by the provider to obligate funds so that a customer can receive training with an eligible training provider.** It is not a voucher given to a customer to purchase training and requires close monitoring of ITA obligations.
  
2. **Training services purchased with ITA funds require:**
  - a. Direct links to occupations in-demand (see *5511 Occupation In-Demand and Labor Market Information*) and training/education that leads participant to economic self-sufficiency.
  - b. Training providers listed on Washington's State Eligible Training provide List (ETPL), *Career Bridge*.
    - i. **Exceptions:**
      - The OWDC determines there are an insufficient number of eligible providers of training services in any part of the Consortium's Workforce Development Area involved to accomplish the purposes of a system of individual training accounts.
      - The OWDC determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment.
      - OWDC may approve training services for occupations determined by the Council to be in sectors of the economy that may have a high potential for sustained demand or growth in the local area.
    - ii. If a program is removed from the state ETPL, WIOA participants in the program can complete the training and ITA modified or extended participants beyond the original plan approval.
  - c. WIOA Title I-B program enrollment (see *5100POL Program Eligibility, 5110, 5120, & 5130*).
  - d. Consideration of availability grants/resources, excluding loans, to pay for training so that WIOA funds are used to supplement but not supplant other sources.
  - e. Case Manager (CM) consultation and participant assessment through interview and discussion for selected education or training program. Assessment includes thorough Individual Employment Plan (IEP) discussion and documentation in state MIS.
  - f. It is the responsibility of the service provider to determine which customers qualify to receive training and to refer them to an Eligible Training Provider of their choice based on an assessed need for training by the service provider.

3. **ITA funds are obligated and authorized through subrecipient purchase order or voucher and**
  - a. An ITA award could fund prerequisite training to a vocational training program if it is required by the educational institution.
  - b. Expenditures that qualify to be paid through ITAs are those directly related to training such as tuition, books, academic fees, educational testing and certification, and equipment and tools.
  - c. A participant must enroll in school within 90-days of ITA approval.
  - d. Satisfactory progress for an individual must be documented in the participant file (MIS case note or copy of grade report), except for good cause. This is to ensure that the conditions of the ITA are being met before subsequent payments are made. Satisfactory progress is defined as follows:
    - i. The individual's grade point average does not fall below 2.0 for more than one consecutive quarter
    - ii. The individual maintains a grade point average sufficient to graduate from, or receive certification in, their approved area of study; and
    - iii. The individual is completing sufficient credit hours to finish their approved course of study within the time frame established under their approved training plan.
    - iv. In the case of self-paced or non-graded learning programs, satisfactory progress means participating in classes and passing certification examinations within the time frame established under their approved training plan.
  - e. Failure to make satisfactory progress in training as including specific factors that would cause a reasonably prudent person in similar circumstances to fail to make satisfactory progress. Good cause includes, but is not limited to:
    - i. Illness, injury or disability of the participant or a member of the participant's immediate family
    - ii. Severe weather conditions or natural disaster precluding safe travel
    - iii. Destruction of the participant's school records due to a natural disaster or other catastrophe not caused by the participant
    - iv. Acting on advice received from an authority such as the training provider, instructor, or case manager
    - v. Training is delayed or cancelled
    - vi. Accepting stop-gap employment with hours or other work conditions that conflict with the training
    - vii. Accepting goal-related employment prior to completion of training.
4. **ITA Funding limits for tuition and fees is a maximum of the cost of two years tuition and expenses for an in-state student at Washington community or technical college.**
  - a. The amount and duration of an ITA award shall be determined on an individual basis.
  - b. CM will consider any other financial assistance available to the participant and ensure justification documentation is recorded in MIS.
  - c. Other costs associated with training such as parking fees, school supplies, parking passes, licenses, books, uniforms, background checks, driving abstracts, etc. may be considered training costs and are not included in tuition and fees.

5. **ITA modification should be limited to meet the training participant’s needs throughout training and educational services.**

**References**

Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)

Governor’s Procedures for Determining Training Provider Eligibility, [Workforce Innovation and Opportunity Act Policy 5611 \(Rev2\)](#)

Individual Training Accounts, [Workforce Innovation and Opportunity Act Policy 5601 \(Rev2\)](#)

Pay-for-Performance Contract Strategies, Code of Federal Regulations Title 20, Chapter V, Part 683, Subpart E, [20 CFR §683.510](#)

Under what circumstances may mechanisms other than ITA be used to provide training services, Code of Federal Regulations Title 20, Chapter V, Part 680 Subpart C, [20 CFR §680.320](#)

Use of Funds for Employment and Training Activities, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [134\(d\)\(3\)\(C\),134\(d\)\(3\)\(C\)\(vi\)](#)

Incumbent worker training (IWT) is designed to meet the special requirements of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment and is conducted with a commitment by the employer to retain or avert the layoff of the incumbent worker. A successful IWT allows businesses to grow talent from within, stay competitive in new or emerging markets, and retain and/or promote employees through skills development. The incumbent worker training would be one where a participant acquires new skills allowing them to move into a higher skilled and higher paid job within the company, thus allowing the company to hire a job seeker to backfill the incumbent worker's position.

1. **Local boards can use up to 20% of their adult and dislocated worker funds to provide for the federal share of the cost of providing IWT (Section 134(d)(4)).** Use of Rapid Response funding is allowable as part of a broader layoff aversion strategy. However, Adult and Dislocated Worker funds have allocation priority.
2. **Incumbent Worker participants must be enrolled into WIOA Title I-B Adult and Dislocated Worker. Incumbent Worker must be:**
  - Employed
  - Meet the Fair Labor Standards Act requirements for an employer-employee relationship, AND
  - Have an established employment history with the employer for 6 months or more: OR be part of a cohort wherein the majority of employees receiving training have an established employment history of six months or more with the employer.
3. **Employer Eligibility Criteria:** The following factors must be considered when determining the eligibility of employers to receive the WIOA share of funds to provide training to incumbent workers using either Adult and/or Dislocated Worker formula funds:
  - The characteristics of the incumbent workers to be trained and how they would benefit from retention or advancement (per *WIOA Section 3(24)*)
  - Whenever possible, the training should allow the participant to gain industry-recognized training experience or lead to industry-recognized credentials or an increase in wages
  - The number of participants the employer plans to train or retrain
  - The wage and benefit levels of participants (before and after training)
  - The employer and training are:
    - a. In an in-demand industry as determined by ESD labor market information; or
    - b. In an in-balance industry as determined by ESD labor market information; or
    - c. In a declining industry, but there are compelling reasons (e.g., evidence of long-term viability of the employer) justifying investment in incumbent worker training. Per WS Policy 5607 (rev5).
  - The employer is current in unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan.

- In cases when funding source is restricted to layoff aversion activities and strategies, these funds can only be used for incumbent worker training that supports layoff aversion and reduces any reductions in the employer's workforce.

**Each of the above factors leading to the approval of an incumbent worker training project with an employer must be documented and placed in the contract file.**

- 4. Subrecipient intending to implement an IWT will provide OWDC supervisor with a completed IWT application that meets the following criteria:**
  - a. Generally, IWT should be provided to private sector employers; however nonprofit and local government entities may be the recipients of IWT funds and require OWDC supervisory approval.
  - b. Labor market competitiveness of the employees, the employer or both
  - c. Other factors to consider include:
    - The number of employees participating in the training
    - Wage and benefit levels of those employees (both pre-and post-training earnings)
    - The existence of other training and advancement opportunities provided by the employer
    - Credentials and skills gained from the training
    - Layoffs averted from the training
    - Utilization as part of a larger sector and/or career pathway strategy
    - Employer size
- 5. Procurement of training may be contracted directly with training providers for IWT.** Training can be provided through community and technical colleges, vocational-technical centers, state colleges and universities, licensed and certified private entities/institutions, industry specific consulting or training organizations, professional associations, or credentialing entities, or the business itself (through in-house trainers).
- 6. IWT funds allocation is not allowable for any business or sector or division of a business that has relocated.** Unless 120-days after relocation and the relocation of the business or sector or division of a business results in a loss of employment for any employee at the original U.S. based location (Per *WIOA Sec, 181(d)(2)*).
- 7. IWT funds cannot be used for employee wages or new hire training.**
- 8. Employer Payment Requirements (Per TEGL 19-16):**
  - Employers are required to pay the non-WIOA share of the cost of providing incumbent workers.
  - Employers are required to pay a portion of the training for those individuals in incumbent worker training and this may be done through both cash payments and fairly evaluated in-kind contributions.
  - The employer contribution may include the wages the employer pays to the incumbent worker trainee while the worker is attending training.

- Under section 134(d)(4)(D) of WIOA, in establishing the employer share of the cost, the Local WDB must consider:
  - The number of employees participating in the training,
  - The wage and benefit levels of the employees (at the beginning and anticipated upon completion of the training),
  - The relationship of the training to the competitiveness of the employer and employees, and
  - The availability of other employer provided training and advancement opportunities.
- The employer’s payment for the non-WIOA share can be cash payments, fairly evaluated in-kind contributions, or both.
- The minimum amount of employer share in the IWT depends on the size of the employer and may not be less than:
  - 10% of the cost, for employers with 50 or fewer employees
  - 25% of the cost, for employers with between 51 to 100 employees; and
  - 50% of the cost, for employers with more than 100 employees.

**SEE ALSO:**

- 5540ATT IWT Application
- 5540ATT IWT Budget Worksheet

**References**

Employer Criteria and Cost Sharing and Training and Provided to Incumbent Workers Training, [Workforce Innovation and Opportunity Act Policy 5607 \(Rev5\)](#)

Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#)

Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title, I, Title II, Title III, and Title IV Core Programs, Training and Employment Guidance Letter, [TEGL 10-16, Change 2](#)

Requirements and Restrictions, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§181\(d\)\(2\)](#)

Use of Funds for Employment and Training Activities, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§134\(d\)\(3\)\(C\), 134\(d\)\(3\)\(C\)\(vi\)](#)

What is incumbent worker training? Code of Federal Regulations, Title 20, Chapter V, Part 680, Subpart F, [20 CFR §680.790](#)

Work-Based Training: Who is an "incumbent worker" for purposes for statewide and local employment and training activities? Code of Federal Regulations, Title 20, Chapter V, Part 680, Subpart F, [20 CFR §680.780](#)

This policy provides local guidance on the implementation of Workforce Innovation and Opportunity Act (WIOA) funded OJT opportunities for eligible Adult, Dislocated Worker and Youth program participants. OJT opportunities provide structured training for participants to gain the knowledge and skills to lead to stable employment and competencies for the position they are hired into. OJT is a training option for Employers to train new employees on the specific knowledge or skills essential to the full and adequate performance of the job.

1. **OJT opportunities occur through a contractual agreement between the Employer and OJT Service Provider.**
2. **OJT is a hire-first program. The WIOA participant begins their OJT as a full-time employee of the contracted Employer, who provides the on-site training and long-term unsubsidized employment upon completion of the OJT.**
3. **OJT may be sequenced with other WIOA program services, such as work experience or training.**
4. **Participant Eligibility:**
  - a. Meet WIOA Adult, Dislocated Worker or Youth eligibility requirements prior to OJT implementation
  - b. Development of a full Individual Employment Plan (IEP) with WIOA case worker
  - c. Participants who have received funding through an ITA, cohort or other WIOA funded training are also eligible to be considered for an OJT.
  - d. OJT may be provided for enrolled participants who are either employed or unemployed.
5. **Employed participants requirements include:**
  - a. The employee is not earning a self-sufficient wage or wage comparable to or higher than wages from previous employment; AND
  - b. The OJT must provide training for the introduction of new technologies, new production, or new service procedures; or upgrading to a new job that requires additional skills.
6. **Employer Eligibility**
  - a. The OJT employer must be registered with the Internal Revenue Service (IRS) and have an account with the Washington State Employment Security Department for Unemployment Insurance and carry Worker's Compensation Insurance.
  - b. The employer must be financially solvent and have an adequate payroll record keeping system
  - c. Employer must not have undergone a significant layoff within the past 120 days, as defined by WARN act.
  - d. The employer must not have workers currently in an employer-instigated layoff status or be involved in a labor dispute.
  - e. When an employer refers one of their employees (a reverse referral) to a WIOA program for On-the-Job Training, an OJT contract cannot be written until all of the program enrollment requirements are met.

- f. OJT employees may not work on the construction, maintenance or operation of any facility that is used exclusively for religious or ideological activities or goals, or in a position that is designed to further religious or ideological goals.
- g. OJT contracts cannot be entered into with an employer who has exhibited a pattern of failing to provide OJT participants with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.
- h. The employer must not discriminate in training or hiring practices because of any protected status under State or Federal law, including but not limited to race, color, sex, age, national origin, religion, disability, political beliefs or affiliations, and veterans' status.

**7. Occupational Eligibility**

- a. The OJT position is an in-demand occupation as defined by WIOA Section 3(23) and ESD labor market data; or in a "balanced" or "declining" industry, if there are compelling reasons (e.g., evidence of long-term viability of the employer) justifying the placement OJT candidate with the employer.
- b. The employer is current in unemployment insurance and workers compensation taxes, penalties, and/or interest or related payment plan.
- c. Compensation for the occupation must be at the same rate, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills.
- d. Occupations not eligible for OJT contract and participation:
  - i. Those that require minimal training.
  - ii. Jobs where the principal source of income is tips, commissions, or piecework.
  - iii. Jobs that are intermittent or seasonal in nature.
  - iv. Self-employment
- e. Occupation eligibility documentation must be included in OJT contract and participant file.

**8. The OJT Contract:** Every OJT opportunity will include a contract (agreement) with the OJT employer and a training plan for the employee.

- a. The contract must include:
  - i. Requirements of WIOA rules and regulations,
  - ii. Occupation, skills, and competencies to be learned, and
  - iii. Length of time the training will be provided.
- b. The participant is considered an employee of the employer according to the Fair Labor Standards Act.
- c. Positions that receive a 1099 form are considered self-employed worker or independent contractor, which does not qualify for OJT.
- d. An OJT agreement will not displace any currently employed worker or alter current workers' promotional opportunities. Nor will an OJT agreement be made with an employer who has terminated any regular employee or otherwise reduced the workforce to hire OJT employees.
- e. Contracts with an employer who has previously exhibited a pattern of failing to provide OJT employees with continued long-term employment are prohibited.



- f. The OJT agreement must not impair existing contracts for services or collective bargaining agreements. When an OJT agreement would be inconsistent with a collective bargain, the appropriate labor organization and the OJT employer must provide written concurrence before the OJT can begin. Additionally, the OJT agreement may not assist, promote nor deter union organizing.

#### **9. Cost per Participant**

- a. OJT Contracts may not exceed a total reimbursement amount of 50% and up to 75% (with OWDC pre-approval) of the maximum gross wage rate of the WA State OJT Wage Cap.
- b. When determining wage rate, the following is required to be taken into consideration:
  - i. The characteristics of the participant(s) with an emphasis on barriers to employment.
  - ii. The size of the employer with an emphasis on small businesses (i.e., employers with fewer than 250 employees).
  - iii. The quality of employer-provided training (e.g., an industry-recognized credential, advancement opportunities).
  - iv. The number of participants the employer agrees to sponsor.
  - v. The wage and benefit level of the participant (both during and after completion of the OJT).

#### **10. Determining training duration-specific vocational preparation (SVP)**

- a. Training will be limited to the period required for an OJT employee to become proficient in the position related to the training plan. The OWDC limits the training duration to no more than twenty-six (26) weeks or 1,040 hours.
- b. Training duration is negotiated with the employer based on the skills that need to be learned to perform the job at a level comparable to an employee who would be hired without the need for OJT. The rationale for the training may also consider:
  - i. Accommodations required pursuant to federal regulations including the Americans with Disability Act.
  - ii. The program's available funding and ability to adequately case manage an OJT.

#### **11. Monitoring and Reporting**

- a. Monitoring is to be completed periodically for each separate OJT contract written with the employer.
- b. Monitoring will include a 360-degree review, defined as:
  - i. On-site visitations including supervisor/participant interviews, a review of time and attendance and other reimbursement-related documentation A determination of whether the delivery of training is in accordance with the training outline/statement of work.
  - ii. Verification of:
    - a. Time and attendance with invoices.
    - b. Contracted wage rate vs. wages paid.
    - c. The start date of employment vs. start date of the training specified in the OJT contract.
    - d. Progress review to determine whether planned skills are being acquired as outlined in the training and schedule documentation.

- c. Monitoring contains both compliance and qualitative aspects to:
  - i. Determine the quality of the training and the progress of the trainee by visiting worksites and observing the actual work being accomplished.
  - ii. Verification that the training specified in the contract is the same as that being accomplished
  - iii. Monitor and review pay records to ensure the prevention of unauthorized payment
  - iv. Investigate fully any complaints received from participants suggesting the possibility of fraud
- d. As part of the regular internal monitoring effort, the LWDB will sample OJTs and review the file and where possible make site visits to ensure contract compliance. If during the monitoring an issue arises, LWDB has authority to remove participants from the site and suspend or terminate agreements.
- e. Service providers are responsible for reporting participant and expenditure activities to LWDB and require OJT employers to report regularly in detail so that deadlines are met.
- f. Time and attendance documentation must be maintained in participant file and available for OWDC review.
- g. WorkSource Specialists must be aware of proper incident reporting procedures and utilize if the situation warrants. Record keeping requirements are covered in the OJT agreement.

#### References

Building the Next Generation On-the-Job Training Toolkit, Training and Employment Notice [TEN 41-10](#)  
 Data Integrity and Performance Policy and Handbook, [WorkSource System Policy 1020 \(Rev2\)](#)  
 Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#)  
 In-demand Industry Sector or Occupation, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [3\(23\)](#)  
 On-the-Job Reimbursement Above 50 Percent to 75 Percent, [Workforce Innovation and Opportunity Act Policy 5606](#)  
 OJT Wage Caps and Reimbursement Rate Waivers for Job Driven, Dislocated Worker Training, and Sector Partnership  
 National Emergency Grants (NEGs), Training and Employment Guidance Letter, [TEGL 13-15](#)  
 Work-Based Training, Code of Federal Regulations Title 20 Chapter V-11, Part 680 Subpart F, [20 CFR §680.700-730](#)  
 Worker Adjustment and retraining notification, Code of Federal Regulations Title 20, Chapter V, Part 639, [20 CFR §639.1](#)

#### 5330POL Transitional Jobs

Effective Date: March 2023

Last Modified: April 2023

To ensure Olympic Workforce Development Council (OWDC) policy compliance and provide guidance for implementation of Transitional Jobs to serve qualified program participants and employers of the Worksource System within the OWDC three county region.

#### 1. **Transitional jobs provide individuals with work experience and an opportunity to develop important workplace skills within the context of an employee-employer relationship.**

- Transitional jobs are considered an individualized career service.
- Program supportive services are allowable during and after a transitional job placement.
- A transitional job would only be available for individuals with barriers to employment who are chronically unemployed or who have an inconsistent work history, as determined by the local board.

- Transitional jobs are designed to establish a work history for the individual, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment. They should be based on a comprehensive career plan (individual participant employment plan (IPP)).
2. **Offered as a time-limited, wage-paid work experience, transitional jobs are subsidized up to 100 percent.**
  3. **Available in the public, private, or non-profit sectors, the Training Provider/Company (TPC) hosting the individuals in the transition position is the Employer of Record.**
    - There is no requirement that the TPC retains the individual upon completion of the transitional job, however, job retention is in the ideal outcome.
    - The wages and benefits paid for the transitional job must be similar to those paid for other employees performing similar work. Wages must be based on hours worked as recorded on the trainee's time sheet.
  4. **Stipulations and allowances for funding a transitional job require alignment with OWDC policy and as approved by the OWDC.**
    - May approve for use up to 10 percent of their combined total allocation of adult and dislocated worker funds to support transitional jobs for serving adult and dislocated worker program participants specifically.
    - May approve as deemed appropriate, additional funding made available through other federal, state, or private funding sources. Any usage cap or other usage restrictions will be determined based on source of funding and total amount of allocation.
    - Funding may not exceed the amount of funds budgeted for transitional jobs in OWDC service contact as allocated in the relative program year.
  5. **Recording transitional jobs in the statewide MIS is required.**
    - Program staff must document how the transitional job will help the program participant establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and the retention in unsubsidized employment.
    - Creation of an Individual Participant Plan must align with the participants occupational goals and how the transitional jobs learned skills will facilitate the individuals career goals.
    - A transitional job is considered an individualized career service.
  6. **A fully completed and signed Transitional Job agreement (attached), including the participants signature, is required prior to implementation of the transitional job.**
    - The agreement must clearly state all the expectations of all parties.
    - The agreement should clarify the rate of pay and the duration of the experience along with the learning objectives for the program participant.
  7. **A Transitional Job relationship may be established for a duration of up to and not to exceed one year as determined applicable to the degree of barriers to employment, and additional factor's which should play a part in the decision-making process, as relevant to include:**
    - The type of employers to be served as transitional job sites, their needs and the time needed to establish an applicable work history.
    - Level of current Job Skills upon entry and the level needed to generate a positive outcome.
    - The need and type of program support and or access to career and supportive services that will be needed during the transitional job relationship.

8. **Upon completion of the Transitional Job term, the individual will continue to work with their case manager to fulfill their IPP that leads to entry and retention in unsubsidized employment.**
  - Follow-up services are required to be offered at the time of exit for at least a period of 12-months after program exit.
9. **At the conclusion of the Transitional Job Term, the TPC hosting the individual will provide the OWDC with a narrative identifying the successes/challenges for program evaluation.**

## **DEFINITIONS**

**Chronic unemployment:** typified by unemployment for a period equal to what would be required for exhaustion of Unemployment Insurance benefits, a work history with frequent episodes of unemployment, despite being able and willing to work.

**Inconsistent work history:** consisting of relatively short-term attachment to past jobs (approximately 1 year or less) and gaps in work history that cannot be explained by recent economic conditions.

### **References**

Description of the One-Stop Delivery System Under Title I of the Workforce Innovation and Opportunity Act. Title 20, Chapter V Subpart A, [20 CFR § 678](#)

Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#)

Indian and Native American Programs Under Title I of the Workforce Investment Act. Title 20, Chapter V Subpart 676, [20 CFR Subpart A §677](#)

Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title, I, Title II, Title III, and Title IV Core Programs, Training and Employment Guidance Letter, [TEGL 10-16, Change 2](#)

Primary Indicators of performance under WIOA, Title 20, Chapter V, Part 677, Subpart A, [20 CFR §677](#)

Unified and Combined State Plans under Title I of the Workforce Innovation and Opportunity Act. Title 20, Chapter V, Subpart 676, [20 CFR §676](#)

This policy provides guidance for the Olympic Workforce Development Council (OWDC) Service Providers implementation of Work Experience (WEX) with Workforce Innovation and Opportunity Act (WIOA) Title IB Adults, Dislocated Workers, and Youth participants.

1. **A WEX is a planned, structured, and time-limited learning experience** within a workplace via a contractual exchange between a WEX Sponsor (WIOA Title IB service provider the organization that oversees the WEX placement, serves as the employer-of-record for WEX Interns and provides support to the WEX Intern and WEX Host Site to ensure/support a positive experience), the WEX Host Site (the business site where the WEX occurs), and the WEX Intern (an individual enrolled in a WIOA Title IB program who is participating in the WEX activity).
2. **A WEX contributes to the achievement of the Interns employment goals** through a measurable training component. It is designed to assist individuals to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry and retention in unsubsidized employment.
3. **A WEX may not be used to replace an existing employee or position at the host site.**

#### **WEX Timeframe**

There are no WIOA Title IB regulations governing the amount of time a WEX Intern may be placed in a WEX position. When determining the duration of a WEX position, the following must be considered:

1. Objectives of the WEX, as defined by the Intern's employment and training goals.
2. Length of time necessary for the Intern to learn the skills identified in their learning plan.
3. The WEX Host Site has enough meaningful work activities for the Intern.
4. WEX Sponsor's budget.

#### **WEX Host Site Criteria**

All WEX Host Sites interested in supporting a WEX position in partnership with OWDC WIOA Title IB Adult, Dislocated Worker, and Youth programs must meet the below criteria.

1. Registered with the Internal Revenue Service (IRS) as a for-profit or not-for-profit agency, have an account with the Washington State Employment Security Department for Unemployment Insurance, and carry Worker's Compensation Insurance(20 CFR 683.280).
2. Licensed to operate in the State of Washington and provide their: Federal Employer Identification Number (FEIN), Employer Identification Number (EIN) or in the case of a Sole Proprietorship/Single Member (LLC) Social Security Number for the business and taxation purposes.
3. Ensure job safety and healthy working conditions as specified by the Occupation Safety and Health Administration.
4. Prohibit the Intern's involvement in the construction, operation, or maintenance of any part of any facility that is used, or to be used, for religious instructions or as a place for religious worship.
5. Do not discriminate in training or hiring practices because of race, color, sex, national origin, religion, physical or mental disability, political beliefs or affiliations, or age.
6. Do not allow the WEX activity to result in the infringement of promotional opportunities of their current employees.

#### **WEX Agreement**

A WEX Agreement between the WEX Sponsor, WEX Host Site, and WEX Intern is required prior to implementation of a WEX. The agreement must outline the purpose of the WEX, identification and requirements of all parties, compensation rates, and job tasks and duties.

1. WEX agreements may be modified. All modifications must be in writing and signed by all parties prior to the effective date of the modification. Verbal modifications of WEX agreements are not valid.
2. A single WEX Agreement may be written for group training with a single training site provided the working conditions, job description, training plan, wage rates and terms of the Agreement are the same for all participants covered by the Agreement.
3. WEX agreements must be signed by all parties prior to the start of the WEX.

### **Compensation**

Wage requirements under the Fair Labor Standards Act (FLSA) apply to all participants including youth employed under WIOA.

A WEX may be paid or unpaid, as appropriate in the private, for-profit, non-profit, or public sectors.

1. **WEX Host Sites are not monetarily compensated.** When a WEX activity is paid, the wages are provided by the WEX Sponsor (Employer-of-Record) and paid directly to the Intern, developing an employer/employee relationship between the WEX Sponsor and the Intern.
2. **When determining the hourly wage for WEX Intern, the following should be taken into consideration:** objectives of the WEX, type of work performed during the WEX, the skill set required, the skill set of the Intern and the WEX Sponsors budget.
3. **Participants enrolled in a paid WEX will be compensated at comparable rates of pay for the other individuals employed in similar occupations by the same employer.** In no case will participants be paid lower than current, local minimum wage, or the Washington State minimum wage, as applicable based on the location of the WEX site where the employer is located, and the participant is working.
  - a. WEX Interns are not authorized to work overtime or paid for vacation time, lunch breaks, or holidays recognized by the service provider as a “paid holiday”.
4. All Washington State employers are required to provide paid sick leave to their employees, unless the employer only has workers who are exempt from Chapter 49.46 RCW-Minimum Wage Act, which includes paid sick requirements.

### **Participant Eligibility**

All WEX Interns must meet WIOA Title IB program eligibility in compliance with OWDC Eligibility Policy and Documentation Requirements (1600POL Records and Documentation Retention) and

1. Be enrolled into the respective WIOA program.
2. Have received an assessment resulting in the development of an IEP or IPP that documents the participant’s need for and benefit from WEX. Individuals who have received funding through an Individual Training Account, cohort or other WIOA funded training are also eligible for a WEX.

#### **Participant File Documentation requirements:**

- a. Comprehensive assessment identifying a WEX as an appropriate service.
- b. Completed IEP or IPP documenting the WEX services and outcomes, including learning plan.
- c. WEX Agreement (completed prior to the start of the WEX)
- d. Timesheets and case notes

### **Adult and Dislocated Worker WEXs**

WEX for Adults and Dislocated Workers are defined at 20 CFR 680.180. Unlike the WIOA Title IB Youth, Adult and Dislocated Worker programs do not have a minimum expenditure rate.

### **Youth WEXs**

WIOA identifies four categories of youth work experience:

- a. Summer employment opportunities and other employment opportunities available throughout the school year.

- b. Pre-Apprenticeship programs.
  - c. Internships and job shadowing.
  - d. On-the-Job Training (OJT).
1. **Youth WEX MUST include an academic and occupational education component.** The educational component may occur concurrently or sequentially with the work experience, and the academic and occupational education component may occur inside or outside the worksite. The academic and occupational education components refer to the contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations.
  2. **WIOA Youth programs must expend not less than 20% of the funds allocated to them to provide youth participants with paid and unpaid work experience.**
    - a. WIOA Youth programs must track program funds spent on paid and unpaid work experiences and report such expenditures as part of the local WIOA Youth WEX requirements. The percentage of funds spent on work experience is calculated based on the local area youth funds expended for work experience rather than calculated separately for in-school and out-of-school youth. Local area administrative costs are not subject to the 20% minimum expenditure requirement.
    - b. Expenditures on supportive services that enable youth to participate in WEX activities count toward the requirement to expend at least 20 percent of youth formula grants on work experience (5602 (Rev5) Supportive Services and Needs-Related Payments and TEGL 9-22 Youth Formula Program Guidance).
  3. Allowable expenditures that count toward the work experience expenditure requirement and program expenditures on the work experience program element can be more than just wages paid to youth.
  4. Expenditures that do not count towards the 20% minimum WEX requirement include: Leveraged resources.

### **WEX Monitoring**

WIOA program staff must ensure regular and on-going monitoring and oversight of the WEX.

1. Monitoring may include on-site visits and phone/email communication with the employer/trainer and participant to review the participant's progress in meeting training plan objectives. Any deviations from the WEX agreement should be dealt with promptly.
2. The WIOA program operator's oversight of the WEX Interns training and payroll records may be reviewed by Federal, State, and local fiscal and program monitors. These entities will have the right to access, examine and inspect any site where any phase of the WEX program is being conducted. The service provider will maintain its records and accounts in such a way as to facilitate the audit. Records must be maintained for three (3) years after the conclusion of the WEX.

### **References**

[Department of Labor Employment and Training Administration](#) (DOL ETA) 20 CFR Parts 603, 651, 652, 676, 677, 678, 680.180 and 681.600. Workforce Innovation and Opportunity Act; Final Rule.

Eligibility Policy and Handbook, [WorkSource System Policy 1019 \(Rev9\)](#).

Fair Labor Standards Act of 1938, 29 U.S.C. §201 Et seq. (2023) [Wages and the Fair Labor Standards Act | U.S. Department of Labor \(dol.gov\)](#).

Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#).

Human Trafficking: The Role of the Public Workforce System in the Delivery of Services and Referrals to Victims of Trafficking, Training and Employment Guidance Letter, [TEGL 9-12](#).

Records and Documentation Retention Policy, OWDC 1600POL.

Supportive Services and Needs-Related Payments, [Workforce Innovation and Opportunity Act 5602 \(Rev5\)](#).

## SUPPORT SERVICES

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5400POL Supportive Services (Rev5)

Effective Date: December 2020

Last Modified: January 2024

This policy applies to all Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated worker, and Youth program participants and defines support service guidelines the Olympic Workforce Development Council, subrecipient, and service providers follow in accordance with local, state, and federal WIOA law.

- 1. All WIOA enrolled adults, dislocated workers, and youth are eligible for supportive services as defined in WIOA Section 3(59).** Supportive services may only be provided to individuals who are:
  - a. Participating in career and/or training services; and
  - b. Unable to obtain supportive service through other programs, community, or personnel resources.
- 2. Staff shall work with community agencies to identify and provide non-WIOA supportive services resources available to participants.**
- 3. Supportive Services are not entitlements** and shall be provided to participants based on a documented financial assessment, individual circumstances, and absence of other resources and funding. Allowable and prohibited support services are listed below.
- 4. Per WorkSource System Policy 5620 (Rev1) support services are allowable while the participant is in Follow-up status, if the participant has opted to receive such.** Per *WorkSource System Policy 5620 (Rev1)*, following DOL guidance outlined in *TEGL 10-16* allow Support Services during the 12-month Follow-up period (*per 5530POL Follow-up Services*).
- 5. Subrecipient require an internal approval process and internal controls.** (*see Supportive Service Requirements*)
- 6. All services require entry into the statewide case management system. Subrecipient program managers and staff must include proper documentation for any allocated WIOA Title I funds** (*see Supportive Service Requirements*). All supportive services require an itemized receipt accompanied by the agency purchase order and any other relevant documentation.
- 7. Supportive services purchased in bulk require a general ledger detailing date, specific items, cost per item, and participants the item were issued** (i.e., bus passes, and gas vouchers, etc.)- Support Services documentation follows 1600POL Records and Documentation Retention and 1611TSK Digital Documentation Uploading.
- 8. Program managers/supervisors are required to utilize funds in a fair and equitable manner, including defining a reasonable cost cap for participants support service allocation.**

Allowable support services may include:



- Transportation (bus pass, gas, auto repairs services (*see Support Service Requirements*))
- Hygiene products (soap, toothpaste, haircuts, laundry assistance, etc.)
- Childcare and dependent care by state or local government licensed provider
- Housing (mortgage/rental assistance, utility assistance)
- Educational/certificate testing
- Reasonable accommodation for individuals with disabilities
- Legal aid services to reduce barriers (counseling and attorney fees to address legal issues hindering participation in training and employment attainment)
- Referrals to health care
- Appropriate work/interview uniforms or attire
- Work-related tools specifically required by employer
- Work-related tools required to start/run own business
- Books, fees, school supplies required for education/training participation
- Payments and fees for employment and training-related application, tests, and certification, licensure, and permits
- Technology (laptop, notebook, software programs, hotspot, data) (*see Support Service Requirements*)

**WIOA Title I Youth funds are eligible to be used to purchase food on a limited and reasonable basis if necessary to assist or enable them to participate in allowable youth program activities and reach their employment and training goals.** Prior to purchasing food, the case file is required to document:

- Unsuccessful efforts to first secure food for the youth through federal, state, and community food assistance programs and services; and
- The immediate need for Title I-B funds to purchase food for the youth to enable their effective participation in youth program activities.

**Washington State General Fund (i.e., State EcSA)** allowable support service, in addition to those listed above, include:

- Food Assistance
- Medical and Mental Health Care including technology (eyeglass, hearing aids, dental care etc.)
- Marketing and Outreach

Prohibited support services:

- Fines and penalties (traffic violations, late finance charges, and interest payments)
- Entertainment
- Contributions or donations
- Vehicle payments

- Refundable deposits
- Groceries, including food or meals (Youth exception above)
- Alcohol, tobacco, or marijuana products
- Pet products
- Plants or supplies for plants.
- Membership fees (i.e., fitness or social memberships, annual fees on personal credit cards)

## References

Building Pathways to Infrastructure Careers: Framework for Preparing an Infrastructure Workforce, [TEN 08-22 Section 4\(e\)\(iii\)\(B\)](#)

Follow-up Services for Adults and Dislocated Workers, [Workforce Innovation and Opportunity Act Policy 5620 \(Rev1\)](#)  
 OWDC 5530POL Follow-up Services, 5720PRO 14-Day Entry Authorization, 5600POL Case Note, 1611TSK Digital Documentation

Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs, Training and Employment Guidance Letter, [TEGL 10-16, Change 2](#)

State Guidance and Instruction for the State Economic Security for ALL (EcSA) Program, WorkSource Information Notice, [WIN 0129 \(Change 4\)](#)

Supportive Services and Needs-Related Payments, [Workforce Innovation and Opportunity Act Policy 5602 \(Rev5\)](#)

Supportive services for adults and dislocated workers, Code of Federal Regulations Title 20, Chapter V, Part 680, Subpart G, [20 CFR §680.900-970](#)

Use of funds for youth workforce investment activities, Workforce Innovation and Opportunity Act H.R. 803 (113th), [§129\(a\)\(3\)\(B\)](#)

WorkSource Services Catalog, [WorkSource Information Notice 0077 \(Rev15\)](#)

1. Equitable
  - a. Community Resources explored and offered to the participants.
  - b. Resources must be selected to enable the client to participate in approved services at the lowest possible WIOA expense.
  - c. Allocation exceeding reasonable cost cap require case note citing approval from supervisor documentation justifying for the cost.
2. Internal Approval Process and Internal Controls are required to include:
  - a. Program Manager/Supervisor authorization and discussion with WIOA Specialist.
  - b. Who approves, signs, and submits to accounting agent for payment
  - c. Documentation requirements for purchase, approval, and allocation
  - d. Normal timeframe or case note explaining delay of service per *5720PRO 14-Day Entry Authorization*
  - e. Handling of process variances and who authorizes
3. Documentation
  - a. Supportive services neither trigger participation nor extend the date of participation.
  - b. Supportive services must be necessary to the success of the services plan and the support documented in the Individual Participant Plan (IPP)
  - c. A budget and financial plan must be created and used to identify the need for supportive services.
  - d. Program staff must review, determine, and case note the need for the purchase. It must be clear that the program participant does not have any other means to obtain support services and there are no other resources available.
  - e. Support Services entered into ETO are required to include case notes per 5800POL Case Notes at or above OWDC standards.
  - f. Acceptable documentation to obtain and include in participant file (see 1611TSK Digital Documentation) include but are not limited to; invoices, receipts, and purchase orders.
4. Technology Support Services
  - a. Program managers are required to establish a fair and reasonable cost cap for technology resources. Resources selected are to enable the client to participate in approved services at the lowest possible WIOA expense.
  - b. Program managers are required to maintain a list of purchased technology devices and recipient of the particular device, to include all items whose expense is greater than \$50 (Attachment A).
  - c. If a participant does not positively exit the program (e.g., unsubsidized employment, self-employment or entered a post-secondary education) they are required to return the technology to WIOA staff.
  - d. Staff need to make three (3) attempts to recover equipment. Contact attempts include email, phone, or in-person interaction. Each attempt requires case notes in the participants ETO account. If, after three attempts, the staff are unsuccessful, they are to

notify the program supervisor, who will enter case notes in the MIS stating this and approving the halt of further attempts.

- e. Participants who fail to return equipment in accordance with this policy will be ineligible for further WIOA funded services for a period of 1-year after the date of supervisor write-off.
- f. Program managers are required to reissue any returned devices after they have cleaned, and the memory wiped by electronics cleaner (e.g., Geek Squad). Any cost incurred from cleaning a device becomes part of the original support service with receipt, invoice, and case note.
- g. Software programs do not need to be returned, per licensing agreements.
- h. Subrecipients are responsible for creating their specific service delivery processes of technology support services.
- i. Program staff are required to provide justification documentation and research other resources explored and add case notes.

#### 5. Transportation Support Services

- a. Auto repairs require at least two quotes from the ASE Certified shop.
- b. Justification for mechanic selection and reasonable cost allocation.
- c. Any costs above subrecipient cost cap requires OWDC approval.
  - i. Approval request must include all documentation and justification.

#### 6. Follow-up Services

- a. Allowing support services during Follow-up enables the participant to be successful and retain the position. All resources issued are in support of this goal.
- b. Program Support Services (Transportation) and (Other) are allowable services during Follow-up. Includes: gas, bus pass, job specific tools (hammer, screw drivers, etc.), appropriate work attire (slacks, blouse, scrubs, boots, etc.), hygiene products (soap, toothpaste, deodorant, etc.), technology (phone minutes, computer programs specific to job description/task not provided by employer (verification is required)). Laptops are not an allowable purchase follow-up support service.
- c. Support Services issued during Follow-up must follow all regular support services requirements outlined in this policy.
- d. Case managers will research other resources available, and case note availability or non-availability.

This policy defines Needs Related Payments (NRP) for the Olympic Workforce Development Council three county area, Clallam, Jefferson, and Kitsap.

**1. To be eligible for NRP a participant must meet program level eligibility requirements, be enrolled in a WIOA funded training program, and meet attendance and academic standards.**

**2. Eligibility Requirements**

- a. Adults and Out-of-School Youth (OSY) must:
  - i. Be unemployed.
  - ii. Not qualify for (or ceased to qualify for) Unemployment Insurance (UI); and
- b. Dislocated Workers must:
  - i. Be unemployed,
  - ii. Have ceased to qualify for unemployment insurance or Trade Readjustment Allowances (TRA) under TAA.
- c. If these eligibility requirements are met, participants may be awarded NRPs 30 days prior to the start date of training for the purpose of enabling them to attend training.

**3. Academic Standards are:**

- a. Attendance will be at or equivalent to full-time school hours (12 or more hours per week) or based off ETP attendance requirements to meet graduation or certification obtainment.
- b. Academic standards are required to be at a level that will guarantee graduation or certification obtainment and may be dependent of ETP academic level standards.
  - i. Verification documentation will include training and/or education provider progress reports (to include attendance) identifying participants is meeting academic standards.
    - 1. Documentation added to participant Training and NRP services.

**4. Gap in participation**

- a. If at any time participant requires a leave of absence from NRP funded training due to illness, family issue, extenuating life circumstance:
  - i. The Case Manager is to be notified and detailed case notes added to Training and NRP services.
  - ii. NRP will cease and reapplication for NRP's is required.
- b. NRP's are not allowable during any period of income and must requalify once income ends and requalifying for NRP is required.
- c. Requalifying for NRP includes:
  - i. Update or new WIOA Application Financial Worksheet completion
  - ii. Updated verification and documentation of UI status
- d. If, at any time, a participant takes a planned leave of absence (i.e., vacation or holiday leave) while in training.

- i. The Case Manager is to be notified prior to the planned leave of absence and detailed case notes added to Training and NRP services.
- ii. NRP will cease during approved leave period and reinstate upon their planned return to training.

**5. Subrecipient Manager/Supervisor are authorized to approve NRPs.**

- a. Approval process includes verification of participant WIOA Title I enrollment, meeting NRP eligibility standards, and all necessary documentation has been obtained.

**6. Required documentation includes:**

- a. Training Support Analysis Form (eligibility determination) (*see 5571ATT*)
- b. WIOA Application Financial Worksheet, total family income
- c. Verification of UI benefits (not eligible or exhausted)
- d. Participant signature attesting to their understanding of NRPs requirements and instructions.
- e. Case notes and physical documentation are required to include weeks and amounts paid per check.
- f. Academic Progress Reports verifying participant is meeting academic and attendance standards.

**7. NRP's will not be provided at the same time as Supportive Services.** If a participant meets NRP eligibility requirements and is enrolled in WIOA funded training, NRP's are allowable, and any supportive services will cease until training is completed and participant requires further assistance.

**8. NRPs Payment Levels are as follows:**

- a. Adult and Youth are per participant at the discretion of subrecipient contracts and participant training targets Utilizing the federal poverty level, adjusted by family size, to determine the maximum payment amount for weekly needs-related payments. For this purpose, family is defined as two or more individuals related by blood, marriage, or decree of court, who are living in a single residence. All members of a participant's family are considered when determining NRP payment amounts.
- b. Dislocated Workers must not exceed the greater of either of the following:
  - i. Participants eligible for UI as a result of qualifying dislocation, the payment may not exceed the weekly benefit amount established for their unemployment claim; OR
  - ii. Participants who did not qualify for UI as a result of dislocation, the weekly payment may not exceed the poverty level for an equivalent period. The weekly payment level must be adjusted to reflect changes in the total family income as determined by the OWDC.
- c. **Payment amounts as determined by federal poverty level:** Based on the participants family size, weekly payments amounts will not exceed:

Family Size	Weekly NRP Benefit Amount
1	\$284
2	\$385
3	\$487

4	\$688
5	\$690
6	\$791
7	\$893
8	\$994

**9. NRP maximum limit per participant is based on fund availability and may continue for the duration of training or education as long as attendance and progress standards are met. Each subrecipient is responsible for NRP accounting and payment processing and are required to submit monthly invoices to OWDC Program Fiscal Agent. (See Procedure for full details)**

**10. If at any point fraudulent activity is alleged or suspected OWDC will immediately report to the DOL Office of the Inspector General as provided in proposed 20 CFR 683.620.**

**References**

Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16 Section 14](#)

Grievance Procedures, Complaints and State Appeals Processes, Code of Federal Regulations Title 20, Chapter V, Subpart 683, Subpart F, [20 CFR §683.620](#)

How are training services provided? Code of Federal Regulations Title 20, Chapter V, Part 680, Subpart C, [20 CFR §680.300](#) Supportive Services and Needs-Related Payments, [Workforce Innovation and Opportunity Act 5602 \(Rev5\)](#)

Supportive Services, Code of Federal Regulations Title 20, Chapter V, Part 680, Subpart G, [20 CFR §680.930, 680.940, 680.950, 680.960, and 680.970](#)

What are supportive services for youth? Code of Federal Regulations Title 20, Chapter V, Part 681, Subpart C, [20 CFR §681.570](#)

Use of Funds for Employment and Training Activities, Workforce Innovation and Opportunity Act Final Law H.R. 803 (113-128) [§Sections 3\(59\), 134\(d\)\(2\)-\(3\), 129\(C\)\(2\)\(G\)](#)

Youth Formula Program Guidance, Training and Employment Guidance Letter [TEGL 21-16, Change1](#)

To ensure Olympic Workforce Development Council (OWDC) policy compliance, this policy provides clarification and guidance of Workforce Innovation and Opportunity Act (WIOA) Title I-B Youth funds for incentive payments.

1. **Incentive payments to WIOA Title I Youth participants are permitted for recognition and achievement directly tied to training or education activities and work experiences.** Subrecipients must ensure the incentive payments are:
  - a. Awarded in recognition and achievement directly tied to training activities or work experiences;
  - b. Tied to participant goals expressly determined in the Individual Participant Plan;
  - c. Outlined in a written, local policy prior to the start date of training programs or work experiences that might provide incentive payments;
  - d. Aligned with other WIOA Title I program policies; and
  - e. Provided in accordance with the requirements and cost principles in 20 CFR part 200.
2. **Recognized achievement or milestones of program training, education, or work experience may include improvements marked by acquisition of a credential or other successful outcomes.** All incentive payments are contingent on fund availability. Participants may receive up to \$500 in incentives per program year, depending on funding availability. Acceptable achievements or milestones include:
  - a. Earning the state GED or a High School Diploma
    - i. Passed all four tests of the GED or achieved a High School Diploma earning \$200, or
    - ii. Passed an individual GED test, earning \$50 each
  - b. Completed and passed the first quarter of post-secondary education, earning \$100
  - c. Earned an industry-recognized credential, earning \$100
  - d. Obtained unsubsidized employment and remained employed for three months, earning \$100
  - e. Completed successful work experience (WEX), earning \$100
3. **Internal controls must be established to safeguard any cash or other forms of payment used to award incentive payments, such as gift cards or gift certificates.**
  - a. Excluded incentive payments:
    1. Movie or sporting event tickets
    2. All venues whose sole purpose is entertainment
  - b. Recruitment purposes
  - c. Returning eligibility documentation to the case manager.



4. **Total amount of incentive payments in any single program year may not exceed the total line-item budget expenditure, if any, cited in the subrecipients contract. Exceptions to any incentive payment line-item budget expenditure in the subrecipient contract are not permitted.**
5. **Documentation and Data Entry Requirements.**
  - a. Full WIOA Registration – a full WIOA Title I eligibility determination and enrollment in to a WIOA Title I program is required to receive an incentive payment.
  - b. Data entry requirements – information regarding the incentive payment must be entered into the statewide case management system (i.e., ETO).
    - i. **Acceptable service records include:**
      1. Tutoring, study skills training, instruction, and dropout prevention
      2. Alternative secondary school services or dropout recovery services
      3. Paid and unpaid work experience
      4. Occupational skills training
      5. Education offered concurrently with workforce preparation and training for a specific occupation
      6. Financial literacy education
      7. Entrepreneurial skills training
      8. Post-secondary preparation and transition activities
      9. **Allowable Follow-up services incentives:**
        - a. Financial literacy education in follow-up
        - b. Post-secondary preparation and transition activities in follow-up
    - ii. Expenditure records of incentives payments must be uploaded to corresponding service recorded in the system
      1. Justification and amount of incentive is required to be added to applicable service recorded in case management system (ETO)
    - iii. Documentation of achievement prior to dispensing the incentive to participant. Documentation may include:
      1. Proof of diploma/GED from official institution website or institution correspondence
      2. Quarter grade printout
      3. Pay Studs, timesheets, or supervisor letter of documented attendance
    - iv. All documentation must be the final signed and dated forms, purchase orders, receipts, etc.
    - v. Case notes are required to include program elements and milestones. Including attainment and retention of unsubsidized employment, achieved along with the incentive amount paid for the achievement.

#### References

Are incentive payments to youth permitted? Code of Federal Regulations Title 20, Chapter V, Part 681, Subpart C, [20 CFR §681.640](#)  
Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#)

Incentive Payments to WIOA Title I Participants, [Worksource System Policy 5621 \(Rev5\)](#)  
OWDC 1600POL Records and Documentation Retention Policy, 5210POL Case Note Policy  
Participant Support Costs, Title 2, Subtitle A, Chapter II, Part 200, Subpart E, General Provisions for Selected Items of Cost, [2 CFR §200.456](#)  
Primary Indicators of performance under WIOA, Title 20, Chapter V, Part 677, Subpart A, [20 CFR §677.155\(a\)\(1\)\(v\)](#)  
What general fiscal and administrative rules apply to the use of WIOA Title I and Wagner-Peyser funds? Title 20, Chapter V, Part 683, Subpart B, [20 CFR §683.200\(b\)\(2\)](#)  
Youth Formula Program Guidance, Training and Employment Guidance Letter, [TEGL 21-16, Change1](#)

## 5430POL Adult and DW Incentive Payments

Effective Date: November 17, 2023

Last Modified: October 5, 2023

To ensure Olympic Workforce Development Council (OWDC) policy compliance, this policy provides clarification and guidance of Workforce Innovation and Opportunity Act (WIOA) Title I-B Adult and Dislocated Worker funds for incentive payments.

1. **Incentive payments to WIOA Title I Adult and Dislocated Worker participants are permitted for recognition and achievement directly tied to training and work experiences.** Subrecipients must ensure the incentive payments are:
  - a. Awarded in recognition and achievement directly tied to training activities or work experiences;
  - b. Tied to participant goals expressly determined in the Individual Participant Plan;
  - c. Outlined in a written, local policy prior to the start date of training programs or work experiences that might provide incentive payments;
  - d. Aligned with other WIOA Title I program policies; and
  - e. Provided in accordance with the requirements and cost principles in 20 CFR part 200.
2. **All incentive payments are contingent on fund availability.**
3. **Participants may receive up to \$500 in incentives per program year.**
  - **Recognized achievement or milestones of program training or work experience may include improvements marked by acquisition of a credential or other successful outcomes.**
    - i. Successful Measurable Skills Gain - \$50.
    - ii. Earned an industry-recognized credential - \$100.
    - iii. Completed successful on-the-job training - \$100.
    - iv. Completion of a Work Experience (WEX) - \$100.
4. **Internal controls must be established to safeguard any cash or other forms of payment used to award incentive payments, such as gift cards or gift certificates.**
  - The following are NOT allowable milestones.
    - i. Recruitment purposes
    - ii. Returning eligibility documentation to the case manager.
  - The following are NOT allowable incentive payments methods.
    - i. Entertainment costs, such as:
      1. Movie or sporting event tickets
      2. Gift cards to movie theaters
      3. Other venues whose sole purpose is entertainment.
5. **Total amount of incentive payments in any single program year may not exceed the total line-item budget expenditure, if any, cited in the subrecipients contract. Exceptions to any incentive payment line-item budget expenditure in the subrecipient contract are not permitted.**
6. **Documentation and Data Entry Requirements.**

- Full WIOA Registration – a full WIOA Title I eligibility determination and enrollment in to a WIOA Title I program is required to receive an incentive payment.
  - Justification – Subrecipients must document the justification for each participant who receives an incentive payment. This justification must include:
    - i. The business case for the incentive payment’s contribution to the participant’s success, and
  - Data entry requirements – information regarding the incentive payment must be entered into the statewide case management system (i.e., ETO).
    - i. A case note documenting the incentive payment justification and details of the incentive provided must be entered into the system.
    - ii. Expenditure records of incentives payments must be uploaded to the corresponding service recorded in the system.
    - iii. Documentation of achievement prior to dispensing the incentive to participant. Documentation may include, but are not limited to
      1. Recognized Credential
      2. Quarter grade printout
      3. Pay Studs, timesheets, or supervisor letter of documented attendance.
    - iv. All documentation must be the final signed and dated forms, purchase orders, receipts, etc.
7. **WIOA Title I Adult and Dislocated Worker incentive funds require OWDC Program Supervisor or Program Analyst approval prior to allocation of funds towards incentive payments.** Therefore, Adult and Dislocated Worker Subrecipients are required to provide a completed [WIOA Incentive Payment Request](#) Cognito form or the PDF version available in attachments (5581ATT WIOA Incentive Payment Request Form).
- Completed WIOA Incentive Payment Request forms need to be submitted to the OWDC.
  - The OWDC will notify subrecipients of approval or denial in writing.

#### References

Allowable Costs and Cost Principles, WIOA Final Regulations, [20 CFR 683.200\(b\)\(2\)](#)  
 Are incentive payments to youth permitted? WIOA Final Regulations, [20 CFR 681.640](#).  
 Guidance on Services, Implementation of WIOA Final Rules, Training and Employment Guidance Letter, [TEGL 19-16](#)  
 Incentive Payments to WIOA Title I Participants, [Worksource System Policy 5621 \(Rev4\)](#)  
 OWDC Case Note Policy, 5210POL  
 OWDC Records and Documentation Retention Policy, 1600POL  
 Participant Support Costs, OMB Uniform Guidance, [2 CFR 200.456](#)  
 Youth Formula Program Guidance, Training and Employment Guidance Letter, [TEGL 21-16, Change1](#).

This directive sets forth procedures for award of incentive payments for participants enrolled in, and making satisfactory progress in, state-funded Economic Security for All (EcSA) activities and programs. Guidance for state funded EcSA programs is found in WIN 0129.

In recognition of the work that Washington's workforce development system did to alleviate poverty through the original EcSA initiative, \$6.2 million of state general funds for Program Year 2022 (Fiscal Year 2023) was allocated to Local Workforce Development Boards (LWDBs) to expand on the work currently done by local EcSA programs funded by the Governor's WIOA statewide activities funds. Because this new allocation is state funded, these new resources provide an unprecedented opportunity to further expand the services provided by LWDBs to improve workforce outcomes and reduce poverty across Washington State.

- 1. To be eligible for an incentive, EcSA participants enrolled in training or education activities will develop an Individual Participant Plan (IPP) with their case manager.** Minimum expectations to earn an incentive include but are not limited to:
  - Meet at least monthly with their case manager to monitor their progress in training or job search.
  - If in employment pipeline, meet satisfactory progress in training or education activities as defined in their IPP and SMART goals for each month of enrollment.
  - Complete additional monthly EcSA activities outlined in their IPP.
- 2. State-funded EcSA participants are eligible to receive incentive payments based on achievement of employment/training milestones,** with an annual cap of \$5,000 per participant. If more incentive is needed, authorization is required from OWDC. This is to incentivize retention in training and/or education, to cover expenses which might deter retention or training success, and to assist in attainment of income adequacy.
- 3. Milestones include:**
  - Completion of full WIOA enrollment, which includes eligibility, Individual Employment Plan, self-sufficiency calculator and SMART goals \$500

Incentives are required to be aligned with the SMART goals developed, the Individual Participant Plan, and the Self-Sufficiency Calculator Income Adequacy. The following incentives are allowable when coupled with this alignment.

- Completion of financial literacy course \$200
- Attend a hiring event and received interview \$100
- Attend WorkSource Workshop \$100 (must be preapproved by case manager)
- Earning the state GED or a High School Diploma \$1000
- Skill upgrade in participants chosen occupational industry (aligned with IPP) \$250
- Submission of training progress report \$150 (max 2)
- Successful completion of training \$1000

- Earned an industry-recognized credential \$500
- Earn an occupational specific certificate (aligned with IPP) \$400
- Submitting credential or certificate to case manager \$500
- Complete successful work experience (WEX), on-the-training (OJT), or apprenticeship \$500

Obtained unsubsidized employment in the industry/occupation of interest (noted in SMART goals and Individual Participant Plan) and at or above self-sufficient level based on financial worksheet (LLSIL/State Self-Sufficient Calculator).

- Notifying case manager of employment (notice of hire or paystub) \$250
- Remained employed for three months \$500

- 4. Incentives do not negate the participants' ability to obtain Program Support Services.** Program Support Services do not go against the incentive annual cap.
- 5. Documentation of incentive in the state MIS (ETO) is required. Either in the training service or applicable service that generated the incentive.**
- 6. State-funded EcSA participants will be asked to sign an acknowledgement form detailing the incentive program while developing their training plan with their case manager.** The case manager will complete and submit the monthly performance report and submit it to their manager for processing.
- 7. Incentive payments are considered taxable non-wage related income.** Ten percent (10%) will be withheld for federal income tax and a 1099-MISC form will be sent to participants at year end. Participants will need to complete a W-9 before incentive payments are made.

## REFERENCES

Lower Living Standard Income Level by Family Size, [WorkSource Information Notice 0056 \(Rev10\)](#)

State Bill 5693, pg. 463

State Guidance and Instruction for the State Economic Security for ALL (EcSA) Program, WorkSource Information Notice [WIN 0129 \(Change 4\)](#)

5451POL CRF Incentives (Rev1)

Effective Date: January 2024

Last Modified: March 2024

Approved by OWDC

In recognition of the work that Washington's workforce development system did to alleviate poverty through the Economic Security for All (EcSA) Initiative, Department of Commerce provided additional funding to assist in removing barriers and enable low-income participants to engage fully in their career path plans to achieve self-sufficiency. This policy sets forth the eligibility and procedures to provide \$1,000.00 incentive to State EcSA participants in Clallam, Jefferson, and Kitsap counties who are low income, actively participating, and making progress on their career path plans.

1. **Incentives are not an entitlement and will be made available only to participants who are actively engaged, participating, and demonstrating progress on a career path plan.** The issuance of a monthly incentive depends on availability of funding for any given quarter.
2. **Allocations will be distributed fairly; each program participant may receive incentives until they exit to unsubsidized employment and self-sufficiency is met,** or funding is no longer available
3. **A focus is to serve individuals who may meet the Department of Commerce’s targeted population groups identified in the statement of work.**
  - a. When funding resources restrict the number of individuals receiving incentive for a quarter, priority of distribution of monthly incentive will be as follows:
    - Priority 1:** those actively engaged in agreed upon activities for both financial literacy training and individualized career services.
    - Priority 2:** those actively engaged in occupational skills training.
    - Priority 3:** those actively engaged in job search and can demonstrate job search activities each week.
4. **Should a program participant fail to meet eligibility for a given month** (they are working, or not willing or able to participate), **these funds may be reallocated to an active participant who is making progress for the month the failing participant did not meet eligibility.** If funding is available in subsequent quarters, and the funds are not fully allocated, the original participants is eligible to receive the incentive in the preceding month if eligibility (outlined below) is met that month.

## ELIGIBILITY

### Eligible individuals must:

1. Be from households that are below or above 200% of the FPL.
2. Determined eligible and enrolled as participants in the State EcSA program.
3. Not be participating in wage-earning activities such as temporary or stop-gap employment, or paid employment.
  - a. Staff may request a waiver from the Program Analyst for individuals who are working full or part-time, remain below or at risk of falling below 200% of the FPL, and are engaged in skill gaining activities to obtain self-sufficient employment.
4. Low-income participants with irregular part-time employment (averages less than 10 hours per week), and actively participating in career plan activities to reach self-sufficiency are eligible for the incentive.
5. Be engaged in and making progress on their career path plans including those activities outlined in the career path plan.

## PROCESS

1. Regardless of co-enrollments, the State EcSA program team will be the only ones to determine the incentive allocations each month based on available funding, financial need, progress, and participation.
2. The State ECSA Case Manger will meet with the participant and:
  - a. The case manager will review with the participant any obligations to report the income, the impacts funds may have on benefits, and questions the participant might want to ask of social service providers regarding benefits and eligibility for services. For example, participant on TANF, incentive may affect their eligibility to receive.

- b. Inform the participants that they may opt out of receiving an incentive at any time and their funds will be reallocated to others in need. That they may be eligible and receive an incentive in future months depending on the availability of funding.
- c. Provide the participant with information regarding required Federal Tax reporting.
- d. By the 10<sup>th</sup> of each month the participant has met with the case manager and incentive payment will be submitted for issuance.
- e. Participants are required to come into the Silverdale or Sequim office, provide ID, and sign for the incentive payment.
- f. Inform the participant of any reporting requirements needed to receive the incentive.

#### **ENROLLMENT And DOCUMENTATION**

1. Entries in the MIS system for incentive provided:
  - a. Select “Community Reinvestment Financial Support Payment,” in the state funded services section.
  - b. Include the amount of funds provided (\$1000.00)
  - c. In the case note section, enter a brief description of the participants engagement, activities, and progress.
  - d. Upload the incentive progress report form into the touchpoint and all relative documentation (A19, Incentive receipt).
  
2. For individuals who missed participating in planned activities and have an excused absence (e.g. the participant or an immediate family member living in the household experiences illness, hospitalization, homelessness, incarceration, or family violence), may remain eligible for the incentive for the current month and be referred to services providers as appropriate. The situation should be respectfully documented in case notes that are absent of medical or other protected information.

#### **REFERENCES:**

Community Reinvestment Fund Washington Information Notice [WIN 0140](#).



## APPENDIX

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### Definitions

**Additional Services** (3300POL Debt Collection and 5530POL Follow up Services) This method involves a repayment agreement with the debtor whereby additional grant services, above those originally agreed to with the OWDC, paid through non-federal funds are received in lieu of cash. This method requires a written agreement signed by both parties with conditions regarding the type of funds to be used, documentation subject to audit, a description of the services rendered, and a time limitation.

**Adjustment in payments offset** (3300POL Debt Collection) Under this method, an agreement is entered into with the debtor whereby the contract is reduced by the amount of the debt while the program is maintained at an undiminished cost level supported by non-federal contributions.

**Basic Skills Deficient** (5100POL Program Eligibility) as defined in WIOA sec. 3(5)(B) is a youth or adult who 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.

**Capitalized Fixed Assets** (3600POL Property Management and Inventory) includes all land and all remaining fixed assets with a unit cost of \$5,000 or greater.

**Conflict of Interest** (1300POL Conflict of Interest & 3500POL Procurement) the conflict between the official responsibilities and the private interests of a person or entity that is in a position of trust. A conflict of interest would arise when an individual or organization has a financial or other interest in or participates in the selection or award of funding for an organization. Financial or other interests can be established either through ownership or employment. See also Kitsap County Code 4.116.120 Conflict of Interest and Workforce Innovation and Opportunity Act Policy 5405 (Rev1) Conflicts of Interest.

**Contact** (3500POL Procurement) A legal instrument by which the fiscal agent, service provider, or subrecipient is committed to pay for goods, property, or services needed to accomplish the purposes of the contract/agreement. The term used in this policy does not include a legal instrument, even if the non-federal entity considers it a contract when the substance of the transaction meets the definition of a federal award or subaward (see 2 CFR 200.92 - Subaward).

**Contractor** (3500POL Procurement) An entity responsible for providing generally required goods or services related to the administrative support of the Federal award. These goods or services may be for the recipient's or subrecipient's own use or for the use of participants in the program. Distinguishing characteristics of a contractor include:

- Providing the goods and services within normal business operations;
- Providing similar goods or services to many different purchasers;
- Operating in a competitive environment; and;
- Program compliance requirements do not pertain to the goods or services provided."

**Covered Entrants** (5100POL Program Eligibility) are covered persons at point of entry into a program to receive services.

**Covered Persons** (5100POL Program Eligibility ) means veterans or their eligible spouses.

**Depreciation** (3600POL Property Management and Inventory) the portion of the cost of a capital asset representing the expiration in the service life of the asset attributable to wear and tear, deterioration, action of the physical elements, inadequacy, and/or obsolescence which is charged systematically over the useful life of the capital asset. Refer to OFM Subsection 30.20.70. This element is not applicable to small and attractive assets.

**Eligible Spouse** (5100POL Program Eligibility)

1. Any veteran who died of a service-connected disability;
2. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - a. Missing in action;
  - b. captured in line of duty by a hostile force; or
  - c. forcibly detained or interned in line of duty by a foreign government or power;
3. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veteran Affairs;
4. Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence."

**Emergency** (1500POL Fraud) a situation involving imminent health or safety concerns or the imminent loss of funds exceeding an amount much larger than \$50,000.

**Employee/Participant Misconduct** (1500POL Fraud) Olympic Consortium, subrecipient, partner, contractor or participant actions occurring during or outside work hours that reflect negatively on the U.S. Department of Labor or its mission including, but not limited to: conflict of interest or the appearance of conflict of interest involving outside employment, business and professional activities; the receipt or giving of gifts, fees, entertainment, and favors; misuse of Federal property; and, misuse of official information and such other activities as might adversely affect the confidence of the public in the integrity of the government as well as serious violations of Federal and state laws.

**Equipment** (3600POL Property Management and Inventory) tangible, non-expendable personal property having a useful life of more than one year and an acquisition cost of more than \$5,000.

**Fixed Assets** (3600POL Property Management and Inventory) (normally tangible, but including several intangibles) acquired through donation, gift, purchase, capital lease, or self-construction with a life expectancy of more than one year.

**Fraud, Misfeasance, Nonfeasance or Malfeasance** (1500POL Fraud) any alleged deliberate action which may be in violation of Federal statutes and regulations. This category includes, but is not limited to, indications of bribery, forgery, extortion, embezzlement, theft of participant checks, kickbacks from participants or contractors, intentional payments to a contractor without the expectation of receiving services, payments to ghost enrollees, misuse of appropriated funds, or misrepresenting information in official reports.

**General announcement** (5120POL Dislocated Worker Eligibility) of a plant closing is one that is made in a general or specialty publication as a newspaper or magazine or press release.

**Good Cause** (5500POL Individual Training Accounts) considered failure to make satisfactory progress in training includes specific factors that would cause a reasonably prudent person in similar circumstances to fail to make satisfactory progress. Good cause includes, but is not limited to:

- a. Illness, injury or disability of the participant or a member of the participant's immediate family;
- b. Severe weather conditions or natural disaster precluding safe travel;
- c. Destruction of the participant's school records due to a natural disaster or other catastrophe not caused by the participant;
- d. Acting on advice received from an authority such as the training provider, instructor, or case manager;
- e. Training is delayed or cancelled;
- f. Accepting stop-gap employment with hours or other work conditions that conflict with the training;
- g. Accepting goal-related employment prior to completion of training.

**Gross Mismanagement** (1500POL Fraud) actions or situations arising out of management ineptitude or oversight and leading to a major violation of the legislative process, regulations, or contract/grant provisions. Such actions or situations have the potential to severely hamper accomplishment of program goals, waste government resources, and jeopardize future support for a particular project. This category includes, but is not limited to, unauditible records, unsupported costs, highly inaccurate fiscal reports or program reports, payroll discrepancies, payroll deductions not paid to the Internal Revenue Service, and lack of good internal control procedures.

**Homeless individual** (5100POL Program Eligibility) as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), a homeless child or youth as defined in Section 725(2) of the McKinney-Vento Act (42 U.S.C. 11434a(2)), a runaway in foster care or has aged out of the foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or an out of home placement.

**Indian and Native American** programs are excluded from the nepotism category, as cited in Section 632.118 of 20 CFR Part 632, Subpart F.

**Individual with a Disability** (5100POL Program Eligibility) 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[1]).

**Installment Payments** (3300POL Debt Collection) installment repayment will be of short duration, from 3 to 12 months, with a maximum of 36 months unless a waiver to State Policy is obtained. The length of the repayment agreement will be negotiated based on the size of the debt and the debtor's ability to pay. This agreement is subject to approval of ESD prior to implementation.

**Internal Controls** (1500POL Fraud, 3400POL Internal Controls) the process designed to ensure reliable financial reporting, effective and efficient operations, and compliance with applicable laws and regulations.

**Inventoriable Fixed Assets** (3600POL Property Management and Inventory) includes all capitalized fixed assets plus all fixed assets meeting the definition of small and attractive.

**Low Income Individual** (5100POL Program Eligibility )

- (i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State of local income-based public assistance;
- (ii) is in a family\* with total family income that does not exceed the higher of—
  - (I) the poverty line; or
  - (II) 70 percent of the lower living standard income level;
- (iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2)));
- (iv) receives or is eligible to receive a free or reduced lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
- (v) is a foster child on behalf of whom State or local government payments are made; or
- (vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

\*Washington's Marriage Equality Act (RCW 26.60) expands the definition of a "married couple" beyond that of a male and female couple."

**Misapplication of Funds** (1500POL Fraud) Any alleged deliberate use of funds, assets or property not authorized or provided for by legislation or regulations, grants, or contracts. This category includes, but is not limited to, nepotism, political patronage, use of participants for political activity, ineligible enrollees, conflict of interest, failure to report income from Federal funds, violation of contract/grant procedures, or the use of Federal funds for other than specified purposes.

**Non-Federal Entity** (3500POL Procurement) a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a federal award as a recipient or subrecipient.

**Offender** (5130POL Youth Eligibility) in the youth program is an individual who has been charged with an offense, but subsequently directed to community-based diversion programs rather than the formal court system. Or has met the definition of having been "subject to a stage of criminal justice process" due to having been charged with an offense, even though they have not been remanded to the court system (TEGL 21-16 Section 4).

**Pass-through Entity** (3500POL Procurement) a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program.

**Pregnant or parenting** (5130POL Youth Eligibility) may be a father or mother, custodial or non-custodial. The age the youth becomes a parent does not factor into this definition as long as the

youth is within the WIOA youth age eligibility. An important distinction is that the father does not attain parenting status under WIOA until the child is born; that status does not convey to the father during pregnancy.

**Protected Personally Identifiable Information (PII)** (1601POL PPII Policy) the Office of Management and Budget defines as information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal identifying information that is linked to social security numbers (SSN), credit card numbers, bank account numbers, ages, birth dates, medical history, financial history and computer passwords.

**School Dropout** (5130POL Youth Eligibility) means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

**School** (5130POL Youth Eligibility) refers to both secondary and post-secondary school as defined by state law (20 CFR Section 681.230). Home-schooled individuals' requirements are based on state and local education agency policies (TEGL 21-16 Section 4, WorkSource System Policy 1019 (Rev9) RCW 28A.200, 28A.225.010(4)).

**Selective Service** (5100POL Program Eligibility and 5110POL, 5120POL, 5130POL) in order to become enrolled in WIOA Title I-funded programs, all males born on or after January 1, 1960 are required to register with Selective Services within 30 days of their 18th 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; or
- Dual national of the U.S. and another country regardless of whether they live in the U.S. or not.

The Selective Service lists many exceptions to the above on its website: [www.sss.gov](http://www.sss.gov).

**Self-sufficiency** (5100 Program Eligibility) defined for adult earning at least 70% of Lower Living Standard Income Level. For Dislocated Worker self-sufficiency is defined as employment which provides the worker a wage that is equal to or greater than 80% of their wage at the time of separation.

**Self-attestation** (5100 Program Eligibility) defined as the participant certifying the information provided is true and accurate to their knowledge. The collection and maintenance of adequate documentation is necessary to ensure the credibility of WIOA Dislocated Worker eligibility determinations and to minimize the risk of disallowed costs. The approved self-attestation form is [5122ATT Self-Attestation](#) (Adult and DW) and [5132ATT Youth Self-Attestation](#) (Youth).

**Stop-gap employment** (5120POL Dislocated Worker Eligibility) is temporary work an individual accepts only because they have been laid off or terminated from the customary work for which their training, experience, and/or work history qualifies them. Stop-gap employment must be temporary in nature with the intent to end employment upon completion of training, obtaining self-sufficient employment, or as specified in the individual employment plan (IEP). Typically, stop-gap employment will pay less than the individual's wage of self-sufficiency. However, there may be circumstances where stop-gap employment does provide a self-sufficient wage but is not considered permanent employment that leads to self-sufficiency; e.g., contract

employment or employment obtained through a temporary employment services agency. Additionally, the special needs of individuals with disabilities or other barriers to employment should be considered when determining if employment leads to self-sufficiency. These circumstances should be examined on a case-by-case basis. WorkSource System Policy 1019 (Rev9): Eligibility Handbook, section 4.4 page 18-19.

**Subaward** (3500POL Procurement) an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

**Subrecipient** (1500POL Fraud and 3500POL Procurement) An entity that receives federal assistance passed through from a prime recipient or another subrecipient to carry out or administer a WIOA program. Distinguishing characteristics of a subrecipient include:

- Determining eligibility for assistance;
- Performance measured against meeting the objectives of the program;
- Responsibility for programmatic decision making;
- Responsibility for applicable program compliance requirements;
- Use of the funds passed through to carry out a program of the sub-entity as compared to providing goods or services for a program of the prime recipient.

**Substantial layoff** (5120POL Dislocated Worker Eligibility) is defined as a layoff of 50 or more workers.

**Suitable, subsistence-level employment** is within the educational and technical capabilities of the client, with or without additional training or assistance AND provides a wage or salary that puts the client at or above the poverty level, either alone or when the totality of circumstances is considered OR better allows a client on SSI/SSDI or other disability assistance to increase independence.

**Supplies** (3600POL Property Management and Inventory) all Personal Property other than Equipment

**Supportive Services** (5520POL Supportive Services) services such as transportation, childcare, dependent care, housing, and needs-related payments, that are necessary to enable an individual to participate in activities authorized under the WIOA 113 Act.

**Unemployed as a result of general economic conditions** (5120POL Dislocated Worker) is defined as unemployment for self-employed individuals in the community the individual resides because of natural disasters; includes family members and farm or ranch hands and economic conditions worsen over time. Indicators are unemployment rates, sales tax collection rates, etc.

**Underemployed individual** (5120POL Dislocated Worker) meets one of the following: (a) working part-time but desires full-time employment; (2) employed in a position that is inadequate with respect to documented skills and training; (3) employed but meet the definition of Low-Income 5400POL Income Validation: (4) employed but wages are insufficient compared to previous employment.

**Useful Life** (3600POL Property Management and Inventory) the estimated useful life of the capital asset in years. Refer to Subsection 30.50.10 for Schedule A - Capital Asset Commodity Class Code List and Useful Life Schedule. This element is not applicable to small and attractive assets.

**Veteran** (5100POL Adult Eligibility) a person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.

**Withholding** (3300POL Debt Collection) This repayment will involve withholding amounts owed to the debtor for past services or other considerations already provided in satisfaction of the debt owed.

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Last Updated: December 2023

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# Attachments

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## Olympic Consortium Program Complaint Form

### Complainant's Information

Last Name	First Name	MI
Address (No., St., City, State, Zip)		
Email		
Phone #	Alt. Phone #	

### Respondent's Information

Name of Person Complaint is Against	
Name of Organization / Office	
Address (No., St., City, State, Zip)	
Phone #	Email

**Description of the Complaint** (Please explain the incident and circumstances)

**Date of Incident**

**Desired Resolution** (Please explain any resolution(s) you are seeking in response to this complaint)

**Certification:** I CERTIFY that the information furnished is true and accurately stated to the best of my knowledge. I AUTHORIZE the disclosure of Certification this information to other enforcement agencies for the proper investigation of my complaint. I UNDERSTAND that my identity will be kept confidential to the maximum extent possible, consistent with applicable law and a fair determination of my complaint.

Can we share this complaint/information with the individual this complaint has been filed against? Yes  No

**Signature of Complainant: X**

**Date:**

### \*\*Staff Use Only\*\*

**What program was involved in the alleged incident? (check all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> <b>Employment Service (Wagner Peyser)</b><br><input type="checkbox"/> Against ESD<br><input type="checkbox"/> Against Employer, Job Order WA# _____<br><input type="checkbox"/> Alleged Violation of Wagner Peyser Regulations<br><input type="checkbox"/> Alleged Violation of Employment Law(s) | <input type="checkbox"/> <b>Workforce Investment Act (DW, Adult, Youth) Program</b><br><br><input type="checkbox"/> <b>Trade Adjustment Assistance (TAA) Program</b><br><br><input type="checkbox"/> <b>Other Program/Provider: _____</b> |
| <input type="checkbox"/> <b>Non-Employment Service Complaint Against Employer</b><br><input type="checkbox"/> Alleged Violation of Employment Law(s)<br><input type="checkbox"/> Other: _____  |   |

### Referrals (if applicable):

**Agency / Organization Receiving Referral**

Dept. of Labor & Industries  Dept. of Health  Human Rights Commission  Other: \_\_\_\_\_

Agency Contact \_\_\_\_\_ Phone # \_\_\_\_\_ Email \_\_\_\_\_

### Name of Staff Person Receiving Complaint

Last Name	First Name	Office Address (No., St., City, State, Zip)	
Staff Signature: X _____		Phone #	Email
Date: _____			

## FORMA PARA QUEJAS

Información Del Reclamante		Información De La Persona/Organización Demandada	
Apellido	Nombre	Nombre y Apellido De La Persona Demandada	
Dirección (número, calle, ciudad, estado, código postal)		Nombre de la Organización, Negocio, Empresa o Empleador	
Email (correo electrónico)		Dirección (número, calle, ciudad, estado, código postal)	
# De Teléfono	# De Teléfono Alternativo	Teléfono	Email (correo electrónico)

**Declaración** (Explique qué pasó. Incluya nombres, direcciones, números de teléfono, lugares, testigos, etc. )

**Fecha Del Incidente**

**Solución/Resultado Deseado**  
 (Por favor explique cualquier solución(es) que está buscando en respuesta a la queja)

**Certificación:** DECLARO que la información que estoy dando es verdadera y correcta de acuerdo con mi conocimiento. AUTORIZO la divulgación de esta información a otras agencias para la investigación apropiada y el cumplimiento de mi queja. ENTIENDO que mi identidad se mantendrá confidencial tanto como sea posible, en consistencia con las leyes que se aplican y con una determinación justa de mi queja.

Podemos compartir esta queja/ información con el individuo que esta queja ha sido presentada en contra? Sí  No

**Firma Del Reclamante: X** **Fecha:**

**\*\*Staff Use Only\*\***

**What program was involved in the alleged incident? (check all that apply)**

<input type="checkbox"/> <b>Employment Service (Wagner Peyser)</b> <input type="checkbox"/> Against ESD <input type="checkbox"/> Against Employer, Job Order WA# _____ <input type="checkbox"/> Alleged Violation of Wagner Peyser Regulations <input type="checkbox"/> Alleged Violation of Employment Law(s)	<input type="checkbox"/> <b>Workforce Investment Act (DW, Adult, Youth) Program</b> <input type="checkbox"/> <b>Trade Adjustment Assistance (TAA) Program</b> <input type="checkbox"/> <b>Other Program/Provider: _____</b>
<input type="checkbox"/> <b>Non Employment Service Complaint Against Employer</b> <input type="checkbox"/> Alleged Violation of Employment Law(s) <input type="checkbox"/> Other: _____	

**Referrals (if applicable):**

**Agency / Organization Receiving Referral**  
 Dept. of Labor & Industries  Dept. of Health  Human Rights Commission  Other: \_\_\_\_\_

**Agency Contact** **Phone #** **Email**

**Name of Staff Person Receiving Complaint**

Last Name	First Name	Office Address (No., St., City, State, Zip)
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Staff Signature: X	Date Received:	Phone #	Email
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# Washington Discrimination Complaint Information Form

Please read the form carefully. **Type or print your answers.** Answer each question as completely as possible. If you cannot fit your whole answer in the space on this form, you may add more pages.

If a question or field has a star (\*) next to it, you must provide that information. Providing the other information requested is optional but will assist WorkSource Washington in processing your discrimination complaint. If you do not know the answer to a question, put "not known" in the space for the answer. If the question does not apply to your case, put "n/a."

1. Are you the complainant or a representative of the complainant?  Complainant  Representative
2. Please give your name and the other information we ask you for on the lines below. *If you are a representative of the complainant, give the complainant's name and contact information in this section, and your own name and contact information in section 2A.*

*Complainant's Name	Phone number(s)
*Street Address	*City
	*State      Zip Code
E-mail Address	Best time to contact you.

**2A. If you are the complainant's representative, please give your name and contact information in this section.**

Representative's Name	Representative's Organization (if any)
*Street Address	*City
	*State      Zip Code
E-mail Address	Best time to contact you.

*For the rest of the questions on this form, if you are filing this discrimination complaint on behalf of someone else, "you" means that person (the complainant), not you personally. Please give the answers the complainant would give if he or she was filling out the form.*

3. This discrimination complaint is about something that happened to (Please check the appropriate box):

Only me                       Me and other people                       Other people, but not me  
**3A. I am a:**       Customer                       Staff                       Job applicant

4. Please give the name of the WorkSource Center, service provider or organization that you are complaining about. If you have any contact information for the service provider or organization, please give that information as well.

*Name of Office or Organization	Telephone Number(s)
Street or Mailing Address	E-mail Address
City	State
	Zip Code      Telephone Number(s)

5. What program was involved in the discrimination you are complaining about? If you do not know the name of the program, and your discrimination complaint does not involve a WorkSource Center or a service provider, please check "Do not know."

- Workforce Investment Act Program
- Unemployment Insurance Benefit Program
- Employment Service or Job Service
- Trade Assistance Act Program
- Migrant and Seasonal Farm Workers Program
- Other (what program?)
- Do not know

**6. What person(s) at the WorkSource Center, service provider or organization listed in response to item 4 above was engaged in the alleged discrimination?** If you need more space to list all of the people, please attach more pages to this form.

Person's Name _____	Job Title _____	Phone Number _____
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**7. What do you think was the basis (reason) for the alleged discrimination?** Please check a box next to the basis (reason) you think was involved in the alleged discrimination and answer any other questions that go along with that box.

*If you do not check at least one box, you will slow down the processing of your discrimination complaint. You may check more than one box.*

**Because of my National Origin (Please answer questions below.)**

Are you Hispanic or Latino?  Yes  No

What is your national origin (the country from which you, your parents, your grandparents, or your earlier ancestors came)?

**Because of my Limited English Proficiency:** What is the language in which you feel most comfortable communicating?

(For example, Spanish, Croatian, Cambodian)

**Because of my Race** (please answer questions below.)

- White or Caucasian       Black or African American       American Indian or Alaska Native
- Asian       Native Hawaiian or Other Pacific Islander

**Because of my Sex/Gender**

**Because of Transgender Status**

**Because of my Gender Identity**

**Because of Sex Stereotyping**

**Because of my Pregnancy and related medical conditions**

**Because of childbirth and related medical conditions**

**Because of my Religion**

**Because of my Age (what is your date of birth?)**

**Because of my Color**

**Because of my Age (what is your date of birth?)**

**Because of my Political Affiliation or Political Belief**

**Because of my Disability (Please check one of the following three boxes)**

I have a record of a disability.

I have a disability (which may be active or inactive presently).

I do not have a disability, but the organization or program treats me as if I am disabled.

**Because of my Citizenship (What is your citizenship?)**

**Because of my participation in a program that receives Federal financial assistance** (Name the program.)

**I was retaliated against** because I complained about discrimination, or because I gave a statement or was involved in some other way with someone else's discrimination complaint.

**8. For each of the bases (reasons for discrimination) you checked above, please explain what happened, how you were (or someone else was) harmed by what happened, and how or why you think what happened was because of discrimination.** If other persons or groups were treated differently from you, please describe who was treated differently, how their treatment was different, and how the different treatment harmed you (or the other people you think were discriminated against.) Please be specific and brief. Give the name(s) of and contact information for any of the people involved.

If your answer does not fit in the space below, please use more pages of paper to finish your answer and attach those pages to this form.

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**9. On what date(s) did the alleged discrimination take place?**

9A. Date of the first action: \_\_\_\_\_

9B. Date of most recent action: \_\_\_\_\_

9C. If the date of the most recent allegedly discriminatory action was more than 180 days ago, please explain why you did not file a discrimination complaint before now. (Continued on next page).

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**10. Please list below any other people (witnesses, coworkers, supervisors, or others) whom you have not already named and whom we should contact for information about your discrimination complaint. Attach additional pages if you need more space for this information.**

Person's Name	Relationship to case (witness, coworker, etc.)	Best time to contact
_____ Telephone number(s) and/or e-mail address(es) where we can contact this person.		

**11. What remedies are you asking for?**

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**12. Have you filed a written complaint with anyone else, such as the Equal Employment Opportunity Commission (EEOC), the Washington State Human Rights Commission (HRC), or the U.S. Department of Labor Civil Rights Center (CRC), about the same events or actions you describe on this form? If yes, please answer these questions as best you can about each organization where you filed a written complaint.**

**Where did you file your complaint?**

**When did you file your complaint?**

**Name and contact information for the person working on your complaint, if known:**

**Has the place where you filed your first written complaint given you a final decision about the complaint?**

**If yes, what was the date of the final decision?**

**Was the decision in writing?** Include copies of written decisions, dismissals, or Right-to-Sue Letters, or other written responses to your complaint that you have received.

**13. Please sign and date this form in the appropriate space below.**

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Signature of Complainant

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Date

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Signature of Complainant's Representative

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Date

**Please mail or email your complaint to:**

Local Equal Opportunity Officer  
Alissa Durkin, OWDC WIOA Program Manager  
614 Division Street, MS-23  
Port Orchard, WA 98366  
[adurkin@co.kitsap.wa.us](mailto:adurkin@co.kitsap.wa.us)  
360-337-5777, Washington Relay Service 711

**OR**

State-Level Equal Opportunity Officer  
Teresa Eckstein  
Employment Security Department  
PO Box 9046  
Olympia, WA 98507-9046  
[teckstein@esd.wa.gov](mailto:teckstein@esd.wa.gov)  
360-507-9890, Washington Relay Service 711

**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 website at [www.dol.gov/crc](http://www.dol.gov/crc)

**If you file your complaint with both the CRC and the Local Equal Opportunity Officer or State-Level Equal Opportunity Officer, the Equal Opportunity Officers have 90 calendar days to process the discrimination complaint and CRC will not investigate the complaint until the 90 calendar-day period has expired.**

## Complaint Log

Local Workforce Development Board (LWDB):

LWDB EO Officer:

Calendar Year:

Date Filed	Complainant's name & Address	Basis of Complaint	Description of Complaint	Disposition	Disposition Date

**Instructions / Definitions:**

**Date filed:** The date the complainant filed their complaint. Complaints must be submitted within **180 calendar days** of the date of the alleged discrimination under [WIOA](#) and within **six months** of the date of the alleged discrimination under [RCW 49.60](#).

**Basis of complaint:** Protected category that the complaint is based on.

**Disposition:** The outcome or determination of the investigation, including any referral/transfer. If referred/transferred, the agency or partner the complaint has been transferred to needs to be clearly identified.

**WORKFORCE INNOVATION AND OPPORTUNITY ACT**  
**Financial and Administrative Review**

<b>A.</b>	<b>PERSONNEL FUNCTIONS PERFORMED / INDIVIDUALS PERFORMING THEM</b>		
	<b>FUNCTION</b>	<b><u>NAME &amp; TITLE</u></b>	
	Personnel		
	Time Distribution Accounts		
	Accounts Payable		
	Accounts Receivable		
	Budget		
	Quarterly Report Preparation		
	Cash Receipts		
	Drawdowns		
	Bank Reconciliation		
	Cash Management		
	Check Preparation		
	Check Signing		
	Fiscal Monitoring/Oversight		
	Program Monitoring/Oversight		
	Developing Fiscal Policy		
	Contract Signing		
	Credit Card Access		
<b>B.</b>	<b>FINANCIAL MANAGEMENT SYSTEM - 29 CFR Parts 95 and 97</b>		
<b>1.</b>	<b>Internal Controls</b>		
	A. Are internal control procedures documented (i.e., separation of duties, approvals, etc.)?		
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
	If yes, please provide a copy of your procedures.		
	B. Is there a division of responsibilities in the payments function?		
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
	C. Are controls in place for issuing checks or other forms of payments?		

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
D. Who has access to the checks and/or check writing automated system?				
E. What procedures are in place to prevent duplication of a payment?				
F. What procedures are in place to prevent the reuse of checks?				
G. Are credit cards issued to staff?				
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	If yes, please explain:
H. Are personal credit card charges permitted?				
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	If yes, please explain:
Comments:				
<b>2.</b>	<b>Personnel Cost Documentation</b>			
A. Do you have written policies/procedures for employee time and attendance records?				
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
B. Who distributes payroll checks?				
C. Who prepares personnel actions?				
D. Who approves of personnel actions?				
Comments:				
<b>3.</b>	<b>Travel</b>			
A. Does travel voucher support travel expenditures?				
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
B. What is your rate of reimbursements for:				
Lodging:		Meals:		Mileage:

Comments:

**4 Accounting Records**

A. Do you record financial transactions in more than one accounting system?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	If yes, how often do you reconcile the subsidiary systems?
<input type="checkbox"/>		<input type="checkbox"/>		

B. Are monthly trial balances of the books of account current?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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C. What is the latest month for which accounting records are available?

D. Do you support the general ledger with entry descriptions?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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E. Are journal entries reviewed and approved by the Financial Director?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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**C. CASH MANAGEMENT - 29 CFR 95.22(a) and 29 CFR 97.21(a)**

1. Are bank accounts reconciled with the book of accounts each month?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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2. Do you have a petty cash account?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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3. How often is the petty cash fund reconciled and by whom?

<input type="checkbox"/>
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Comments

**D. AUDITS - 29 CFR 95.26, 29 CFR 97.26 and OMB Circular A-133**

1. How do you ensure that audits are performed, and issues are resolved in compliance with WIOA, federal and state policies?

**E. GENERAL OPERATION INFORMATION**

1. Has there been any change in the structure/operations of your program since the last review?

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	If yes, please describe in detail:
<input type="checkbox"/>		<input type="checkbox"/>		



2. Has there been a staff turnover in key positions?			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
		If yes, what are the affected positions and reasons for turnover?	

**Audit Trail**

Check No.	Amount	Date	Marked Paid with Ck. No	Payee	Purpose	Allowable/ Classified Correctly

Perform the same review for Individual Training Account (Adult and Dislocated Worker programs only) payments. These are payments to a training institution for occupational skills training.

**Individual Training Accounts (ITAs)**

Check No.	Amount	Date	Marked Paid with Ck. No	Vendor	Refund Due Yes/No	Charged to Correct Program



## Selective Service Exemption Request

**Instructions:** This exemption request is for staff use to determine whether an individual knowingly failed to register for Selective Service. In interview fashion, ask the individual the questions below and note which of them are applicable by clicking the checkmark at the end of the question. Record in detail why the individual met the checked questions in the Applicant Statement field provided on page two. Allow individuals to read Applicant Statement and have them sign and date.

**Applicant Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

All male applicants who were born on or after January 1, 1960, must be registered with the Selective Service **before** they can access WIOA Title I program services. (TEGL 11-11, change 2).

In determining whether the failure was **“knowing”**, the following questions should be answered if appropriate and attach any evidence to support your statement.

Yes No

- 1. Were you aware of the requirement to register?
- 2. Did you know the military registration requirements in the U.S.?
- 3. If you knew about the requirement to register, were you misinformed about the applicability of the requirement to you (e.g., veterans who were discharged before their 26<sup>th</sup> birthday were occasionally told that they did not need to register)?
- 4. On what date did you first learn that you were required to register? \_\_\_\_\_
- 5. Where did you live when you were between the ages of 18 and 25? \_\_\_\_\_
- 6. What was your legal status when you were between the ages of 18 and 25? \_\_\_\_\_
- 7. Does your status information letter indicate that Selective Service sent letters to your address, and they did not receive a response?
- 8. Provide details to the questions below when you were between the ages of 18 and 25:
  - Did you attend school?
    - o Did you drop-out of school?
    - o Did you graduate from school?
  - Were you working?
    - o Were you working as a seasonal farmworker?
  - Were you monolingual when you entered the U.S.?
    - o Are you still monolingual?
    - o Were you living in monolingual household?

Interviewer:

In determining whether the failure was **“willful”**, the following question should be answered if appropriate:

1. Was the applicant aware of Selective Service, however, decided not to register?
2. Did he have Selective Service information on whether or not to register and decided not to register?

3. What actions, if any, did he take when he learned of the requirement to register?

The applicant's circumstances field below should reflect the answers to the questions above when considering whether or not the failure to register was knowing and willful. If the failure to register was not knowing and willful and the individual is otherwise eligible under WIOA Title 1, services may be provided. The applicant must complete the Selective Service Waiver and attach any evidence. Documentation may include self-attestation letters and/or letter from parent/guardian or local/state official of individual's situation, i.e., immigration status, incarceration, foster care, etc.

**Description of applicant circumstances:**

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

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

**For Official Use Only**

**Eligible:** I have evaluated the **evidence presented** by the applicant and determined that the applicant's failure to register was not knowing and willful.

**Not Eligible:** I have evaluated the **evidence presented** by the applicant and determined that the applicant's failure to register was knowing and willful. The applicant has been determined ineligible for WIOA Title I services and has been provided with Complaint and Grievance Procedures and the ineligible determination has been case noted in the ETO Case Management System.

\_\_\_\_\_  
OWDC Program Supervisor Signature

\_\_\_\_\_  
Date

updated and adopted by OCB January 22, 2022

## WIOA Title I Dislocated Worker Self-Attestation Form

### Applicant Information:

Last Name:	First Name:	Middle Initial:
Address:	City:	State: Zip:

### Individuals entering WIOA services may self-attest to the information below:

1. Are you low-income? (Please explain below)  Yes  No

Low-Income Explanation:

2. Are you legally entitled to employment within the U.S. and territories?  Yes  No

3. Have you been terminated laid off, or received a notice of termination or layoff? (DW Categories 1 and 2).  Yes  No

4. Are you a military service member who was discharged or released from service (under conditions other than dishonorable) or has received a notice of military separation (DW Category 5)  Yes  No

5. Were you unable to continue employment due to your spouse's permanent change of military station, or did you lose employment as a result of your spouse's discharge from the military? (DW Category 6)  Yes  No

6. Were you self-employed, but are unemployed as a result of general economic conditions in the community in which you reside? (DW Category 3)  Yes  No

7. Are you a displaced homemaker? (DW Category 4) NOTE: A displaced homemaker is an individual who was dependent on the income of another family member and is no longer supported by the income of another family member.  Yes  No

	Dislocation Information	Current Employment Information
Separation Date		
Job Title		
Business Name		
Address		
City, State, Zip		

### Self-Attestation Statement:

*I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.*

\_\_\_\_\_

SIGNATURE OF PARTICIPANT

\_\_\_\_\_

DATE

### Staff Verification Statement:

*I certify that the individual whose signature appears above provided the information recorded on this form.*

SIGNATURE OF STAFF

DATE

## WIOA Title I Youth Self-Attestation Form

### Applicant Information:

Last Name:	First Name:	Middle Initial:
Address:	City:	State: Zip:

### Individuals entering WIOA services may self-attest to the information below:

- |  |     |                          |    |                          |
|--|-----|--------------------------|----|--------------------------|
| <b>1</b> Are you homeless or did you run away from home?   | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <b>2</b> Are you pregnant or currently parenting a child?  | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <b>3</b> Are you an offender?<br>Defined by the WIOA Section 3(38) as an adult or juvenile who is or has been subject to any stage of the criminal justice process, and for (A) whom services under this Act may be beneficial or (B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction. | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <b>4</b> Are you a school dropout?   | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <b>5</b> Are you a low-income individual?  | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

### Applicant statement regarding low-income status:

### Self-Attestation Statement:

*I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.*

**SIGNATURE OF PARTICIPANT**

**DATE**

X

### Witness Corroborating “Runaway” or “Homeless” Status Statement:

*I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.*

**SIGNATURE OF CORROBORATING WITNESS**

**DATE**

X

### Staff Verification Statement:

*I certify that the individual whose signature appears above provided the information recorded on this form.*

Effective April 4, 2024

<b>Family Size</b>	<b>100% LLSIL</b>	<b>70% LLSIL</b>
1	22,238	15,566
2	36,426	25,498
3	50,011	35,007
4	61,731	43,211
5	72,850	50,995
6	85,194	59,636
7	97,538	68,277
8	109,882	76,918
9	122,226	85,559
10	134,570	94,200
11	146,914	102,841
12	159,258	111,482

\*Per WIN 0056 (Rev11), The 2024 U.S. Department of Health and Human Services poverty level for a family of one is \$22,238. Staff must use this standard for families of one as it is a higher standard than 70 percent of the 2024 LLSIL for a family of one.

LLSIL guidelines apply to local polices and definitions around low income and self-sufficiency. However, LLSIL represents minimum criteria for determining low income and self-sufficiency per WorkSource System Policy 1019 (Rev9) Eligibility Guidelines and Documentation Requirements.

**References**

- U.S. Department of Labor Lower Living Standard Income Level Guidelines.
- 2024 HHS Poverty Guidelines
- Public Law 113-128, Workforce Innovation and Opportunity Act of 2014, Section 3(36)
- Washington Information Notice (WIN) 0056 (Rev10), Lower Living Standard Income Level by Family Size
- Washington Information Notice (WIN) 0056 (Rev10), Lower Living Standard Income Level by Family Size



## Application for Incumbent Worker Training

**Business Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Business Contact Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Title:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Type of Business:**  Private For-Profit     Private Non-Profit    Other: \_\_\_\_\_

**Number of**  50 or Fewer (10% employer cost match)

**Employees:**

Fewer than 100 (25% employer cost match)

100 or more (50% employer cost match)

**Training:** Briefly describe the proposed incumbent worker training and how it will improve labor market competitiveness of employee and employer, such as improved workplace efficiency, customer service, safety, etc. (Attach detailed course description or provide a hyperlink in the description below.)

Amount of IWT funds requesting: \$ \_\_\_\_\_

Amount of Employer Match: \$ \_\_\_\_\_

Anticipated Training Start Date: \_\_\_\_\_

Anticipated End Date: \_\_\_\_\_

Training will be provided:  On-site     Training Institution     Online    Other: \_\_\_\_\_

<b>Training Provider Information:</b>		
Name of Training Provider:		
Contact Person:		
Street/Mailing Address:		
City/State/ZIP:		
Phone #:	Ext. #:	E-Mail:



**Training Considerations:** (Check all that apply)

<input type="checkbox"/>	Training will be provided to employees who face barriers to employment <i>Briefly explain:</i>
<input type="checkbox"/>	Training will avert Layoffs: <i>Briefly explain:</i>
<input type="checkbox"/>	Training will increase wage and benefit levels of the employees trained <i>Describe the increase:</i>
<input type="checkbox"/>	Training will result I credentials or certificates for the employees trained <i>List of credential or certificate:</i>
<input type="checkbox"/>	Training will increase competitiveness or employee and employer <i>Describe:</i>

**Training Costs & Employer Share** (available with formulas):

**Incumbent Worker Training Budget Worksheet**

Category	Direct Training Cost	Employer Match	Explanation
Fee/Tuition			(Describe Cost)
Instructor Wages & Benefits (if not included in fee/tuition)			
Instructor Travel			
Employee Travel			
Manuals/Textbooks			
Materials/Supplies			
Certification/Testing			
Training Equipment Purchase			
Employee Paid Wages & Benefits			
Meals/Refreshments			
On-site facility usage			
Off-site training space (e.g., classroom rental)			
Other (Specify)			
<b>Total:</b>			

**Instructions:**

1. Enter Direct Training Costs in Column B
2. Enter Employer Match in column C (Employer Match Total in C16 must equal or exceed Required Match in C19).
3. Enter a description/rationale for the cost in Column D

**Notes:**

No Direct Training costs in darkened cells

No employer match may be included in Column C unless it is also entered under Direct Training Costs (column B).

Exception: darkened cells

The maximum paid for any single incumbent worker trained may not exceed \$4000, and average cost per incumbent worker trained in any organization will not exceed \$3000. Employers are limited to a maximum of \$25,000 of IWT funding per program year.

**Trainees:**

	Name	Date of Hire		Name	Date of Hire
1.			2.		
3.			4.		
5.			6.		
7.			8.		
9.			10.		
11.			12.		
13.			14.		
15.			16.		

**Employer Certifications:**

- If training an employee cohort that includes employees with fewer than 6 months of employment, employer certifies that at least 51% of the cohort has been employed 6 months or longer.
- Employer certifies that all listed employees meet the Fair Labor Standards Act requirements for an employer-employee relationship within the organization.
- Employer certifies they are committed to avoid layoffs of the incumbent worker(s) trained.
- Employer certifies they have not relocated from another US labor market within the past 120 days which caused any employee layoffs.
- Employer certifies that requested training does not replace training that is routinely offered by employer.
- Employer certifies they are current in unemployment insurance, workers' compensation taxes, penalties and/or interest or related payment plan.
- Employer understands false information or misrepresentation will result in cancellation and non-payment.
- Employer will adhere to all reporting requirements and to respond to Customer Satisfaction Survey(s), if asked.

- Employer will not discriminate against any individual 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 participant in any WIOA Title I-B financially assisted program or activity. The nondiscrimination assurances of 29 CFR part 38.25 applies to this contract.

**As the authorized representative of the employer submitting this application, I hereby certify the information contained in this application is true and accurate and reflects the intentions of the IWT program.**

Employer  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

For Internal Use				
<b>Training Occupation is:</b>	<input type="checkbox"/> In Demand	<input type="checkbox"/> Balanced	<input checked="" type="checkbox"/> In Decline (attached justification)	
<b>Proposal Review Date</b>	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<b>Approved Funding Amount:</b>	<b>\$</b>
<b>Approved by:</b>			<b>Date:</b>	
<b>Notes:</b>				

## Training Support Analysis Form

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Please select all that apply.

- Yes    No   1. Are you unemployed or have you received notification of layoff?
- Yes    No   2. Do you currently qualify for UI benefits?
- Yes    No   3. Do you currently qualify for additional state or extended UI benefits (e.g., Training Benefits)?
- Yes    No   4. Do you currently qualify for Trade Readjustment Allowance (TRA)?
- Yes    No   5. Are you receiving any other federal or state income support?  
*Examples: TANF, Training Completion Aid?*
- Yes    No   6. Have you considered all other resources available that will help you successfully participant in your full-time training program? *Examples include, but are not limited to, Pell grants severance pay, other family income (e.g., spouse's income).*
- Yes    No   7. Do you need income support beyond these other resources in order to participate in training full time?

**NRPs are not intended to provide the entire amount of income support you need to complete your training.** If you are awarded an NRP, it will be based on this support analysis and the weekly NRP level will be determined by the OWDB. These payments are made to help you making satisfactory progress while attending school. NRP's are subject to your eligibility for the program and total funds available.

**I attest all answers and statements are true and complete to the best of my knowledge. I understand that providing untruthful or misleading information is cause for denial of NRPs. Any overpayments or fraud based on my false or misleading answers could result in my repayment of any NRPs provided.**

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*Signature*

---

*Date*

This form is to assess eligibility for Needs Related Payments during WIOA funded training services

*Olympic Workforce Development Council is an equal opportunity employer/program.  
Auxiliary aids and services are available upon request to individuals with disabilities.*

## WIOA Incentive Payment Request Form

**Subrecipient Name**

Click or tap here to enter text.

**Date**

Click or tap to enter a date.

**Contact Person**

Click or tap here to enter text.

**Contact Email**

Click or tap here to enter text.

**Program**

Adult

Dislocated Worker

Other

**Type of Request**

Initial Request

Subsequent Request – No changes in policy, business case, or circumstances.

Subsequent Request – Changes in local policy, business case, or circumstances

**Business Case**

*Provide how and why incentive payments are important to the success of the participants/recipients and the grant.*

Click or tap here to enter text.

**Description**

*Provide a brief description of the situation in which your agency anticipates the need to provide incentive payments to participants.*

Click or tap here to enter text.

**Signature of Agency Approving Authority**

Click or tap here to enter text.

Would you like to receive a copy of this request?  Yes  No

Please submit this form and any supporting documentation to *email here*.