

MASSACHUSETTS WORKFORCE DEVELOPMENT SYSTEM

Mass Workforce Issuance

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☒ Policy ☐ Information

To: Chief Elected Officials
Workforce Development Board Chairs
Workforce Development Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: November 23, 2016

Subject: **Supportive Services and Needs-Related Payments for Title I Adults, Dislocated Workers and Youth**

Purpose: To provide policy guidance to Local Workforce Development Boards (WDBs), One-Stop Career Center (OSCC) Operators and other local workforce partners with respect to the delivery of supportive services and needs-related payments under Title I of the Workforce Innovation and Opportunity Act (WIOA).

Background: The Workforce Innovation and Opportunity Act (WIOA) replaces the Workforce Investment Act of 1998 and retains and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. The reformed system under WIOA is intended to be customer-focused, to help Americans access the tools they need to manage their careers through information and high quality services, to help U.S. companies find skilled workers, and to offer youth a broad range of coordinated services. Each Local WDB, in consultation with other workforce investment partners and community service providers, must determine if it will utilize part of its WIOA allocation to provide supportive services and needs-related payments as part of local employment and training activities as permitted for adults and dislocated workers under Section 134(c) and as required for youth under Section 129(c).

Policy: Each Local Workforce Board will ensure that it formally develops (in conjunction with its local workforce partners) local Supportive Service and Needs-Related Payment policies. Under the Act, each Local Board has the option within the

policy to cover or not cover costs associated with supportive services and to provide or not provide needs-related payments for adults and dislocated workers.

If a local area chooses as its policy to provide supportive services and/or needs-related payments for adults and dislocated workers, its policies must be consistent with the parameters described within this guidance. Additionally, the local policy must ensure resource and service coordination in the local area, and should address procedures for referral to services, including how services will be funded when they are not otherwise available from other sources.

Supportive Services

Supportive services for adults and dislocated workers are defined at WIOA Sections 3(59) and 134(d)(2) and (3). They include services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under WIOA Title I.

Supportive services for youth are further defined for youth in the WIOA at 20 CFR §681.570 as including, but not limited to the following:

§681.570

Supportive services for youth, as defined in WIOA Section 3(59), are services that enable an individual to participate in WIOA activities. These services include, but are not limited to, the following:

- (a) Linkages to community services;
 - (b) Assistance with transportation;
 - (c) Assistance with child care and dependent care;
 - (d) Assistance with housing;
 - (e) Needs-related payments;
 - (f) Assistance with educational testing;
 - (g) Reasonable accommodations for youth with disabilities;
 - (h) Legal aid services;
 - (i) Referrals to health care;
 - (j) Assistance with uniforms or other appropriate work attire and work related tools, including such items as eye glasses and protective eye wear;
 - (k) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
 - (l) Payments and fees for employment and training-related applications, tests, and certifications.
- (a) Supportive services may only be provided to adults and dislocated workers who are:
1. Participating in career or training services, as defined in WIOA Section 134(c)(2) and (3), and
 2. Unable to obtain supportive services through other programs providing such services (WIOA Section 134(d)(2)(B))

- (b) Supportive services may only be provided when they are necessary to enable individuals to participate in career service or training activities (see WIOA Section 134(d)(2)(A) and WIOA Section 3(59)).

Local Boards may establish limits on the provision of supportive services or provide the One-Stop operator/service provider with the authority to establish such limits, including a maximum amount of funding and maximum length of time for supportive services to be available to participants. Procedures may also be established to allow One-Stop operators to grant exceptions to these limits.

Needs-Related Payments

Needs-related payments provide financial assistance to individuals for the purpose of enabling them to participate in training and are one of the supportive services authorized by WIOA. In order to qualify for needs-related payments, a participant must be enrolled in training. The requirements for implementing needs-related payments are specifically described in Section 134(d)(3); summarized as:

Eligibility requirements to receive needs-related payments:

1. Adults must:
 - (a) Be unemployed;
 - (b) Not qualify for, or have ceased qualifying for, unemployment compensation or Trade Readjustment Assistance (TRA); and
 - (c) Be enrolled in a program of training services under WIOA Section 134(c)(3).
2. Dislocated workers must:
 - (a) Be unemployed, and:
 1. Have ceased to qualify for unemployment compensation or trade readjustment assistance under TAA, and
 2. Be enrolled in a program of training services under WIOA Section 134(c)(3) by the end of the 13th week after the most recent layoff that resulted in a determination of worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months;or
 - (b) Be unemployed and do not qualify for unemployment compensation or trade readjustment assistance under TAA and be enrolled in a program of training services under WIOA Section 134(c)(3) or the Trade Act of 1974 as amended, the TAA Reform Act of 2002; the Trade and Globalization Adjustment Assistance Act of 2009, the Trade Adjustment Assistance Extension Act of 2011 or the Trade Adjustment Assistance Reauthorization Act of 2015 (TAARA2015).
3. Youth must:
 - (a) Have been determined to be eligible for WIOA Title I services.

- (b) Have received an Objective Assessment pursuant to WIOA Section 129(c)(3)(C).
- (c) Be enrolled in a program of services as determined by and documented in the Individual Service Strategy.

Needs-related payment may be provided if the adult or dislocated worker participant has been accepted in a training program that will begin within 30 calendar days. The Department of Career Services** may authorize local areas to extend the 30 day period for adults and dislocated workers in order to address appropriate circumstances.

**Note: The Governor may authorize local areas to extend the 30-day period to address appropriate circumstances. Local areas should refer such a request to the Department of Career Services.

Needs-related payments may be provided to Youth who are enrolled in program services. Local Boards may establish procedures to allow youth service providers to provide payments under appropriate circumstances such as periods of inactivity between program activities. The Local Board must establish a needs-related payment level for adults and youth. For dislocated workers, payments must not exceed the greater of either of the following levels:

- (1) The applicable weekly level of the unemployment compensation benefit, for participants who were eligible for unemployment compensation as a result of the qualifying dislocation; or
- (2) The poverty level for an equivalent period, for participants who did not qualify for unemployment compensation as a result of the qualifying layoff. The weekly payment level must be adjusted to reflect changes in total family income, as determined by Local Board policies (WIOA Section 134(d)(3)(C)).

Action

Required: This Policy guidance relates to all WIOA funds under the administrative purview of the Department of Career Services. Local Workforce Boards must review their current Supportive Service and Needs-Related Payment policies to ensure consistency with the requirements of this issuance.

Effective: Immediately

Reference: Workforce Innovation and Opportunity Act Sections 129 and 134, 20 CFR §680.900 through §680.970 and §681.570

Inquiries: Please email all questions to PolicyQA@MassMail.State.MA.US. Also, indicate Issuance number and description.