

**DRAFT
AGENDA**

**Bay Consortium Workforce Development Board, Inc.
One Stop Committee
Tuesday, January 11, 2022
10:00 A.M.**

- I. Call to Order
- II. Roll Call
- III. Public Input
- IV. Approval of Meeting Minutes from October 12, 2021 Meeting
- V. New Business
- VI. Old Business
- VII. One Stop Manager Update
- VIII. Other Topics for discussion
- IX. Adjournment

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Bay Consortium Workforce Development Board, Inc.
One-Stop Committee Meeting
Draft Minutes
Tuesday, October 12, 2021
10:00 a.m.

The One-Stop Committee met Tuesday, October 12, 2021 via Zoom.

Call to Order: Debbye Warf called the committee meeting to order at 10:00 a.m.

Roll Call: Present were Debbye Warf, Martha O’Keefe, Megan Bergen, Patrick Tompkins, and Tracy Harrington. In addition, present was Jessica Weber, Jackie Davis, Kristina Allen, Steven Golas, and Katlyn Moss. A quorum was present.

Public Input: There was no public input.

Approval of Minutes: There was a motion to approve the January 12, 2021 minutes. The motion was seconded and approved.

New Business: Jackie Davis reviewed the draft 40% Minimum Training Expenditure Requirement Policy, which would include case management costs, but suggested adding in more closely watching the number of clients served. She discussed the National Dislocated Worker Grant-Comprehensive and Accessible Reemployment Through Equitable Employment Recovery (NDWG CAREER) Supportive Service Policy, which would allow the ability to provide more supportive services to assist Dislocated Workers who have accepted a job. A discussion was held on the grant spending cap. The committee made a recommendation that the National Dislocated Worker Grant-Comprehensive and Accessible Reemployment Through Equitable Employment Recovery (NDWG CAREER) Supportive Service Policy move to the Executive Committee.

Old Business: Jackie Davis reviewed the new Strategic Plan Evaluation with members. A discussion was held on the importance of a Business Services person.

One Stop Manager Update: Jessica Weber updated members on current activities at the Virginia Career Works Fredericksburg Center. She stated that the statistics were primarily from Planning District Area 16. She noted an increase in fraud visits and increase in workshop interest. She noted that customer survey response rates were ~45%. She stated that 77 employers had been worked with the quarter.

Other Items for Discussion: Committee elections were held, with Debbye Warf being nominated as Chair and Tracy Harrington nominated as Vice Chair. Jackie Davis let members know that Ken Knull had officially retired from the Board. She reminded members that the November 10, 2021 meeting would be a joint meeting with the CLEO Board, and immediately afterwards would be the Strategic Planning Session.

There being no further business, the meeting was adjourned at 10:50 a.m.

Respectfully submitted,

Katlyn Moss

Bay Consortium Workforce Development Board

Policy Number: 16-01

Revised Date: February 2, 2022

Effective Date: July 1, 2016

Title: WIOA Minimum Training Expenditure Requirement Policy

PURPOSE

Provide guidance to implement the minimum Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Dislocated Worker Local Workforce Development Area formula funds expenditure requirement, as established by Virginia Code effective July 1, 2015, for training leading to recognized in-demand postsecondary education and workforce credentials.

REFERENCE

- Workforce Innovation and Opportunity Act, Section 134
- Code of Virginia §2.2-2472.2
- Virginia Board of Workforce Development Policy 404-01: Identification of Eligible Training Providers of Occupational Skills Training

POLICY

The Virginia General Assembly amended the Code of Virginia by adding in Chapter 4.2 section 2.2-2472.2 establishing the following requirements:

A. Each provider of Adult and Dislocated Worker services shall expend a minimum of 40 percent of WIOA Adult and Dislocated Worker funds to training services as defined under § 134(c)(3)(D) of the WIOA that lead to recognize postsecondary education and workforce credentials aligned with in demand industry sectors or occupations in the local area or region, below is the definition of training which will count towards the 40 percent minimum training expenditure requirement.

Failure by a provider of Adult and Dislocated Worker services to meet the required minimum training expenditure percentage requirement shall result in sanctions, to increase in severity for each quarter of noncompliance. The Bay Consortium Workforce Development Board has established the following sanctions: for the *First* and *Second Quarter*, a corrective action plan;

for the *Third Quarter*, the recapturing and reallocation of a percentage of the providers Adult and Dislocated Worker funds to bring the provider into compliance with the 40 percent minimum training expenditure requirement; for the *Fourth Quarter*, for a provider with recurring noncompliance, the termination of the contract to provide Adult and Dislocated Worker services for the Bay Consortium Workforce Development Board, Inc.

A. Definition of Training

In order to encourage the recruitment and use of high-quality training providers and programs, all training providers must be WIOA-certified under the existing state eligible training provider system. The only exception to this requirement is when the employer is functioning as the training provider.

As defined within this policy, the services considered training, for which expenditures will accrue to the 40% requirement, include:

A. Occupational Classroom Training

- a. Occupational training is predominantly technical training, which prepares the student for entry into a particular occupation or set of occupations, and must be delivered in compliance with the VBWD Policy 404-01 Identification of Eligible Providers of Occupational Skills Training. Expenditures for occupational training (ITA and Non-ITA) include:
 - i. Occupational Classroom Training-ITA: All payments made to a training institution or training provider for occupational classroom training authorized pursuant to an Individual Training Account (ITA).
 - ii. Occupational Classroom Training-Non-ITA: All payments made to a training institution or training provider, including community based organizations, or other public or private organizations of demonstrated effectiveness, for occupational classroom training authorized pursuant to a contract for training services, or other contractual arrangement that constitutes an exception to the use of an ITA (29 CFR Part 663.430).

B. On-The-Job Training (OJT)

- a. OJT payments are payments made to public, not-for-profit, and private sector employers for training costs authorized pursuant to an OJT contract.

C. Work Experience

- a. Payments made to participants that represent hours worked in work-based training, including internships. WIOA defines Adult and Dislocated Work Experience as an Individualized Career Service; the state does allow this expense to be considered a Training Expenditure solely for the purpose of inclusion to meet the 40% training requirement under this VWL.

D. Customized Training

- a. Customized training is training designed to meet the special requirements of an employer or group of employers. To accrue to the 40% minimum requirement, the customized training:
 - i. May not be more than 50% of the total training cost; and
 - ii. Must be delivered under a contract with an employer who:
 1. Agrees to hire WIOA participants upon completion of the customized training; or
 2. Is training employed workers who:
 - a. Do not earn wages at a self-sufficiency level and to whom the employer commits to continue to employ; and
 - b. Are being trained in new technologies, new production or service procedures, or who require additional skills or workplace literacy required for retention and progression in employment.

E. Class-Size Training Contracts

- a. Class-Size Training Contracts may be entered into and may accrue to the 40% minimum requirement when there is a need to place multiple WIOA-registered students in the same training program with one educational institution or eligible training provider. Congressional authority authorizes the use of WIOA formula funds to purchase contracts for class size training. The costs associated with these contracts are an allowable training expenditure when the following criteria are in place:
 - i. The contract will lead to placement in a demand occupation and is in place with an institution of higher education or other eligible training provider.

- ii. Training services include a full range of occupational skills training or customized training as described in WIOA section 134.
- iii. When an arrangement is made under which WIOA registrants may occupy only a portion of a class-size training contract, a method is developed to allocate the costs of the class associated with the percentage of WIOA-registered students to the contract. (ALL costs associated with the class-size training contract must be allocated in proportion to the number of WIOA registered students compared to the overall number of students.)
- iv. The contract is in compliance with the provisions of the existing class size training policy.

F. Transitional Jobs

- a. Transitional jobs are a type of work-experience local WDBs may provide under WIOA. Payments made for wages to an employer that represent hours worked in a work experience accrue to the 40% minimum training requirement.

G. Registered Apprenticeship (RA)

- a. The following are items that may be used as expenses for Registered Apprenticeships: Individual Training Accounts, OJT, Contracted classes

H. Incumbent Worker Training

- a. Incumbent Worker Training involves development with an employer or employer association to upgrade skills training of a particular workforce. Training may occur in the workplace or an off-site location during or after work hours. Only those costs that are associated with training of incumbent workers can be included. For the purposes of this policy those costs are:
 - i. Training development
 - ii. Instructor wages
 - iii. Tuition
 - iv. Training materials and supplies
 - v. Fees; and
 - vi. Travel for incumbent workers from the workplace to the training location, as needed and if training is off-site

I. Remedial Training/Pre-Vocational Services

- a. Payments made to a training institution for classroom instruction in academic remediation for a postsecondary education or workforce program or for short-term prevocational services or for education for high school equivalency:
 - i. These services would be limited to no more than nine months in duration, unless provided in conjunction with occupational training services.

J. Books, Fees, Travel, Materials and Related

- a. These expenses include those paid to a training institution, training provider or individual participant for books, training materials, required uniforms and other workplace attire, and tools or equipment required for training. All costs of training related licenses, permits or fees may also accrue to the 40% minimum requirement. These costs are considered a Supportive Service cost under WIOA; the state does allow this expense to be considered a Training Expenditure solely for the purpose of inclusion to meet the 40% training requirement under VWL 14-17 Change 3.
- b. Travel for participants in any type of WIOA supported training, in accordance with local policy, to and from training location may accrue to the 40% minimum expenditure requirement. These costs are considered a Supportive Service cost by WIOA; the state does allow this expense to be considered a Training Expenditure solely for the purpose of inclusion to meet the 40% training requirement under VWL 14-17 Change 3.

K. Certification Tests

- a. All examinations and testing costs, including practice tests, associated with participant attainment of an in-demand industry certification or occupational license. These costs are considered a Supportive Service cost by WIOA; the state does allow this expense to be considered a Training Expenditure solely for the purpose of inclusion to meet the 40% training requirement under VWL 14-17 Change 3.

L. Case Management

- a. Allowable case management costs include:
 1. Case Manager time working directly with participants enrolled in training (not participants seeking training) including time spent researching, creating, monitoring, providing supportive services, ITA development, and closing out an Adult or Dislocated Worker jobseeker training account.

2. Case Manager time working to identify and or develop training opportunities, including time spent working with employers and/or training providers to identify and develop training opportunities.
3. Case Manager time working with employers to ensure a successful training experience, including time spent managing and evaluating the work experience.
4. Case Manager costs are limited to salaries and benefits.

b. Case management costs that contribute to the Training Expenditure requirement do not include costs associated with providing basic career services, individualized career services, or follow-up career services. The supervision of case managers is excluded from consideration for inclusion in meeting the 40% training expenditure requirement.

Formula for Calculation of Case Management

The formula for calculating the staff salary and staff fringe benefits to include in monthly WIOA Minimum Training Expenditure Reports will be calculated as follows:

Example:

Staff Expenses	Total
Staff Salary	\$1,000.00
Staff Fringe Benefits	\$500.00
Grand Total	\$1,500.00

WIOA Program Participants	
Enrolled in Training	10
Total Participants	100
Percentage of Billable Case Management Time	10%

Formula for Total Case Management Expense	
Staff Expenses Total (Salary + Fringe Benefits)	\$1,500.00
Percentage of Billable Case Management Time	10%
Total Case Management Expense	\$150.00

Staff Expenses Total (Salary + Fringe Benefits) / Percentage of Billable Case Management Time = Total Case Management Expense Amount Allowable (\$1,500.00 / 10 = \$150.00)

Bay Consortium Workforce Development Board

Policy Number: 21-01

Effective Date: September 12, 2021

End Date: September 13, 2023

Title: National Dislocated Worker Grant-Comprehensive and Accessible Reemployment Through Equitable Employment Recovery (NDWG CAREER) Supportive Service Policy

PURPOSE

The purpose of this policy is to provide the Bay Consortium Workforce Development Area (BCWDA) with both general and specific guidance pertaining to Supportive Services under the Comprehensive and Accessible Reemployment through Equitable Employment Recovery (CAREER) National Dislocated Worker Grant (DWG) in partnership with the Hampton Roads Workforce Council (HRWC).

REFERENCES

- Workforce Innovation Opportunity Act (WIOA); Final Rules, U.S. Department of Labor (DOL) Employment and Training Administration (ETA), (20 CFR 681.570 and 688.120, 20 CFR 680.900-20 CFR 680.970)
- Training and Employment Guidance Letter (TEGL) #12-19, Dated November 20, 2020
- Training and Employment Guidance Letter (TEGL) #19-16, Dated March 1, 2017
- Training and Employment Guidance Letter (TEGL) #25-20, Dated June 28, 2021

BACKGROUND

Supportive services are necessary to enable an individual to participate in certain activities authorized under WIOA. Supportive services may include, but are not limited to, the following:

1. Linkages to community services;
2. Assistance with transportation;
3. Assistance with childcare and dependent care;
4. Assistance with housing;
5. Needs-related payments; (Not Applicable under the CAREER Grant local policy)
6. Assistance with educational testing;
7. Reasonable accommodations for individuals with disabilities;

8. Referrals to health care;
9. Assistance with uniforms or other appropriate work attire and work-related tools, including items as eyeglasses and protective eye gear;
10. Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes;
11. Payments and fees for employment and training-related application, tests, and certifications.

When may supportive services be provided to participants?

- a) Supportive services may only be provided to participants who are:
 1. Currently enrolled in Individualized Basic Career and/or Training services; and
 2. Unable to obtain supportive services through other programs providing such services.
- b) Supportive services may only be provided when they are necessary to enable individuals to participate in allowable Title I activities.

Also, WIOA funded and/or CAREER Grant supportive services can only be authorized when these same needed services are not reasonably available to the participant through any other personal and/or other community program arrangements. Any assigned staff making the request on behalf of a participant is responsible for reviewing and documenting the unavailability of any other suitable arrangements before any WIOA funds are utilized.

Supportive Services are available to participants only during the active enrollment period. (Meaning they are enrolled in an approved individualized career service or training service as documented in VAWC.) This includes essential supportive services necessary for allowing employed participants or students enrolled in WIOA credited advanced training programs, to continue in (or avoid dropping out of) those programs.

The assigned Case Manager must thoroughly assess the participant's needs for supportive services, document the results of the assessment, and document the provision of such services through vendor receipts, invoices, voucher, etc. Additionally, the participant and Case Manager must discuss how the participant will support the expense for supportive service issues once the initial and/or temporary assistance under this project has been provided to the participant.

The Case Manager must document the efforts to contact and coordinate with the available partners and, if applicable, the inability of such partners to provide the needed supportive services.

Supportive Service Coding under VAWC: 180-193 for co-enrolled Dislocated Workers/CAREER participants

As a general rule, no supportive services authorized in support of any single participant should exceed \$2,000 (cumulative, in total) without first submitting a separate written request to exceed this limit to the HRWC office for prior approval on behalf of the subject participant. The HRWC will evaluate the requests on a case-by-case basis and either approve or disapprove the exception request within seven (7) working days. The provision of supportive services will not count against any participant's ITA Training cap but must be processed for proper internal handling and fiscal tracking.

POLICY

- Supportive services may only be provided to participants who are participating in career or training services and are unable to obtain the services through other programs who provide such services.
- Supportive services may only be provided after it has been determined such services are necessary to enable the participant to participate in Workforce Innovation and Opportunity Act (WIOA) activities.
- Supportive services may only be provided after it has been determined the participant is unable to obtain support services through other programs providing such services.

The service provider must thoroughly assess the participant's need for supportive services, document the results of the assessment, and document the provision of such services through vendor receipts, invoices, voucher, etc. Additionally, the participant and service provider must develop a plan on how the participant will support a part or all of the expense for supportive service issues once the initial assistance has been given to the participant.

The service provider must document the efforts made to contact and coordinate with the available partners and, if applicable, the inability of such partners to provide the needed supportive service.

The One Stop Operator, WIOA Service Providers, and One Stop partners shall identify in the Memorandum of Understanding (MOU) the process utilized to ensure resource and service coordination regarding supportive services including how supportive services will be funded when they are not available from other sources. In addition, the MOU must describe how accurate information will be provided on the availability of such services in the local area.

PROCEDURES FOR SUPPORTIVE SERVICES

Determination of Need

Supportive services are not automatic or guaranteed; they are based on participant need and necessity to enable the participant to participate in approved programs and only when similar

services are unavailable within the community. The participant's need and necessity of the supportive service must be documented in the case file; and for participants enrolled in individualized career or training services, must be included in the Individual Employment Plan (IEP) or Individual Service Strategy (ISS).

Cost Limitations

Cost limitations are listed in Attachment 1. The cost of reimbursement or direct payment to participants or, by subsequent category, vendor for supportive services shall be the actual cost incurred up to an average of \$2,000 per participant. Costs for Supportive Services must be reasonable and when applicable, competitively priced. An effort must be made by the Case Manager to make this determination. The cost limitation includes all supportive services provided during the participant's enrollment and those supportive services provided to the client as part of follow up after exit.

When multiple vendor options are available for delivering supportive services, documentation must show a reasonable effort was made to determine and choose the most appropriate option based on the customer's needs, ability to access and competitively priced service available.

Exceptions to exceed cost limitation or provide a service not listed:

In some instances, there may be a need to exceed the limitations specified by this policy, or to provide a supportive service not defined that otherwise meets the intent of this policy. In cases of exceeding cost limitations, the costs must be approved by HRWC. All requests for providing services not listed in the policy must be pre-approved by HRWC.

All requests for any exceptions must include the following:

- Customer name and State ID#;
- Identification of the additional supportive services needed and approximate cost, and;
- Justification for the request, including documentation of need and the activity it supports, and;
- Current customer activity status, and
- Documentation of previous funds expended.

HRWC will evaluate the request on a case-by-case basis and either approve or disapprove the exception request within seven (7) working days.

ALLOWABLE SUPPORTIVE SERVICES

Assistance with Uniforms or other Work-related Items

Supportive services assistance is authorized for protective clothing, tools, and equipment required for participants to enroll and participate in training programs or other employment under WIOA. These items may include eyewear, steel-toed shoes, work related or training

related tools and equipment, uniforms, testing fees required for licensure or certification exam, etc.

Items not included in a training program curriculum are still supportive services if they are provided to the participant. These items include interpreter, or signer, interviewing clothing, laundry and/or dry-cleaning services, additional tools and materials needed for employment after training is completed.

Basic Car Repair

Supportive service cost for emergency car repair is authorized, such as tire and battery replacement, minor car repairs not covered by insurance or warranty, and oil changes. Maintenance repair can be covered up to the amount listed on Attachment 1. Such expenses must be documented by the Case Manager or repair facility.

Child Care and Dependent Care

Childcare assistance may be provided by a licensed and insured child/adult care provider and/or a family day home provider to participants who are not able to participate in WIOA programs without such assistance. "Family day home" means a child day program offered in the residence of the provider or the home of any of the children in care for one through twelve children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.

This includes participants who are in danger of dropping out or making less than satisfactory progress due to unsatisfactory or unreliable childcare arrangements. Case Managers must obtain proof of type of childcare facility being utilized by participant.

Eligible dependent care expenses include:

- Childcare for your children under age 13;
- Day care for your spouse or your children (of any age) who are physically or mentally incapable of self-care who you claim on your Federal Income Tax return as a qualified dependent, and
- Elder care for adults who you claim on your Federal Income Tax return as a qualified dependent.

Expenses cannot be advanced before the care has been provided for your dependent, even if your provider requires payment in advance.

Education, Employment Certification and Associated Membership Fees

Supportive service assistance is authorized for the payment of tutoring services, application, and testing fees to educational institutions. These are fees that are paid to determine a participant's eligibility and acceptance at the educational institution, and which will allow the client to obtain information on financial aid awards. Exam fees and membership fees are allowed if it assists the customer in obtaining employment and networking within the certification field.

Emergency Housing

Emergency housing assistance may be provided to participants on a limited basis. The assistance may include the cost of rent or mortgage payment to stop an eviction and relocation expenses; temporary housing in a motel/hotel, or utility payments. This provision is for emergency housing only and need documentation of possible eviction, homelessness, missed payment, etc. Since this is a limited-time emergency intervention, a plan must be established to ensure the client will be able to meet long term housing needs.

Submitting Reimbursement Invoices

As part of this guidance, sub awardees will use the attached forms for submitting requests for reimbursements. All sub awardees are individually responsible for maintaining all necessary supporting documentation for verification purposes. All financial reimbursements are subject to monitoring and auditing.

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ATTACHMENT 1
SUPPORTIVE SERVICES LIMITS
CHART

Notes:

1. Limits for individual items listed below may be modified to provide the total costs for a supportive service, as long as it does not exceed the total cap of per participant as identified by the grant.
2. Any request for increased limit for individuals will be evaluated by the Hampton Roads Workforce Council on a case-by-case basis and either approve or disapprove the exception request within seven (7) working days.

Type of Service	Dislocated Worker Category Limit
Total Supportive Services limits allowable per individual served under this grant. (See above Note 2. for exceptions.)	\$2000
Cost Limitation Per Category	
Assistance with Uniforms or Other Work-Related Items	\$1000
Educational Testing, Employment Certification and Associated Testing/Application Fees	\$1000
Emergency Housing¹	\$1200
Child and Dependent Care ² Licensed Care Facility	\$1440
Child and Dependent Care ³ Family Day Home Care	\$1170
Legal Aid Services	\$500
Medical/Health Services	\$750
Basic Car Repair⁴	\$1000
Car Liability Insurance⁴	\$600
Transportation Assistance	\$750
Mileage Reimbursement	\$0.20/mile up to \$750

¹ Estimated based on the FY 2022 GSA per diem rate for the average of DC and Richmond area for 6 weeks

² Estimated based on VA State average cost of licensed care for 1 child for 6 weeks

³ Estimated based on VA State average cost of Family Day Home Care for 1 child for 6 weeks

⁴ Estimated on average car cost on AAA website