

**THE OREGON CONSORTIUM & OREGON WORKFORCE ALLIANCE  
POLICY MEMORANDUM #WIA-25-R01/12**

**DATE:** January 19, 2012

**SUBJECT:** Supportive Services

**REFERENCE:**

- WIA Sections 101(46), 129(a)(4), 134(e)(2)
- TOC/OWA Policy #WIA 5 Ro4/09 Needs-Related Payments
- TOC/OWA Policy #WIA 39 Direct Participant Payments and Financial Assistance
- Federal Register, WIA - Final Rules, 20 CFR 663.800 through 663.810
- Federal Register, WIA - Final Rules, 20 CFR 664.440 through 664.450
- Federal Register, Vol. 65, No. 156/ Friday, August 11, 2000/Rules and Regulations, p. 49328

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**PURPOSE:**

This policy establishes procedural guidelines for providing Supportive Services based on the Workforce Investment Act. This policy is to be referenced in conjunction with TOC/OWA Policy #WIA 39, Direct Participant Payments and Financial Assistance.

**BACKGROUND:**

The Workforce Investment Act defines Supportive Services as those services, such as transportation, child care, dependent care and housing, that are necessary to enable an individual to participate in activities authorized under WIA Title I. While this definition contains some illustrative examples, such examples are not intended to comprise an exhaustive or exclusive list of such services. Under WIA, rules governing the permissible and/or mandatory provision of supportive services vary by funding stream (adult, dislocated worker, and youth) or discretionary grant restrictions and requirements. The Workforce Investment Act of 1998 (WIA) regulations require a policy on supportive services that ensures equitable resource and service coordination in the local area (20 CFR §663.800). Needs-Related Payments, a supportive service authorized by WIA § 134(e)(3), are addressed in TOC/OWA Policy #WIA 5.

Supportive services are only available to enable WIA participants, who are unable to obtain supportive services elsewhere, to participate in WIA program activities. Supportive services are not a participant entitlement. The extent of supportive services provided will vary based on the customer's needs, the availability of supportive services from other programs and the Provider's availability of WIA funds and resources. Due to funding limitations, WIA supportive services funding is to be used as the last resort. To the extent possible, funding must be sought first from all other programs or sources available to the participant; note, however, this expectation is tempered by a standard of "reasonable-ness." Other programs or alternative sources to be sought consist of those the

participant and Regional Provider staff can reasonably be expected to know about and to which a referral would be practical and timely.

**POLICY:**

Regional Providers must establish internal controls that result in equitable treatment of participants across funding streams and that comply with the following guidelines.

***Eligible Participants:***

For adult and dislocated worker participants under WIA Title I-B, supportive services may be provided, within the constraints established by the Workforce Investment Act and regulations, only to participants who:

1. are participating in WIA Title I-B core, intensive, or training services; and
2. demonstrate a need for supportive services and can show they are necessary to enable him or her to participate in WIA Title I activities; and
3. are unable to obtain supportive services themselves or from their support network; and,
4. are unable to obtain supportive services through other programs including community agencies that provide these services.

Participants in discretionary grants, such as National Emergency Grants or State Additional Assistance, are subject to this policy unless the specific grant has different requirements regarding participant supportive services. In those cases, the supportive services guidelines will be included with the initial guidance distributed to Regional Providers regarding the grant award.

For WIA Title I-B youth participants, supportive services are among the ten required program elements and must be available to all registered participants.

***Demonstrated Need:***

No supportive services will be provided to a participant without an established Individual Service Plan (Plan). The Plan is necessary to show why involvement in WIA activities is appropriate and necessary for the participant to overcome barriers to secure and retain employment.

No supportive services will be provided to a participant without an established need. Supportive service payments are requested individually for specific needs. Because WIA programs are not an entitlement, supportive service payments are made on a case-by-case basis and only when determined necessary and reasonable. Payments should not be made for non-WIA activities or for items that are not necessary for participation in the WIA activity.

Need for supportive services must be justified by determining the participant's budget/financial situation, which must demonstrate that the participant will be unable to participate in appropriate WIA activities (as determined in the participant's Plan) without the supportive service payment. The participant's budget should be reviewed with every new supportive service request, to account for

changes in the participant's circumstances. The budget should be updated at least once every quarter.

Budget calculations should be based on accessible personal resources and expected expenditures. Regional Providers should consider all available sources of funds, excluding loans, in determining an individual's overall need for WIA funds. It is not recommended, however, that a participant liquidate assets such as physical property, retirement accounts, etc. before requesting WIA supportive service assistance. In addition, participant expenditures included in calculating the budget should be checked to ensure the figures are reasonable. The calculated budget should be an accurate representation of the participant's income and liquid assets in comparison to expected living expenses.

***Other Resources:***

Alternatives to WIA funded supportive services will be sought prior to providing supportive services with WIA funds.

**Partners:** Partner agencies and Regional Providers should coordinate efforts to ensure participant services, including supportive services, are complementary (rather than duplicative). Participant casenotes should indicate clearly which partners are covering which supportive services – WIA is expected to be used as last resort. Regional Providers are expected to work with partner agencies to provide supportive service “packages” made up of assistance from different sources to support the participant's involvement in WIA activities.

- **Trade Act Funding:** If a participant is enrolled in Trade Act, this funding source must be utilized prior to WIA funding. If the participant demonstrates need that is not covered by Trade Act, then wrap-around services may be provided with WIA funds, if no other resources are available. If a participant that has been receiving WIA services becomes Trade Act eligible, the Provider must review all expected supportive services to ensure WIA does not provide supportive service payments that are duplicative or that Trade Act should be providing.

**Community Resources and other Programs:** Within reason, Regional Providers are expected to explore other community resources prior to charging WIA for supportive services. In addition, participants should be directed to explore alternative resources within their own support network and within the community. The availability of community resources will vary considerably by locale. Possible community resources may include non-profit organizations, Community Action Agencies, government assistance such as: local health departments; Temporary Assistance for Needy Families; Supplemental Nutrition Assistance Program, etc.

***Prohibitions:***

Supportive services are not to be the primary activity for any WIA customers. It is only a means to provide WIA participants the financial assistance needed to allow them to successfully complete their intensive and training services toward their goal of obtaining self-sufficient employment.

Supportive services are prohibited in the following situations or for the following reasons:

- A. Disbursement of WIA funds is prohibited prior to the participant's enrollment into WIA.
- B. Fines and/or penalty payments may not be paid with WIA funds, under any circumstances.
- C. Bad debts may not be paid with WIA funds; debts meet this definition at the point they are turned over to a collection agency for further action.
- D. Generally, interest on borrowed capital is prohibited. Regional Providers should be familiar with how their respective circular addresses interest expenses, as differences exist across circulars.
- E. Purchases of goods or services that are illegal under any federal, state, local or municipal law or statute cannot be made with WIA funds.
- F. Purchase of capital assets for a privately owned business venture is prohibited with WIA funds.
- G. All costs associated with employment generating activities are prohibited.
- H. Purchase of tobacco products and/or alcoholic beverages is prohibited.
- I. Health insurance premiums are a prohibited expense, except where health insurance is a requirement of a training program. In that case, the premium is allowable as a training expense.
- J. Purchase of computers and/or laptops is prohibited.

***Follow-up:***

Supportive services payments may be made available on behalf of Adults and Dislocated Workers who are in follow-up services (follow-up begins after the 1st day of unsubsidized employment at a full-time job, defined as  $\geq 32$  hours/week, unless the participant must be restricted to fewer hours due to disability, etc.). The need for follow-up supportive services must be clearly identified in the participant's Plan and in casenotes. While a wide variety of services may be offered during follow-up, all supportive services must be linked directly to ensuring job retention, wage gains and/or career progress. Participants should first be referred to supportive services available in the community.

Supportive services during follow-up should occur infrequently. Supportive service payments for Adult and Dislocated Worker participants should end once the participant receives his/her first paycheck, as it is expected that, at that point, the participant is in a position to keep his/her new employment.

After exit, no supportive services may be paid from WIA funds, with the following exception: supportive services may be offered to youth after exit per Section 664.450 of the WIA Regulations.

***Documentation:***

Regional Providers are to maintain a stringent attitude towards documentation of all supportive services provided. Each supportive service is documented in case notes when it occurs with an explanation of the need, how it ties back to the WIA activity supported, description of service provided, and information about efforts to locate other resources to be used before WIA funds.

Casenotes documenting supportive services should clearly show that that participant's budget has been reviewed and when it has last been updated or recalculated. Example casenote templates will be provided by the TOC/OWA administrative office.

**Mileage reimbursement:** Documentation of distance (MapQuest directions, Google maps, etc.) must be included with fiscal documents to support mileage reimbursement supportive service payments. The Internal Revenue Service (IRS) mileage reimbursement rate is calculated to include direct and indirect vehicle expenses. Therefore, if the region is paying at the full IRS rate, no other vehicle expenses can be paid. If the region pays less than full IRS mileage, emergency repairs may be paid if determined by staff to be reasonable and necessary. Staff are expected to be diligent to ensure that all other resources for mileage, such as Trade Act for eligible participants, are utilized before WIA funds.

Supporting fiscal documentation is expected to be complete and consistent with Generally Accepted Accounting Principles (GAAP).

***Regional Provider Responsibility:***

Each Regional Provider will develop, maintain and utilize a Supportive Service Policy/Procedural Guide that complies with WIA, WIA regulations, Oregon State and TOC/OWA Policy. The Regional Policy/Procedural Guide will define or reference upper limits for supportive service requests, supportive services that may be provided, allowable and disallowed purchases/payments, authorization process, any management override process and how the region is accessing and leveraging community resources prior to using WIA funds. The Regional Policy will ensure that similarly situated participants, regardless of funding stream, will receive similar supportive services.

**ACTION:**

The TOC/OWA administrative office and Regional Providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.

**INQUIRIES:**

Inquiries should be addressed to the Grants & Contracts Coordinator at 1-866-888-4TOC.

A handwritten signature in blue ink that reads "Kris Latimer". The signature is written in a cursive style with a horizontal line underneath the name.

Kris Latimer  
Chief Executive Officer