

## NEEDS-BASED POLICY

Effective Date: September 19, 2019

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### BACKGROUND:

The Workforce Innovation and Opportunity Act, in Section 129 and 134, defines supportive services as: "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 this title, consistent with the provisions of this title." While this definition contains some illustrative examples, such examples are not intended to comprise an exhaustive or exclusive list of such services. Under WIOA, rules governing the permissible and/or mandatory provision of supportive services vary by funding stream (adult, dislocated worker, and youth).

### POLICY:

Needs-Based payments are one mechanism available to assist individuals to participate in WIOA program services and/or activities to secure and retain employment. Needs-Based payments are not a participant entitlement. Registration, pursuant to the provisions of the WIOA, is an absolute prerequisite to the provision of supportive services.

For adult and dislocated worker participants under WIOA Title I-B, supportive services may be provided, within the constraints established by the Workforce Innovation and Opportunity Act and regulations, to participants in need of financial assistance when:

- 1) the participant is receiving WIOA Title I-B intensive or training services; and
- 2) is regularly attending classes while demonstrating satisfactory progress;
- 3) a 2.0 GPA per semester is required if the participant is enrolled in an applicable training program;
- 4) needs-based payments are necessary to enable participation in intensive or training services; and
- 5) the participant is unable to obtain similar services from another source.

Federal regulations provide that payments based on need (Needs Related Payments) may be provided to adults and dislocated workers who are unemployed and who cease to qualify for unemployment compensation. The purpose of these payments is to enable these individuals to participate in training programs under the WIOA.

### Dislocated Worker Needs-Related Payments

A dislocated worker (DW) who has ceased to qualify for unemployment compensation may be eligible to receive needs-related payments. According to WIOA rules and regulations, a dislocated worker (DW) is eligible to receive Needs-Related payments if "a worker was enrolled in training services by the end of the thirteenth week after the most recent layoff that resulted in a determination of the worker's eligibility for employment and training activities or by the end of the eighth week after the worker is informed that a short term layoff will exceed six months." The level of the needs-related payment made to a dislocated worker will be \$100.00\* a week or the weekly Unemployment Insurance amount, whichever is less. To be eligible to receive needs related payments, a DW participant must have a documented need, as reflected on the Needs Determination/Needs

Related Payments or Supportive Service Form. Needs Related Payments will be based on weekly attendance.

### **Adult Needs Related Payments**

The Needs-Related Payment Policy of the Region VII Workforce Development Board (WDB) for adults is designed to provide payments to participants based upon individual documented need to enable the participant to participate in training. To be eligible to receive needs related payments, an adult participant must have a documented need, as reflected on the Needs Determination/Needs Related Payments or Supportive Service Form. This form is to be completed by the WIOA Career Coach on adult participants as a determination of need for needs related payments. The maximum needs related payment allowable for an adult participant is \$100 per week. The minimum needs related payment allowed for an adult participant is \$50 per week. Needs-Related payments will be based on weekly attendance. In addition, **both adult and dislocated** worker participants who are seeking need related payments **must not be:**

- 1) employed;
- 2) enrolled in or receiving a paid internship or work experience or on-the-job training;
- 3) receiving out-of-area job search/relocation allowance;
- 4) receiving supportive services through programs under WIOA or the Trade Adjustment Act;
- 5) receiving unemployment compensation or extended unemployment benefits.

Needs related payments are considered a training stipend or allowance and not an entitlement. Payments are cash payments made directly to participants based on documented need and within contract limitations.

Individual need must be determined, documented, and paid at a rate not to exceed the above-specified limitations. Career Coaches will ensure that the appropriate documentation of the need and amount of payment are the result of objective assessment and are documented in the participant's Individual Employment Plan (IEP). Needs related payments supporting documentation of need must include a copy of the weekly attendance sheet and a copy of the needs related payment documentation form. A participant will be eligible to receive weekly needs related payments for weeks in which the participant had satisfactory training attendance as determined by the Program Operator/Approved Training Provider and based on the individual participant's training schedule.

### **LIMITATIONS AND GUIDELINES**

The following guidelines are provided to assist in administering Needs-Based Payments:

- A. Region VII WDB may provide Needs-Based payments up to \$1000 per participant per twelve months, calculated from the date of initial registration. For participants who are co-enrolled (Adult and Dislocated Worker, Adult and Youth, etc.), the maximum amount remains \$1000.
- B. Payments will be issued every two weeks and will **NOT** exceed \$100 a week, \$200 per pay period, or \$1000 per participant.
- C. Participant files must adequately document that **ALL** needs-based payments are allowable, reasonable, justified, and not otherwise available to the participant and show evidence of collaboration, when feasible. Assessment of the participant's need payment must also be documented in MACC case notes.
- D. Needs-Based payments cannot be expended before a participant is registered.

- E. Payments are to be approved by the Executive Director of the Region VII Workforce Development Board
- F. Needs-Based payments will be issued every two weeks on the Friday closest to the 1<sup>st</sup> and 15<sup>th</sup> of the month.
- G. Timesheets are due Friday before payments are processed.
- H. Timesheets must be signed by the participant, the instructor and the WIOA Career Coach.
- I. The WIOA Career Coach will fax the timesheet to the WDB office for final approval and processing.
- J. Participants submitting timesheets late will have their payments processed in the next payment period. Participants will have three business days past the Friday due date to submit timesheets. If timesheets are submitted more than three business days late they will **NOT** be accepted and payment will **NOT** be issued.
- K. Needs-Based Payments will be managed by the Region VII Workforce Development Board.
- L. In the event fraudulent activity is discovered, all payments to the fraudulent party will cease and all funds paid will be recovered. All cases of fraud or suspected fraud will be forwarded to the appropriate legal authorities for prosecution. Needs-Related Payments have been classified as non-taxable income by the I.R.S.
- M. Any questions or concerns should be addressed to:

Region VII WDB  
Mrs. Stacy Swick, Compliance Director  
151 Robert C. Byrd Industrial Park Road, Suite 2  
Moorefield, WV 26836

**Equal Opportunity and Grievances:**

The Region VII Workforce Development Board prohibits discrimination in all aspects of the administration, management, and operation of Workforce Innovation and Opportunity Act programs and activities. Services offered at the Region VII WorkForce WV Career Centers will be provided universally without regard to race, color, religion, sex, national origin, age, disability, or political affiliation or belief. Individuals may file a complaint or grievance by following the Region VII Workforce Development Board Grievance Procedure Policy, a copy of which will be provided upon request.

**Questions:**

Contact the Region VII Workforce Development Board Executive Director, 151 Robert C. Byrd Industrial Park Road, Suite 2, Moorefield, WV 26836. Telephone number is (304) 530-5258. Fax number is (304) 530-5107.

**Expiration:**

Effective until rescinded, in writing, by the Region VII Workforce Development Board.



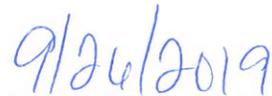
T.J. Van Meter, Executive Director



Date



Layne Diehl, Chairperson Region VII WDB



Date