



ALEXANDRIA/ARLINGTON  
REGIONAL WORKFORCE COUNCIL

## Local Policies for WIOA-Funded Programs (Revised January 26, 2023)

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WIOA Adult, Dislocated Worker, and Youth Programs in Alexandria City and Arlington County are funded by a grant awarded by the Virginia Community College System through funds awarded by the U.S. Department of Labor’s Employment and Training Administration. All WIOA Title I staff are to follow the policies listed within this document, along with the policies issued by their respective local government employers.

WIOA is an Equal Opportunity Program. Auxiliary aids and services are available upon request to individuals with disabilities. Alexandria City Government and Arlington County Government are Equal Opportunity Employers.

## **SUNSHINE POLICY**

### **REFERENCE**

- Virginia Freedom of Information Act

### **POLICY**

The Alexandria/Arlington Regional Workforce Council shall make available to the public, on a regular basis, through open meetings, information regarding the activities of the Alexandria/Arlington Regional Workforce Council including information regarding the local plan prior to submission of the plan and regarding membership, the designation and certification of workforce center operators consistent with the State plan and the award of grants or contracts to eligible providers of youth activities and upon request, minutes of formal meetings of the Alexandria/Arlington Regional Workforce Council.

To ensure compliance with the Sunshine Provisions, the Alexandria/Arlington Regional Workforce Council shall take measures to ensure that:

- All meetings will be open to the public.
- All meetings will be held in an accessible location for the disabled and that all information is provided in accessible and alternate formats upon request.
- The date, time and location of the first regular meeting of each program year shall be published on the Alexandria/Arlington Regional Workforce Council website no less than thirty days prior to the meeting. All subsequent meetings of the calendar year shall be posted to the Alexandria/Arlington Regional Workforce Council website as meeting locations are secured.
- Public notice will be given at least 72 hours in advance of any special meeting or rescheduled regular meeting, except when a meeting is called to deal with a real or potential emergency involving a clear and present danger to life or property.
- Votes of local Board members will be publicly cast and roll call votes will be recorded and kept in the official Board Minutes book.
- Written minutes of all meetings will be kept in the Alexandria/Arlington Regional Workforce Council administrative office, and shall include the date, time and place of the meeting, members present, substance of all official actions, a record of roll call votes and the names of any citizens who appeared and gave testimony.
- Executive Committee meetings may be held as closed sessions according to the provisions of the Virginia Freedom of Information Act. An Executive Committee meeting may be held during or after an open meeting or may be announced for a future time. If an Executive Committee meeting is not announced for a specific time, Alexandria/Arlington Regional Workforce Council members must be notified 24 hours in advance of the date, time, location and purpose of the executive session. The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session. Official action on any matter discussed at an Executive Committee meeting must be taken at an open meeting.

## **EQUAL OPPORTUNITY & NONDISCRIMINATION POLICY**

### **REFERENCE**

- Workforce Innovation and Opportunity Act (WIOA) Title I
- 29 CFR Part 37-38

### **POLICY**

It is the policy of the Alexandria/Arlington Regional Workforce Council to provide equal opportunity to all WIOA program applicants and participants without regard to race, color, religion, gender, national origin, age, disability, or political affiliation or belief. Any person alleging discrimination under the Workforce Innovation and Opportunity Act has the option of filing his or her written complaint with the Alexandria/Arlington Regional Workforce Council EO Officer:

David Remick  
Executive Director & EO Officer  
Alexandria/Arlington Regional Workforce Council  
2100 Washington Blvd.  
First Floor  
Arlington, VA 22204  
[dremick@arlingtonva.us](mailto:dremick@arlingtonva.us)

Please note: any person with a general, non-discriminatory grievance may also file a written complaint to the Alexandria/Arlington Regional Workforce Council EO Officer. All non-discriminatory grievance complaints will follow the procedures outlined in the Processing WIOA Grievances and Complaints Policy.

### Determining Jurisdiction

The first step in processing a complaint is to determine if it is within the Alexandria/Arlington Regional Workforce Council's jurisdiction – that is, if the Alexandria/Arlington Regional Workforce Council has the legal authority to accept the complaint for investigation. There are three considerations that determine jurisdiction – basis, timeliness, and whether the respondent is a recipient of DOL funds.

- **Basis:** For discriminatory grievances, the Alexandria/Arlington Regional Workforce Council can accept and investigate only those complaints that allege discrimination on the basis of race, color, religion, national origin, gender, political affiliation or belief, age, or disability because of citizenship or participation in WIOA. For all other grievances, the Council can accept and investigate only those complaints that occur when using WIOA Title I funded services.
- **Timeliness:** The Alexandria/Arlington Regional Workforce Council will accept and investigate a complaint only if it is filed within 180 days of the alleged violation.
- **Recipient of WIOA Funds:** The Alexandria/Arlington Regional Workforce Council can accept and investigate only those complaints in which the respondent – the program or activity against which the complaint is filed – is a program or activity funded in whole or in part by WIOA funds.

### Notifying the Respondent and the Complainant

Once it is determined that a complaint is within the Alexandria/Arlington Regional Workforce Council's jurisdiction, the complaint is investigated by the Alexandria/Arlington Regional Workforce Council's EO Officer. The EO Officer sends the respondent (the administrator or manager of the program/activity receiving funds) notice, which informs him or her that the Alexandria/Arlington Regional Workforce Council has accepted the complaint and includes:

- The complainant's name,

WIOA is an Equal Opportunity Program. Auxiliary aids and services are available upon request to individuals with disabilities.  
Alexandria City Government and Arlington County Government are Equal Opportunity Employers.

- A brief description of the allegation,
- A description of the information or documentation needed for the investigation, and time in which it is to be submitted,
- A reminder to the respondent that any form of retaliation or intimidation against the complainant because he or she has filed a complaint is prohibited, and
- The name and telephone number of the Alexandria/Arlington Regional Workforce Council's EO Officer assigned to the case.

A copy of the complaint may be provided to the respondent if it is requested. The EO Officer also sends the complainant a similar notification letter. Both the respondent and the complainant are encouraged to informally resolve the complaint prior to the issuance of a determination. This process could take up to 30 days to complete.

### Data Collection

A complaint can be investigated in two ways: through analysis of data relevant to the investigation and/or through an on-site investigation. Data needed to determine the merits of the allegations in the complaint should be identified. A written list of questions is forwarded to the respondent, complainant, and other parties such as witnesses. Some questions will require a written response, some will request records, and others will require documentation. The EO Officer analyzes the data and, if it is sufficient, a determination as to whether or not discrimination occurred may be issued without an on-site investigation. This process could take up to 30 days to complete.

### *The On-Site Investigation*

The EO Officer conducts the complaint investigation at the site of the alleged violation when:

- The issues are complicated;
- After reviewing the data collected, it is determined that several witnesses must be interviewed, or many records reviewed; or
- The Alexandria/Arlington Regional Workforce Council's EO Officer has received several complaints against the same respondent.

Before arriving on-site, the EO Officer contacts the respondent to establish a date and time for the on-site investigation, to identify records and other documents to be made available for review, and to identify individuals to be interviewed. This should be regarded as an initial information request. As the investigation proceeds, the EO Officer may identify additional information requirement or interviewees. The respondent should identify a person responsible for coordinating the on-site investigation. Once on-site, and before meeting with the respondent, the EO Officer meets with the complainant to review the complaint and to obtain any additional information not contained in the complaint or case file.

The opening conference is held at the respondent's facility; the EO Officer meets with the respondent and/or respondent's representatives to:

- Describe the complaint being investigated, including the specific allegation(s) and issue(s) under investigation and the Alexandria/Arlington Regional Workforce Council's authority to investigate them;
- Confirm arrangements made by the respondent to assure the EO Officer privacy, including setting aside a private area for the EO Officer to conduct interviews and review documents;
- Confirm the interview schedule of individuals named in the complaint, as well as other witnesses; and

- Schedule other meetings, such as the orientation meeting for information collection and the exit interview.

Normally, the EO Officer does not discuss the merits of the complaint during the opening conference.

#### *Gathering Evidence*

In an on-site investigation, the EO Officer gathers evidence by interviewing and by reviewing records. Initially, the EO Officer interviews the official(s) representing the respondent and the person(s) named in the complaint. Information obtained includes:

- The respondent's account of the facts,
- Additional persons the respondent wishes interviewed and the matters on which each witness can be expected to provide information,
- Documentation that the respondent wishes reviewed.

The EO Officer also interviews witnesses – that is, all individuals named either by the complainant or the respondent as witnesses. As the investigation progresses, the EO Officer may identify additional individuals who should be interviewed. In addition to conducting interviews, the EO Officer gathers information by reviewing records and other documents, beginning with those initially requested. As the investigation progresses, the EO Officer may require additional records. When the records required are voluminous or complex, the EO Officer may hold a meeting with the staff responsible for keeping records to:

- Acquaint the EO Officer with the respondent's information system,
- Acquaint the respondent with the EO Officer's information needs,
- Assign specific document or information request to the appropriate person.

#### *Types of Evidence*

In general, evidence falls into five categories:

- Direct evidence is evidence of the actual, subjective intent of the person(s) charged with discrimination. It may take the form of an admission of discriminatory purpose, although this will rarely occur. You will most often find such an admission during an interview, when a person is explaining or justifying his or her actions. Direct evidence encompasses more than admissions: it also includes any facts tending to establish the subjective motives of persons involved in the alleged discrimination.
- Circumstantial evidence includes facts from which one may infer intent or discriminatory motive. Circumstantial evidence proves intent by using objectively observable data. It does not, however, prove anything directly about actual subjective intent – for example, historical information on how members of the protected group have been treated by the respondent and similar complaints.
- Comparative evidence is that which identifies difference(s) in treatment of similarly situated individuals based on their race, sex, or other protected basis. For example, this might involve comparing the quality and quantity of services provided a group of the same race with services provided to a group of a different race. If there is no adequate non-racial explanation for the differences, it is reasonable to infer that race may be a factor.
- Statistical evidence is most often used to demonstrate the adverse effect of a procedure, policy, rule, or selection criteria. The evidence will have to show that a substantial disparate impact exists, and that it is not due to chance. Such evidence may include EO data reports and monitoring reports.
- For non-discriminatory grievances, direct evidence of the actual, subjective intent of the offender(s).

### The Exit Conference

When the on-site investigation has been completed, within 30 days the EO Officer will hold an exit conference with the respondent to clarify the information obtained during the on-site investigation or to request additional information. The EO Officer expresses no opinion about the information collected during the on-site investigation and makes no analysis or conclusions about the issues.

### Administrative Closures

Pre-investigative administrative closures occur prior to the initiation of the investigation. A pre-determination administrative closure is one which occurs between the initiation of an investigation and before an investigative report is drafted. Investigations may not be administratively closed if they imply or involve class issues, which have not been corrected for all members of the class. Investigations that are not class involved may be administratively closed if one or more of the following conditions exist – that is, if the complainant:

- Refused to cooperate in the investigation;
- Cannot be located;
- Is deceased;
- Withdraws the complaint in writing; or
- Was fully resolved through mediation or conciliation.

If the complainant can be located, he or she must be notified in writing that the complaint is being administratively closed and explain the reason for the decision.

### Analysis of Evidence (for discriminatory grievances only)

#### *Disparate Treatment*

To determine if it is reasonable to believe that discrimination based on disparate treatment occurred a three-phase analytical process will be used. This process is as follows:

#### PHASE I: PRIMA FACIE

This phase is a determination as to whether there is sufficient evidence to raise an inference of discrimination. An inference *does not prove* discrimination; rather, it allows you to go on to the next analytical set(s) – determining whether the inference is correct.

An inference of discrimination based on disparate treatment can be established when an eligible/qualified individual show that he or she was treated differently because of a prohibited factor. In the case of systemic or pattern-or-practice discrimination and inference of discrimination may be established by showing that individuals or groups are treated differently based on race, sex, or some other prohibited factor.

The Supreme Court created a template for establishing a case by inference based on disparate treatment. The elements of a prima facie case may vary depending on the facts of the complaint, but such elements often include the following:

1. The aggrieved person was a member of a protected class;
2. This person applied for, and was eligible for federally assisted program or applied and was qualified for employment;
3. Was denied services or employment despite being eligible/qualified; and
4. After this denial, the respondent selected applicants for services or provided employment to persons not in the complainant's group with similar eligibility or qualifications.

## PHASE 2: REBUTTAL

The second phase is the respondent's opportunity to defend itself. If there is sufficient evidence to establish a *prima facie* case, the investigator must determine if the respondent can articulate a "legitimate, nondiscriminatory reason" for the challenged action.

## PHASE 3: PRETEXT

Once the respondent has articulated a reason for the disparate treatment, the investigator must examine the respondent's reasons and evidence relevant to the complaint. Where facts are in dispute, the investigator should attempt to corroborate the facts independently. If the respondent's defense is not based on a legitimate requirement, the investigator may show that the rebuttal evidence presented by the respondent was a "pretext" for discrimination.

Types of evidence that may be helpful in proving pretext are:

- The respondent failed to follow its own rules, policies, and procedures;
- The respondent acted inconsistently with its own stated, legitimate nondiscriminatory reason;
- Evidence obtained in the investigation contradicts the nondiscriminatory reasons; or
- The reason offered now was not offered to support the challenged decision at the time it occurred, suggesting the reason was offered as an afterthought.

### *Disparate Impact*

The model for proving discrimination based on disparate impact is different from the disparate treatment model because the underlying theory is different. Rather than seeking to prove that the service or training provider had a discriminatory motive, you are seeking to prove that a policy, requirement, or practice has a *disproportionate effect* on a particular group or groups. Indications of disparate impact are most likely to arise in the context of a compliance review.

### *Adverse Impact*

The investigator will need to develop evidence that can be tested for adverse impact by making a comparison of the effects of the policy, requirement, or practice in question on members of the complainant's protected class with persons not in the protected class. The evidence in an investigation of a case involving disparate impact will likely include both *statistical* and *comparative* evidence (see "Types of Evidence").

The first step is determining whether there is disproportionate representation of protected class members participating in the program in question (for example, four percent of participants in a training program are female, while fifty percent of the applicants are female). In this case, the investigator will want to look at the application process and other aspects of program administration to determine if there is evidence that a policy or practice is causing the disparity. If there is a statistically significant disparity between the representation of protected class members remaining after application of the challenged policy or requirement when compared with the representation of persons not in the protected class, a *prima facie* case has been established.

After determining that the numbers show significant differences, the next step is to determine what caused the disparities. The investigator must identify which policy, requirement or practice accounts for the adverse impact. That requires focus on the points in the decision making process where some applicants become participants and others do not. (For example, identifying which requirements or practices have the result of

screening out more women applicants than you would expect to be screened out, given the number of women applicants.)

#### *Business Necessity*

Identifying the requirements or practices that have the adverse impact *does not prove* disparate impact discrimination. A determination must be made as to whether the requirement that has the adverse impact is *job related and necessary*. (For example, a requirement that a firefighter trainee weigh at least 150 pounds could disproportionately screen out women as a group, even if some women can meet the requirement and some men cannot.)

In this scenario the service or training provider would have to provide evidence that the weight requirement is necessary for a job related reason (for example, evidence that the weight test is an accurate predictor of a person's ability to handle firefighting equipment).

#### *Alternative Practice*

Even if the weight test accurately predicts success in firefighting, if it has an adverse impact, the service or training provider must first try to devise a standard that *does not have adverse impact* to determine whether an applicant can handle the equipment.

#### Post Investigation

##### *Investigative Report*

An investigative report is a written document that sets out in a detailed and logical fashion (a) all facts pertinent to the case, (b) analyzes those facts in light of the complainant's allegations, and (c) recommends a determination as to the validity of the allegations based on that analysis. The following is a suggested format:

- Introduction
- Allegations
- Analysis
- Conclusions
- Recommendations

The investigative report should be a document separate from the formal letter of findings. Generally, the investigative report is not released to the complainant or the service or training provider except in the case of a Freedom of Information Act request or Privacy Act request. Ideally, an investigative report should be prepared whenever a full investigation is completed. If an investigative report is not done in every case, it should be prepared for complex cases that involve extensive analysis. An investigative report should also be prepared for all cases resulting in a violation. If the case is straightforward, raises only limited issues, does not involve significant rebuttal by either party, and results in a no violation finding, an investigative report may not be necessary.

##### *Letter of Findings*

The purpose of the letter of findings is to notify the parties in writing of the determination made on each issue. Letters of findings must be prepared for all investigations, regardless of whether a violation is found. A written notice of final action must be sent within 90 days after the filing date of the complaint. Complainants must be notified of their right to file a complaint with U.S. Department of Labor's Civil Rights Center (by mail: 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210; by email: [CRCEXternalComplaints@dol.gov](mailto:CRCEXternalComplaints@dol.gov)) if they believe the determination is unsatisfactory.

Each letter of findings must:

- State the jurisdictional authority including the basis for the investigation;
- Address all issues covered in the investigation, and for each issue reach conclusions which are supported by an explanation or analysis; and
- State the determination for each issue investigated.

#### Corrective Actions for Discrimination Grievances

When technical violations are found during compliance monitoring, the EO Officer will notify the recipient in writing of the violations along with recommendations for corrective action. The EO Officer is responsible for providing technical assistance to correct the violations.

Corrective action may include policy development or educating individuals responsible for implementing the required action. A follow-up visit or contact will be made by the EO Officer to evaluate progress made toward resolving the violations. Violations as a result of an investigation and/or monitoring efforts shall be made to achieve voluntary compliance by corrective action or a conciliation agreement to correct the discrimination.

In general terms, the complaint procedure is as follows:

- Corrective action shall be completed within 45 days from the date of initial notification of the violation.
- Follow-up monitoring will be conducted to determine whether compliance has been achieved.

If the EO Officer concludes that compliance cannot be achieved through voluntary means, he or she will notify the U.S. Department of Labor's Civil Rights Center in writing, to include the following:

- The apparent violation(s) and the pertinent nondiscrimination or equal opportunity provision(s) of 29 CFR part 37;
- The efforts made to achieve voluntary compliance; and
- The corrective action the recipient must take to redress the violation.

## PROCESSING WIOA GRIEVANCES AND COMPLAINTS POLICY

### PURPOSE

This policy sets forth the procedures required under the Workforce Development Act (WIOA) to address grievances or complaints alleging a violation under the requirements of WIOA by the Commonwealth of Virginia, the Alexandria/Arlington Regional Workforce Council (AARWC), American Job Centers and/or Training Providers.

This policy does not address the procedure for processing complaints alleging discrimination under WIOA section 188 and/or 29 CFR part 37. Such complaints must be handled in accordance with the procedures set forth in that regulatory part. Questions about or complaints alleging a violation of the non-discrimination provision of WIOA section 188 may be directed or mailed to Executive Director, AARWC, 2100 Washington Blvd, 1<sup>st</sup> Floor, Arlington, VA 22204 or Director, Civil Rights Center, US Department of Labor, Room N4123, 200 Constitution Avenue, NW, Washington, DC 20210, for processing.

### REFERENCES

- WIOA sec 181 (c)
- 20 CFR 683 Subpart F
- WIOA sec. 188, 29
- CFR Part 38
- Virginia Workforce Letter 16-09

### DEFINITIONS

The following terms, when used in this policy, have the following meanings unless the context clearly indicates otherwise:

**Complainant** – an individual, group or agency that files a formal complaint alleging violation of the WIOA and/or provisions of a related agreement.

**Direct Recipient** – any person or governmental department, agency or establishment that receives WIOA funds through a local area in order to carry out WIOA programs but does not include an individual who is the beneficiary of such a program.

**Grievant** – an individual, group or agency that files a formal grievance alleging violation of WIOA and/or provision of a related agreement.

**Participant** - an individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services authorized under the WIOA) under a program authorized by the WIOA. Participation commences on the first day, following determination of eligibility on which the individual begins receiving subsidized employment, training or other services provided under WIOA.

### GRIEVANCES AND COMPLAINTS PROCESSING

The grievance and complaint review procedures for the local level apply to alleged violations of the requirements of WIOA and/or provisions of a related agreement. These grievances or complaints may be submitted by participants and other interested parties affected by the local workforce development system, including American Job partners and service providers.

### *Filing a Grievance or Complaint*

The American Job Centers and/or Service or Training Providers shall provide participants with the name, address and telephone number of the agency's official and the AARWC Executive Director to whom grievances and complaints can be directed. Examples of who may file a grievance or complaint include the following:

- Applicants and/or registrants for aid, benefits, services or training,
- Eligible applicants/registrants,
- Participants,
- Employers,
- Applicants for employment under WIOA,
- Service providers, or
- Eligible service providers.

Each grievance or complaint must be filed, in writing, within 30 calendar days of the alleged situation and must contain the following information:

- The name, address and phone number of the person filing the grievance or complaint;
- The date of the alleged situation and the date the grievance or complaint was filed;
- The identity of the respondent (i.e. the individual or entity against whom the grievance or complaint is alleged);
- A description of the allegation(s). This description must include enough detail to allow the reviewer to decide whether the allegation(s), if true, would violate any of the provisions of WIOA; and
- The signature of the person filing the grievance or complaint.

### *Methods of Resolution/Disposition of Complaints*

Upon receipt of the grievance or complaint, the reviewer will provide written notice to the grievant or complainant. This correspondence will be sent within five (5) business days and must include the following:

- A summary of the allegation(s) submitted;
- The date, time and place of the meeting or hearing with the reviewer;
- A notice that the AARWC Executive Director may arrange for an informal resolution to the complaint prior to the official meeting or hearing;
- A notice that the grievant or complainant may be represented by an attorney; and
- A notice that the grievant or complainant may present witnesses and documentary evidence.

Each American Job Center, Service, and/or Training provider must notify the AARWC Executive Director, in writing, of the complaint within 48 hours of receiving the complaint. The AARWC Executive Director has a maximum of 30 calendar days to investigate the allegations and offer a resolution.

### *Notice of Final Action*

Once the investigation is complete and a decision has been reached, a Notice of Final Action must be sent to the grievant or complainant with a copy to the agency. If an informal resolution was provided, the Notice of Final Action must summarize the resolution agreed upon. If no informal resolution was provided, the Notice of Final Action must contain the following information:

- The reviewer's decision and the reasons supporting the decision;

- A brief description of the investigation process implored to reach the decision;
- A notice that, if no decision is reached within 60 days or if dissatisfied with the decision, the grievant or complainant may appeal to the Commonwealth of Virginia within 10 business days of receipt of the Notice of Final Action; and
- A notice that the grievant or complainant may seek a remedy authorized under another Federal, State or local law.

#### *Record Keeping Requirements*

Records regarding grievances and complaints must be maintained for at least three years from the date of resolution of the grievance or complaint. All records must include the following:

- The name and address of the grievant or complainant;
- A description of the grievance or complaint;
- The date the grievance or complaint was filed;
- The disposition (final action);
- The date of disposition of the grievance or complaint; and
- Any other pertinent information.

To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the WIOA shall be kept confidential. The information may only be used for purposes of:

- Record keeping and reporting;
- Determining the extent to which an entity is operating its WIOA funded programs or activities in a nondiscriminatory manner; or
- Other use authorized by the nondiscrimination and equal opportunity provisions of WIOA.

#### **PROCESSING APPEALS OF AGENCY LEVEL GRIEVANCE AND COMPLAINT DECISIONS**

The grievance and complaint review procedures for the agency level apply to alleged violations of their requirements of WIOA and/or provisions of a related agreement. These grievances or complaints may be submitted by participants and other interested parties affected by the local workforce development system, including American Job Centers, Center Partners, Service and/or Training Providers. AARWC will review:

- Appeals of decisions made at the local agency level during the grievance and complaint process;
- Grievances or complaints alleging a violation of the requirements of the WIOA and/or provisions of a related agreement, filed by interested parties who have no recourse to the grievance and complaint procedure of a local agency, but who are affected by the WIOA programs offered through Virginia Career Works;
- Grievances or complaints from eligible providers of training services who are denied equitable opportunities to provide training programs to WIOA participants, by an American Job center or program operator, or otherwise adversely affected by the American Job Center or program operator.\*

\*Grievances or complaints from providers of training services who are denied eligibility by the AARWC, or who's eligibility is terminated or otherwise adversely affected by the AARWC must file their complaints with the Commonwealth of Virginia.

### *Filing an Appeal*

Each appeal must be filed, in writing, within 10 business days of the date of which the Notice of Final Action is received and must contain the following information:

- The name, address and phone number of the person filing the appeal;
- The identity of the respondent (i.e. the individual or entity against whom the grievance or complaint is alleged);
- A description of the allegation(s). This description must include enough detail to allow the reviewer to decide whether the allegation(s), if true, would violate any of the provision of WIOA;
- Pertinent dates, including the date on which the grievance or complaint was filed at the local agency level, the date of the alleged occurrence for which the grievance or complaint was filed and the date a written decision was issued (or should have been issued);
- If applicable, copies of the provisions of the WIOA, the regulations, etc. which are believed to have been violated;
- A statement disclosing other steps pursued at any level regarding the grievance or complaint in question;
- A copy of the agency's Notice of Final Action, if such was rendered; and
- The signature of the person filing the appeal.

NOTE: The appeal must be accompanied by all documentation submitted to the agency when filing the original complaint. Only information received by the agency during the initial investigation will be allowed as evidence in the appeal process.

### *Methods of Resolution/Disposition of Complaints*

Upon receipt of the written request for appeal and all the pertinent information outlined above, the reviewer for the AARWC will provide the grievant, or complainant, and the respondent with written acknowledgement of the appeal. This correspondence will be sent within five (5) business days and include both, a summary of the allegations submitted and an offer to resolve the issue informally prior to rendering a decision based on the written records. Finally, the acknowledgment will include a notice that upon review of the documentary evidence presented, the reviewer will make his/her decision.

The reviewer may offer the opportunity to resolve the issue informally prior to rendering a decision based on the written records. If the parties decline this opportunity, the reviewer will accept, reject or modify the decision for the local agency based on a review of the evidence. The reviewer may also remand the grievance or complaint to the local agency for further investigation. In any case, the reviewer has a maximum of 30 calendar days to review the allegation(s) and offer a resolution.

### *Notice of Final Action*

Once a decision is reached, a Notice of Final Action must be sent to the grievant or complainant and respondent. If an informal resolution was provided, the Notice of Final Action will summarize the resolution agreed upon. If no informal resolution was provided, the Notice of Final Action will contain the following information:

- The reviewer's decision and the reason supporting the decision.
- A notice that, if dissatisfied with the decision, the grievant or complainant may appeal to the Commonwealth of Virginia, within 10 days of the Notice of Final Action from the AARWC;

- Notice that copies of appeals submitted to the Workforce Development Act Consultant, Virginia Community College System, 300 Arboretum Place, Richmond, VA 23236, must be sent to the reviewer at AARWC, 2100 Washington Blvd, 1<sup>st</sup> Floor, Arlington, VA 22204; and
- A notice that the grievant or complainant may seek a remedy authorized under another Federal, State or local law.

*Record Keeping Requirements*

Records regarding grievances and complaints must be maintained for at least three years from the date of final resolution. All records must include the following:

- The name and address of the grievant or complainant;
- A description of the grievance or complaint;
- The date the grievance or complaint was filed;
- The disposition (final action);
- The date of disposition of the grievance or complaint; and
- Any other pertinent information.

To the maximum extent possible, the identity of any person who has furnished information relating to, or assisting in, an investigation of a possible violation of the WIOA shall be kept confidential. The information may only be used for purposes of:

- Record keeping and reporting;
- Determining the extent to which an entity is operating its WIOA funded programs or activities in a nondiscriminatory manner; or
- Other use authorized by the nondiscrimination and equal opportunity provisions of WIOA.

## **CONFIDENTIALITY & GUIDANCE ON THE HANDLING AND PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION (PII) POLICY**

### **REFERENCES:**

- Privacy Protection Act of 1980
- VIRGINIA WORKFORCE LETTER (VWL) No. 19-05
- Training and Employment Guidance Letter No. 39-11; Subject: Guidance on the Handling and Protection of Personally Identifiable Information {PI/}; Date June 28, 2012
- 2 CFR §200.79 Personally Identifiable Information
- 2 CFR §200.82 Protected Personally Identifiable Information
- Code of Virginia §2.2-3803. Administration of system including personal information; Internet privacy policy; exceptions
- Code of Virginia § 18.2-186.6. Breach of Personal information notification

### **DEFINITIONS:**

- Personally Identifiable Information (PII): The Office of Management and Budget (OMB) has defined PII as information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.
- Sensitive Information: Any classified information whose loss, misuse, or unauthorized access to or modification of could adversely affect the interest or conduct of Federal programs, or the privacy to which individuals are entitled to under the Privacy Act.
- Protected PII and Non-sensitive PII: The Department of Labor has defined two types of PII, protected PII and non-sensitive PII. The differences between protected PII and non-sensitive PII are primarily based on an analysis of the "risk of harm" that could result from the release of the PII.
  - Protected PI is information that if disclosed could result in harm to the individual whose name or identity is linked to that information. Examples of protected PII include, but are not limited to Social Security Number (SSNs), credit card numbers, bank account numbers, home telephone numbers, ages, birthdates, marital status, spouse names, educational history, biometric identifiers (fingerprints, voiceprints, iris scans, etc.), medical history, financial information and computer passwords.
  - Non-sensitive PI, on the other hand, is information that if disclosed, by itself, could not reasonably be expected to result in personal harm. Essentially, it is stand-alone information that is not likely or closely associated with any protected or unprotected PII. Examples of non-sensitive PII include information such as first and last names, e-mail addresses, business addresses, business telephone numbers, general education credentials, gender or race. However, depending on the circumstances, a combination of these items could potentially be categorized as protected or sensitive PII.
  - To illustrate the connection between non-sensitive PII and protected PII, the disclosure of a name, business e-mail address or business address most likely will not result in a high degree of harm to an individual. However, a name linked to a Social Security Number, a date of birth, and mother's maiden name could result in identity theft. This demonstrates why protecting the information of our program participants is so important.
- Wi-Fi - a facility allowing computers, smartphones, or other devices to connect to the Internet or communicate with one another wirelessly within a particular area.

## **POLICY:**

### Confidentiality Policy

The Alexandria/Arlington Regional Workforce Council is committed to protecting the confidentiality of all customers. Written releases of information are required from a WIOA customer before their information can be shared.

All WIOA customers are advised of this policy. All WIOA Staff are required to sign a confidentiality pledge which specifies that the individual is aware of the priority the Council places on confidentiality and the customer's right to privacy. When LWDA 12 collects data to be used in continuous quality improvement efforts or in an effort to seek customer feedback regarding the satisfaction with LWDA 12 services, these statistics are not collected individually. Only group results can be reported. No one customer's results can be shared that links a person's name with their satisfaction survey. This same policy holds true for collection of market opinion surveys, panel or focus group findings and research of satisfaction among other customer groups. Violations of confidentiality are subject to penalty of law under the Privacy Protection Act.

Release of Information Forms will remain in effect from the date of signature for 5 years allowing for the training period and follow up to occur and then may be revoked in writing at any time after that four-year period by the customer. The customer will be advised of this policy at the time of the signing of the release form. If the customer objects LWDA 12 staff may allow an adjustment in the time frame if needed. If the customer refuses to sign the release of information, WIOA services may be discontinued.

### Guidance on the Handling and Protection of Personally Identifiable Information (PII)

Federal law, Office of Management and Budget (OMB) directives, DOL Employment and Training Administration (ETA) policies, and the Code of Virginia require that PII and other sensitive information be protected. ETA has examined the ways its grantees, as stewards of federal funds, handle PII and sensitive information and has determined that to ensure compliance with federal law and regulations grantees must secure the transmission of PII and sensitive data developed, obtained, or otherwise associated with ETA funded grants.

In addition to the requirement above, Alexandria/Arlington WIOA Title I funding must comply with all of the following:

- To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via email or stored on CDs, DVDs, thumb drives, etc. must be encrypted. Any transmitted participant information should not include Social Security Numbers (SSNs) or Date of Birth (DOB). Transmitted information concerning a participant should include only State ID, Username or User ID from the Virginia Workforce Connection (VaWC) or last name only when provided as part of a data correction or related Va WC transaction. If the action is related to performance and/or reporting, the State ID, User ID or Username should be the only identifier used in communications with appropriate VCCS staff. Grantee/subgrantees must not provide sensitive PII to an entity, including ETA or contractors.
- All local programs supported by WIOA Title I funds must take the steps necessary to ensure the privacy of all PII obtained from participants and other individuals and to protect such information from unauthorized disclosure.
- Local programs funded by WIOA Title I shall ensure that any PII used during the performance of their grant has been obtained in conformity with applicable federal and state laws governing the confidentiality of information.
- Local programs funded by WIOA Title I are required to ensure that all PII data obtained through their ETA grant shall be stored in an area that is physically safe from access by unauthorized persons at all times, and the data will be processed using grantee/subgrantee issued equipment, and managed information technology (IT) services. Accessing, processing, and storing of ETA grant PII data on personally owned equipment, at off-site locations (e.g., employee's home), and

non-grantee managed IT services (e.g., Yahoo mail), is prohibited. It is highly recommended that a Virtual Private Network (VPN) is utilized when accessing PII in an offsite location.

- For programs funded by WIOA Title I, employees and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised in writing of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state law.
- Local programs financially supported by WIOA Title I must not extract information from WIOA (ETA) funded programs for any purpose not stated in the grant agreement, contract, and/or memorandum of understanding (MOU).
- Access to any PII created by the ETA grant must be restricted to only those employees of the grant recipient and programs funded by WIOA Title I that need it in their official capacity to perform duties in connection with the scope of work in the grant agreement, contract, or MOU.
- All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted and properly secured.
- Local programs funded by WIOA should not access VaWC using public Wi-Fi unless they are using a VPN because of the potential for data breaches.

Failure to comply with these requirements, or any improper use or disclosure of PII for an unauthorized purpose, may result disciplinary action and/or in the termination or suspension of the Local WIOA grant, contract or memorandum of understanding.

In the event that local WIOA staff suspects, discovers, or is notified of a data security incident or potential breach of security relating to personal information, the staff person is to contact the Alexandria/Arlington Regional Workforce Council Executive Director within twenty-four (24) hours from the incident. The notification shall include the following:

- Approximate date of the incident;
- Description of cause of the security event and how it was discovered;
- Number of individuals affected and the type of PII involved;
- Steps taken/to be taken to remedy the event.

## WIOA SELF-SUFFICIENCY POLICY FOR 2023

### REFERENCES:

- Workforce Innovation and Opportunity Act of 2014, Section 3 (36), Section 134 (a) (3) (A) (xii) and Section 134 (d) (1) (A) (x)
- 20 Code of Federal Regulations §680.600
- Federal Register, January 19, 2023 – Department of Health and Human Services, Annual Update of the HHS Poverty Guidelines (Link - <https://www.federalregister.gov/documents/2022/01/21/2022-01166/annual-update-of-the-hhs-poverty-guidelines>)
- Federal Register, May 8, 2023 – U.S. Department of Labor – Employment and Training Administration Workforce Innovation and Opportunity Act (WIOA) 2022 Lower Living Standard Income Level (LLSIL) (Link - [https://www.dol.gov/sites/dolgov/files/ETA/llsil/pdfs/Federal\\_Register\\_Notice\\_2022.pdf](https://www.dol.gov/sites/dolgov/files/ETA/llsil/pdfs/Federal_Register_Notice_2022.pdf))

### DEFINITION OF SELF-SUFFICIENCY:

The term “low-income individual” as an individual who:

- 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, 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, or the supplemental security income program established under title XVI of the Social Security Act, or State or local income-based public assistance;
- Is in a family with total family income that **does not exceed the higher** of the poverty line **or** 70 percent of the lower living standard income level;
- Is a homeless individual;
- Receives or is eligible to receive a free or reduced-price lunch under the Russell National School Lunch Act;
- Is a foster child on behalf of whom State or local government payments are made; or
- Is an individual with a disability whose own income meets this policy’s income requirement, but who is a member of a family whose income does not meet this policy’s requirement.

Any individual who is considered to be “low income”, as defined above, is eligible to receive WIOA funded training services in Local Workforce Development Area 12, VCW Alexandria/Arlington.

### GUIDANCE:

The following guidelines are to be used in determining low-income eligibility. Poverty Guidelines are to be used for the “poverty line.” The 70% Lower Living Standard Income Level appropriate to the applicant’s place of residence should be used to determine eligibility, where appropriate. The 100% of the Lower Level Standard Income Levels are to be applied when determining whether employment leads to self-sufficiency under WIOA Title I programs. The 100% and 150% levels are not to be used to determine “low income” eligibility.

**HHS POVERTY GUIDELINES FOR 2023**

| Metropolitan Statistical Areas (MSAs) | Family Size |        |        |        |        |        |        |        |
|---------------------------------------|-------------|--------|--------|--------|--------|--------|--------|--------|
|                                       | 1           | 2      | 3      | 4      | 5      | 6      | 7      | 8      |
| 48 Contiguous US States and DC        | 14,580      | 19,720 | 24,860 | 30,000 | 35,140 | 40,280 | 45,420 | 50,560 |

For family units with more than 8 members, add \$5,140 for each additional member.

**2023 150% LOWER LIVING STANDARD INCOME LEVEL CHART**

| Metropolitan Statistical Areas (MSAs) | Family Size |        |        |        |        |         |
|---------------------------------------|-------------|--------|--------|--------|--------|---------|
|                                       | 1           | 2      | 3      | 4      | 5      | 6       |
| Washington-Baltimore, DC/MD/VA/WV     | 28,693      | 47,022 | 64,542 | 79,668 | 94,026 | 109,963 |

For each family member above 6 add \$15,937.

**2023 100% LOWER LIVING STANDARD INCOME LEVEL CHART**

| Metropolitan Statistical Areas (MSAs) | Family Size |        |        |        |        |        |
|---------------------------------------|-------------|--------|--------|--------|--------|--------|
|                                       | 1           | 2      | 3      | 4      | 5      | 6      |
| Washington-Baltimore, DC/MD/VA/WV     | 19,129      | 31,348 | 43,028 | 53,112 | 62,684 | 73,309 |

For each family member above 6 add \$10,625.

**2023 70% LOWER LIVING STANDARD INCOME LEVEL CHART**

| Metropolitan Statistical Areas (MSAs) | Family Size |        |        |        |        |        |
|---------------------------------------|-------------|--------|--------|--------|--------|--------|
|                                       | 1           | 2      | 3      | 4      | 5      | 6      |
| Washington-Baltimore, DC/MD/VA/WV     | (13,390)    | 21,943 | 30,120 | 37,178 | 43,879 | 51,316 |

For the values in parentheses, the Poverty level is higher for the corresponding family size. For each family member above 6 add \$7,437.

## **PRIORITY OF SERVICE POLICY**

### **REFERENCES:**

- Workforce Innovation and Opportunity Act (WIOA) Title I
- Training and Employment Guidance Letter WIOA NO. 3-15
- Virginia Workforce Letter No. 18-04 & Attachment A

### **POLICY:**

The purpose of career and training services is to provide eligible customers with the means to obtain the necessary skills to become gainfully employed or re-employed. This policy is intended to define and establish parameters for the priority of service with WIOA Title I Adult funds.

#### Priority

Priority for career and training services funded with WIOA Title I Adult funds shall be given to recipients of public assistance, other low-income individuals and individuals who are basic skills deficient, as well as any covered person under the Veterans' priority, in the local area. Thus, the following sequence of services priority will apply:

- First, to veterans and eligible spouses who are also included in the groups given statutory priority for WIOA Title I Adult formula funds. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient would receive first priority for services provided with WIOA Title I Adult formula funds.
- Second, to non-covered persons (that is, individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA Title I Adult formula funds.
- Third, to veterans and eligible spouses who are not included in WIOA's priority groups.
- Fourth, to non-covered persons who reside in Alexandria City or Arlington County, who are outside the groups given priority under the WIOA Title I Adult program, with total family income that does not exceed 150 percent of the lower living standard income level.
- Fifth, to non-covered persons who are outside the groups given priority under the WIOA Title I Adult program.

Total WIOA Title I Adult formula fund program year spending for the combined fourth and fifth groups must not exceed 49% of the total program year allocation of the Alexandria/Arlington region's WIOA Title I Adult formula funds.

The term "covered person" includes anyone who is a Veteran. The term "covered person" also includes spouses of Veterans that fall into the following categories:

- Any veteran who died of a service-connected disability;
- Any member of the armed forces on active duty who, at the time of the spouse's application, is listed in one or more of the following categories and has been so listed for more than 90 days:
- Missing in action;
- Captured in the line of duty by a hostile force; or
- Forcible detained or interned in the line of duty by a foreign government or power.
- Any Veteran who has a total disability resulting from a service-connected disability; or
- Any Veteran who while a disability so evaluated was in existence.

Note: When past income is an eligibility determinant for Federal employment or training programs, 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. Military earnings are not to be included when calculating income for veterans or transitioning service members for this priority, in accordance with 38 U.S.C. 4213.

The term “basic skills deficient” means that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test or who is a youth or adult, that the individual 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.

## **INDIVIDUAL TRAINING ACCOUNT (ITA) POLICY**

### **REFERENCE:**

- Workforce Innovation and Opportunity Act (WIOA) Title I

### **POLICY:**

- **Customer Choice:** Under the Workforce Innovation and Opportunity Act of 2014 (WIOA), the customer can choose the program and provider for the occupational skills training that meets the goals of their individual development plan. In order to use WIOA funds for training, the customer must choose a training program that has been certified by a Local Workforce Development Board in Virginia. The complete list can be found at <https://www.vawc.virginia.gov/>. Customer Choice must be made in writing by using the “Customer Choice in Training” Form.
- **Eligibility.** All recipients of training funds must be eligible based upon criteria established under WIOA. WIOA requires the coordination of training costs with funds available under other grant assistance. WIOA funding for training is limited to participants who are unable to obtain grant assistance from other sources, including PELL Grants, to pay the costs of their training or require assistance beyond that available under grant assistance from other sources, including PELL Grants, to pay the costs of such training. WIOA prescribes “braided funding” as a strategy to support job seekers’ training and placement needs. As such, every effort should be placed on co-enrolling the WIOA participant into other publicly-funded workforce training programs available through the One-Stop Center.
- **Occupational Areas of Training.** The training provided through ITAs is for the sole purpose of facilitating transition into the workforce. All training will be for occupations in demand in the labor market and determined to be of priority by the Alexandria/Arlington Regional Workforce Council (<http://workforcecouncil.arlingtonva.us/data/>).
- **Training Selection.** Training will be provided for priority occupations only as determined by the Council by an institution or organization certified as meeting the criteria and having completed the procedures outlined in the Council’s Eligible Training Providers Policy. The Alexandria/Arlington Regional Workforce Council prefers that recipients of WIOA funds participate in courses/programs that incorporate basic professional skills into their training curriculum.
- **Length of Training.** The purpose of training services is to provide eligible customers with the means to obtain the necessary skills to become gainfully employed or re-employed. Training length will vary according to the type of training and the requirements outlined in the vendor agreement. Training cannot exceed more than 24 calendar months and should lead to an industry-recognized certification and employment that earns a sustainable wage. Participants whose individual training plan includes training lasting more than 24 months must request a waiver from the Council Executive Director PRIOR to beginning the training. Participants whose training was planned for less than 24 months but who require additional time to complete the program of study must request a waiver.
- **Repeat Training.** The Council will NOT provide funding for courses/programs previously funded but not successfully completed.
- **Cost Limitation.** The Council limits training and certification cost to no more than \$4,500 per participant within a 12-month period, except as approved by the Council Executive Director prior to the expenditure of funds (see WAIVERS below). Funding of training, certification, and supportive services payments may not exceed a total of \$4,500 in a 12-month period.
- **Administration.** All requests for ITA funding must be supported in the participant's individual employment plan.

### **WAIVERS:**

WIOA is an Equal Opportunity Program. Auxiliary aids and services are available upon request to individuals with disabilities. Alexandria City Government and Arlington County Government are Equal Opportunity Employers.

The Council's Executive Director may approve exceptions to the cost limit based on the following:

- Up to \$8,000 maximum limit for hospitality training and certification;
- Up to \$9,500 maximum limit for computer & information systems training and certification;
- Up to \$9,500 maximum limit for healthcare training and certification;
- Up to \$9,000 maximum limit for manufacturing & processing training and certification.

The necessity for waiver must be sufficiently justified and documented in order for a waiver to be approved. Please note, the eligible training provider who receives over \$4,500 of WIOA funds to serve a WIOA participant will need to include certification testing and placement into employment as part of their training cost.

## Customer Choice in Training Form

Notice to WIOA Clients:

Under the Workforce Innovation and Opportunity Act of 2014 (WIOA), you can choose the program and provider for the occupational training you need to meet the goals in your individual plan. In order to use WIOA funds for training, you must choose a training program that has been certified by a Local Workforce Development Board in Virginia. The complete list can be found at <https://www.vawc.virginia.gov/>.

Your case manager will present you with a listing of and information about certified training providers in the Commonwealth of Virginia. Most providers have submitted information showing the success rate their students have reached in completing the program, obtaining a certificate (if needed for that occupation) and getting a job. You can choose the training provider that you feel best meets your needs. Please note, should you select a training program that exceeds the local Individual Training Account funding limit, you will assume the responsibility for paying the difference in cost. Questions pertaining to this form can be emailed to [dremick@arlingtonva.us](mailto:dremick@arlingtonva.us).

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As a customer of the WIOA program, I have chosen this training program for my occupational skills training. This was my choice, based on my needs and preferences and the information provided about available providers by my case manager.

Training Provider Chosen

Training Program Chosen

Printed Name of WIOA Participant

Signature of WIOA Participant Date

As a case manager for the WIOA program, I certify that the customer has chosen this training program and provider, based on their own needs and preferences and the information I presented about available providers.

Printed Name of Case Manager

WIOA Service Provider

Signature of Case Manager

Date

## **ELIGIBLE TRAINING PROVIDER LIST POLICY**

### **REFERENCES**

- US DOL Training Employment and Guidance Letter (TEGL) 41-14
- VBWD Policy 404-01
- VWL No. 16-06, Change I

### **BACKGROUND**

The Workforce Innovation and Opportunity Act (WIOA) emphasizes informed customer choice, performance accountability, and continuous improvement. At the same time, WIOA is not an entitlement. One of the primary means that WIOA employs to achieve these goals is through the quality and effectiveness of the providers of occupational training in the region and across the Commonwealth of Virginia.

The Virginia Community College System (VCCS) is required to develop and operate a state Eligible Training Provider List (ETPL) in partnership with local workforce development boards. The Alexandria/Arlington Regional Workforce Council will issue the state ETPL Application Form for use by interested regional training providers to apply for submission onto the ETPL for a one-year period. The Council will also issue a re-certification form for use by existing training providers so that they may apply for consideration to remain on the ETPL for an additional year.

The ETPL must be used to issue WIOA Individual Training Accounts (ITA) for the training of Adults, Dislocated Workers, and Youth when a determination has been made that training is needed to meet the employment and earnings goal established in the Individual Service Plan of a WIOA enrollee. The enrollee can compare the offerings on the ETPL and, with the approval of WIOA staff, select the best training program for their individual needs.

### **POLICY**

1. To become eligible for inclusion into the ETPL, the provider must submit a completed ETPL Application Form along with the required information as outlined in VBWD Policy 404-01 and VWL No. 16-06, Change I. Failure to provide all required information can result in ineligibility for inclusion in the ETPL.
2. The provider must also submit evidence that basic professional skills, also known as “soft skills” are incorporated into their training program(s) during the initial and re-certification phases. Examples of evidence includes training curriculum outline, course instruction manuals, marketing materials, etc. Providers who do not show evidence to support this requirement will not be considered for inclusion into the ETPL.
3. To remain eligible for the ETPL, the provider must submit the Re-Certification Form along with all required information as outlined in VBWD Policy 404-01 and VWL No. 16-06, Change I. Failure to provide all required information can result in ineligibility for inclusion in the ETPL.
4. For providers who have received WIOA funding during their ETPL inclusionary period, on the Re-Certification Form they must report on their WIOA customers’ and their total customers’:
  - a. Training Completion Rate
  - b. Credential Attainment Rate
  - c. Entered Employment Rate
  - d. Post Training Earnings

For providers who did not receive WIOA funding during their ETPL inclusionary period, they are only required to report on their total customers’ rates. The Council will use the

benchmarks listed in VWL No. 16-06, Change I to measure both WIOA customer and total customer performance.

5. The Council determines if the provider's information meets state and local criteria and votes to approve the provider for inclusion on the ETPL. Application may be submitted at any time, but will only be voted for inclusion in the ETPL at quarterly Council meetings. Training Provider Applications must be submitted per "program of training services".
6. In the event that a WIOA customer requests the use of a pending-provider's services prior to the next Council meeting where their inclusion on the ETPL can be voted on, the Council's Executive Director may approve the provider for temporary inclusion onto the ETPL as long as the provider meets all eligibility requirements. The temporary inclusion period will be from the time services are procured to the date of the next Council meeting. The Executive Director must provide rationale for providing temporary inclusion status during the next Council meeting.
7. Council will add the training provider's information onto the ETPL within 5 business days.
8. Should the Council deny an application, staff will:
  - a. Send training provider notice within 5 business days after denial is obtained. The notice will identify the specific program(s) being denied and the reason(s) for denial. The notice shall also advise the applicant of its right to appeal the Council's decision.
  - b. Within 90 calendar days of receipt of the request for reconsideration, the Council shall review the request and issue a written decision that either upholds or reverses the original decision.
  - c. If the Council reverses its initial decision to deny the application, Council staff will send training provider notice within 5 business days after approval is obtained. The Council will then post the program of training service on the ETPL.
  - d. If the Council affirms its original decision, the provider shall have the option of filing an appeal with VCCS. In cases involving the denial of an initial certification or re-certification, the burden shall be upon the training provider to prove, by a preponderance of the evidence, that the certification should have been granted. In cases involving decertification of a training provider for intentionally supplying inaccurate information or for substantially violating any requirements under WIOA, the burden shall be upon the Council to provide, by a preponderance of the evidence, that the decision to decertify was appropriate.
9. Exceptions to the ITA and the ETPL requirements: A Customized Training Contract for services may be used instead of ITA's only when:
  - Pre-approval has been granted in writing by the Council's Executive Director.
  - Used to pay for group training, in lieu of individual training accounts, when the training is otherwise approvable under federal and state law and policy, and only if the individual's rights for consumer choice are not superseded.
  - When a lack of training capacity limits customer choice and customers are not able to enroll in training of their choice on a timely basis or are otherwise required to choose another training program. This could occur because there are an insufficient number of Eligible Training Providers on the ETPL.
  - When it is efficient to contract with an effective local community-based organization or other private organization training program to do the training.
  - When it would facilitate the training of multiple individuals in high-demand occupations.

Customized Training Contracts must:

- Be competitively bid in accordance with applicable federal, state, and local laws, rules, and policies.

- Directly link to an in-demand industry sector or occupation, or a sector with high potential for sustained demand or growth, either locally or where participants are willing to relocate.

To qualify for any of the exceptions listed above, the provider must submit a waiver request form to the Council's Executive Director.

**RWC ELIGIBLE TRAINING PROVIDER LIST  
WAIVER REQUEST**

**TRAINING PROVIDER/PROGRAM INFORMATION**

|  |  |                                   |
|--|--|-----------------------------------|
| Name of Training Provider:   |  |                                   |
| Provider Address:  |  |                                   |
| City:  | State:                                       | ZIP Code:                         |
| Title of Training Program:   |  |                                   |
| Industry recognized credential/certification received:   |  |                                   |
| <input type="checkbox"/> Please provide proof of financial stability (attach to waiver request)<br><input type="checkbox"/> Please provide proof that provider is licensed to operate in Virginia (attach to waiver request)<br><input type="checkbox"/> Please provide proof that the provider is authorized to award an industry recognized certification or credential (attach to waiver request)   |  |                                   |
| Program Completion Rate (Past 3 Yrs.):   | Certification Attainment Rate (Past 3 Yrs.): | Job Placement Rate (Past 3 Yrs.): |
| Description of how the training program relates to the workforce development needs of RWC's Regional Talent Development Plan:  |  |                                   |
| Justification for the Waiver Request:  |  |                                   |
| I hereby make the following assurances as part of this request: <ul style="list-style-type: none"> <li>• The provider has experience supporting the training and employment needs of individuals with substantial language or cultural barriers.</li> <li>• Completion of the training program results in the awarding of industry-recognized credential, national or state certificate, or degree, including all industry appropriate competencies, licensing and/or certification requirements.</li> <li>• The training program is identified as a demand occupation in RWC's local plans and has a history of serving clients with barriers to employment.</li> </ul> |  |                                   |
| Signature:   |  | Date:                             |
| Submit Waiver Request to: <a href="mailto:dremick@arlingtonva.us">dremick@arlingtonva.us</a>   |  |                                   |
| <b>RWC USE</b>   |  |                                   |
| Authorized Signature:  |  | Date:                             |

## **SUPPORTIVE SERVICES/NEEDS RELATED PAYMENTS POLICY**

### **REFERENCES:**

- Workforce Innovation and Opportunity Act (WIOA) Title I
- Training and Employment Guidance Letter WIOA NO. 3-15
- Virginia Workforce Letter 14-17 - Minimum Training Expenditure Requirement

### **DEFINITIONS:**

- Needs-related Payments (NRPs) - Financial assistance provided to enable individuals to participate in training and one of the supportive services authorized by WIOA.
- Public Assistance - Federal, state, or local government cash payments for which eligibility is determined by a needs or income test.
- Supportive Services - Services such as transportation, childcare, dependent care, housing, and NRPs necessary to enable individuals to participate in activities authorized under WIOA Title I. Aside from NRPs, supportive services are usually provided through a voucher system (e.g., transportation or food) or payments made directly to vendors (i.e., clothes, rent, or utilities).

### **POLICY:**

Program staff responsible for approving supportive services shall adhere to the guidance and procedures as set forth in this policy.

#### Eligibility Requirements

##### a. Adults must:

- Be unemployed or underemployed;
- Not qualified for (or has ceased to qualify for) unemployment insurance; and
- Be enrolled in a program of training services under WIOA Title I.

##### b. Dislocated Workers must:

- Be unemployed or underemployed;
- Have ceased to qualify for unemployment insurance or Trade Readjustment Allowances (TRA) under TAA;
- Be enrolled in a program of training services under WIOA Title I, by the end of the 13th week after the most recent layoff that resulted in a determination of the 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 six months; or
- Be unemployed and not qualified for unemployment insurance compensation or TRA.

#### Documentation Requirements

- A copy of a UI entitlement decision or confirmation of UI benefits being exhausted, if applicable;
- Evidence of participation in training, such as a copy of ITA or attendance records for each period of training (quarter, semester, class, etc.);
- All eligibility determinations.

#### Administration and Approval of Supportive Services

- All supportive services are administered through the American Job Center staff.
- Supportive services must be approved by a WIOA program supervisor and reviewed by the fiscal unit before they are received.

WIOA is an Equal Opportunity Program. Auxiliary aids and services are available upon request to individuals with disabilities. Alexandria City Government and Arlington County Government are Equal Opportunity Employers.

- WIOA staff may only approve funds for the types of supportive services and amounts described in this policy. The WIOA managers and fiscal unit must approve all requests for services or costs that exceed the limits of this policy.
- All supportive services are contingent upon the customer's satisfactory performance while participating in and completing WIOA intensive or training activities as well as upon available funding. To maintain satisfactory performance, an in-school youth customer who is in training must maintain good attendance and grades (a minimum grade point average of 2.0 or satisfactory progress), and be in compliance with the other program requirements. For a customer who is participating in intensive activities, he/she must be in compliance with program requirements, including active participation and bi-monthly contact with a case manager. The WIOA Program Managers may exercise authority to establish limits on amounts of funding and length of time funding is available to the participant.

#### Procurement and Payment Process

1. Program staff shall comply with local jurisdictional policies for procuring goods/services and for fiscal procedures. These policies address the competitive bid process, exceptions for sole source procurement and required forms.
2. All supportive service purchases must be made directly from a local jurisdiction authorized vendor. After services have been completed and invoices have been received, payment will be made directly to the vendor. In the event of a client being reimbursed, detailed receipts must be submitted.

#### Referrals

- WIOA program staff must seek services from other community resources as appropriate, prior to authorizing supportive services under WIOA. Referrals and follow-up will be made for other agencies or resources for assistance. Documentation of referrals indicating agencies/ resources providing services as well as denials will be included in customers' case files.

#### Allowable Supportive Services

- The range of supportive services available to WIOA customers - child care, transportation, dependent care, housing, and assistance with uniforms and other appropriate work attire and work-related tools, including such items as laptops, eyeglasses, and protective eye wear. Supportive services are available to WIOA customers while they are participating in and completing individualized career services or training activities. The following items outline the supportive services:
  1. Child Care  
Customers who may be eligible for childcare services should be referred as appropriate to the local Child Care Assistance Programs for all childcare needs. Customers not qualified for local social service programs may be provided supportive services under WIOA Title I.
  2. Transportation  
Authorization for transportation assistance may be extended after employment is obtained for up to one month. Requests for other types of transportation assistance must be approved by the WIOA Program Manager and fiscal unit. Situations beyond the time limit will be reviewed and granted on a case-by-case basis by the WIOA Program Manager.
  3. Gas Assistance  
Customers who drive may be provided with mileage reimbursement at the rate set by the local jurisdiction or receive a \$50 pre-paid gas gift card. Authorization for gas assistance may be extended after employment is obtained for up to one month. Requests for gas assistance

must be approved by the WIOA Program Manager and fiscal unit. Situations beyond the time limit will be reviewed and granted on a case-by-case basis by the WIOA Program Manager.

4. **Eye Care, Workplace/Training Accessibility, and Digital Equity/Literacy Assistance**  
Program staff may refer customers to an approved vendor for an eye examination and a pair of eyeglasses. Eyeglasses and examination expense cannot exceed \$200.00. Staff may also request approval by the WIOA Program Manager for supportive services to assist customers with workplace/training accessibility issues which cannot be provided by other sources. Workplace/training accessibility expenses cannot exceed \$200.00. Program staff may also refer customers to an approved vendor for Digital Equity/Literacy needs, including the purchase of a laptop. Digital Equity/Literacy expenses cannot exceed \$1,000.00. If a laptop is purchased with WIOA funds, the expense cannot exceed \$500.00.
5. **Work/Training Clothes**  
Financial assistance will be limited to an amount not to exceed \$200.00 per customer for these items. The items must be for a work or training related activity. Uniforms or work boots are an example.
6. **Work/Training Tools or Supplies**  
If the tools or supplies are needed to complete training and certification activities or become employed, staff may provide financial assistance up to \$200.00. Customers must be enrolled in a training or work-related activity or have a specific verifiable job offer.
7. **Financial Crisis Assistance**  
Requests for emergency assistance for counseling, housing assistance, meals or other basic needs unable to be provided by other community resources and which are required to help an individual stay in training or to be able to successfully complete program participation must be well documented and must be approved by the WIOA Program Manager.
8. **Additional Assistance**  
Other reasonable expenses required to keep a participant in career services, training or other program activities, for example textbooks, certification exams, auto repairs, test fees, rent etc. The provision of supportive services must be consistently applied to customers.

#### Needs Related Payments

Please note that the One-Stop Centers serving the City of Alexandria and Arlington County operate within their respective jurisdiction's Human Services Departments. Both Departments offer customers access to a myriad of supportive services and financial assistance. As a result, Needs Related Payments will not be offered through WIOA in LWDA 12.

## **5% WIOA YOUTH POLICY**

### **REFERENCES:**

- Virginia Workforce Letter #15-02

### **POLICY:**

Not more than 5% of participants assisted under the youth program in LWDA 12 may be individuals who do not meet the low-income criteria to be considered eligible youth. Additionally, not more than 5% of participants assisted in the in-school youth program in LWDA 12 may be determined eligible under the barrier “An individual who requires additional assistance to complete an educational program or to secure or hold employment”.

For a WIOA youth participant to be considered under the 5% Rule, the WIOA Youth Service Provider must make a formal written request via email to the Council Executive Director and receive written approval prior to the youth being registered in WIOA to receive program services. The written request must contain the following information:

- Specific information about the applicant including; family size, income and barrier(s) as well as other characteristics that necessitate WIOA intervention.
- The request should also include a comprehensive plan listing the strategies and youth elements the career advisor will utilize to assist the youth in addressing the barrier(s).
- The request must also include the current number and percentage of non-low-income youth enrollments on the WIOA Youth Services provider’s case load. This total includes all participants served during the current program year.

The Council Executive Director will respond within 5 days to all requests. The written determination from the Council must be maintained with all other eligibility and assessment documents in the individual’s file. Enrollment is not permitted until receipt of approval from the Council Executive Director.

## **DISLOCATED WORKER ELIGIBILITY POLICY**

### **REFERENCES**

- Workforce Innovation and Opportunity Act (WIOA) Title I

### **DEFINITIONS**

- “Occupation” means the type of work in which the person was primarily engaged.
- “Industry” means any field of business or trade.

### **PURPOSE**

To establish a definition for “Unlikely to Return to Previous Occupation or Industry” when determining the eligibility of dislocated workers in Local Workforce Development Area 12.

### **POLICY**

“Unlikely to Return to Previous Occupation or Industry” shall be defined as:

- Possessing skills obtained during the most recent employment or the predominant employment during the most recent two-year period that are no longer in demand or are obsolete; or
- The individual has exhausted her/his unemployment compensation benefits and has been unable to find a job in her/his previous industry or occupation; or
- The individual has been long term unemployed (12 Weeks of the Last 20 months) and has been unable to find a job in her/his previous industry or occupation; or
- The individual has been assessed by the case manager as being unable to find employment in her/his previous industry or occupation or to find employment at a compensation level comparable to her/his previous occupation; or
- The case manager has determined that the individual needs additional assistance in order to retain employment leading to self-sufficiency; or
- An existing or projected local, state, or federal government agency or related industry association labor market data report indicates that the number of job openings related to the displaced worker’s previous industry and occupation, including the predominant employment of the previous two years, are limited or do not exist.

A displaced worker is deemed eligible for WIOA Dislocated Worker services in Local Workforce Development Area 12 if he/she meets at least one of the conditions listed above.

Each WIOA Case Manager may exercise professional discretion in applying these criteria based on the research and the evaluation of the existing or projected labor market data report. In all cases, the WIOA Case Manager must include in the displaced worker’s eligibility record a completed “Unlikely to Return to Previous Industry/Occupation Analysis” Form that is used to provide an articulated rationale for making the eligibility determination using these criteria based on the research and the evaluation of the existing or projected labor market data report. Such determinations shall be reviewed during monitoring of the WIOA participant records.

## **Unlikely to Return to Previous Industry/Occupation Analysis**

Form can be found here:

<https://www.vcwalexandriarlington.com/files/assets/workcouncil/documents/wioa-dw-unlikely-to-return-to-previous-occupation-analysis-10062021.pdf>

## **YOUTH IN NEED OF ADDITIONAL ASSISTANCE POLICY**

### **REFERENCES**

- Workforce Innovation and Opportunity Act (WIOA) Title I

### **PURPOSE**

- To define WIOA Youth target groups and to establish a definition for the term "Youth in Need of Additional Assistance."

### **POLICY**

In order to be considered eligible to receive services under the WIOA, Youth must be at least 14 years old and may not be older than 24 years of age (unless otherwise stipulated in WIOA regulation), must meet the income criteria to be economically disadvantaged, and must exhibit at least one of the following barriers:

- Documented deficiency in basic math and literacy skills (reading and math proficiency below 8 grade level);
- Evidence that the Youth dropped out of school;
- Evidence that the Youth is either homeless, a runaway, or living in a foster home;
- The Youth is pregnant or is a parent;
- Documentation that the Youth is an offender;
- Is an individual (including a youth with a disability) who requires additional assistance to complete an education program or to secure and hold employment.

Youth identified during the initial intake assessment and eligibility process as meeting one of the following may be considered an individual (including a youth with a disability) who requires additional assistance to complete an education program or secure and hold employment:

- Lacking work experience;
- Lacking any documented or credentialed skills to offer employers;
- Having difficulty finding or keeping employment;
- Having no plans for post-secondary education or training;
- Having no high school diploma or GED;
- Enrolled in an alternative education program;
- Completed high school or earned a GED and do not have self-sufficient employment;
- Youth who do not have any stated or clearly delineated career path;
- Youth needing support or an ITA to enter and/or complete training and/or post-secondary training and/or educational program to reach self-sufficiency

The case file must include documentation as to how the determination was made (i.e. official documents, signed statement from Youth attesting to barrier, etc.). Documentation must also include a well-articulated statement by the Case Manager that clearly defines and explains the rationale for the decision to use this barrier(s) and how participation in the services selected will support the Youth's chances for securing employment or completing an education program in order to secure employment.

## AWARDS TO WIOA YOUTH

### REFERENCES

- Workforce Innovation and Opportunity Act (WIOA)
- 20 CFR § 681.640
- 2CFR 200.302 (b)(4) & 303
- TEGL 8-15

### POLICY

It is the policy of the Alexandria/Arlington Regional Workforce Council to offer reasonable awards to youth participants to encourage the youth to participate in and complete WIOA Title I Youth activities. The justification and strategy for awards must be clearly defined in the youth's case file. Awards shall be made in a uniform and consistent way amongst all WIOA Title I Youth participants during a program year and administered in a manner that ensures all participants receive equal rewards for equal achievement.

For the purposes of this policy, the term "awards" shall mean an inducement or reward intended to motivate achievement, progress, and attendance. The award must be directly linked to one of the allowable elements as listed in WIOA Title I Youth and/or to the attainment of specific and measurable program outcome. All awards are subject to the availability of WIOA Title I Youth funds and these awards are not an entitlement.

Additionally, for the purposes of this policy, with regards to Work Experience participants will not have an "employer/employee relationship" with their worksite hosts. The participants' relationship will be with their respective American Job Center (AJC). Furthermore, participants will not receive an hourly wage for participating in an AJC-organized work experience project. A participant may receive an award payment after they complete their first two-weeks on the AJC-organized work experience worksite, after they complete their second two-weeks on the worksite, and after they complete their third two-week period on the worksite. Each award will be valued up to \$1,200 per two-week period, for a total of up to \$3,600 for a full six-week work experience project. A participant is expected to work an average of 30 hours per week over the term of their work experience project. If a participant works less than 30 hours a week, then their bi-weekly award will be reduced by \$20 for each hour under 60 hours that they work during that period.

Youth award payments are limited to a lifetime amount of \$4,000 per eligible youth and documented in accordance with applicable WIOA regulations. Finally, all awards that are paid to the participant are taxable and should be reported on the participant's annual federal and state tax returns as "income".

Achievements, with award limits, that are also eligible and include:

- \$100 for attainment of high school diploma;
- \$50 for completion of GED testing (per test completed/maximum 2 attempts per subject);
- \$3,000 for completion of an in-demand occupational skills training and the earning of an in-demand certification/license (proof of successful completion of course work and copy of the certification/license required to receive the award);
- \$100 for monthly participation an AJC-facilitated work readiness;
- \$100 when the participant creates their cover letter, resume, sample application, and follow-up letter (all four items required for award attainment);
- \$250 per quarterly employment retention goal (to be awarded after quarterly retention is recorded by WIOA staff/limit of four award payments allowed);
- \$100 for attaining a post-secondary credential and/or occupational certificate/license.

AJC staff shall maintain required documentation in the participant's case file detailing the distribution and management of awards. At a minimum, Center staff shall document the need for the award and justify issuance of the award in the participant's Individual Employment Plan and in the Virginia Workforce Connection system (VaWC). Center staff will also maintain records verifying the participant received the award through an original signature on a receipt form and documentation showing the type of award (i.e. copy of a check, copy of a gift card, etc.). It is the responsibility of each staff person to become aware of all applicable regulations and to monitor personnel and participant activities to ensure compliance in accordance with this policy and other cited references.

## **WIOA YOUTH WORK EXPERIENCE POLICY**

### **REFERENCES**

- Workforce Innovation Opportunity Act; Final Rules, U.S. Department of Labor
- 20 CFR §681.610
- Trainees. elaws - Fair Labor Standards Act Advisor. U.S. Department of Labor
- School-to-Work. elaws - Fair Labor Standards Act Advisor. U.S. Department of Labor

### **PURPOSE**

To provide policy direction regarding the development, use, documentation, and tracking of Workforce Innovation Opportunity Act (WIOA) funds to make award payments for approved Work Experience opportunities (WEX) for eligible WIOA youth ages 14-24.

### **DEFINITIONS**

- Business is a legal organization, or economic system where goods and services are exchanged for one another or for money.
- Employer is a legal entity that controls and directs workers under an express or implied contract of employment and pays (or is obligated to pay) him or her a salary or wages in compensation; or a person or legal organization that employs people.
- "Work Experience Training" or "WEX" is planned, structured learning experience that takes place in a workplace for a specified limited period of time.

### **BACKGROUND**

The purpose of the WEX activity is to provide the WIOA eligible youth with opportunities for career exploration, academic and skill development and reinforcement of the work ethic. The WEX must be designed to enable youth to gain exposure to the world of work and its requirements.

Work Experiences should help youth acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment in the career interest of choice. The WEX must be with a legal business and/or employer that meets all basic requirements to operate in Virginia. The WEX Training may be paid or unpaid and may be in the private for-profit sector, the non-profit sector, or the public sector. WEX may be subsidized or unsubsidized. Under WIOA paid and unpaid work experiences must include academic and occupational education as a component of the work experience and can include several activities including summer employment, pre-apprenticeship, internships, job shadowing and on-the-job training (OJT). Note: This policy does not address the requirements and/or documentation for OJT.

The intent of WEX is not to benefit the employer, although the employer may, in fact, gain from the activities performed by the youth. WEX activities shall not reduce current employee's work hours, displace current employees or create a lay-off of current employees, impair existing contract or collective bargaining agreements, and/or infringe upon the promotional opportunities of current employees as defined in the Fair Labor Standards Act.

### **POLICY**

The Alexandria/Arlington Regional Workforce Council (RWC) works to ensure that as many customers as possible have an opportunity to participate in paid and unpaid work experiences that have academic and/or occupational component to provide exposure to careers, career pathways and exposure to the requirements

and technical skills of the workplace. RWC encourages the use of well-planned WEX to serve as a stepping stone into unsubsidized employment through the use of job shadowing, pre-apprenticeship, internships, summer employment and OJT.

## **REQUIREMENTS**

- A. **Work Experience Assessment and Training Plan:** The service provider shall ensure that WEX training plan for the WIOA eligible participant is appropriate based on the participant's career interest of choice (when feasible), labor market research and comprehensive assessment and as documented in the Individual Service Strategy (ISS). The WEX Training Plan should be measurable and clearly indicate how this activity is going to help the customer move from the WEX to unsubsidized employment and/or training.

Documentation of the need for work experience that is tied to and supported by academic and/or occupational education and the objectives of the work experience, WEX addendum must be kept in the participant's file. It must also include periodic evaluation of the customer's participation and learning during the work experience, including information about any award payments made and the learning that took place. It is strongly encouraged that the WEX and its associated training components be directly tied to a credential and documented in the training plan.

WIOA Youth Staff should use labor market information when developing the academic competencies to learn and be evaluated on the WEX. The WEX Training Plan must also indicate that youth participants received financial literacy information to include but not limited to check cashing, budgeting award funds, and savings. The lifetime duration of the work experience program should not exceed 180 hours unless WIOA Staff receives a waiver from the RWC Executive Director. Lunch breaks are not included in the accounting of total WEX hours.

The determination of the duration of the WEX should be based on the academic and/or occupational competencies the WIOA participant needs to develop or refine and must be specified in the WEX Training Plan. A WEX Training Plan allows WIOA Youth Staff to monitor and evaluate the WEX and it serves as a baseline when establishing whether the needs of the WIOA participant and the employer's expectations of training and development have been met.

- B. **Development of Work Experience Sites Vetting of Work Experience Sites:** WIOA Youth Staff must make every effort to verify that participants are placed with business and/or employers that are legal able to operate in Virginia. The vetting process could include proof of a business license, registration with the Virginia State Corporation Commission, a regulatory body, etc. Once an employer has been identified, there must be a Worksite Agreement between the AJC and the employer that articulates the learning that is to take place (job description/work objective), the length of the WEX and the academic and/or occupational competencies to be obtained. The Worksite Agreement must be completed and signed prior to the start of the WEX. The WEX Agreement must also contain a list of tools, uniform and safety equipment. WIOA Youth Staff will use a standardized Worksite Agreement developed by the RWC (see attachment).
- C. **WIOA Funds and Payments:** WIOA Youth Staff will strive to develop worksites and work experience opportunities in the RWC targeted sectors and pay award payments based on the terms outlined in the WIOA Youth Worksite Agreement. The relationship between the WIOA participant and the

employer that provides the site for the WEX activity is not an employer-employee relationship as defined by the Fair Labor Standards Act. The formal relationship is between the WIOA program and the employer that volunteers to provide the site for the work experience activity for the WIOA program. During the period of a WIOA participant's enrollment in a paid work experience activity, the WIOA payments received are not subject to withholdings by the employer nor the WIOA program and are not to be considered wages, but awards provided in accordance with attendance and full participation of the participant in achieving the competencies stipulated in the training plan. The payments are awards for participation in a training activity, not compensation for services to an employer. At the completion of a "Work Experience" activity the WIOA participant is not eligible for unemployment compensation. Neither the worksite nor the WIOA program should contribute any funds to the state's unemployment insurance fund because the participant is not an employee.

If awards are paid using WIOA funds, WIOA customers will be paid awards at not less than the minimum wage described by State or Federal Law. If awards are paid by the hours associated with WEX it must be documented and validated by the participant and employer signature. The program must have documentation to verify that the participant received the award associated with such hours or work validated by the employer. If participant received the award payment in the form of a check, the Council strongly encourages program to ensure participants are not using check cashing services that utilize predatory lending practices.

- D. Virginia Workforce Connection (System of Record): Once a participant has started work experience WIOA Youth Staff must ensure the activity associated with such work experience training are recorded in the state's system of records. Participant progress on work experience shall be documented as a case note and where appropriate entered or extend into the system of record.
- E. Tracking of Youth Work Experience Funds: Under WIOA youth program staff are required to track and report expenditures to the RWC for both paid and unpaid work experience. Program expenditures to be tracked are to include the youth award payments and staffing cost to develop and management work experience. Tracking reports of award payments and staff time should be submitted with monthly request for reimbursement.
- F. The RWC's One-Stop Operator will monitor the participant and the worksite annually to ensure that their goals are being met and that the worksite activity, as well as all associated progress and financial activity reports, are compliant to all federal, state, and local WIOA laws and regulations. This audit will be performed as part of the One-Stop Operator's annual local WIOA monitoring activity and the Operator will use the WIOA Youth Monitor's Tool to conduct this exercise.

## COMPLIANCE MONITORING

### REFERENCE

- Workforce Innovation and Opportunity Act (WIOA) Title I

### POLICY

- The Alexandria/Arlington Regional Workforce Council Executive Committee will select individual(s) to perform monitoring duties.
- Monitoring of each Alexandria/Arlington Regional Workforce Council-operated program, consisting of administrative, financial, programmatic, and EO compliance, will be conducted at least once during a program year.
- All compliance monitoring must be completed 30 days prior to the end of the program year.
- Compliance monitoring is conducted to verify program compliance with the terms and conditions of WIOA, EO, and the policies established by the State WIOA Unit and the Alexandria/Arlington Regional Workforce Council.
- Compliance monitoring will be conducted by reviewing records and documents maintained by the Alexandria/Arlington Regional Workforce Council administrative office on each program; conducting onsite reviews of procedures, records, and documents maintained by the program operations staff; and submitting written reports of findings, including corrective action recommendations if appropriate. EO monitoring will be conducted through an onsite review.

### General Monitoring Procedure

- A written monitoring checklist is developed to ensure all acceptable standards of accountability are reviewed.
- Compliance monitoring activities are scheduled in advance with the designated representative or program operations staff. Those responsible for the program operations are also notified as to the purpose, procedure and specific areas to be monitored.
- Reports, records and documents, maintained by the Alexandria/Arlington Regional Workforce Council administrative office on each program are reviewed for completeness, accuracy, and timeliness of submission.
- Each program is monitored at the site of operation. On-site monitoring includes but is not limited to:
  - An entry interview with the designated representative or program operations staff;
  - A review of applicable written policies and procedures;
  - Staff and participant interviews;
  - A review of a random selection of participant records, including eligibility documentation (selection size should be equal to 10% of each program's total open case load);
  - A review of financial procedures, records, and documentation;
  - An EO audit of the physical location(s); and
  - An exit interview with the designated representative or program operations staff.
- A written report is completed on each program monitored and is simultaneously submitted to the Alexandria/Arlington Regional Workforce Council Chair and the One-Stop Operator. The written report includes but is not limited to:
  - Completed applicable sections of the written monitoring checklist;
  - Written comments and recommendations on identified deficiencies.

### Special Investigations

Special investigations are conducted when information is received which indicates possible fraud, abuse, or alleged criminal activity. The investigation is designed to provide the Alexandria/Arlington Regional Workforce Council with sufficient information to justify a decision to notify appropriate legal authorities.

### Processing Procedures for Special Investigations

- Alexandria/Arlington Regional Workforce Council staff notifies the Alexandria/Arlington Regional Workforce Council Chair and the State WIOA office or Department of Labor upon receipt of any request to conduct a special investigation and or upon the initiation of any special investigation.
- The Alexandria/Arlington Regional Workforce Council Chair appoints specific persons as appropriate to conduct special investigations.
- Assistance or advice from other individuals approved by the Executive Committee or the Chair may be solicited during a special investigation.

### Corrective Action and Follow-up

Corrective action and follow-up is conducted to eliminate reported violations. Corrective action plans are developed and implemented for the purposes of alleviating reported inadequacies in acceptable operating procedures, standards of accountability, or program performance standards.

Written responses to recommendations to initiate corrective action may include any of the following:

- No plan for corrective action with written justification for not initiating such action;
- A written plan for corrective action which includes dates for implementing and completing such action; or
- A written explanation of the appropriate action which has been initiated prior to the issuance for the request for corrective action.

## **ADULT OJT, WORK EXPERIENCE, & TRANSITIONAL JOBS POLICY**

### **REFERENCES:**

- 20 CFR Part 652
- 20 CFR 663.700
- 20 CFR 680.150
- 20 CFR 680.530
- 20 CFR 680.830
- 20 CFR 680.840
- 20 CFR 680.850
- 20 CFR 680.900
- WIOA Section 134(c) (3)(h)
- WIOA Section 134(d) (1-5)

### **DEFINITIONS:**

“On the Job Training” or “OJT” means training by an employer that is provided to a paid employee while engaged in productive work in a job, knowledge or skills training that is essential to the full and adequate performance of the job, and training that provides reimbursement to the employer of up to 50% of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training.

“Work Experience” is a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. A work experience workplace may be in the private for-profit sector, the non-profit sector, or the public sector.

A “Transitional Job” or “TJ” is part of a portfolio of training services available to job seekers in Alexandria City and Arlington County. TJs seek to connect individuals with chronic unemployment or an inconsistent work history with opportunities to build work place skills and job history. TJ is a paid work experience that:

- Is time limited and subsidized;
- Is in the public, private, or nonprofit sector;
- Is provided to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;
- Is combined with comprehensive employment and supportive services; and
- Is designed to help participants establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.

Labor standards apply in any OJT, Work Experience, or TJ where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

An “individual with a significant barrier-to-employment” is a member of one or more of the following populations:

- Adult ex- offenders;
- Basic skills deficient individuals;
- Homeless individuals;
- Lack of educational and/or occupational skills attainment;
- Living with a disability;
- Long-term unemployed;
- Low-income workers earning wages below self-sufficiency;
- Older workers;
- Poor work history and/or lack of work experience;

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- Public assistance recipients (TANF, SNAP, SSI, Medicaid, etc.).

Individuals with “chronic unemployment” or an “inconsistent work history” are those who:

- Have been unemployed for 13 weeks or longer;
- Were unemployed at least 26 of the past 52 weeks; or
- Have held three or more jobs in the past 52 weeks and are currently unemployed or underemployed.

### **PURPOSE:**

The purpose of this policy is to establish guidelines for the arrangement of Adult OJT, Work Experience, and TJ where an individual will be able to learn an employment related skill, gain work experience, and/or qualify for a particular occupation through demonstration and practice.

### **POLICY:**

#### Participant Eligibility

WIOA Adult and Dislocated Worker participants can be deemed eligible, after assessment, and in accordance with the Individual Employment Plan (IEP), have a substantial need for OJT, Work Experience, or TJ. The participant must be an individual with a barrier to employment and a history of chronic unemployment or an inconsistent work history.

The need for OJT, Work Experience, or TJ can include; an introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes, etc. Supporting documentation proving eligibility is required.

#### Employer Eligibility

- May be a private-for-profit business, private nonprofit organization, or a public sector employer;
- Must have been in business for at least one year;
- Must have adequate personnel to provide sufficient supervision and training;
- Must provide a minimum of 50% of the employee’s wage throughout the training for OJT and TJ only;
- Must provide a job description, benefits, and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work;
- Must not have a history or pattern of failing to provide OJT, Work Experience, or TJ participants with continued employment with wages, benefits, and working conditions that are equal to those provided regular employees who have worked a similar length of time and are doing the same type of work;
- Must not have relocated from any location in the United States within 120 days, if the relocation resulted in any employee losing his or her job at the original location;
- And must not use OJT, Work Experience, or TJ assignments to displace regular employees, or to replace any employee on layoff.

#### General Requirements

- OJT, Work Experience, or TJ must be combined with comprehensive career services and supportive services.
- OJT, Work Experience, or TJ placements should contribute to the occupational development and upward mobility of the participant.
- Per WIOA regulations (20 CFR 683.200(g)), “no individual may be placed in an employment activity if a member of that person’s immediate family is directly supervised by or directly supervises that

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Alexandria City Government and Arlington County Government are Equal Opportunity Employers.

individual.” For the purpose of this policy, the term “immediate family” includes a spouse, child, son-in-law, daughter in-law, parent, mother-in-law, father-in-law, sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.

#### OJT, Work Experience, or TJ Length

OJT, Work Experience, or TJ must be time limited (no more than 6 months and preferably 8 to 12 weeks) and require at least fifteen (15) but not more than forty (40) hours of work per week.

#### WIOA Funding Levels

All OJT or TJ placements must be paid at least Virginia’s minimum wage.

#### Payments to Employers

Payments are deemed to be compensable for the extraordinary costs associated with training participants. This includes additional supervision, training, and the costs associated with the lower productivity of the participants, those extraordinary costs are documented by the employer, and must not be in excess of 50% of the wage rate of the OJT or TJ participant.

Because Work Experience is a pre-vocational service, the relationship between the WIOA participant and the employer that volunteers to provide the site for the work experience or internship activity for the WIOA program does not constitute an employer/employee relationship. WIOA payments to participants in Work Experience are stipends for progress and attendance in an intensive service, not compensation for work performed for an employer.

For OJT and TJ, the relationship is that of employer/employee and payments to the participant are provided by the employer and treated as taxable income. OJT and TJ payments to the employer and Work Experience payments to the participant are to be made from the participant’s Individual Training Account (ITA). Total payment amount cannot exceed LWDA 12’s ITA limit, unless the Workforce Council Executive Director provides an ITA waiver.

#### Process

Participants will market themselves to employers as eligible for OJT or Work Experience, either verbally or with a referral form provided to them. If interested in a potential contract, the employer is to contact the WIOA Program Coordinator at the appropriate American Job Center.

A review of the employer will ensure that the employer has, or forecasts, sufficient work to provide long-term regular employment for the participant. An on-site visit will ensure that the employer has the necessary equipment, materials and supervision to conduct the training. Consideration will be given to the percentage of subsidized training positions assigned to a particular employer. This ratio shall not exceed 25% of the workforce.

The employer will provide a job description of the occupation as performed in the company and a concise outline of the OJT, Work Experience, or TJ to be given, tasks to be learned, and the approximate hours of training required for each task. Once this information is provided, the WIOA Program Coordinator will determine the length of the training period and the hourly wage that will be covered by the OJT, Work Experience, or TJ contract.

If the employer is agreeable to the length of training and the covered wage, then the contract will be prepared. This contract must be in place prior to the start of training. When the contract is completed, it will be taken to the employer for his or her signature. Please note, during any engagement with an employer, WIOA staff

should present the Work Opportunity Tax Credit opportunity for their consideration.

#### Case Management & Monitoring

The WIOA Case Manager is responsible for ensuring the participant's skill levels will result in the successful completion of the OJT, Work Experience, or TJ activity.

- a. A Training Plan and OJT, Work Experience, or TJ Agreement that articulates the learning that is to take place, the length of the experience and the competencies that must be mastered must be completed and signed prior to the start of the experience.
- b. The Case Manager shall make contact with the participant and their employer/work experience host at a minimum once each month and shall keep in the participant's file progress of the participant's work experience. Concerns and corrective action necessary to accomplish the objectives shall be recorded and appropriate action and follow-up shall be documented.
- c. A minimum of one on-site monitoring visit must be made during the time of active training of a participant at the worksite.
- d. Time and attendance records must be reviewed prior to forwarding requests for stipend payments.

## **WIOA EXPENSE REPORT SUPPORTING DOCUMENTATION POLICY**

### **REFERENCE**

- One-Stop Comprehensive Financial Management Technical Assistance Guide, Chapter 11-4.
- Office of Management and Budget Circulars, A-87, Attachment B.
- 29 CFR 95.21 (b)(3).

### **POLICY**

Documentation for allowable, necessary, and reasonable WIOA expenses consistent with each reimbursement request must be retained to allow review by internal and external monitors. This documentation must be collected by the One-Stop Operators' fiscal managers prior to completion of the Consortium Fiscal Report. In LWDA 12, Arlington County Government serves as the fiscal agent. Alexandria Workforce Development Center and Arlington Employment Center are LWDA 12's One-Stop Operators.

All WIOA expenditures must be allowable, necessary and reasonable WIOA costs. Adequate descriptions and documentation of expenditures and reimbursement requests must be apparent in order to determine if an expense is an allowable, necessary, and reasonable. Additionally, regulations require that the One-Stop Operators shall adequately safeguard all assets and assure they are used solely for authorized purposes.

On the 18th day of each month, the One-Stop Operators will submit WIOA Formula Reimbursement Requests to LWDA 12's fiscal agent for the prior month. The reimbursement request shall consist of a cumulative monthly report and an invoice for the monthly reimbursement. WIOA Award and Other Grant Reimbursement Requests will need to be submitted to LWDA 12's fiscal agent by the 11<sup>th</sup> of each month for the prior month. All Reimbursement Requests must be supported by the following documentation to be retained by the respective One-Stop Operators' fiscal manager prior to report submission.

- Personnel Expenses: One-Stop Operators will retain copies of official payroll documentation for all WIOA staff on an accrual basis.
- Non-Personnel Expenses: Monthly reimbursement request must be supported by copies of invoices and receipts for all WIOA-related expenses. Additionally, One-Stop Operators must provide a memo that details costs by WIOA funding stream and the purpose of each expenditure. In particular, the One-Stop Operators should provide the following:
  - Mileage: Reimbursement documentation should include the originating and ending travel points so that mileage reimbursement amounts are testable to any party reviewing the documentation. Please include meeting agenda, or a short description outlining the purpose of the meeting, that explains why the meeting should be reimbursed with WIOA funds.
  - Program Supplies & Furniture: Reimbursement documentation should include the item name, detailed purpose for the expense, cost per unit, quantity, and total cost so reimbursement amounts are testable to any party reviewing the documentation.
  - Conferences & Accommodations: Reimbursement documentation should include the item name, detailed purpose for the expense, cost of attendance, per diems, and government room rate (per day and total) so that reimbursement amounts are testable to any party reviewing the documentation. Please include meeting agenda, or a short description outlining the purpose of the meeting, that explains why the meeting should be reimbursed with WIOA funds. Please note, only meals that are not included in the cost of the conference can be reimbursed with WIOA funds.
  - Supporting Services expenses must be documented by invoices and receipts and a memo that details costs by WIOA funding stream and the purpose of each expenditure.

LWDA 12's fiscal agent will serve as the arbitrator of the completeness of the documentation through a quarterly monitoring process. The fiscal agent will, upon request, provide technical assistance to One-Stop Operator staff.

## COUNCIL MEETING REMOTE PARTICIPATION POLICY

### REFERENCE

- Electronic Meetings Bill 2.2-3708.3

### POLICY

Under Virginia FOIA Open Meeting rules, the Alexandria/Arlington Regional Workforce Council (RWC) is required to have an in-person quorum for meetings. However, new legislation (Electronic Meetings Bill 2.2-3708.3) recently passed into law and signed by the Governor on April 11, 2022, offers limited ability for the RWC to conduct meetings virtually in some situations. In addition, the legislation provides specific scenarios when individual members may participate remotely, when a physical quorum is present.

### Summary of RWC's Virtual & Hybrid Meetings

|  |   |
|--|---|
| <b>ALL VIRTUAL Meetings*</b>   | RWC can <b>conduct 2 meetings or 25% of meetings</b> (whichever is greater) virtually. Virtual Meetings can <b>NOT</b> be held consecutively  |
| <b>HYBRID Meetings</b> (Physical In-Person Quorum with some Virtual Participation) * | There are four scenarios where individual members may be able to participate remotely when a physical quorum is gathered in-person (see chart below).   |
| <b>HYBRID Meetings **</b>  | While members of the public must be able to attend and offer in-person public comments, RWC will offer an option for virtual public comments in real time & written online comments in advance of the meetings.<br><br>RWC will offer staff and subject matter experts the option for providing presentations from a remote location through virtual participation. |
| *Required by Virginia Electronics Meeting Bill<br>**Arlington County Protocols       |   |

### Virtual Participation for Individual Members

| <b>Virtual Participation</b>  | <b>Overview</b>   | <b>Parameters</b>   |
|---|---|---|
| <i>Virtual Participation:</i> As long as a physical quorum is gathered the <a href="#">Bill 2.2-3708.3</a> offers a few <a href="#">exceptions for virtual participation</a>  | <i>Scenario 1:</i> The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance.              | <ul style="list-style-type: none"> <li>• A physical quorum <b>MUST</b> be available to meet in-person.</li> <li>• The requesting member must notify Chair /Staff in advance.</li> <li>• Minutes must reflect reason for virtual participation.</li> </ul> |
| <i>Virtual Participation:</i> As long as a physical quorum is gathered, the <a href="#">Bill 2.2-3708.3</a> offers a few <a href="#">exceptions for virtual participation</a> | <i>Scenario 2:</i> A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance. | <ul style="list-style-type: none"> <li>• A physical quorum <b>MUST</b> be available to meet in-person.</li> <li>• The requesting member must notify Chair /Staff in advance.</li> </ul>   |

|  |   |   |
|--|---|---|
|  |   | <ul style="list-style-type: none"> <li>• Minutes must reflect reason for virtual participation.</li> </ul>  |
| <p><i>Virtual Participation:</i> As long as a physical quorum is gathered, the <a href="#">Bill 2.2-3708.3</a> offers a few <a href="#">exceptions for virtual participation</a></p> | <p><i>Scenario 3:</i> The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.</p>          | <ul style="list-style-type: none"> <li>• A physical quorum <b>MUST</b> be available to meet in-person.</li> <li>• The requesting member must notify Chair /Staff in advance.</li> <li>• Minutes must reflect reason for virtual participation.</li> </ul>   |
| <p><i>Virtual Participation:</i> As long as a physical quorum is gathered, the <a href="#">Bill 2.2-3708.3</a> offers a few <a href="#">exceptions for virtual participation</a></p> | <p><i>Scenario 4:</i> The member is unable to attend the meeting due to a <i>personal matter</i> and identifies with specificity the nature of the personal matter.</p> | <ul style="list-style-type: none"> <li>• A physical quorum <b>MUST</b> be available to meet in-person.</li> <li>• The requesting member must notify Chair /Staff in advance.</li> <li>• <b>The member may not use remote participation due to personal matters more than 2 meetings OR 25% of the meetings held per calendar year.</b></li> <li>• Minutes must reflect reason for virtual participation.</li> </ul> |

## **INCUMBENT WORKER POLICY**

### **REFERENCE**

- Virginia Board of Workforce Development Policy Number 15-00
- Workforce Innovation and Opportunity Act of 2014 Section 122 and Section 134

### **POLICY**

WIOA funds can be made available through a process designed to assist Alexandria City and Arlington County businesses, which could include a single firm or a group of firms that share similar workforce needs, using a sector strategy approach to meet the skills training needs of their incumbent workforce.

#### Incumbent Worker Employee Eligibility

All employees participating in incumbent worker training must meet the eligibility below. An incumbent worker is:

- At least 18 years of age;
- A citizen of the United States or a non-citizen whose status permits employment in the United States;
- Males born on or after January 1, 1960 must register with the selective service system within 30 days after their 18th birthday or at least before they reach the age of 26;
- Must be a full-time employee of the participating employer for at least 6 months;
- Needs skills upgrading or retraining, completion of GED or High School Degree, basic skills upgrade, to retain or be successful in current employment;
- An employee to be trained that works at a facility located in Virginia or working for a staffing agency and placed at a Virginia facility.

#### Employer Eligibility

- Private for profit or non-profit businesses operating in Virginia for entire twelve-month period prior to application date;
- Current on all Virginia tax obligations;
- Proposing training for employees in a Virginia facility;
- Demonstration of linkages of the training activity to demand occupations and/or regionally targeted industries;
- The positive relationship of the training to the competitiveness of a participant and the employer;
- The relative wage and benefit levels of those employees (pre-training and anticipated upon completion of the training);
- The potential state, regional, and local economic impact, if any, of the training project.
- A non-eligible employer is a business with a history of failing to provide WIOA participants with continued employment or/and a recently relocated business that has resulted in employee separations.

#### Funding Available

Statewide rapid response and local WIOA funds are available to provide incumbent worker training. The Council may reserve and use up to 20 percent of the WIOA Title I Adult and Dislocated Worker funds allocated to the local area to pay for the Federal share of the cost of providing a training program for incumbent workers.

### Non-Federal Share

Employers participating in the program are required to pay for the non-Federal share of the cost of providing the training to incumbent workers of the employers. The non-Federal share shall not be less than:

- 10 percent of the cost, for employers with not more than 50 employees;
- 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and
- 50 percent of the cost, for employers with more than 100 employees.

The non-Federal share provided by an employer participating in in an incumbent worker training project may include the amount of the wages paid by the employer to a worker while the worker is participating in the training activity. The employer may provide the share in cash or in-kind, fairly evaluated.

## **CASE MANAGEMENT & CASE NOTES POLICY**

### **REFERENCE**

- Workforce Innovation and Opportunity Act, Sec. 185

### **POLICY**

The purpose of this guidance is to describe the general expectations and responsibilities for professional staff performing Case Management support for participants enrolled under WIOA.

The general term Case Management is used to describe an individualized, staff-focused service approach of professionally assisting and coordinating a customer's entire program participation from time of program application to post-program follow-up. The key concepts with this comprehensive service philosophy include individualized attention, timely and responsive customer assistance, proactive needs assessment and service planning, and effective case file management (both paper file and on Virginia Community College System's online WIOA System of Record). The general Case Management responsibilities for WIOA program customers begin as early as program application and eligibility determination and continues throughout a customer's entire program participation including: initial assessment, employability planning and development, program enrollment, objective assessment, establishment of an Individual Employment Plan, deployment of program services, program completion, outcomes, post-program activities and follow-up.

All Counseling Notes for WIOA funded participants must be recorded electronically using the System of Record's available Case Note functionality. This collection of individual Counseling Notes should begin at the time of first meeting or conversation with a program applicant and then continue with any each additional significant event or milestone that may occur as a participant progresses through the normal evolution of program application and full program participation. Having a chronological and clear written history of significant program events, meetings and discussion with the customer as recorded in the Counseling Notes is a foundational hallmark of and prerequisite for effective case management.

#### *Benefits of Effective and Timely Counseling Notes*

- Clear and concise chronological understanding of all critical events associated with a customer's program participation.
- Provides a comprehensive and immediate feedback on the current status and history of every customer served.
- Archival written documentation of all past events long after clear recollection has faded.
- Facilitates improved case management and program coordination by offering a timely, cumulative history of a participant's entire period of participation.
- Promotes improved follow-up of services for the customer regardless of changing staff assignment due to up-to-date nature of service record.

#### *Electronic Posting of Counseling Notes Requirements and Guidelines*

- When reviewed collectively, the individual counseling notes must describe the participant's entire period of participation and clearly provide any outside reviewer with a comprehensive understanding that tells the participant's entire story during program participation, including the WIOA financial investments made to support the individual.
- Must clearly depict significant program milestones and events.
- Notes must reflect all significant contact and conversations with the customers.
- Notes must record all efforts to contact and follow-up with the customer, including unsuccessful contact attempts.

- Notes must be recorded in database system within 10 days (if not sooner) after meeting with customer.
- Notes must record any significant update to the customer's program participation.

*Examples of Proper Counseling Notes*

**Sample Note by Employment Services Specialist for George W. – First Meeting**

**Date:** March 30, 2017                      **Duration:** 60 minutes                      **Location:** AEC Offices  
**Client:** George Wilson

George W. is a 36-year old African American male who expressed interest in returning to full-time employment after being laid off from his last employer, The American Can Company. During our introductory session learned more about his work interests, work history and goals for employment. George has a history of working in the American Can Company has a Material Handler, but is interest in some type of work that would lead to a managerial position. George is interested in learning more about other kinds of trades that would enhance his career opportunities and goals. George signed all necessary paperwork and Consent of Release of Information. Referred George to Resource Center to start search for types of management positions he may be interested. Next meeting is on April 10<sup>th</sup> at 9 a.m.

**Sample Note by Employment Services Specialist for George W. – Second Meeting**

**Date:** April 10, 2017                      **Duration:** 30 minutes                      **Location:** AEC Office  
Spent the meeting discussing George's career interests. George is definitely interested in finding a job and we scheduled a follow-up appointment for April 25, 2017 at 9 a.m. via telephone to discuss progress. Also referred George will be participating in 1<sup>st</sup> CDL's CDL Training Program starting April 11, 2017. Total WIOA cost is \$3,500.00.

**Sample Note by Employment Services Specialist for George W. – Call from Client**

**Date:** April 25, 2017                      **Duration:** 15 minutes                      **Location:** Telephone  
**Client:** George W.

George W. reports being hired as a Site Supervisor with Murphy Construction Company, with a rate of pay of \$16.00 per hour, full-time with benefits. George's start date is May 10, 2017. The employer's address is: 12347 South Signal Avenue, Bethesda, Maryland. George asked and will receive transportation supportive services. George was asked if there was anything further needed prior to starting his new position, and he stated "no" at this time and will stay in touch if there are any changes in his employment status. First quarter follow-up will be conducted on August 9, 2017.

## **SEGREGATION OF DUTIES, DISCLOSURE, AND RECUSAL POLICY**

### **REFERENCE**

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, (Pub. L. 113-128)
- WIOA Final Regulations, 20 CFR Part 678 and 679

### **POLICY**

It is the policy of the Alexandria/Arlington Regional Workforce Council (RWC) that WIOA Title I staff assigned in the administration, oversight, and operation of federal Workforce Innovation and Opportunity Act (WIOA) grant programs minimize organizational conflicts of interest through segregation of duties, disclosure, and recusal in order to foster public and partner confidence.

#### Segregation of Duties

Arlington County Government serves as the grant recipient, fiscal agent, and administrative entity for the RWC. The Arlington County Manager, and his designate, has signature/approval authority for all WIOA Title I grants and contracts. The Arlington County Manager has designated the Department of Management and Finance (DMF) and the Department of Human Services (DHS) with separate and distinct responsibilities for WIOA Title I operations. The Arlington County Department of Management and Finance has fiscal monitoring responsibility with duties that include accepting, disbursing and managing of WIOA Title I funds, monitoring fiscal accountability, and overseeing external independent audits.

Within the Department of Human Services there are two separate and distinct positions for WIOA Title I management and service delivery. In partnership with the Alexandria Workforce Development Center Director, the Arlington Employment Center Director is responsible for WIOA Title I Youth, Individual Career and Follow-up Services implementation. The Arlington Employment Center Director reports directly to the Department of Human Services Director.

The RWC Executive Director is responsible for managing the relationship between Alexandria City's and Arlington County's Chief Elected Officials, staffing the Council and managing its oversight functions. The Executive Director is also responsible for producing labor market and workforce data and reports, applying for grants, and developing regional WIOA Title I policies. The Executive Director is also responsible for submitting federal financial reports to the Virginia Community College System. Although this position reports to the Department of Human Services Director, the RWC Executive Director is ultimately responsible for performing all duties assigned by the RWC Chair.

The contracted One-Stop Operator is responsible for coordinating service delivery among the leadership of the region's Workforce System Partners, carrying out monthly performance reporting, and conducting annual regional WIOA monitoring activities. Unlike DMF and DHS staff, the Operator reports directly to the Regional Workforce Council.

#### Disclosure

It is the policy of the RWC that WIOA Title I staff do the following:

- Disclose conflicts of interest and recuse themselves from discussions or decisions related to these issues;
- Ensure that disclosures of conflict of interest be documented in RWC meeting proceedings and in approved minutes;
- Contact RWC's Chair with questions regarding possible conflicts of interest.

#### Recusal/Abstention

WIOA is an Equal Opportunity Program. Auxiliary aids and services are available upon request to individuals with disabilities. Alexandria City Government and Arlington County Government are Equal Opportunity Employers.

WIOA Title I staff must recuse themselves from involvement in RWC discussions or decisions in which they have a conflict of interest.

#### Conflict of Interest

WIOA Title I staff who identify a possible violation of this policy must report it to the RWC Chair immediately. The RWC Chair will recommend a corrective action if a conflict exists or should this policy be violated.

#### Annual Disclosure and Compliance Statements

WIOA Title I staff must annually sign a statement affirming that they:

- Received a signed and dated copy of this policy;
- Read and understand this policy;
- Agree to comply with this policy.

The signed documents will be retained by One-Stop Operator. The One-Stop Operator will audit this policy to ensure compliance by reviewing annual statements. If at any time during the year, the information in an annual statement changes materially, WIOA Title I staff must disclose such changes and revise their annual disclosure forms.

## WIOA SEGREGATION OF DUTIES, DISCLOSURE, AND RECUSAL

By my signature, I acknowledge the following:

- I have read and understand this policy.
- I understand that I will be provided with a signed and dated copy of this policy.
- I have been given the opportunity to discuss this policy with the Alexandria/Arlington Regional Workforce Council Chair.
- I have had the opportunity to ask any questions I have about the policy and those questions have been answered.
- I agree to adhere to the standards and requirements set forth in this policy.

\_\_\_\_\_  
WIOA Title I Staff Signature

\_\_\_\_\_  
Date

By my signature, I acknowledge that I have discussed this policy with this individual and have answered his/her questions. I am satisfied that the individual understands this policy.

\_\_\_\_\_  
Alexandria/Arlington Regional Workforce Council Chair

\_\_\_\_\_  
Date

## **WIOA SELF-SUFFICIENCY DEFINITION FOR ENROLLMENT OF EMPLOYED APPLICANTS**

### **REFERENCES**

- WIOA sec. 3(36)
- WIOA sec. 3(24)
- WIOA sec. 134(c)(3)(A)
- 20 CFR 680.600
- 20 CFR 680.640
- 20 CFR 680.780

### **PURPOSE**

In addition to providing career and training services to individuals who are unemployed, there remains a significant population of job seekers who are underemployed. Individuals who are underemployed may include:

- Individuals employed less than full-time who are seeking full-time employment;
- Individuals who are employed in a position that is inadequate with respect to their skills and training;
- Individuals who are employed who meet the definition of a low-income individual in WIOA Sec. 3(36); and
- Individuals who are employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment.

### **POLICY**

Under WIOA regulations, training services may be made available to employed and unemployed adults and dislocated workers who, among other criteria, are:

- Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services, and
- Are in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment.

WIOA program staff may enroll employed adults and dislocated workers when:

- An applicant's current wage/income does not provide for self-sufficiency as defined by the Alexandria/Arlington Regional Workforce Council's WIOA Self Sufficiency Policy; and
- WIOA program staff determines that WIOA services may assist the applicant in obtaining/progressing to a self-sufficient wage.

## **ACCESSIBILITY & REASONABLE ACCOMMODATIONS POLICY**

### **REFERENCES**

- WIOA (Public Law 113-125) Section 188
- Title 29 *Code of Federal Regulations (CFR)* Part 38

### **PURPOSE**

The policy on accommodations and accessibility ensures that every Workforce Innovation and Opportunity Act (WIOA) participant receives quality services. This policy outlines steps to ensure nondiscrimination and equal opportunity in Alexandria City's and Arlington County's American Job Centers (AJC) and the reasonable accommodations required to effectively serve individuals with disabilities.

### **BACKGROUND**

WIOA assigns responsibilities at the local, State and Federal levels to ensure the oversight AJC system that enhances the range and quality of workforce development services that are accessible to all individuals seeking assistance. WIOA stresses physical and programmatic accessibility, including the use of accessible technology to increase individuals with disabilities' access to high quality workforce services. It prohibits discrimination based on race, color, national origin, sex, gender identity, age, disability, religion, political affiliation or belief, or participant status.

### **WIOA ACCESSIBILITY OF SERVICES POLICY**

The Alexandria/Arlington Regional Workforce Council considers individuals with disabilities an important element of diversity and ability within the AJCs. Individuals with disabilities must be treated with respect and give customer-centric services within both the universal AJC offerings, as well as within WIOA and other programmatic offerings.

No individual is to be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in any program or activity, funded in whole or in part under WIOA, due to race, color, religion, sex, gender identity, national origin, age, disability, or political affiliation or belief.

AJCs must use the same processes for all customers, including individuals with disabilities. AJCs will also make reasonable modifications in practices and procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity. The need for an accommodation/modification shall not adversely affect the consideration of a qualified individual with a disability for aid, benefits, services, and training.

### **ENSURING NONDISCRIMINATION**

The following actions should be taken to ensure nondiscrimination of individuals with disabilities:

- Ensure AJCs are American with Disabilities Act (ADA) compliant and equipped with auxiliary aids and accommodations. This should include a list of currently available assistive technology devices and services within the centers available for individuals.
- Ensure individuals are aware of compliance through use of signs or other means of visibility. "Equal Opportunity is the Law" must be prominently displayed within the AJCs and made available in other formats as requested.
- Ensure individuals are aware of the ability to receive reasonable accommodations. Notice of the availability and right to receive reasonable accommodations must be posted.
- Rejection of all job orders from any employer that specifies it will not accept applications from individuals with disabilities or from applicants with a certain disability. Under the law, individuals with disabilities must be referred for the same range of positions as any other qualified customer.

- Maintain confidentiality and not disclose disability-related or other medical information about an individual to an employer or partnering organization unless the job seeker has requested the disclosure on their behalf.
- Incorporate information on accommodations and rights of all individuals, including individuals with disabilities, in orientations.
- Refrain from stereotyping individuals with disabilities when evaluating their skills, abilities, interests and needs.
- Periodically review eligibility criteria for services or training to eliminate elements that may screen out individuals with disabilities (unless criteria are directly related to specific training or services and is essential).

AJCs are subject to the following provisions of law:

- Section 188 of the Workforce Innovation and Opportunity Act, which prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief and requires that reasonable accommodations be provided to qualified individuals with disabilities in certain circumstances.
- Section 504 of the Rehabilitation Act, which prohibits discrimination against individuals with disabilities by recipients of Federal financial assistance.
- Title I of the Americans with Disabilities Act, which prohibits discrimination in employment based on disability.
- Title II of the Americans with Disabilities Act, which prohibits State and local governments from discriminating on the basis of disability.
- Section 427 of the General Education Provisions Act, which requires recipients to ensure equitable access to, and participation in, certain programs run by the U.S. Department of Education.

## **DISCLOSING DISABILITIES**

Individuals may or may not choose to disclose that they have a disability. The individual does not have to document a disability to register at the AJC or to receive universal services. Staff should only ask individuals if they have a disability if this question is asked of all customers using the AJC or program and for data collection purposes, or for customer service and satisfaction improvements. Staff may ask individuals whether they are able to perform the essential functions of a job, training, or activity, but should not directly ask if an individual has a disability.

If it appears that an individual with a disability may need an accommodation, staff may ask the individual if he or she can participate in a specific aid, benefit, service, or training with or without an accommodation. If the individual indicates that an accommodation is not needed, no further inquiries about the disability may be made. The individual's response must determine the Job Center's/program's actions. If the individual discloses a disability, staff must inform the individual that:

- Providing information about one's disability is voluntary;
- The information will be kept confidential as provided by law;
- Refusal to provide the information will not subject the individual to adverse treatment; and
- The information will only be used in accordance with the law.

For WIOA Title I services, individuals with disabilities do not need to verify a disability to be served; however, it would benefit the individual to provide documentation of the disability to receive priority of service and to receive connections to additional resources. If individuals with disabilities request accommodations on any testing for service delivery purposes, documentation of the disability will be required. Additionally, some discretionary grants may require individuals with disabilities to show documentation of their disability for eligibility purposes.

Specific information on disabilities gathered for program eligibility purposes, including medical information gathered, must be kept confidential and maintained in a separate, secure file that is only available to authorized individuals. Medical information given to staff verbally by a person with a disability is also regarded as confidential and should not be released without written consent of the person with a disability.

## **REASONABLE ACCOMMODATIONS**

Reasonable accommodations, modification, providing effective communication, and auxiliary aids and services will hereinafter be referred to as "reasonable accommodations." A reasonable accommodation is a change in the way the program is administered that enables an individual with a disability to receive benefits, services and training equal to those provided to individuals without disabilities.

AJCs providing services will provide reasonable accommodations to qualified individuals with disabilities who utilize WIOA career and training services and WIOA youth program services to ensure equal access and opportunity.

The policies pertaining to reasonable accommodations apply to qualified individuals with disabilities in regard to:

- Registration and orientation,
- Initial screening, assessments, and testing,
- Service delivery, including career services, training services, and support services, and
- Continuous improvement.

Program operators must not place a surcharge on an individual with a disability, or any group of individuals with disabilities, to cover the costs of measures associated with providing auxiliary aids, services, or assistive technology, that are required to provide that individual or group with the nondiscriminatory treatment required by WIOA Title I.

## **TYPES OF ACCOMMODATIONS**

There are many forms of reasonable accommodations. Staff and the individual with a disability should work together to identify the most effective reasonable accommodation for that individual. Determining the most reasonable accommodation should be done as quickly as possible to avoid delaying access to services.

### **Auxiliary Aids Services and Assistive Technology**

To afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of the WIOA Title I or Title III program or activity, the program operator must furnish appropriate auxiliary aids or services, including effective means of communication, where necessary. In determining what type of auxiliary aid or service is appropriate and necessary, program operators must give primary consideration to the requests of the individual with a disability. Primary consideration means honoring the choice unless the agency can demonstrate that another equally effective accommodation is available, or that using the means chosen would result in a fundamental alteration in the service, program, activity, or undue financial and administrative burdens.

A non-exhaustive list of auxiliary aids and services can be found in 29 CFR S 38.4, and includes:

- Qualified interpreters, note-takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDDs/ITs, video telephones, or video remote interpreting devices), videotext displays, or other effective means of making aurally delivered materials available to individuals with hearing impairments;
- Qualified readers, taped texts, audio recordings, brailled materials, large print materials, or other effective means of making visually delivered materials available to individuals with visual impairments;

- Acquisition or modification of equipment or devices; and
- Other similar services and actions.
- This obligation does not require the AJCs to provide personal devices, such as wheelchairs; prescribed devices, such as prescription eyeglasses or hearing aids; or readers for personal use or study.

#### Facility Accessibility

AJCs must be ready and welcoming for when persons with disabilities seek services, and as such, advance preparatory actions must be taken. Specific information on ADA accessibility guidelines for buildings and facilities is provided at <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/ada-standards>.

### **REQUESTS FOR ACCOMMODATIONS**

The Alexandria/Arlington Regional Workforce Council requires that all AJCs ensure that requests for accommodations are taken seriously and that receipt of accommodations is easy, user-friendly, and treated in a respectful and timely manner. The individual does not need to use the term "reasonable accommodation" when seeking assistance. A request can be made before services are received or after a customer has already begun to receive the services for which the accommodation is requested. The request for accommodations may be made by a family member, friend, or other representative on their behalf. However, staff should directly verify with the customer agreement with the request. When a person with a disability makes a request for a reasonable accommodation to any of the AJCs' representatives, the AJC is required to respond to that request.

### **DENYING REQUESTS FOR A REASONABLE ACCOMMODATION**

The AJC may deny a request for a reasonable accommodation based on the following criteria:

- The AJC has determined the customer does not have a disability. The AJC has determined that the absence of the requested reasonable accommodation would not limit the customer's ability to have genuine, meaningful participation in and derive an equal benefit from the AJC's aids, benefits, services and training, OR
- The AJC has determined that there is no accommodation that would be effective in improving the customer's ability to have genuine, meaningful participation in and derive an equal benefit from our aids, benefits, services and training.

The denial of an accommodation requires review and decision-making at the administrative level. If a staff person believes that it may be appropriate to seek documentation of a disability underlying a request for accommodation, that staff person should present the recommendation to the designated Equal Opportunity (EO) Officer or administrative level designee. The EO Officer will consider the recommendation, and if appropriate, conduct the inquiry.

Requests that cannot be provided or which are believed to pose an undue burden must be reviewed by the EO Officer. In situations where the program operator believes that the proposed accommodation would cause undue hardship, the program operator has the burden of proving that the accommodation would result in such undue hardship. The EO officer is the only person with authority to determine undue hardship on behalf of the program operators.

A written statement of the reasons for reaching these conclusions will accompany the decision of an accommodation denial. The AJC will provide a copy of the statement of reasons to the individual who requested the accommodation, modification, auxiliary aid or service, and in alternate format or with other auxiliary aids for effective communication, as appropriate. The written notice of denial must:

- Explain the reasons for the denial;
- Inform the customer of his or her rights to file a complaint with the Department of Labor Civil Rights Center and Department of Justice, Office of Civil Rights.

A copy of this notice of denial must be provided to the State Equal Opportunity Officer. Additionally, if the denial is based on a determination of undue burden, the written notice of denial must also document that all the required factors that must be considered in determining undue burden were considered and be reviewed by an attorney versed in ADA.

After a determination of undue hardship, the AJC must still take any other action which would not result in such burden, but which would improve, to the maximum extent possible, the customer's ability to participate in and benefit from the AJCs aids, benefits, services, and training. If an accommodation would result in undue hardship, the program operator will give the individual with a disability the option of providing the accommodation. The program operator must also offer to cover the costs of the reasonable accommodation up to the limit of undue burden and to allow the customer to cover any costs above that threshold.

### **NOTICE OF RIGHT TO FILE A GRIEVANCE/COMPLAINT**

Individuals who believe that they have been discriminated against in failure to provide accommodations, may file a complaint with the EO Officer. Information on how to file a complaint will be publicly posted and available in alternative formats.

## **DETERMINATION OF NEED FOR TRAINING**

### **POLICY AND PROCEDURES**

#### Determination of Need for Training

The Workforce Innovation and Opportunity Act program is designed to provide employment and training opportunities to those who can benefit from and who are most in need of such opportunities. However, WIOA is not an entitlement program. This requires that eligible individuals are determined to be suitable for program enrollment based upon a consistent and equitable assessment that is relevant to the level of services for which the individuals are applying. The case file must contain a determination of need for training services as determined through the interview, evaluation, or assessment, and career planning informed by local labor market information and training provider performance information, or through any other career service received. Although verification documents will reflect participant information as of the application date, demographic characteristics entered in Virginia Workforce Connection should be updated to reflect the participant's actual circumstances as of the enrollment date.

#### Suitability

Selection of customers for WIOA services is based on both need and suitability. Suitability must be determined through the assessed ability and the perceived personal commitment of the participant to attend activities, to successfully complete these activities and to acquire employment and/or post-secondary/advanced skill placement (WIOA sec. 134 (c) (3) (b)). Individuals may be fully eligible and in need of services, however they may not be suitable pending resolution of immediate issues (academic, personal, etc.) or personal barriers. Assessment scores, combined with other data collection during interviews (such as review of barriers, dependency, employment history, interest, etc.) helps determine suitability or need for training assistance.

Staff will determine suitability during orientations and other activities with the participants. Considering the information above, circumstances that may make an individual not suitable for WIOA includes, but is not limited to, the following:

- Ineligible WIOA application (automatically not suitable);
- Individual requiring extensive support beyond the ability of what WIOA provides;
- Individual whose training needs are served more appropriately by another agency;
- Individual whose training desires cannot be met by WIOA funding;
- Individual does not have the skills and qualifications to successfully participate in the selected program of training services;
- Individual whose living is in immediate crisis and cannot participant in WIOA activities at this time;
- Individual who cannot allocate sufficient time for the required commitment to the WIOA program;
- Consistent failure to show for scheduled appointments;
- Individual who requires or insists on services sooner than WIOA can provide them.

All applicants will be given an appointment. After eligibility is determined, staff must assess suitability. Should an applicant be eligible for WIOA and not suitable for the program, there must be proper documentation on why the applicant was denied access to the program. All denials must be maintained in a file for three (3) program years. There should also be case notes in the file that support suitability determination.

## **BUSINESS SERVICES POLICY**

### **PURPOSE**

The Alexandria/Arlington Regional Workforce Council is responsible for ensuring the coordination of business service delivery to businesses in the local area according to the local plan and the combined state plan. Coordinated efforts are focused on creating a streamlined business process and preventing duplicative services and contacts to businesses.

### **POLICY**

The Council will convene business teams, as needed, to coordinate in an orderly manner, the following activities:

- Building relationships with business and business-focused organizations;
- Integrating and streamlining business services;
- Providing informational resources to businesses;
- Assisting businesses in the recruiting process;
- Assisting businesses with training needs;
- Providing customized services to businesses.

Per Virginia's WIOA Combined State Plan, each local Workforce Development Area is required to have a Business Service Team (BST) whose responsibility is to drive sector strategies within a locality, provide local employers with human resources solutions, and identify methods to shrink regional skills gaps. BSTs are cross-agency, cross-programmatic groups, comprised of representatives of each of the core partner agencies, economic development, and other partners as appropriate. These teams are designed to ensure a comprehensive array of services are provided to businesses.

The Council utilizes the "single point of contact" methodology to maximize the opportunities for businesses to create a relationship with the Virginia Career Works-Alexandria/Arlington Region Centers. The Alexandria/Arlington Regional Workforce Council's Executive Director is listed on the Council's website as the single point of contact and will refer a business to the appropriate BST member within one (1) business day. The BST member will have one (1) business day to contact the referred business and provide an initial consultation.

### Requirements for Business Services

The following minimum standards are required and must be evident and practiced in the delivery of services to business customers.

- BSTs must include the Virginia Career Works brand standards and other required EO and funding taglines on all outreach materials.
- BST members must adhere to confidentiality and ethics as it relates to business needs and partner statutory requirements.
- The notion of shared business client ownership and accountability is institutionalized across agencies and programs. Partners must buy into the notion that working collectively expands the breadth of services offered to business which is a positive for all.
- Business outreach representatives (across partners) share intelligence and coordinate and strategize follow-up.
- BST members regularly participate in local and state provided training, including cross-training.

- Coordinated business services represent “the whole” when in front of business and follow-up includes bringing in the partners/resources to address the solution.

All staff who received an inquiry from an employer for AJC services may direct those individuals to the RWC Executive Director.