

Oklahoma Employment Security Commission



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Mary Lowe, Commissioner
DeWayne Goodman, Commissioner

Oklahoma Employment and Training Issuance #25-2000

TO: WIA Board Staff
FROM: Eddie Foreman, Director
DATE: May 18, 2000
SUBJECT: Oklahoma's Interim Final Policy on WIA Needs-Related Payments

MESSAGE: To transmit Oklahoma's Interim Final Policy on needs-related payments to participants. Comments must be submitted by June 16, 2000. Please send comments to me electronically using my e-mail address.

NEEDS-RELATED PAYMENT POLICY

Needs-related payments provide financial assistance to participants for the purpose of enabling individuals to participate in training and are one of the supportive services authorized by WIA section 134(e)(3).

Eligibility requirements to receive needs-related payments are:

Adults must:

- Be unemployed,
- Not qualify for, or have ceased qualifying for, unemployment compensation; and
- Be enrolled in a program of training services under WIA section 134(d)(4)

Dislocated workers must:

- Be unemployed, and:
have ceased to qualify for unemployment compensation or trade readjustment assistance under TAA or NAFTA-TAA; and

be enrolled in a program of training services under WIA section 134(d)(4) 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 6 months; or

Be unemployed and did not qualify for unemployment compensation or trade readjustment under TAA or NAFTA-TAA.

Needs related payments may be provided if the participant has been accepted in a training program that will begin within 30 calendar days. The State may authorize local areas to extend the 30-day period to address appropriate circumstances.

A needs-related payment level for adults must be established by the Local Board.

Needs-related payments for dislocated workers must not exceed the greater of either of the following levels:

- For participants who were eligible for unemployment compensation as a result of the qualifying dislocation, the payment may not exceed the applicable weekly level of the unemployment compensation benefit; or
- For participants who did not qualify for unemployment compensation as a result of the qualifying layoff, the weekly payment may not exceed the poverty level for an equivalent period. The weekly payment level must be adjusted to reflect changes in total family income as determined by Local Board policies.

WIA section 134(e)(3) Needs-related payments —

- A. In general--Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such individuals to participate in programs of training services under subsection (d)(4).
- B. Additional eligibility requirements.--In addition to the requirements contained in subparagraph (A), a dislocated worker who has ceased to qualify for unemployment compensation may be eligible to receive needs-related payments under this paragraph only if such worker was enrolled in the training services —
- (i) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility for employment and training activities for dislocated workers under this subtitle; or
 - (ii) if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months.
- C. Level of payments.--The level of a needs-related payment made to a dislocated worker under this paragraph shall not exceed the greater of —
- (i) the applicable level of unemployment compensation; or

- (ii) if such worker did not qualify for unemployment compensation, an amount equal to the poverty line, for an equivalent period, which amount shall be adjusted to reflect changes in total family income.

WIA Section 134(d)(4) Training Services —

A. In general.--Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to a local area for dislocated workers under section 133(b)(2)(B) shall be used to provide training services to adults and dislocated workers, respectively—

- (i) who have met the eligibility requirements for intensive services under paragraph (3)(A) and who are unable to obtain or retain employment through such services;
- (ii) who after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training services;
- (iii) who select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the adults or dislocated workers receiving such services are willing to relocate;
- (iv) who meet the requirements of subparagraph (B); and
- (v) who are determined to be eligible in accordance with the priority system, if any, in effect under subparagraph (E).

B. Qualification. —

- (i) Requirement.--Except as provided in clause (ii), provision of such training services shall be limited to individuals who—
 - (I) are unable to obtain other grant assistance for such services, including Federal Pell Grants established under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); or
 - (II) require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants.
- (ii) Reimbursements.--Training services may be provided under this paragraph to an individual who otherwise meets the requirements of this paragraph while an application for a Federal Pell Grant is pending, except that if such individual is subsequently awarded a Federal Pell Grant, appropriate reimbursement shall be made to the local area from such Federal Pell Grant.

C. Provider qualification.--Training services shall be provided through providers identified in accordance with section 122.

D. Training services.--Training services may include—

- (i) occupational skills training, including training for nontraditional employment;
- (ii) on-the-job training;
- (iii) programs that combine workplace training with related instruction, which may include cooperative education programs;

- (iv) training programs operated by the private sector;
- (v) skill upgrading and retraining;
- (vi) entrepreneurial training;
- (vii) job readiness training;
- (viii) adult education and literacy activities provided in combination with services described in any of clauses (i) through (vii); and
- (ix) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

E. Priority.--In the event that funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b) are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive services and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.

F. Consumer choice requirements. —

- (i) In general.--Training services provided under this paragraph shall be provided in a manner that maximizes consumer choice in the selection of an eligible provider of such services.
- (ii) Eligible providers.--Each local board, through one-stop centers referred to in subsection (c), shall make available—
 - (I) the State list of eligible providers of training services required under section 122(e), with a description of the programs through which the providers may offer the training services, and the information identifying eligible providers of on-the-job training and customized training required under section 122(h); and
 - (II) the performance information and performance cost information relating to eligible providers of training services described in subsections (e) and (h) of section 122.

G. Use of individual training accounts. —

- (i) In general.--Except as provided in clause (ii), training services provided under this paragraph shall be provided through the use of individual training accounts in accordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.
- (ii) Exceptions.--Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if the requirements of subparagraph (F) are met and if—
 - (I) such services are on-the-job training provided by an employer or customized training;
 - (II) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts; or
 - (III) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based

organization or another private organization to serve special participant populations that face multiple barriers to employment.

- (iii) Linkage to occupations in demand.--Training services provided under this paragraph shall be directly linked to occupations that are in demand in the local area, or in another area to which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.
- (iv) Definition.--In this subparagraph, the term "special participant population that faces multiple barriers to employment" means a population of low-income individuals that is included in one or more of the following categories:
 - (I) Individuals with substantial language or cultural barriers.
 - (II) Offenders.
 - (III) Homeless individuals.

ACTION: Please distribute this issuance to appropriate staff and include it as part of your permanent records.

INQUIRIES: Questions may be directed to your Planning Coordinator or Mike Clark at 405/557-5339.

MF/jyg