



# COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES



## WORKFORCE DEVELOPMENT PROGRAMS DIRECTIVE

DATE: May 05, 2020

NUMBER: WDP D19-40

### WIOA DISLOCATED WORKER (DW) UNDERSERVED COVID-19 IMPACTED INDIVIDUALS GRANT WORKER RESILIENCY FUND

#### PURPOSE

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This directive provides guidance to Los Angeles County America's Job Centers of California (AJCCs) regarding Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker (DW) Underserved COVID-19 Impacted Individuals grant – *Worker Resiliency Fund* eligibility requirements and procedures.

#### BACKGROUND

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In an effort to help underserved workers most impacted financially by the COVID-19 pandemic, WDACS applied for and received a grant award from the Employment Development Department (EDD) in WIOA 25% DW funds to provide supportive services. County of Los Angeles Workforce Development, Aging, and Community Services (WDACS) will be providing these program services, branded as the *Worker Resiliency Fund*, via its AJCC system and a referral network of trusted Community-Based Organizations (CBOs) working with WDACS' Economic and Business Development (EBD) staff, where EBD staff will also directly provide supportive services.

Underserved workers such as English Language Learners (ELL), those enrolled in State-funded ELL grant programs, and other underserved populations (e.g. Justice-Involved, Homeless, or Low-income) are the primary populations to be served. AJCCs are to work with CBOs within their sub-region that specialize in serving these populations to encourage potential referrals to this program.

This grant is intended to be flexible to allow for swift service to those most impacted by the COVID-19 crisis, therefore individuals receiving supportive services through this grant will not impact WIOA Accountability Measures unless co-enrolled in an Adult, Dislocated Worker or Youth formula WIOA grant.

#### REFERENCES

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- Workforce Innovation and Opportunity Act (WIOA) (Public Law 113-128), Title I, Sections 3(59), 134(d)(2) – (3), 129 (c)(2)(G)
- WIOA Regulations at 20 CFR parts 677.150(a), 677.150(a)(2), 680.900, 680.910, 681.570, 681.460, 680.150

- EDD WSD 16-18 Selective Service Registration
- EDD WSD 18-03 Pathway to Services, Referral, and Enrollment
- Employment Development Department (EDD) WSIN19-39 WIOA Dislocated Worker Funds for Underserved Covid-19 Impacted Individuals
- County of LA WDP D19-20 Operating Guidance for the Workforce Innovation and Opportunity Act (WIOA)
- County of LA WDP D19-36 WIOA DW Program Eligibility Requirements - COVID-19
- County of LA WDP D19-16 WIOA Supportive Services Policy and Procedures

## **POLICY**

The policies herein apply to this Worker Resiliency Fund program **ONLY** and should not be construed as applicable to other DW programs. AJCCs must ensure to give priority to English Language Learners (ELL), those enrolled in State-funded ELL grant programs, and other underserved populations (e.g. Justice-Involved, Homeless, or Low-income).

### **Eligibility**

Eligible individuals must meet the basic eligibility requirements outlined in [WDP D19-36 WIOA DW Program Eligibility Requirements - COVID-19](#) and must also satisfy the following:

- Individuals are enrolled in Title I Dislocated Worker services;\*
- Individuals have not received wages above 400% of the federal poverty level (FPL) for the last six months of income. *Attachment III – [Income Determination Self Attestation Form](#)* should be used for income determination calculations. For additional FPL information, please visit the [U.S. Department of Health & Human Services Poverty Guidelines](#);
- Household Annual Salary for 400% FPL is as follows:
  - Family of 1: \$51,040
  - Family of 2: \$68,960
  - Family of 3: \$86,880
  - Family of 4: \$104,800
- Individuals meet one of the following:
  - Laid off due to COVID-19;
  - Experienced a reduction in hours and/or pay due to COVID-19;
  - Unable to work for any of the following COVID-19 related reasons:
    - Subject to quarantine;
    - Caregiver for someone who is subject to quarantine;
    - Need to care for children because of school closure or closure of another childcare provider;

- At higher risk of getting seriously ill from COVID-19, or lives with someone at higher risk, as outlined on the [California Department of Public Health COVID-19](#) website; or
- Required to telework, but does not have the necessary equipment.

\* If an individual is not eligible for this Dislocated Worker program, they can be enrolled into the WIOA Adult program and provided the tiered supportive services of this grant as long as they meet the necessary COVID-19 related eligibility criteria listed above, and received approval from County.

Individuals may self-attest to their income and the specific COVID-19 related eligibility criteria for this program using the form attached to [WDP D19-36 WIOA DW Program Eligibility Requirements - COVID-19.](#)

### **Supportive Services**

Supportive Services under this grant must be provided to mitigate potential barriers or provide emergency assistance to ELL and underserved populations affected by the COVID-19 pandemic to enable their participation in activities authorized under WIOA Sec. 3(59).

Supportive services for program participants may include, but are not limited to, the following:

- Post-Secondary Academic Materials (Code 192)
- Child/Dependent Care (180)
- Housing (Code 189)
- Educational Testing (Code191)
- Reasonable Accommodations (Code185)
- Utilities (Code 190)
- Job Search Allowance (Code 187)
- Work Attire/Tools (Code 188)
- Transportation (Code 181)
- Seminar/Workshop Allowance (Code 186)
- Legal Aid (Code 185)
- Health Care (Code 182)
- Temporary Shelter (Code 184)
- Other supportive services (Code 185)

Examples of supportive services that would be most beneficial to underserved individuals impacted by COVID-19 include technology devices to enable access to remote and virtual services, such as rental of laptops and mobile phones, internet access, as well as help with childcare, addressing food insecurity, addressing housing insecurity such as utility assistance and help with rent, and other related supportive services.

Supportive services are available in two tiers:

1. Individuals receiving at least 50% of their previous wages either from their employer directly, or with Unemployment Insurance (UI) payments, may receive supportive services totaling \$400.
2. Individuals who are not receiving at least 50% of their wages from their employer directly, or with UI payments, may receive supportive services totaling \$800.

Scaling of Supportive Services amounts is allowable so long as it's within the bounds of the two tiers above.

## PROCEDURES

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Individuals must be program participants in order to receive supportive services under this grant. At a minimum, a staff-assisted basic career service or above must be delivered and documented in connection to the delivery of the supportive service and individuals must meet basic eligibility of:

- 18 years or older, and
- If male, registered with the U.S. Selective Service. All males who are at least eighteen (18) years of age and born after December 31, 1959, who are not in the armed Services on active duty, must be registered for Selective Service, or, if age twenty-six (26) or older, be able to demonstrate that they did not knowingly and willfully fail to register prior to enrollment in any WIOA activity. Applicant's lack of knowledge of the Selective Service registration requirement is insufficient evidence that the failure to register was not "knowing and willful." Please use *Attachment I- [Selective Service Failure to Register Self Attestation Form](#)*, along with any support documentation if available, to process any selective service waivers. Due to the COVID-19 pandemic Selective Service has placed requests for a Status Information Letter on hold until further notice and will not be required for the waiver process during this time.

AJCCs shall ensure that the rules of WIOA participation are adhered to before offering Supportive Services under this grant. WIOA participation starts when an individual receives one of the following:

1. Staff-Assisted Basic Career services, where an individual requires an assessment by a staff member of the individual's skills, education, or career objectives (e.g. proficiency testing, resume preparation assistance, job referrals);
2. Individualized Career services, where an individual receives WIOA-funded services that are appropriate for them to obtain or retain employment (e.g., development of an

individual employment plan, English as a second language services, work experience.);  
or

3. Training services, where an individual receives services such as occupational skills training, on-the-job training, customized training and other WIOA-funded training.

Right to Work in the U.S. is also required in certain circumstances; it's only needed depending on type and level of service provided. The chart below provides you with information on what types of activities trigger program participation and when it's needed to collect authorization to work for this grant:

Participation Flow Chart		
Service Type	Triggers participation	Authorization to Work
Basic Career Services - <u>Self-service and information-only activities</u> , including program referrals, outreach, intake, orientation, eligibility determination.	No	Cannot verify
Basic Career Services – <u>Staff-Assisted</u> , including initial assessment, job placement, career counseling.	Yes	May verify for activities such as initial assessment and career counseling.
		<u>Must</u> verify for job placement assistance.
Individualized Career Services	Yes	<u>May</u> verify for activities such as occupational career counseling, aptitude testing, mentoring, and group counseling.
		<u>Must</u> verify for employment activities such as work experiences, transitional jobs, internships, and pre-apprenticeship training.
Training Services	Yes	<u>May</u> verify for classroom training.
		<u>Must</u> verify for employer-connected training.

AJCCs must verify right to work documentation when a participation level service requires an AJCC to coordinate services with an employer (e.g. job referrals, OJT) as indicated by [EDD WSD 18-03 Pathway to Services, Referral, and Enrollment](#). AJCCs are not required to verify work authorization documents for services that do not require coordination with an employer. See *WDP D19-20 Operating Guidance for WIOA* to identify all activities that trigger WIOA program participation.

In providing supportive services, AJCCs must use *Attachment II – [Worker Resiliency Fund Supportive Services Form](#)* to provide a COVID-19 related justification for supportive services and to record that supportive services are connected to another WIOA activity. All participants receiving supportive services under this grant, should have determination of need and immediate delivery of service after determination of need. **Supportive Services must be provided immediately by providing within one (1) business day but no more than three (3) business days** after supportive services need is identified.

AJCCs should prioritize using methods that do not require direct reimbursement of funds to participants (e.g. Direct vendor agreements, direct payment to landlord, direct payment to utilities, online purchases with any retail store that allow for pickup by staff, or delivery to the AJCC). AJCCs may use participant direct reimbursement as an option to provide supportive services **ONLY for GAS** as transportation assistance, if Gas Only pump cards are not available upon prior approval from County. Approval request shall include a description of exploration of alternative reimbursement methods, mileage reimbursement policy, and justification as to why such methods were not feasible. AJCC staff will need to case note reason why participant direct reimbursement was provided, including all the information contained in the approval request, including proof of approval, and upload all support documentation for supportive services provided into CalJOBS. As this program is providing immediate need to participants in emergency situations, all measures should be used to avoid participants having to use their own money to obtain the assistance they need.

Any support documentation received to verify costs and any payment documents provided (e.g. pay cards, invoices, checks, receipts) must be uploaded into CalJOBS. A case note must be created in CalJOBS detailing supportive services provided (e.g. support services provided, associated costs, date service was provided etc.) and appropriate Supportive Services CalJOBS activity codes must be opened and must match what is described in the case notes.

### **Collection of Support Documentation**

Note that original receipts are not required; copies may suffice. AJCCs can use the following methods to collect support documentation prior to providing supportive services:

- Request documents be sent via email.
- Request documents to be sent via fax.
- Request documents be sent via text message.
- Use software applications that allow secure sharing of documents or information (i.e. Email, Career Hub and DocuSign).
- If not, set up an appointment with the participant to collect documents

### **Co-Enrollment**

AJCCs must use other program funds such as existing WIOA Adult or Dislocated Worker funds or other county workforce program funds to provide a connecting career service prior to providing supportive services under this grant. Co-enrollment in a Formula WIOA grant by receiving a service above self-assisted basic career services will impact WIOA accountability measures, however, co-enrollment into the Keep LA Working Initiative (grant code 1181) or the Disaster National Dislocated Worker Grant, or any non-WIOA formula fund grant will not impact WIOA accountability measures.

Note that additional supportive services can be provided under the co-enrolled grant, where needed and allowable; those funds do not count towards the \$400 or \$800 limit.

### **CalJOBS Grant Code Usage**

Supportive Services issued under this program must be reflected under Statewide Additional Assistance grant codes as follows:

1. Statewide DW - 1187 - Underserved COVID-19 Impacted Individuals Grants
2. Statewide Adult - 2051 - Underserved COVID-19 Impacted Individuals Grants (UCII Grant) Adult Participant Only

Non-Supportive Services activities must be reflected in the applicable co-enrolled grant code (e.g. WIOA DW 501 or WIOA Adult 201).

Refer to *Attachment IV* – [CalJOBS Help sheet #33 - Entering Data for Worker Resiliency Fund](#) for additional details on how to use these grant codes in CalJOBS.

### **WDACS Supportive Services Tracking Form**

In order to track the supportive services provided under the Worker Resiliency Fund and ensure alignment of reporting in CalJOBS, the [WDACS Supportive Services Tracking Form](#) must be completed per participant on a daily basis. WDACS will report out the results each week and share the report with the AJCCs.

### **ACTION**

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Los Angeles County AJCCs must develop and implement written internal controls and procedures incorporating all requirements within this directive and ensure that the requirements described herein are communicated throughout the operations, management and governance structure of the contractor organization and that this Directive is appropriately maintained until further notice.

## INQUIRIES

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Inquiries regarding this directive and the policies and procedures described herein should be directed to [Ajccops@wdacs.lacounty.gov](mailto:Ajccops@wdacs.lacounty.gov).

*Irene Pelayo*

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**Irene Pelayo, Program Manager  
Workforce Development**

Attachment(s)

Attachment I – [Selective Service Failure to Register Self Attestation Form](#)

Attachment II - [Worker Resiliency Fund Supportive Services Form](#)

Attachment III – [Income Determination Self Attestation Form](#)

Attachment IV – [CalJOBS Help Sheet #33 - Entering Data for Worker Resiliency Fund](#)