NEWDB Memo 02-2020 Priority of Service; Category 4 and 5

**Date:** March 30, 2020

**To:** Odle Management Group

**From:** NEWDB

**Subject:** Priority of Service Guidance for Categories 4 and 5

# Purpose:

This memo revises NEWDB’s Adult-DLW Policy, section 4.3 (most recent approval 02/20/2020) and NEWDB’s Priority of Service Policy, section 4.1 (most recent approval 02/13/2019), to increase the income cap of Adult participants, in order to provide a wider breadth of participants who will be income eligible for Adult services. This modification will allow NEWDB to leverage existing funding resources to more aggressively serve populations in the NEWDB service area that may potentially be impacted by perceived changes in economic forecasts related to COVID-19, the significant drop in oil prices and vulnerable population previously ineligible. This guidance is effective as of March 30, 2020 and will remain in effect until the NEWDB considers further policy revisions of the NEWDB Priority of Service Policy.

# Current Policy:

## NEWDB’s current policy ADLW policy identifies that:

* 1. **Priority of Service Determination**

The NEWDB operates in a continuous priority of service status when determining eligibility for Adult/DLW services under WIOA. Under WIOA, priority of service must be implemented regardless of the level of funds available to provide services in the Northeast Workforce Development Area. In determining priority of services CM’s must determine eligibility by 1) low-income and; 2) Veteran and eligible spouse). Priority of service determination includes the following

## NEWDB’s current Priority of Service policy identifies that:

Career Managers are responsible for ensuring Priority of Service determination are conducted in accordance with this policy. **Due to the statutorily required priority for Adult funds, priority must be provided in the following order:**

* ***First***, to veterans and eligible spouses who are also included in the groups given statutory priority for WIOA Adult formula funding. 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** receive first priority for services provided with WIOA Adult formula funds for individualized career services and training services.
* ***Second***, to non-covered persons (i.e., individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA Adult formula funds. This means adults and dislocated workers who are **recipients of public assistance**, **low-income**, and/or **basic skills deficient**
* ***Third***, to veterans and eligible spouses who are not included in WIOA’s priority groups, meaning they are not recipients of public assistance, not low-income, and not basic skills deficient
* ***Fourth***, to non-covered persons who are not included in groups given priority for WIOA Adult formula funds, such as persons living within a designated Promise Zone or high poverty area., and/or underemployed individuals.
* ***Last***, to non-covered persons outside the groups given priority under WIOA, such as individuals who are both, not low-income and not earning a self-sufficient wage.

Note: Priority 4-5 require may be enrolled on a case by case basis only with NEWDB Executive Director approval. In cases where an individual is qualifying for Title I funds under priority 4-5 all supporting documentation must be submitted to NEWDB as part of the approval process.

# Updated Guidance:

Employed Adults seeking training services will not be required to have approval from the NEWDB Executive Director, as per previous policy issuance, provided that they earn less than a self-sufficient wage based on their family size and income. The self-sufficient wage is outlined in NEWDB’s Self-Sufficiency policy.

Individuals who are employed and earning less than a self-sufficient wage **OR** whose family size and income is less than the self-sufficient threshold will be eligible to receive WIOA Adult services, if their training and service pathway leads to an occupation that will pay a self-sufficient wage upon the completion of training.

Individuals who earn more than a self-sufficient wage, at the time of their WIOA enrollment, will still be required to receive NEWDB Executive Director approval prior to providing WIOA Adult basic, individuals, or training services.

Although, individuals meeting these definitions and being enrolled as Priority Group 4 or Priority Group 5 are no longer required to receive NEWDB Executive Director approval, NEWDB requires that Service Provider notification of these enrollments via an email to the NEWDB Compliance Monitor with a copy sent to the NEWDB Executive Director. A tracking system will be developed by the Service Provider that identifies participants who are enrolled as Priority Group 4 and Priority Group 5, which will be shared with the NEWDB Board Staff via this [Drop Box](https://www.dropbox.com/s/wuu876lkyrot976/Priority%20Group%204%20and%205%20Enrollments.xlsx?dl=0) folder. This folder will be periodically reviewed by NEWDB staff.

The NEWDB Service Provider will inform the NEWDB Executive Director if available participant funds fall below 40% of the annual budget. At such a time, new enrollments and funding requests for individuals in Priority Group 4 or Priority Group 5 may be modified to require NEWDB Executive Director approval and will be made on a case-by-case basis. Continued or potential services of individuals in Priority Group 4 or Priority Group 5 are subject to available funds, and stoppage of provisions laid out in this memo may be communicated to the Service Provider by the NEWDB Executive Director.

## Employed Adult Income Guidelines for Priority Group 4:

Priority Group 4 will be defined as:

* Individuals who are employed and earning less than a self-sufficient wage OR who’s family size and income is less than the self-sufficient threshold **and** have one or more of the following barriers to employment, which are determined to be priority populations by the NEWDB:
  + Participant lives in a Promise Zone
  + Participant lives in a High Poverty Area
  + Participant is underemployed
  + Participant does not have a High School Diploma or GED
  + Participant was previously in the Foster Care system
  + Displaced homemaker
  + English Language Learner
  + Homeless
  + Migrant and Seasonal Farm Workers
  + Individual with a disability
  + Participant lives in a county that has an unemployment rate which is 2% higher than the average unemployment rate for that county for the previous 6-months
  + Participant is entering a training program that leads to employment in one of NEWDB’s targeted sectors.

## Employed Adult Income Guidelines for Priority Group 5:

Priority Group 5 will be defined as:

* Individuals who are employed and earning less than a self-sufficient wage OR who’s family size and income is less than the self-sufficient threshold.

## NEWDB’s Self-Sufficiency policy defines Self-Sufficiency, as of the date of this memo, as:

1. **Wage**

The self-sufficiency threshold for the Northeast Workforce Development Area (NEWDA) is $12.64 per hour for registrants requesting career and training services under WIOA. This threshold applies to all employed registrants, both Adult and Dislocated Workers.

**Definition**

Self-sufficient wage is defined as employment that provides a wage equal to or greater than 200% LLSIL for Adult participants and 250% For Dislocated Worker participants. The self-sufficiency wage standard is updated annually based on the most recent LLSIL data.

1. Self-sufficient Wage Calculation Methodology

The calculation methodology is determined based on a percent of the Lower Living Standard Income Levels (LLSIL), as outlined in the most current guidance from the OOWD:

* 200% LLSIL for Adult
* 250% LLSIL for Dislocated Worker

**Note:** review the most recent Self-Sufficiency Policy and LLSIL in order to identify the most recent income caps.

# Documentation:

## Barrier Documentation:

* The following items must be documented in order to validate the participant has a barrier to qualify as priority group 4. Supporting documents will be uploaded with participant’s “Adult & Dislocated Worker Eligibility Form”.
  + Lives in a Promise Zone
* NEWDB will periodically review.
  + Lives in a High Poverty Area
* NEWDB will periodically review.
  + Participant was previously in the Foster Care system verified with:
    - Court Documentation
    - Social Service Verification
    - Written Statement from State or Local Agency
  + Displaced homemaker
    - Validated as identified in OOWD’s most recent Data Validation Policy
  + English Language Learner
    - Validated as identified in OOWD’s most recent Data Validation Policy
  + Homeless
    - Validated as identified in OOWD’s most recent Data Validation Policy
  + Migrant and Seasonal Farm Workers
    - Validated as identified in OOWD’s most recent Data Validation Policy
  + Individual with a disability
    - Validated as identified in OOWD’s most recent Data Validation Policy
  + Underemployed – Underemployment is defined in NEWDB’s Adult & Dislocated Worker Policy. The following documentation can be used to validated underemployment status:
    - Employed less than full-time and seeking full-time employment:
      * Pay stubs showing hours over the previous 6-months do not regularly exceed 32 hours/week.
      * Employer statement/contact verifying hours worked over the previous 6-months does not regularly exceed 32 hours per week
      * Applicant statement verifying seeking full-time employment.
    - Employed and meet the definition of a low-income individual:
      * Verified by completing WIOA Income Calculation worksheets and identifying customer’s family size and income as being low-income.
    - Employed with current earnings that are insufficient when compared to the individual’s previous earnings from previous employment, per the NEWDB policy.
  + No High School Diploma or GED at enrollment:
    - Validated with participants OK Job Match Demographic Snapshot Self-Attestation.
  + Participant lives in a county that has an unemployment rate which is 2% higher than the average unemployment rate for that county for the previous 6-months
    - Participant’s address at the time of enrollment is in an identified county **AND**
    - County data shows its current unemployment rate is 2% higher than its rate over the previous 6-months. This rate is identified in the following way:
      * County unemployment rate is pulled from OESC’s Local Area Unemployment Statistics from here: <https://www.ok.gov/oesc/Labor_Market/Local_Area_Unemployment_Statistics_/>
      * On the LAUS Data Interactive Tool, Select the “Area Comparison” tab.
      * Select “Unemployment Rate” under the heading “Measure for Line Chart”
      * Enter the comparison months under the heading for date – Note you will need to select the most recent month that data is available on the right, and the month that is 6-months before on the left.
      * Select “Counties & Equivalents” under the heading for Geography
      * Select the county the participant lives in under the heading for “Select the Area”
      * The resulting graph and chart will be printed and uploaded.
  + Participant is one of the priority populations identified by the State of Oklahoma
    - Review OOWD’s current data validation instructions for documentation requirements.

## Wage at Enrollment Documentation:

The following items must be documented in order to validate the participant is not earning a self-sufficient wage:

* + For employed individuals not earning a self-sufficient wage at the time of enrollment:
    - The participant’s most recent pay-stub must be uploaded, with their “WIOA Adult and Dislocated Worker Eligibility Form” demonstrating that the participants earned, normal wage, is less than the NEWDB Self-Sufficient wage.
  + For employed individuals whose Family Size & Income does not meet the Self-Sufficient definition:
    - “The participant’s WIOA Income Eligibility Form: Part I and Part II” from OWDI 02-2019 Attachment A, must be uploaded along with the income and supporting documents for each family member in the household; along with the “WIOA Adult and Dislocated Worker Eligibility Form”.
    - Instructions on completing the WIOA Income Eligibility forms are provided in OWDI 02-2019 Attachment A.

No individual in the United States may, on the basis of race, color, religion, sex, national origin, age, [disability,](https://www.law.cornell.edu/definitions/index.php?width=840&amp;height=800&amp;iframe=true&amp;def_id=5814e48524e23b3549a88bcae9486b1d&amp;term_occur=1&amp;term_src=Title%3A29%3ASubtitle%3AA%3APart%3A38%3ASubpart%3AA%3A38.5) or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship or participation in any WIOA Title I-financially assisted program or activity, be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any WIOA Title I-financially assisted program or activity