

## Program Notice: PN-9

### **SUBJECT: COVID-19 TEMPORARY PROGRAMMATIC GUIDANCE**

**EFFECTIVE: See individual sections for dates.**

#### **Background and Vision:**

In response to COVID-19 concerns, the Benton-Franklin Workforce Development Council (BFWDC) is authorizing temporary flexibility with the programmatic requirements outlined below to assist WorkSource Columbia Basin (WSCB) and Tri-Cities (TC) Futures during the “Governor’s Safe Start Washington – Phased Reopening County-by-County” approach. This temporary guidance may be modified or revoked at the discretion of the BFWDC.

The COVID-19 emergency may prevent Workforce Innovation and Opportunity Act (WIOA) Title I-B service providers from conducting in-person eligibility and other assessments, verifying and imaging acceptable documentation to establish eligibility or priority of service, and acquiring dated signatures from individuals for the purpose of registering them in the WIOA Title I-B youth, adult, and dislocated worker programs, as well as discretionary programs.

The subrecipient shall continuously check the [Workforce Professional Center](#) website for [WorkSource Information Notices](#) (WIN) guidance extension and rescission dates. All pre-existing programmatic requirements shall be followed during the “Governor’s Safe Start Washington – Phased Reopening County-by-County” approach. Failure to follow existing eligibility policies during this period may result in this temporary guidance being revoked.

#### **A. Minimum Requirements for Documenting WIOA Eligibility**

1. Effective 12/3/21 per [WIN 0109, Change 6](#): Verbal self-attestation is allowed to document eligibility for criteria for which self-attestation is not otherwise allowed per Department of Labor (DOL) guidance, but should not be used as a first resort. Service providers should attempt to collect eligibility source documentation when possible. However, full verbal self-attestation is allowed if:
  - a. The case manager and applicant conduct the eligibility determination and registration verbally by phone with the case manager **case-noting** the following in the ETO management information system:
    - i. That verbal self-attestation was necessary due to the inability to meet in person and/or provide eligibility source documentation for COVID-19 reasons, including the specific circumstances preventing in-person engagement and/or eligibility source documentation transaction (see B1 for examples).
    - ii. Each eligibility and priority of service criterion to which the applicant is self-attesting with a statement that reads, “I attest that [applicant name] verbally self-attested to the eligibility and priority of service criteria cited above.”

- iii. That the case manager has provided to the applicant the Equal Employment Opportunity and Complaint and Grievance Procedures and WIOA Title I-B Program Data Collection Certification information (see Attachment A) verbally or in hard copy and that the applicant verbally acknowledged understanding the information by a statement that reads, “I attest that I provided the Equal Employment Opportunity and Complaint and Grievance Procedures and WIOA Title I-B Program Data Collection Certification statements to [applicant name] on [date] and [applicant name] attested to understanding the information.”
- b. If determined eligible per the process described in paragraph 1, the case manager verbally obtains from the applicant all information required for federal reporting and records the information in the appropriate sections and fields in the ETO management information system.
- c. **Effective with the issuance of [WIN 0109, Change 6](#), case managers must obtain appropriate eligibility and Data Element Validation (DEV) source documentation within 30 calendar days after the circumstances that prevented applicants from providing source documents cease to exist.**

## 2. Remote or Virtual Eligibility Documentation

Eligibility determination is a critical and non-waivable element of DOL-funded programs. Subrecipients must collect and maintain acceptable documentation to determine and document eligibility whenever possible. Review [WIN 0109, Change 6](#), for additional guidance on collecting and maintaining the following documentation:

- a. Application Process
  - b. Verification and Documentation during the Application Process:
  - c. Signature Collection and Alternatives
  - d. Documentation in ETO
  - e. Security of Customer Data
- Expired guidance issued 03/04/21-12/2/21: Verbal self-attestation is allowed to document the case manager, and applicant conducted the eligibility determination and registration verbally by phone with the case manager case-noting the following in the ETO management information system: “Verbal self-attestation was necessary due to a one-stop office closure caused by COVID-19. I attest that I provided the Equal Employment Opportunity and Complaint and Grievance Procedures and WIOA Title I-B Program Data Collection Certification statements to [applicant name] on [date] and [applicant name] attested to understanding the information”. Per Department of Labor (DOL) guidance, verbal self-attestation shall be used as the last resort.
  - Expired guidance issued 11/1/20 - 03/03/21: Required participant signatures for the Efforts to Outcome (ETO) WIOA Eligibility Application shall be located on the WIOA Eligibility Application Remote Signature Document. Case notes shall document, “Due to COVID-19, the participant

electronically signed the WIOA Eligibility Application Remote Signature Document in place of the WIOA Eligibility Application signature page.”

- Expired guidance issued 4/2/20 - 10/31/20: Participant signatures on the WIOA Eligibility Application are not required. Case notes shall document, “Due to COVID-19, the participant electronically signed the Enrollment Intake Form in place of the WIOA Eligibility Application signature page; the employment specialist and the participant have reviewed all forms.”

## **B. Enrollment Eligibility**

1. Effective 12/3/21 per [WIN 0109, Change 6](#): Verbal self-attestation is allowed to document eligibility for criteria for which self-attestation is not otherwise allowed, **but case managers must obtain appropriate eligibility and Data Element Validation (DEV) source documentation within 30 calendar days after the circumstances that prevented applicants from providing source documents cease to exist.** Refer to Section A1. for further guidance on documentation requirements.

NOTE: Self-attestation and Applicant Statements are allowable methods of verification for a certain number of eligibility criteria. Subrecipients are encouraged to review local documentation requirements regarding self-attestation.

- Expired guidance issued 4/29/20-12/2/21: Verbal self-attestation can be used to document eligibility criteria such as Date of Birth and Legally Entitled to Work in the United States when in-person engagement is not possible due to the COVID-19 emergency. *Eligibility exceptions shall be used as a last resort.* Review [WIN 0109, Change 4](#) for additional guidance, case note requirements, and waiver rescindment dates.

## **C. BFWDC Assessment Policy 2015-09, WorkKeys Assessments**

1. Effective 4/2/20: Assessments are not required prior to training for individuals who possess a high school diploma, General Education Development (GED), college transcript showing satisfactory grades, or have held steady employment. Supporting documentation must verify an assessment is not required.

## **D. BFWDC Support Services and Needs-Related Payments Policy 2015-02, Supportive Service Expenditures:**

1. Effective 6/3/21: Past-due mortgage payments for up to two (2) previous months may be paid but cannot include expenses incurred before the program enrollment date.
2. Effective 6/3/20: Food may be provided as a supportive service to WIOA Youth program participants to assist or enable them to participate in employment and training activities. Case notes shall document coordination with other community partners to ensure that WIOA supportive services are provided only when they

are not otherwise available. Review [WIN 0111, Change 4](#) for additional guidance, case note requirements, and waiver rescindment dates.

3. Effective 4/2/20: Past-due utility and rental expenses for the previous month(s) may be paid but cannot include expenses incurred before the program enrollment date.

**E. Program Notice-8, CASAS for Basic Skills Assessment**

1. Effective 5/5/20: CASAS testing to document Basic Skill Deficiency in WIOA Title I Programs is temporarily suspended. To identify other documentation options allowed, see Attachment A of [WIN 0107, Change 6](#).