



Area 11: Local Policy

Needs-Related Payments (NRPs)

Purpose:

This policy provides guidance on Needs-Related Payments that may be provided to eligible adults and dislocated workers under the Workforce Innovation and Opportunity Act Policy Letter No. 15-14.1 (WIOAPL 15-14) issued through the Workforce Development Board of Central Ohio (WDBCO). This policy applies to all eligible individuals served with formula and National Dislocated Worker Grant (NDWG) funds by Area 11.

Background:

NRPs provide financial assistance to eligible adults and dislocated workers for the purpose of enabling them to participate in training programs and are one of the supportive services authorized by section 134(d)(3) and section 170 of WIOA.

Policy:

Participant Eligibility

The parameters for determining programmatic eligibility for WIOA adults and dislocated workers are found in Ohio Department of Job and Family Services WIOA Policy Letter No. 15-02, Adult and Dislocated Worker Eligibility. Participants must meet all financial and non-financial requirements, as set forth in law, regulation, and policy, to be eligible to receive NRPs.

Adult NRP Eligibility

To be eligible for NRPs, an adult must:

- Be unemployed;
- Be ineligible for or ceased to qualify for Unemployment Compensation (UC); and
- Be enrolled in a program of training services under section 134(c)(3) of WIOA.
- Be at 200% Lower Living Standard Income Level (LLSI) or below local income requirements for supportive services

Dislocated Worker Eligibility

To be eligible for NRPs, a dislocated worker, as defined under WIOA Section 3(15) must:

- Be unemployed;
- Be ineligible for or ceased to qualify for UC or Trade Readjustment Allowance (TRA); and
- Be enrolled in a program of training services under section 134(c)(3) of WIOA within the time frames described below.

The dislocated worker must be enrolled in a program of training services 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.

If due to the lack of funds in the State or local area at the time of a dislocation, dislocated workers served by NDWG funds are not able to meet the 13th or 8th-week deadline for enrollment in training, as set forth in section 134(d)(3)(B) of WIOA, then such individuals may be eligible for NRPs if they are enrolled in training by the end of the 6th week following the date of the NDWG award.

Reporting Requirements

Payments to dislocated workers and other eligible recipients receiving NRPs must report changes in:

- Employment Status
- Changes in wages
- Enrollment or exit of an eligible training program

Failure to report any changes required under-reporting requirements within **30 days** will result in NRP benefits being terminated indefinitely or stopped until eligibility requirements are met. Additionally, participants must report the inability to participate in training due to unforeseen circumstances.

Level of Payments and Conditions

Adults

The level of NRP made to adults may not exceed the equivalent weekly amount of the local area's annual 100 percent LLSIL for the size of the family as defined under section 3 (36)(B) of WIOA. (Example: Poverty level for family of one - \$12,060 / 52 weeks = \$231.92 weekly, \$463.84 bi-weekly)

Dislocated Workers

The level of NRPs for participants may not exceed the following:

1. For participants who were eligible for UC and who are no longer receiving benefits, the weekly payment may not exceed the applicable weekly level of the UC benefits; or
2. For participants who did not qualify for UC as a result of the qualifying layoff, the weekly payment will be equal to the poverty line based on family size and income for an equivalent period.

Weekly or biweekly NRPs may begin on Monday after both eligibility and training enrollment criteria have been met without requiring proration of the benefit amount for a partial week of eligibility

The amount of NRP's for both Adult and Adult Dislocated worker will be distributed on a weekly basis to eligible participants after completion of a weekly expense report up to the maximum amount as described in the level of payments for Adult and Adult Dislocated workers.

The WDBCO shall allow needs related payments to all eligible participants on a case by case bases until NRP funds are exhausted. If the participant is not eligible, the participant shall be notified within 30 days and notified on how they can appeal the decision. Director of Career Services shall seek approval from the WDBCO Chief Executive Officer prior to providing a needs related payment to a participant. **The maximum lifetime level of needs-related payments for a participant is \$2,000.00.** The WDBCO shall follow criteria according to 20 CFR 680.970. According to sec. 134(d)(3)(B) of WIOA, a participant must be enrolled in a training program described in sec. 134(c)(3) of WIOA to receive needs-related payments. Specific criteria for Adult and Dislocated Worker eligibility may be found in 20 CFR 680.940 and 680.950.

Note: Documentation verifying all UC or TRA payments, the amounts paid, and that the participant is no longer receiving benefits, must be maintained in the participant's WIOA program case file

Participant Training Requirements

If the participant has been accepted into a training program that will begin within 90 calendar days of the determination of NRP eligibility, NRPs may be awarded prior to the start date of the training classes to enable the participant to enroll in the program.

All NRP participants must be enrolled in or attending full-time training as defined by the training provider and must remain in good standing with the WDBCO. For a person to be in good standing with the WDBCO, he or she must:

- Actively engaged in Ohio Means Jobs activities
- Maintaining regular communication and scheduled appointments with their case manager
- Compliant with their Individual Educational Plan (IEP)
- Maintaining a GPA of 2.0 or higher for credit programs (i.e., High School or College coursework)
- Meeting other academic performance standards as defined by their school, including but not limited to attendance, participation, professionalism, classroom performance, and grades

When a participant has a break in the training of 30 business days (not counting weekends or holidays) or less, the participant remains eligible for and will continue to receive NRPs. If the break in training is greater than 30 business days, the participant will not receive the NRPs for that period until the participant's training program begins again.

In the event that training is delayed, NRPs may be paid while a participant is waiting to start training classes provided that the participant has been accepted in a training program that will begin within 90 calendar days.

In the event, a participant's circumstances prevent him or her from beginning training, or the training is further delayed (over 90 days), the case manager must make the participant aware of the need to disclose this information to avoid disallowed costs. The provider must also inform the case manager of delays to their training program.

NRP funds may be used only during the period in which an individual participates in WIOA training.

NRPs must be immediately terminated for any participant who fails to meet one of these training requirements.

Training Services

Types of training that qualify a participant for NRPs may include:

- Occupational skills training, including training for nontraditional employment;
- Programs that combine workplace training with related instruction, which may include cooperative education programs;
- Training programs operated by the private sector;
- Skills upgrading and retraining;
- Entrepreneurial training;
- Job readiness skills;
- Adult education and literacy activities provided in combination with any other training service listed above; and
- Customized training with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

Termination of NRPs

NRPs must be terminated for a recipient who:

1. Fails to comply with reporting requirements defined by the WDBCO NRP policy and communicated to the recipient;
2. Notifies the local area that he or she no longer plans to attend the training classes;
3. Fails to attend or stops attending the training classes;
4. Fails to maintain a full-time training schedule as defined by the training provider;
5. Fails to remain in good standing with the training provider or WDBCO as defined by the WDBCO NRP policy;
6. Begins to qualify for TRA or UC benefits;
7. Becomes employed; or
8. Dies or becomes incarcerated, institutionalized, physically incapacitated, or otherwise unable to participate in current or future training services.

If a recipient's eligibility for NRPs was based on his or her false claims, provision of fraudulent documentation, or failure to disclose information affecting NRP eligibility within 30 days, the recipient might be held liable for repayment of NRPs received in error.

Under no circumstances will recipients be required to pay back NRPs that were issued incorrectly through no fault of the recipient, such as if the recipient reported changes resulting in termination of his or her 30 days the subsequent payment(s) could not be stopped in time.

Recipients who disagree with the decision to terminate their NRPs may file a WIOA programmatic complaint with WDBCO, The Ohio Department of Jobs and Family Services, or the U.S. Department of Labor in accordance with the WIOA complaint process. The initiation of the programmatic complaint process or subsequent appeal process, if applicable, shall not require continuation or reinstatement of the terminated NRPs by WDBCO.

However, if it is determined during the complaint resolution or appeal process that the recipient/complainant was eligible for NRPs for some or all of the benefits weeks after NRPs were terminated, then payments for those missed benefit weeks shall be issued retroactively. The complaint resolution and appeal process shall also address the complainant's potential eligibility for reinstatement of NRPs for future benefit weeks.

Definitions

Lower living standard income level (LLSIL): As defined in section 3 (36)(B) of WIOA, the income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the United States Department of Labor (USDOL) based on the most recent lower living family budget issued by the USDOL.

Needs Related Payment - Needs-related payments provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for needs-related payments, a participant must be enrolled in training.

Poverty line: The income level defined by the federal Office of Management and Budget and revised annually by the United States Department of Health and Human Services in accordance with section 673(2) of the Community Services Block Grant Act (42 U. S. C. 9902(2)).

Program of training services: One or more courses or classes or a structured regimen leading to a recognized post-secondary credential (RPC), employment, or measurable skills gains toward an RPC.

Supportive services: Services such as transportation, childcare, dependent care, housing, and NRPs that are necessary to enable an individual to participate in WIOA activities. Trade readjustment allowance (TRA): Income support paid to individuals who have exhausted Unemployment Compensation and whose jobs were affected by foreign imports as determined by a certification of group coverage issued by the United States Department of Labor.

Unemployment compensation (UC): Short-term insurance benefits paid by ODJFS to individuals who are involuntarily out of work through no fault of their own, and who meet all statutory eligibility criteria to qualify to receive benefits.

References

20 CFR § 680.760 - 680.770

20 CFR § 680.900 - 680.970

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-02, Adult and Dislocated Worker Eligibility (July 15, 2015).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-08.1, Career Services for Adults and Dislocated Workers (June 6, 2017).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 15-19.1, Poverty Line and Lower Living Standard Income Level (June 28, 2018).

USDOL, Training and Employment Guidance Letter No. 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for implementation of the WIOA Final Rules (March 1, 2017).

USDOL, Training and Employment Guidance Letter No. 02-15, Operational Guidance for National Dislocated Worker Grants, pursuant to the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) (July 1, 2015).

WIOA Section 3(15)

WIOA Section 3 (36)(B)

WIOA Section 133(b)(2)(B),

WIOA Section 134(c)(3)

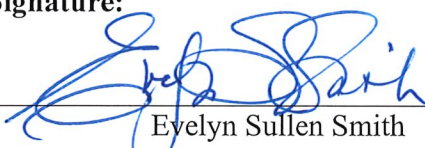
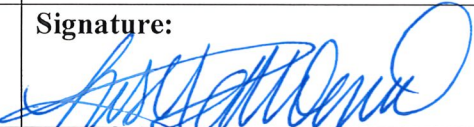
WIOA Section 134(d)(3)

WIOA Section 170

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