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**To:** Catawba Workforce Development Area

**Subject:** **Provision of Remote WIOA Services Memo**

**Date:** March 24, 2020

**References:** Training and Employment Guidance Letter (TEGL) 16-16; State Instruction Letters 18-01, 18-06, and 12-8, Change 1

The vision for the American Job Center (AJC) network reflects the long-standing and ongoing work of dedicated workforce professionals to align a wide range of publicly- or privately-funded education, employment, and training programs, while also providing high-quality customer service to all job seekers, workers, and businesses. The Workforce Innovation and Opportunity Act (WIOA) builds on the value of the AJC network and provides the workforce development system with important tools to enhance the quality of its AJCs. On March 13, 2020, President Trump declared a national emergency in the face of the coronavirus (COVID-19) pandemic, leading to closed schools, cancelled events, and uncertainty in our communities. Due to increasing health concerns and recommendations to avoid contact with others, this may lead to an increase in the provision of remote services by workforce professionals under WIOA.

As described in 20 CFR 678.305(d)(3), 34 CFR 361.305(d)(3), and 34 CFR 463.305(d)(3), WIOA allows for services to be provided remotely within a reasonable time, by phone or through a real-time Web-based communication, by a program staff member who can provide program information or services, including career services, to the customer. As it is vital that SC Works customers continue to receive services at this time, this memo provides guidance on the provision of remote services under WIOA to help ensure continued customer engagement.

*All services must be provided in compliance with all federal, state, and local laws, regulations, policies, and guidance.*

### **WIOA Title I Eligibility**

WIOA establishes general and specific program eligibility criteria. Information collected to determine eligibility for the WIOA Adult, Dislocated Worker (DW), and Youth programs may be collected through methods including electronic data transfer, personal interview, or an individual's application.

Documentation requirements to support WIOA Adult and Dislocated Worker eligibility are tied to the level of services provided to the individual. For adults and dislocated workers receiving only basic career services which do not trigger participation in the WIOA program, the local area may accept information provided by these reportable individuals at face value to complete the basic intake process without requiring source documentation.

Documentation requirements increase for participants who receive basic career services triggering participation, individualized career services, or training services. For a list of services that do or do not trigger participation or delay exit, see the Adult/Dislocated Worker and Youth Service Code charts located in SC Works Online Services (SCWOS) under Staff Online Resources.

### Self-Attestation

Self-attestation occurs when a participant states their status for an eligibility criterion or set of criteria and then signs documentation acknowledging this status. Self-attestation is not a blanket verification for all eligibility components and does not alleviate or replace the need to collect documentation of some eligibility elements, as outlined in State Instruction 12-8, Change 1. Self-attestation should only be used as a last resort when obtaining documentation is too burdensome for the individual, such as in times of a national or local state of emergency.

Self-attestation may **not** be used at this time as a documentation source for the following criteria when establishing WIOA eligibility for adults, dislocated workers, and youth:

- Date of Birth
- Selective Service Registration (applicable to males only)
- Citizenship/Alien Status
- Dislocated Worker
- Basic Skills
- TANF
- Supplemental Security Income
- Refugee Cash Assistance
- General Assistance
- SNAP

For participants enrolled using self-attestation as a documentation source, every effort should be made to collect all actual supporting documents as soon as documents can be made available to ensure the accuracy of the participant's statements. To reduce the risk of disallowed costs, participants should not be enrolled in training until actual supporting documents can be provided for the required eligibility criteria.

### **Electronic Signatures**

The use of electronic signatures is permissible for WIOA documents requiring the participant's signature, including but not limited to, the WIOA application, including self-attestation statements, Rights Handout,

Individual Employment Plan (IEP) and Individual Service Strategy (ISS). All electronically signed documents must be uploaded to the participant's file in SCWOS.

An electronic signature is an electronic sound, symbol or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record. Electronic signatures may include those on documents printed, signed and scanned for return by the participant. If a participant does not have the option of printing documents for a wet signature, the document may be emailed to the participant and upon review and approval, the participant may respond to said email stating acceptance of the document as submitted. Photos of required documents emailed from the participant's email address to the case manager are acceptable as well, provided the required documentation is legible in the photo. The email serves as the record of intent to sign or submit and must be maintained in the participant's file along with the document. All corresponding case notes should indicate the use of and a description of the electronically submitted documentation.

For individuals with no access to the internet or technology needed to submit documentation electronically, documents should be mailed to the individual for signature with a postage-paid return envelope. Local areas should consider the use of a drop box at SC Works centers closed to the public for individuals who wish to drop off the signed documents rather than waiting for them to be returned via mail.

**IMPORTANT: All communication from the case manager must be sent from approved work accounts and equipment only. Transmitting or storing Personally Identifiable Information (PII) on personally owned equipment, at off-site locations (e.g. employee's home), and on personal email accounts is prohibited.**

### Activity Codes

#### WIOA Adult/DW/Youth Programs

The following services represent activities that can be more readily provided remotely, and must be recorded through the appropriate entry of activity codes and case notes into SCWOS.

- Provided Internet Job Search Support
- Provided Labor Market Research
- Resume Preparation Assistance
- Staff Assisted UI Claim Assistance
- Follow-up Services\*
- Provision of Financial Literacy Services
- Career Guidance/Planning/Counseling
- Development of IEP/ISS
- Provision of Financial Aid Eligibility Assistance
- Leadership Development Services

*\*Case managers must follow local area policies in determining eligibility for receipt of follow-up services.*

#### Wagner-Peyser (WP) Program

The following services represent activities that can be more readily provided remotely, and must be recorded through the appropriate entry of activity codes and case notes into SCWOS.

- Provided Internet Job Search Support
- Provided Labor Market Research
- Resume Preparation Assistance
- Staff Assisted UI Claim Assistance
- Federal Bonding Voucher Issued
- Provision of Financial Literacy Services
- Career Guidance/Planning/Counseling
- Development of IEP
- Provision of Financial Aid Eligibility Assistance
- WP Initial Assessment

### Business Services

The following services represent activities that can be more readily provided remotely, and must be recorded through the appropriate entry of activity codes and case notes into SCWOS.

- Provided Job Order Assistance and Follow-up
- Provided Detailed Labor Market Study
- Promotional Contact
- RR-Funded IWT Agreement for Layoff Aversion
- Engaged in Strategic Planning/Economic Development
- HIRE VETS Medallion Program
- Sector Partnership
- WIOA State or Local IWT

### **NEW COVID-19 Indicator Service Code**

A new service code has been created in SCWOS for internal tracking purposes only. Service Code 019: COVID-19 Affected Unemployment, indicates that an individual has become unemployed due to the coronavirus pandemic through no fault of their own. This code does not indicate that the individual has contracted the virus, only that unemployment occurred due to closure, layoff, or other reason of a temporary to permanent nature due to restrictions imposed by state or federal declarations, or business decisions related to the coronavirus. The activity code should be entered when working with any participant or reportable individual whose employment status has been impacted by COVID-19.

### **Case Notes**

In addition to entering appropriate activity codes to record the services provided, staff must provide case notes where appropriate. Case notes record important details and situations related to individuals and employers, creating a timeline of events that show the progress and participation of the individual or employer; can be used as legal evidence for appeals; and help others understand what has already happened. Case notes should be clear and grammatically correct, have a purpose, state facts, and include all relevant information such as barriers and any supportive services that may have been provided. Case notes entered into SCWOS must *never include medical, legal, or Personally Identifiable Information (PII)* for any individual.

### **Individual Employment Plans/Individual Service Strategies**

State Instructions 18-01 and 18-06 require an IEP/ISS to be reviewed periodically to evaluate the progress of each participant in meeting the identified objectives and must be updated to reflect any changes. If there is a significant change to the IEP/ISS, the amended IEP/ISS must be signed by the participant and placed in the participant's file or saved in SCWOS. *At this time, electronic signatures will be accepted in accordance with the guidelines described above.* Significant changes include, but are not limited to, a change in training or significant change of the participant's employment goal. Alternatively, additional objectives to the same employment goal that are in line with what the participant has already agreed to in the original IEP/ISS are not considered a significant change and do not require a renewed participant signature. Upon completion or amendment of an IEP/ISS, the program specific IEP/ISS activity code must be entered in SCWOS with a corresponding case note.

### **Services from State Core Partner Programs**

#### Department of Social Services (SNAP and TANF)

DSS offices are closed to the public, however, the agency is still providing services to some of South Carolina's most vulnerable citizens. While some staff are working remotely, all essential functions and services are being provided. The DSS website has the information and links for online SNAP and TANF applications: <https://dss.sc.gov/>.

Due to current circumstances related to COVID-19, DSS has established the following process for electronic verification of SNAP and TANF participation. The Verification of SNAP or TANF Participation Form can be located in SCWOS under Staff Online Resources.

1. The WIOA Case Manager completes page two of the Verification of SNAP or TANF Participation Form, specifically, sections I and III on page two. (Ordinarily, DSS would have required the customer's signature on page one of the form, but the agency is removing this requirement for the time being.)
2. The WIOA Case Manager sends an email to [cercu@dss.sc.gov](mailto:cercu@dss.sc.gov), copies the customer on the email, and attaches the document with sections I and III of page two completed.
3. DSS staff will contact the customer directly to obtain authorization to release information to WIOA.
4. After the authorization is obtained from the customer, DSS will email the completed document to the WIOA Case Manager.

#### Vocational Rehabilitation

SCVRD offices are not conducting "in person" appointments at this time. Counselors and several other staff members are teleworking and continuing to serve consumers and coordinate service delivery using technology as much as possible. Provisions have been made for applications to be taken via phone, and for forms requiring signature to be mailed and returned with the signature if the applicant/consumer approves the content verbally and agrees to the form being mailed for signature. The agency has also made provisions for staff to note "COVID-19" on certain documents requiring a consumer's signature, with the consumer's approval, to prevent delays as a result of mailing paperwork. Counselors and their supervisors can be reached via email, and many are having calls to their office phones forwarded to their cell phones.

### Adult Education

AE is awaiting a response from the Office of Career, Technical, and Adult Education for guidance related to the provision of the TABE assessment, which requires a proctor to be present at the time of the assessment. Further guidance to the local areas is forthcoming.

### SC Commission for the Blind

SCCB continues to provide services via onsite staff and those who are teleworking. New referrals can be emailed to [Zunaira.wasif@sccb.sc.gov](mailto:Zunaira.wasif@sccb.sc.gov). Please contact Zunaira Wasif, Director of Consumer Services, at 803-587-3379 or 803-898-0175 with additional questions or to speak in-person. Additional information regarding specific offices can be found at <http://www.sccb.state.sc.us/>.

### **Resources**

Useful quick reference tools are available 24/7 to remote staff on the SCWOS Staff Online Resources page, including but not limited to, the following documents and trainings.

- Activity Code Definitions
- COVID-19 and Unemployment Benefits
- Resume Assistance
- SCWOS 101 Training Guide
- Uploading Documents in SCWOS

Thank you,

A handwritten signature in blue ink that reads "Nicole Lawing". The signature is written in a cursive style.

Catawba Workforce Development Area