WILLAMETTE WORKFORCE
PARTNERSHIP

GRIEVANCES AND COMPLAINTS

Revised: October 1, 2026	Policy: A01

PURPOSE

This policy establishes procedures under which Willamette Workforce Partnership (WWP) will receive, review, and process:

I. Grievances and complaints alleging violations of Workforce Innovation and Opportunity Act (WIOA) Title I program requirements; and
II. Complaints alleging discrimination, retaliation, intimidation, or other violations of WIOA § 188 and 29 CFR Part 38.

REFERENCES

- WIOA § 181(c)
- WIOA § 188
- 20 CFR § 683.600
- 29 CFR Part 38
- 29 CFR § 38.35
- 29 CFR §§ 38.69–38.73

EQUAL OPPORTUNITY IS THE LAW

It is against the law for this recipient of federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I–financially assisted program or activity.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I–financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communication with individuals with disabilities is as effective as communication with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIOA Title I–financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either: the recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose);
Or

Director, Civil Rights Center (CRC), U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210

Or electronically as directed on the CRC website at https://www.dol.gov/crc.
If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

WHAT TO DO IF YOU HAVE A NON-CRIMINAL COMPLAINT EXCLUDING DISCRIMINATION

Individuals who have a non-criminal complaint relating to WIOA Title I-funded programs or services, excluding allegations of discrimination, may contact WWP to obtain information about the applicable grievance and complaint resolution procedures.

A grievance may also be submitted to a designated subrecipient or service-provider official in writing. The subrecipient official will then notify and transmit any relevant grievance information to the WWP Equal Opportunity Officer (EOO). Complaints of this nature will be addressed in accordance with WWP's approved grievance and complaint policies, applicable federal requirements, and established procedures.

Complaints must be filed within one (1) year of the alleged occurrence. Upon receipt of the written complaint, the WWP EOO will contact you withing five (5) days to discuss the nature of your complaint, review procedures and provide information about available resolutions or appeal options.

PROCEDURES FOR NON-DISCRIMINATION GRIEVANCES AND COMPLAINTS

Individuals alleging violations of WIOA Title I requirements, WWP policies, contracts, grant agreements, or other applicable federal or state workforce development requirements may file a written grievance or complaint with Willamette Workforce Partnership (WWP).

The complaint must include:

- The complainant's name, address, telephone number, and email address, if available;
- A description of the alleged violation, including relevant facts;
- The date(s) of the alleged occurrence;
- The names of the individual(s), organization(s), or entity(ies) involved; and
- The remedy or corrective action requested.

WWP shall review all complaints to determine whether the complaint was timely filed, falls within WWP's jurisdiction, and contains sufficient information to proceed. If additional information is required, WWP may request clarification from the complainant.

WWP may attempt to resolve complaints through informal resolution when appropriate and with agreement of the parties. Informal resolution efforts shall not prevent a complainant from exercising any applicable hearing or appeal rights.

APPEALS

Any party dissatisfied with WWP's final determination may file an appeal in accordance with applicable State of Oregon workforce development grievance and complaint procedures.

Instructions regarding appeal rights, filing requirements, applicable deadlines, and contact information for the appropriate state agency shall be included in the written determination.

If WWP fails to issue a written determination within the applicable timeframes required by federal, state, or local policy, the complainant may pursue available appeal rights directly with the appropriate state authority.

CORRECTIVE ACTIONS

When a grievance or complaint is substantiated, WWP may require corrective action as appropriate to address the violation and prevent recurrence. Corrective actions may include:

- Restoration of rights, services, or benefits;
- Modification of practices or procedures;
- Staff training;
- Corrective action plans;
- Contractual remedies;
- Repayment of improperly used funds where authorized by law; or
- Other actions consistent with federal, state, and local requirements.

PROHIBITION AGAINST RETALIATION

WWP prohibits retaliation, intimidation, threats, coercion, or discrimination against any individual for filing a grievance or complaint, participating in an investigation or hearing, providing information, exercising rights under WIOA, or assisting another individual in exercising such rights. Allegations of retaliation involving discrimination matters shall be processed in accordance with Policy P02 Equal Opportunity.

RECORDKEEPING

WWP shall maintain a complaint log and retain records related to grievances and complaints, including investigations, hearing records, correspondence, determinations, corrective actions, and appeals, in accordance with applicable federal and state record retention requirements.

Records shall be maintained in a manner that protects confidential and personally identifiable information to the extent permitted by law.

DISCRIMINATION COMPLAINTS

Complaints alleging discrimination, harassment, retaliation, intimidation, coercion, denial of reasonable accommodation, denial of language access, or violations of WIOA Section 188 and 29 CFR Part 38 shall be processed in accordance with Policy P02 Equal Opportunity and applicable federal civil rights requirements. Individuals filing discrimination complaints shall be informed of their right to file with either WWP's Equal Opportunity Officer or the U.S. Department of Labor Civil Rights Center.

A party may appeal a local WIOA Title I grievance to the Oregon Higher Education Coordinating Commission, Office of Workforce Investments, when the local grievance is not resolved within 60 days or when the party is dissatisfied with the local decision.

Appeals must be submitted by physical letter to:
Higher Education Coordinating Commission – Office of Workforce Investments
Workforce Programs Director
3225 25th Street SE
Salem, OR 97302

FOR INFORMATION OR TO FILE A COMPLAINT, CONTACT:
Willamette Workforce Partnership
Trina Horsey, Equal Opportunity Officer
626 High Street NE, Suite 200
Salem, OR 97301
Phone: (503) 581-1002
Email: thorsey@willwp.org

Willamette Workforce Partnership is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available to individuals with limited English proficiency at no cost. Oregon Relay: 1-800-735-2900.

WILLAMETTE WORKFORCE PARTNERSHIP

DISASTER RECOVERY

Revised: March 1, 2018	Policy: A02

PURPOSE

The purpose of this policy is to document expectations for staff and sub-recipients in the event of a disaster.

POLICY

Any number of occurrences may disrupt normal business activities for a period of time. Staff and sub-recipients are to ensure that negative impacts of any disruption are addressed immediately and effectively to minimize the potential impact on customers, employees, partners and Willamette Workforce Partnership (WWP).

A disaster is defined as an occurrence that impacts one or more business activities of the Willamette Workforce Partnership (WWP) to the extent that the capability to perform normal operations is impaired. In the event of a disaster, staff and sub-recipients will, to the best of their ability:

- Minimize interruptions to the normal operations.
- Limit the extent of disruption and damage.
- Minimize the economic impact of the interruption.
- Establish alternative means of operation, if required.
- Minimize loss of participant records.
- Resume normal business operations, as soon as possible after the event.

WILLAMETTE WORKFORCE PARTNERSHIP

RECORD CONFIDENTIALITY AND RETENTION

Revised: March 1, 2018	Policy: A03

PURPOSE

Willamette Workforce Partnership (WWP) and sub-recipients are required to maintain and retain records of all fiscal and program activities funded under the Workforce Innovation and Opportunity Act (WIOA) in a confidential manner with appropriate safeguards.

REFERENCES

Code of Federal Regulations 2 CFR 200.333-337
Code of Federal Regulations 29 CFR 38.41-45
Code of Federal Regulations 29 CFR 97.42
WIOA Sec. 185(a)

DEFINITIONS

Retention Period: The retention period for the records of each funding period starts on the day the grantee (State of Oregon) submits to the awarding agency (Department of Labor) its single or last expenditure report for that period.

Final Expenditure Report: Submitted with the annual settlement for the program year in which the final expenditures for the funding period are reported.

POLICY

Willamette Workforce Partnership (WWP) and any sub-recipient of WIOA funds will incorporate into their management systems the following procedures for the management of all WIOA records.

1. Retain all records and documents pertinent to participants, grant agreements, interagency agreements, contracts or any other award—including financial, statistical, or other pertinent records, and supporting documentation—for a period of at least three years after the original submittal by the State of Oregon Higher Education Coordinating Commission Office of Workforce Investments of the final expenditure report (closeout) for that funding period to the Federal Department of Labor, the awarding agency;

2. Retain all records of non-expendable personal property for a period of at least three years after final disposal of property;

3. Retain indirect cost records such as computations or proposals, cost allocation plans, and supporting documentation for three years from the date the indirect cost rate package is submitted for negotiation. If not submitted for negotiation, the three -year period identified in (1) above shall apply;

4. Retain all records pertinent to applicants, registrants, eligible applicants/registrants, participants, current employees, terminated employees, and applicants for employment for a period of not less than three years from the close of the applicant program year; or until program year participant records are called for by Willamette Workforce Partnership (WWP) to take into its possession. Such records must be maintained as a whole record system, and in a manner that ensures the confidentiality and safekeeping of records.

5. Retain records regarding complaints and action taken on the complaints for a period of not less than three years from the date of resolution of the complaint;

6. Retain all records beyond the required three years if any litigation or audit has begun or a claim is instituted involving the grant or agreement covered by the records. The records shall be retained until the litigation, audit or claim has been resolved or the required three years, whichever period is longer.

7. In the event that sub-recipients are unable to keep their records, Willamette Workforce Partnership (WWP) will take custody and be responsible for the maintenance and retention of the records of any fiscal agent or recipient.

8. No records addressed in this policy shall be disposed of without instruction from or approval by Willamette Workforce Partnership (WWP). Willamette Workforce Partnership (WWP) will provide instructions and timelines for disposing of records. Any records that are confidential in nature, including participant records, must be shredded, or similarly destroyed. Non-confidential records may be recycled. If there is any outstanding litigation or audit claim begun on records prior to termination of retention, the records will be retained until resolution of litigation or audit claim.

WILLAMETTE WORKFORCE PARTNERSHIP

PUBLIC RECORDS REQUESTS

Revised: March 1, 2018	Policy: A04

PURPOSE

This policy provides guidance to ensure that Willamette Workforce Partnership (WWP) and its sub-recipients handle all requests for public information in a manner that is consistent with and complies with the public records law, while maintaining the confidentiality of program applicants and participants.

REFERENCES

Code of Federal Regulations 29 CFR 97.42(f)
Freedom of Information Act (5.U.S.C. 552)
Oregon Administrative Rules 635-001-0301, 0311, 0321 and 0331
Oregon Revised Statutes Chapter 192

POLICY

Public records, except those exempt from disclosure, shall be made available upon request for review, and copies shall be provided at a fee reasonably calculated to reimburse Willamette Workforce Partnership (WWP) for the actual costs incurred in making the records available.

A person or organization may request to inspect or receive copies of public record or information from public records by mail, fax, or e-mail. The request must identify as specifically as possible the type of records, subject matter, approximate dates, names of persons involved and the number of copies requested. Requests must include the name, address and telephone number of the person requesting the public records. Requesters may indicate the format in which copies are desired, and any date by which the records are needed. Requests should be directed to:

Willamette Workforce Partnership
Attention: Public Records Request
626 High Street NE, Suite 305
Salem, OR 97301
Phone: (503) 581-1002
Fax: (503) 581-4999

Willamette Workforce Partnership (WWP) shall respond to the requestor in a timely manner after receipt of the request. The response will acknowledge the request, provide an estimated cost of meeting the request, give the expected date when the information will be available, and state the method for supplying the requested records.

Payment for the cost of meeting the request must be paid prior to the release of the records.

WILLAMETTE WORKFORCE PARTNERSHIP

MONITORING

Revised: July 1, 2021	Policy: A05

PURPOSE

The purpose of this policy is to outline procedures Willamette Workforce Partnership (WWP) will use to conduct monitoring of sub-recipients and contractors to ensure compliance of programs receiving Workforce Innovation and Opportunity Act (WIOA) funding.

REFERENCES

Code of Federal Regulations 29 CFR 683.410
WIOA Sec. 183

POLICY

Willamette Workforce Partnership (WWP) will conduct annual monitoring of each sub-recipient and contractor to ensure compliance with WIOA and Willamette Workforce Partnership (WWP) rules and regulations. This monitoring will consist of an on-site review and desk audit. A final report of all sub-recipient monitoring will be provided to the Willamette Workforce Partnership Board annually.

PROCEDURE

Willamette Workforce Partnership (WWP) will contact sub-recipients and contractors approximately one month before the visit to establish the date and time that the on-site monitoring will take place. During the 30 days, sub-recipients and contractors will be asked to respond to the monitoring guide. Concurrently, Willamette Workforce Partnership (WWP) will conduct a desk audit including contract scope of work, budget activity and participant data.

On-Site Visit: Upon initiation of the on-site review, Willamette Workforce Partnership (WWP) will conduct an entrance conference with the appropriate personnel to convey the focus of the visit and go over specific tasks to be completed during the visit. A tour of the site will be conducted to assess the suitability of the facility as it relates to, health and safety, accessibility for the disabled, comfort, adequacy of training equipment and materials, and any other issues affecting programmatic compliance.

During the on-site visit, documentation to be reviewed may include, but not be limited to, administrative records, contract files, financial records, and participant files. Interviews may be conducted with program provider staff, participants and employers to obtain information about program administration, operations, and the quality and effectiveness of training.

The review will determine contractual compliance and any area(s) of non-performance.

WILLAMETTE WORKFORCE PARTNERSHIP

MONITORING

Revised: July 1, 2021	Policy: A05

Willamette Workforce Partnership (WWP) will conduct an exit conference with the program administrator and fiscal manager to discuss monitoring results, identify any required corrective actions, and offer technical assistance.

Monitoring Report: A final monitoring report will be provided within 30 calendar days after completion of the review. Sub-recipients and contractors will have 30 days to respond or appeal any area of the report. Willamette Workforce Partnership (WWP) Executive Director will issue a final decision on the appeal, in writing, to the sub-recipient or contractor.

The Willamette Workforce Partnership (WWP) may also issue corrective action plans as a result of monitoring results. Timelines and parameters for compliance with corrective action will be spelled out in corrective action documents, which may be separate from the final monitoring report.

WILLAMETTE WORKFORCE PARTNERSHIP

PROTECTION OF CONFIDENTIAL INFORMATION AND DATA

Revised: May 17, 2018	Policy: A06

PURPOSE

To establish guidelines and instruction for sub-recipients, one-stop centers. and WorkSource Oregon partners related to the protection of confidential job seeker, employer and wage information, in carrying out official duties for the workforce system.

REFERENCES

Code of Federal Regulation 2 CFR 200.79
Oregon Administrative Rule 471-010-0105
Oregon Administrative Rule 589-020.0320
Oregon Administrative Rule 589-020-0330
Oregon Revised Statutes §162.425
Oregon Revised Statutes §676.17
Oregon Revised Statutes §192.001
Oregon Revised Statutes §657.665
Oregon Revised Statutes. §660.339
Training and Employment Guidance Letter (TEGL) 39·11

BACKGROUND

Personally Identifiable Information (PII): The Office of Management and Budget (OMB) defines PII as information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal identifying information that is linked or linkable to a specific individual. Any information that if disclosed could result in harm to the individual whose name or identity is linked to that information. Examples of protected PII include but are not limited to social security numbers (SSN), credit cards numbers, bank account numbers, ages, birthdates, medical history, financial history and computer passwords.

As an important and inherent part of the services provided to customers, sub-recipients and WorkSource staff must necessarily collect a wide variety of PII from customers. While the information collected as a matter of routine is often critical to effectively serving customers and providing the best possible services, the collection of protected PII also brings with it a statutory responsibility to safeguard customers' protected PII form unauthorized use or disclosure.

Maintaining confidential records is important for obvious reasons to the individual, including the prevention of identity theft. Protecting the confidentiality of customer information accessed by staff in carrying out official functions of the workforce system, is imperative to its overall integrity. Policies and procedures regarding confidentiality and data access must ensure that all necessary and legally permissible data are available to all staff and partner staff who are legally authorized to make use of the data in the discharge of their official duties. All data included in Oregon workforce and employment Management Information Systems (MIS) databases, as well as other information data sources available through other partners, such as the Department of Human Services (DHS), community colleges, etc. are subject to the requirements of these confidentiality statutes. Particular care must be taken to assure that the information and data

accessible through the MIS system as well as other data and information sources accessible by providers and staff is protected and used appropriately. Although an employee may be authorized to access confidential data, the employee may access the data only in connection with the performance of his/her official duties.

POLICY

As used in this policy the term confidential refers to entire record systems, specific records or individually identifiable data that are not subject to public disclosure under Oregon Revised Statutes 192, Records, Public Records and meetings. When applicable, confidentiality covers all documents, papers, hard copy participant files, computer files, letters and all other notations of records or data that are designated by law as confidential.

Documents that contain protected PII (participant or family members) social security numbers, driver's license, birth certificates, I-9 documents, TANF, etc., must be stored in a confidential, locked file cabinet which is only accessible by appropriate staff. Computers that have access to customer data should be locked when not in use and anytime a staff person is away from their workstation.

Given the integration and merging of services within the WorkSource Oregon Centers, confidential information that is received by one WorkSource Oregon partner from another partner agency retains its confidentiality unless otherwise provided by law. The requirement of the program that provides the information shall apply.

In Oregon, the initial participant's electronic information data is stored in WorkSource Oregon Management Information System (WOMIS) on servers maintained by Oregon Employment Department (OED) and administered under the rules of the Oregon Department of Administrative Services (DAS) WIOA participant's electronic information is kept secure on the I-Trac data servers and administered by Worksystems Inc.

WILLAMETTE WORKFORCE PARTNERSHIP

BOARD MEMBERSHIP

Revised: October 2, 2018	Policy: A07

PURPOSE

The purpose of this policy is to outline criteria and processes for Workforce Board Member appointment and Board Member expectations in compliance with federal and state laws, regulations, policies, and guidance.

REFERENCES

WIOA Sec. 107
OWTDB Policy 107(b)

POLICY

BOARD COMPOSITION AND APPOINTMENT

The Mid-Willamette Jobs Council (MWJC), a consortium of county commissioners from Linn, Marion, Polk and Yamhill Counties as established by an intergovernmental agreement, serve as the local elected officials (LEO) for the workforce region comprised of the four counties. The MWJC appoints a chair from among their membership to act as the chief local elected official (CLEO). The MWJC appoints members to the Willamette Workforce Partnership (WWP) Board in accordance with the Workforce Innovation and Opportunity Act (WIOA) and State of Oregon Workforce and Talent Development Board policies to be the visionary driver of workforce development in the local area.

WWP Board members shall have the qualifications for membership consistent with the requirements of WIOA as supplemented by any qualifications for board membership established by the governor in partnership with the State of Oregon Workforce and Talent Development Board. The composition and makeup of the WWP Board shall comply with federal and state regulations and directives under WIOA.

The Members of the WWP Board shall be appointed by the MWJC, in accordance with the appointment procedures as set by WIOA and its implementing regulations.

WWP Board members fall into three categories as defined in the WIOA: a representative of business, a representative of workforce (includes labor and community-based organizations), and a representative of education and training. Workforce Board members may be appointed as a representative of more than one entity if the individual meets all the criteria for representation, including the criteria described in WIOA for each entity. WWP Board members will be appointed as necessary to maintain the appropriate balance of membership as outlined in WIOA and State Workforce Board policy.

The WWP Board shall have an Executive Committee whose membership shall consist of at a minimum the WWP Board officers, and one commissioner from each of the four counties. The CLEO shall be one of the four commissioners on the Executive Committee. The Executive Committee is designated by the full WWP Board to conduct business on behalf of the entire board when time does not permit full board action.

NOMINATION AND APPLICATION PROCESS

Prospective members are appointed as follows:

- Business Representatives are appointed from among individuals nominated by local business organizations and trade associations.
- Labor Representatives are appointed from individuals nominated by local labor organizations.
- The Higher Education Representative is appointed from nominations submitted by the institutions of higher education within the workforce region.
- The Adult Education and Literacy Representative is appointed from nominations submitted by local providers of those services.

BOARD MEMBER TERMS, REMOVALS, AND VACANCIES

Workforce Board members serve renewable three-year terms from the date of appointment. Three-year terms are staggered amongst board members. Workforce Board members who no longer hold the position or status that made them eligible for workforce board membership must resign with written letter or email to the WWP Executive Director or be removed by the MWJC immediately as a representative of that entity. WWP Board members must be removed by the MWJC if any of the following occurs:

- Documented violation of Code of Conduct;
- Documented proof of fraud and/or abuse; and
- Other factors as outlined in the WWP By-Laws

Any vacancy occurring during the terms shall be filled as soon as possible by the MWJC.

WILLAMETTE WORKFORCE
PARTNERSHIP

CONFLICT OF INTEREST

Revised: May 21, 2020	Policy: A08

This policy and its basic format are required by the Internal Revenue Service of all non-profits to maintain their tax-exempt status.

ARTICLE I – PURPOSES

It is important that all Willamette Workforce Partnership (WWP) board officers, directors, and committee members; members of the consortium of elected officials; and WWP employees; are aware that both real and apparent conflicts of interest or dualities of interest sometimes occur in the course of conducting the affairs of the corporation, and that the appearance of conflict can be troublesome even if there is in fact no conflict whatsoever. Conflicts occur because the many persons associated with the corporation should be expected to have, and do in fact generally have multiple interests and affiliations and various positions of responsibility within the community. In these situations, a person will sometimes owe identical duties of loyalty to two or more entities. The purpose of the conflict of interest policy is to protect the corporation's tax-exempt interest when it is contemplating entering into a transaction or agreement that might benefit the private interest of an officer, director or staff member of the corporation or might result in a possible excess benefit transaction. The policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Conflicts are undesirable because they potentially or eventually place the interests of others ahead of the corporation's obligations to its charitable purposes and to the public interest. Conflicts are also undesirable because they often reflect adversely upon the person involved and upon the institutions with which they are affiliated, regardless of the actual facts or motivations of the parties. However, the long-range best interests of the corporation do not require the termination of all association with persons who may have real or apparent conflicts that are harmless to all individuals or entities involved.

Each member of the board of directors and its committees, members of the consortium, and employees of the corporation has a duty of loyalty to the corporation. The duty of loyalty generally requires these groups to prefer the interests of the corporation to the interests of themselves or others. In addition, these groups shall avoid acts of self-dealing which may adversely affect the tax-exempt status of the corporation or cause there to arise any sanction or penalty by a governmental authority.

ARTICLE II – DEFINITIONS

Interested Person

Any board director, officer, member of a committee, any member of the consortium, or any employee of the corporation, who has a direct or indirect financial interest, as defined below, is an interested person.

Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

(a) An ownership or investment interest in any entity with which the corporation has a transaction or agreement,
(b) A compensation arrangement with the corporation or with any entity or individual with which the corporation has a transaction or agreement, or
(c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the corporation is negotiating a transaction of arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

ARTICLE III – PROCEDURES

3.1 Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with the governing board delegated powers considering the proposed transaction or arrangement.

3.2 Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon, the remaining board or committee members shall decide if a conflict of interest exists.

3.3 Procedures for Addressing the Conflict of Interest

(a) An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the conflict of interest.
(b) The chairperson of the governing board or committee, if appropriate, shall appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(c) After exercising due diligence, the governing board or committee shall determine whether the corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
(d) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the corporation's best interest, or its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

3.4 Violations of the Conflict of Interest Policy

(a) If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
(b) If after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose as actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

ARTICLE IV – RECORDS OF PROCEEDINGS

4.1 Minutes
The minutes of the governing board and all committees with board-delegated powers shall contain:

(a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
(b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

ARTICLE V – COMPENSATION

5.1 A voting member of the governing board, its committees or the consortium who receives compensation, directly or indirectly, from the corporation for services is precluded from voting on matters pertaining to that member's compensation.
5.2 A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the corporation for services is precluded from voting on matters pertaining to that member's compensation.
5.3 No voting member of the governing board, its committees or the consortium whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

ARTICLE VI – ANNUAL STATEMENTS

Each board director, officer, committee member, consortium member and employee shall annually sign a statement which affirms such person:

(a) Has received a copy of the conflict of interest policy.
(b) Has read and understands the policy.
(c) Has agreed to comply with the policy.
(d) Understands that the corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

ARTICLE VII – PERIODIC REVIEWS

To ensure the corporation operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall at a minimum, include the following subjects:

(a) Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
(b) Whether partnerships, joint ventures, and arrangements with management corporations conform to the corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

ARTICLE VIII – USE OF OUTSIDE EXPERTS

When conducting the periodic reviews as provided in Article VII, the corporation may, but need not, use outside advisers. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

WILLAMETTE WORKFORCE PARTNERSHIP

INCIDENT REPORTING

Revised: July 10, 2024	Policy: A09

PURPOSE

This policy provides guidance and procedures under which Willamette Workforce Partnership (WWP) and its sub-recipients in reporting instances of suspected fraud, program abuse, and criminal conduct. It aims to ensure compliance with federal regulations and the directives outlined in the Training and Employment Guidance Letter (TEGL) 15-23, thereby promoting the integrity and accountability of WIOA-funded activities. This policy also provides protections against retaliation for individuals reporting such incidents in good faith and outlines the processes for documenting and reporting to the Office of Inspector General (OIG) and the Employment and Training Administration (ETA).

REFERENCES

Code of Federal Regulations 20 CFR 683.600; 620
Training and Education Guidance Letter (TEGL) 15-23

DEFINITIONS

Emergency: A situation involving imminent health or safety concerns or the imminent loss of funds exceeding $50,000.

Employee/Participant Misconduct: Actions occurring during or outside work hours that reflect negatively on the U.S. Department of Labor (Department) or its mission including, but not limited to: conflict of interest or the appearance of conflict of interest involving outside employment, business and professional activities; the receipt or giving of gifts, fees, entertainment, and favors; misuse of Federal property; and misuse of official information and such other activities as might adversely affect the confidence of the public in the integrity of the government (See 29 CFR Part 0; 5 CFR Parts 2635 and 5201), as well as serious violations of Federal and state law.

Fraud, Misfeasance, Nonfeasance, or Malfeasance: Any alleged deliberate action or inaction which may be in violation of Federal statutes and regulations. This category includes, but is not limited to, indications of bribery, forgery, extortion, embezzlement, theft of participant checks, kickbacks from participants or contractors, intentional payments to a contractor without the expectation of receiving services, payments to ghost (fake) enrollees, misuse of appropriated funds, and misrepresenting information in official reports.

Gross Mismanagement: Actions or situations arising out of management ineptitude or oversight and leading to a major violation of statutory (such as Workforce Innovation and Opportunity Act) processes, regulations, or contract/grant provisions. Such actions or situations have the potential to severely hamper accomplishment of program goals, waste government resources, and jeopardize future support for a particular program/project.

This category includes, but is not limited to, unauditable records, unsupported costs, highly inaccurate fiscal reports or program reports, payroll discrepancies, payroll deductions not paid to the Internal Revenue Service, and lack of good internal control procedures.

Incident Referrals: When the OIG receives an incident report from any source, the OIG determines whether the allegations have merit and, when appropriate, conducts or arranges for an investigation and/or audit. However, in instances where the OIG determines that the incident report does not have investigative or audit merit, the incident report is referred to ETA for resolution. In these instances, depending on the circumstances, ETA will either forward the incident report to the recipient to research and report back, or ETA will work with the recipient to analyze and report on the incident. When an incident report is referred to a recipient, the recipient must prioritize this activity, so ETA can report the resolution to the OIG in a timely manner.

Misapplication of Funds: Any alleged deliberate use of funds, assets or property not authorized or provided for by legislation or regulations, grants, or contracts. This category includes not limited to, nepotism, political patronage, use of participants for political activity, ineligible enrollees, conflicts of interest, failure to report income from Federal funds, violation of contract/grant procedures, and the use of Federal funds for other than specified purposes. An incident report should be filed when there appears to be an intent to misapply funds rather than merely for a case of minor mismanagement.

POLICY

This policy aligns with the directives outlined in TEGL 15-23 and requires dual reporting to both the Office of Inspector General (OIG) and the Employment and Training Administration (ETA). Maintenance of internal procedures regarding criminal fraud, abuse, waste, or other criminal activity will be monitored annually to ensure ongoing compliance and timely updates.

Sub-recipients must report allegations of fraud, waste, and abuse, as well as criminal and other illegal or improper activities in ETA-funded grant programs and operations to the OIG via the OIG Hotline Portal (https://www.oig.dol.gov/hotline.htm). Additionally, sub-recipients must send screenshots or photos of the OIG report to ETA via email at ETAIncidentReporting@dol.gov, with the subject line: “ETA Incident Report – [Oregon].” This dual reporting requirement ensures that both the OIG and ETA are promptly informed of any incidents.

In situations involving imminent health or safety concerns or the imminent loss of funds exceeding $50,000, sub-recipients must report the incident within one working day by telephone to the OIG Hotline at 1-800-347-3756 or 202-693-6999 and follow up

immediately thereafter with a written incident report. No action, including retaliation, will be taken against any individual who discloses information concerning criminal or improper activities or makes a good faith complaint to proper authorities. Individuals reporting incidents may remain anonymous if they choose, and their anonymity must be protected.

PROCEDURES

To comply with this policy, WWP and our sub-recipients must follow these procedures. To report an incident to the OIG, you must complete the relevant fields in the OIG Hotline Portal https://www.oig.dol.gov/hotline.htm. At each submission page, you are required to take screenshots or photos of each step (Your Information, Alleged Violator Information, and Allegation Information) before final submission.

Once you have submitted your form, WWP and our sub-recipients must report the same incidents to ETA by sending the screenshots or photos taken during the OIG report submission process to ETA via email at ETAIncidentReporting@dol.gov. The subject line of the email should read: “ETA Incident Report – [Oregon].” If personal information such as Social Security Numbers (SSNs) was provided to the OIG, it must be redacted before sending the email to ETA.

WILLAMETTE WORKFORCE PARTNERSHIP

TRAVEL & EXPENSE REIMBURSEMENT

Revised: March 1, 2018	Policy: F01

PURPOSE

The policy clarifies allowable travel and business expenses and the process of applying for reimbursement.

REFERENCES

Code of Federal Regulations 2 CFR 200.474

DEFINITIONS

- **Mileage:** Mileage is reimbursed at the federally approved rate. The federally approved rate can be found at www.gsa.gov.
- **Travel Status:** An individual is on travel status from the time they start from, and return to, their assigned work location. The assigned work location can be a physical location or a geographical location.
- **Per Diem:** Per Diem for lodging, meals and incidental expenses will be paid at applicable federal rates as posted at www.gsa.gov.
- **Meal Per Diem:** The per diem meal allowance is a fixed amount and not a reimbursement *of actual costs.*

POLICY

Willamette Workforce Partnership (WWP) funds should be used whenever possible to cover travel and other business-related expenses. In instances when this is not a viable option, employees and board members may be reimbursed as prescribed above. Prior supervisor approval is required for reimbursements of lodging and air travel.

Employees and Board Members will complete and submit a Travel & Expense Report signed by their supervisor to receive reimbursement.

When staff is required to travel overnight, a per diem may apply for each night spent away from home. Staff should not provide receipts for per diem. Per diem may be paid in advance of travel.

Receipts are not required for meals if claiming per diem with overnight travel. Meals for overnight travel are based on where lodging takes place. Meals that are provided (for example, at a conference) will be subtracted from the daily per diem. For the purpose of calculating adjustments to per meal per diem the following percentages will be used:

Breakfast equals 25% of the allowed daily meal per diem;
Lunch equals 25% of the allowed daily meal per diem;
Dinner equals 50% of the allowed daily meal per diem.

Meal allowances when there is no overnight stay are taxable income to the traveler. A meal per diem is permitted under the following conditions during non-overnight travel, within or outside of

Oregon.

Breakfast – Staff must be on travel status for two hours or more before the beginning of their scheduled shift to receive breakfast allowance.

Lunch – No allowance is provided for lunch during non-overnight travel unless the employee is attending an official business meeting and the meal is an agenda item, that is not included in the fee, and the cost and choice of having the meal were beyond the control of the employee. A receipt is required.

Dinner – Staff must be on travel status for two hours or more beyond the end of their scheduled work shift to receive a dinner allowance.

If airline travel is required, all staff will fly coach class unless the difference is paid with the traveler's personal funds. Fees incurred for baggage that would be appropriate for the length of stay will be reimbursable.

Reimbursement: All expenses in excess of $25.00 each must be supported by a receipt.

Local travel for official purposes is reimbursable, and shall begin and end at the assigned work location. Travel must be the most direct route. Travel from an employee's home to and from the employee's assigned work location is not reimbursable.

Expense items not reimbursable under this policy:

- Parking tickets or other fines
- Delinquency fees or finance charges for personal credit cards
- Excess baggage charges
- Expenses for travel incurred by companions or family members
- Expenses related to vacation or personal days while on a business trip
- Loss / Theft of personal funds or property or lost baggage
- Avoidable "No-Show" charges for hotel or car service
- Non-compulsory insurance coverage
- Rental car upgrades
- Repairs due to accidents
- Mini-bar charges

WILLAMETTE WORKFORCE PARTNERSHIP

DEBT COLLECTION

Revised: March 1, 2018	Policy: F02

PURPOSE

This policy sets forth procedures for collection of any debt due and owed to Willamette Workforce Partnership (WWP). It establishes procedures for the recovery of unallowable and disallowed expenditures under the Workforce Innovation and Opportunity Act (WIOA) or other grants to help ensure that all funds administered by Willamette Workforce Partnership (WWP) are properly accounted for, and whenever feasible, recoverable.

REFERENCES

Code of Federal Regulations 2 CFR 200.426 & 200.428
WIOA Sec. 184

POLICY

Once it has been determined that a debt is owed to Willamette Workforce Partnership (WWP) by any sub-recipient or contractor, the following procedures will be followed:

Notification Process

If the debt lies with a sub-recipient or contractor, the sub-recipient or contractor will initiate collection procedures using their internal debt collection processes. Should the sub-recipient or contractor be unsuccessful in recovering the debt from their subcontractor after using their own internal processes, they may forward documentation and a request for assistance to Willamette Workforce Partnership (WWP). Assistance from Willamette Workforce Partnership (WWP) does not relieve the sub-recipient or contractor from liability of debt.

Once Willamette Workforce Partnership (WWP) is asked for assistance, Willamette Workforce Partnership (WWP) may send up to three debt collection letters to the sub-recipient at no less than 30 calendar day intervals, or until the debt is collected. The debt collection letters will be sent Certified Mail-Return Receipt Requested. If the sub-recipient grieves the existence of a debt, it will be encouraged to seek legal advice.

The first and second (which shall be more strongly worded than the first) collection letters will include the following:

- Amount of the debt
- Basis for the debt
- Date debt will be considered delinquent
- Interest Rate to be charged after the delinquency date
- Administrative Appeal Rights of the debtor

The third collection letter will include the same information as the first two letters and will also indicate Willamette Workforce Partnership (WWP) intention to impose one or more of the following sanctions:

Withholding payments due the sub-recipient or contractor;

- Initiation of litigation against the sub-recipient or contractor;
- Withholding of future funding
- Termination of current agreements
- Initiation of debarment

If the debt is due to an unallowable/disallowed cost by sub-recipient or contractor, the sub-recipient or contractor shall be notified in writing of the existence and the basis of the debt. The same Willamette Workforce Partnership (WWP) procedures explained above will apply to debt collection from sub-recipient or contractor.

Debt Settlement
In the event sub-recipient or contractor desires to compromise and settle the debt for less than the full amount, Willamette Workforce Partnership (WWP) shall make a determination as to whether or not the compromise is in its best interests. In making that determination Willamette Workforce Partnership (WWP) shall consider the following factors:

- Amount of the debt
- Possible repayment methods
- Debtor's repayment history to date
- Debtor's ability to satisfy the terms of the compromise
- Cost of further debt collection proceedings
- Probable success of any litigation

Prior to any debt being compromised or terminated, an approval will be obtained from the appropriate governmental authorities with oversight of the affected funds.

Litigation of Debt
Willamette Workforce Partnership (WWP) shall seek legal counsel to determine if litigation is in its best interests. If, after considering the probable success of litigation, Willamette Workforce Partnership (WWP) determines to proceed, legal counsel will be retained to carry out the litigation. If, after consultation, it is determined that litigation is not in the best interests of Willamette Workforce Partnership (WWP), a request for waiver may be submitted to the proper authority for any disallowed cost.

Record of Debt Collection Process
Willamette Workforce Partnership (WWP) must maintain a record of all actions taken during the collection process, including any supporting documentation. These records shall include any information supporting the outcome of any decisions made regarding courses of action during the collection process.

WILLAMETTE WORKFORCE
PARTNERSHIP

PROCUREMENT

Revised: April 17, 2022	Policy: F03

PURPOSE

The purpose of this policy is to guide on the procurement of goods and services by Willamette Workforce Partnership (WWP). This policy is intended to supplement but not replace any applicable federal and state laws governing the procurement of goods and services.

REFERENCES

Code of Federal Regulations 2 CFR 200.317-326
Code of Federal Regulations 2 CFR 200.67
Code of Federal Regulations 48 CFR 2.1

POLICY

Procurements are to be made using the following methods related to the total anticipated cost of the acquisition. Value is defined as the one-time cost of a single item or service procurement or the annual cost of the same contracted services.

Willamette Workforce Partnership (WWP) procurements will:

- Use the appropriate competitive selection process as outlined in the Methods of Procurement contained in this policy, to ensure maximum open and free competition.
- Provide documentation of any cost/benefit, lease vs. purchase, or other analysis applicable to the selection process.
- Contain clear and accurate written descriptions of the requirements for the goods and services to be procured.
- Provide the criteria to be used in the selection process.

PROCEDURE

Methods of Procurement

The amounts that are listed below refer to the purchase of a single item or service. Multiple purchases of the same things or services within a fiscal year are taken in the aggregate to determine the method of procurement.

Micro-Purchases:

Procurement of goods or services within the Federal Micro-Purchase Threshold (currently $10,000) may be awarded in any manner deemed practical and expedient, and by following with applicable procurement procedures. Recurring purchase of small items such as office supplies may be procured on an annual basis. This method is not intended to eliminate competitiveness, but rather to expedite the purchasing process to minimize the associated administrative burden and cost.

Simplified Acquisitions:

Procurement of goods or services greater than the Federal Micro-Purchase Threshold and less than the Federal Simplified Acquisition Threshold (currently $250,000) generally require at least three informally solicited competitive price quotes from three providers or vendors or a cost/benefit analysis of the products or services to be purchased. A written record of the three quotes or the cost/benefit analysis must be on file. In situations where the goods or services are only provided by one vendor or a specific need, fulfillment is required, a sole source justification statement must accompany the procurement, and a cost/benefit analysis must be completed.

Large Purchases:

Procurement of goods or services greater than the Federal Simplified Acquisition Threshold, require a formal procurement process. A formal procurement process is a public process that solicits proposals or bids from potential contractors and utilizes an official evaluation and selection process. All Large Purchases also require board approval.

WILLAMETTE WORKFORCE
PARTNERSHIP

EQUIPMENT & SUPPLIES MANAGEMENT

Revised: July 1, 2026	Policy: F04

PURPOSE

This policy provides guidance for the management, control, transfer, and safeguarding of property procured using Workforce Innovation and Opportunity Act (WIOA) or other granted funds, by Willamette Workforce Partnership (WWP), and its sub-recipients. This policy is intended to supplement but not replace any applicable federal and state laws and regulations governing the management of property purchased with WIOA or other granted funds.

REFERENCE

Code of Federal Regulations 2 CFR 200.310 – 316

DEFINITIONS

- **Real Property**: Land, buildings and building improvements.
- **Renovations/Rearrangements:** Repairs, alterations and capital improvements to real property.
- **Equipment:** Tangible, non-expendable personal property having a useful life of more than one year and an acquisition cost, or depreciable value at the acquisition of $10,000 or more.
- **Fixed Assets:** Real property or equipment with an acquisition cost or depreciable value of $10,000 or more.
- **Materials & Supplies:** All tangible personal property other than real property, renovations/rearrangements, and equipment.
- **Personal Property**: Tangible non-expendable personal property having a useful life of more than one year and an aggregate or acquisition cost of less than $10,000.

POLICY

Sub-recipients will maintain a detailed listing of all items of personal property, equipment, and renovations. It should include all purchases made in part or entirely with WIOA or other granted funds. At a minimum, the listing must consist of the item description, serial number if applicable, location of the item, date of purchase, and purchase price.

Purchases of fixed assets and all renovations, alterations and capital improvements to real property shall appear as separate line items in proposals and budgets. These purchases must be pre-approved by the state agency overseeing Title I fund distribution and Willamette Workforce Partnership (WWP). Pre-approval requests are to be routed through Willamette Workforce Partnership (WWP) during the proposal, budget or budget modification process.

Those in possession of property covered under this policy must ensure adequate safeguards to prevent loss, damage or theft of property. Any loss, damage or theft of property covered under this policy shall be investigated, fully documented, and immediately reported to Willamette Workforce Partnership (WWP). In the case of possible theft, a copy of the report made to local law enforcement authorities must also be provided. Sub-recipients must maintain adequate maintenance procedures to keep property in good working condition.

Sub-recipients must notify Willamette Workforce Partnership (WWP) before the disposal or relocation from one address to another of any property covered under this policy. All Fixed Assets and supply inventories with an aggregate market value higher than $10,000 must be disposed of by following the federal standards for the disposition of property purchased with WIOA or other granted funds.

On an annual basis, and or at grant closeout, Willamette Workforce Partnership (WWP) will conduct a physical inventory of personal property, equipment and renovations/rearrangements purchased with WIOA or other granted funds.

Personal property includes, but is not limited to desks, chairs, tables, file cabinets, and other items of furniture; computers (with keyboard and mouse), laptops, servers, monitors, printers, copiers, fax machines, calculators, and other electronic devices; telephones and phone systems, cell phones, personal digital devices, and other similar communication devices; any other item which is not expendable and has a useful life on more than one year. Small desktop items such as staplers, hole punches, tape dispensers, and inboxes are not considered personal property.

Property records maintained by Willamette Workforce Partnership (WWP) will include description, serial number or other ID number, funding source including (Federal Award Identification Number) FAIN, title holder, acquisition date, cost, percentage of federal participation, location, use and condition, and disposition information including disposal date and sale price.

WILLAMETTE WORKFORCE
PARTNERSHIP

AUDIT REQUIREMENTS & RESOLUTION

Revised: January 1, 2026	Policy: F05

PURPOSE

This policy provides audit requirements and procedures for the resolution of audit or review findings. The audit requirements and resolution procedures apply to Willamette Workforce Partnership (WWP) and all its sub-recipients.

REFERENCES

Code of Federal Regulations 2 CFR 200.501

POLICY

Non-federal entities receiving awards of federal funds of $1,000,000 or more from all federal sources combined during its fiscal year must have a single audit conducted by following the Scope of Audit requirements described in Uniform Grant Guidance 2CFR Part 200.514. Willamette Workforce Partnership (WWP) will ensure adherence to this requirement for Willamette Workforce Partnership (WWP) and its sub-recipients.

Willamette Workforce Partnership (WWP) will review audit reports of sub-recipients to ensure compliance with federal and state requirements. Reviews may be conducted as part of program monitoring.

The auditee is responsible for follow-up, corrective action, and resolution of all audit findings or questioned costs.

WILLAMETTE WORKFORCE
PARTNERSHIP

Additional Funding

Revised: March 28, 2019	Policy: F06

PURPOSE

The purpose of this policy is to establish criteria for Willamette Workforce Partnership to implement and execute workforce activities using funding sources outside of the Workforce Innovation and Opportunity Act (WIOA).

POLICY

Willamette Workforce Partnership may utilize other funding sources outside of Adult, Dislocated Worker, and or Youth federal funds to provide workforce activities for the region. When accessing other funding sources, policies and criteria for Adult, Dislocated Worker, or Youth federal funding will not be applicable. During times when participants co-enroll into an Adult, Dislocated Worker, or Youth funded program, Willamette Workforce Partnership and sub-recipients must adhere to relevant Adult, Dislocated Worker, and or Youth funding policies, restrictions, and criteria.

If Willamette Workforce Partnership utilizes non-Adult, Dislocated Worker or Youth funding, and does not co-enroll participants into an Adult, Dislocated Worker or Youth program, all activities must follow the criteria and requirements indicated in the funding source's contract language. This includes record maintenance, participant eligibility, and other restrictions or limits.

WILLAMETTE WORKFORCE
PARTNERSHIP

OUTREACH, MARKETING, AND PUBLIC RELATIONS

Revised: November 16, 2023	Policy: F07

PURPOSE

The purpose of this policy is to establish criteria for Willamette Workforce Partnership and its sub-recipients to utilize the Workforce Innovation and Opportunity Act (WIOA) and other competitive grant funds from the Department of Labor for the purposes of effectively conducting outreach to meet the needs of and better engage businesses and job seekers.

REFERENCES

Code of Federal Regulations 2 CFR part 200.400-476
Code of Federal Regulations 29 CFR 38.38
Code of Federal Regulations 29 CFR 38.40
Code of Federal Regulations 20 CFR 678.900
Training and Employment Guidance Letter 03-23

DEFINITIONS

Advertising: The use of various media strategies, including print, electronic, digital, radio, and social media, to promote federally funded activities, services, and programs, including the procurement of goods and services for the performance of the federally funded award. Advertising activities aim to engage and inform potential beneficiaries, partners, businesses, and stakeholders.

Marketing: The strategic promotion and advertising of federally funded programs and services to increase awareness and participation.

Outreach: Activities designed to engage and inform potential beneficiaries, partners, businesses, and/or stakeholders about services, programs, or opportunities available under WIOA or other competitive grant funded programs.

Public Relations: Activities aimed at maintaining or enhancing the image of an organization and fostering understanding and favorable relations with the community or public at large.

Reasonableness: A criterion for evaluating the appropriateness of costs associated with advertising, marketing, or outreach activities. It involves assessing whether a prudent person would use federal funds for the activity, whether internal controls such as MOUs, policies, or agreements outline the activity and its limits, whether the federally funded grant benefits from the cost, and if so, whether the costs are properly allocated based on the benefit received.

POLICY

Willamette Workforce Partnership (WWP) and its sub-recipients are permitted to use WIOA funds and other competitive grant funds from the Department of Labor for advertising, outreach, marketing, and public relations activities aimed at engaging businesses, potential beneficiaries, partners, and other stakeholders for workforce development services. WWP will make meaningful efforts to ensure that outreach activities and/or materials are inclusive to the community we serve and that all activities are reasonable in nature and align with federal

guidelines. Purchases made for advertising, marketing, or outreach must be reasonable and meet the needs of its customers to fulfill the grant obligations of WIOA or other grant-funded recipients. This includes conducting outreach activities, such as attending local fairs, creating and distributing educational materials, public relations activities, such as personnel costs for liaising with news media and other stakeholders for public information purposes, and advertising activities, such as promoting programs and services through radio and social media.

Restrictions

Activities not aligned with federal guidelines may not be used for outreach, marketing, or public relations if the activity is funded with Department of Labor funds. This includes using funds for marketing that is solely for promoting WWP's or the sub-recipients' names or images. Additionally, unallowable costs encompass any advertising or public relations expenses not directly related to the Federal award, costs of special facilities and displays at unrelated events, salaries for employees engaged in these unrelated activities, and costs of promotional items like gifts and souvenirs.

WILLAMETTE WORKFORCE PARTNERSHIP

YOUTH SERVICES ELIGIBILITY

Revised: October 13, 2025	Policy: P01

PURPOSE

The purpose of this policy is to address the registration of youth participants into Workforce Innovation and Opportunity Act (WIOA) programs to ensure that only eligible individuals are served with WIOA youth funds in compliance with federal and state laws, regulations, policies, and guidance.

REFERENCES

Code of Federal Regulations 20 CFR 675.300
Code of Federal Regulations 20 CFR 681.210, 681.220, 681.230, 681.240, 681.250, 681.260, 681.270, 681.280, 681.290, 681.300, 681.310, 681.320
Section 3 of Americans with Disabilities Act of 1990
Section 41403 (6) of Violence Against Women Act of 1994
Training and Employment Guidance Letter (TEGL) 21-16, Change 1
Training and Employment Guidance Letter (TEGL) 10-23, Change 2
WIOA Sec. 129 (a)(1)(b)(ii)-(iii); Sec. 129 (a) (1)(c)(iv);
WIOA Sec. 3 (36)(b); Sec. 3 (36)(A)(ii)

DEFINITIONS

Basic Skills Deficient: Defined as:

- A youth that the individual has English reading, writing, or computing skills at or below the 8th-grade level on a generally accepted standardized test or
- who is unable to compute or solve problems or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society.

Family: Two or more persons related by blood, marriage, or decree of the court who are living in a single residence and are included in one or more of the following: A married couple and dependent children; a parent or guardian and dependent children; a married couple.

Homeless individual: An individual who lacks a fixed, regular, and adequate nighttime residence and includes individuals who share the housing of other persons due to loss of housing, economic hardship, or a similar reason, a homeless child or youth as defined in McKinney-Vento Homeless Assistance Act or a runaway.

Lower Living Standard Income Level (LLSIL): The income level (adjusted for regional, metropolitan, urban and rural differences and family size) is determined annually by the Secretary of Labor and based on the most recent lower living family budget issued by the Secretary.

Low-Income Individual: Defined as:
An individual who receives or has received in the past six (6) months, or is a member of a family that is receiving or has received in the past six (6) months, assistance through: The Supplemental Nutrition Assistance Program (SNAP); Temporary Assistance for Needy Families (TANF) programs; The Supplemental Security Income (SSI) program; or State or local income-based public assistance.

- Is in a family with total family income that does not exceed the higher of:
  - The poverty line/Lower Living Standard (LLS); or
  - 70 percent of the Lower Living Standard Income Level (LLSIL).
- Is a homeless individual, as defined in the Violence Against Women Act or a homeless child or youth, as defined under the McKinney-Vento Homeless Assistance Act.
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act;
- Is a foster child on behalf of whom State or local government payments are made; or;
- Lives in a high-poverty area.

Requires Additional Assistance: Defined as an individual who meets one or more of the following characteristics:

- Has no work history or has a history of being terminated from employment
- Is at risk of dropping out of secondary school
- Treated by, or has completed, treatment with an agency for substance abuse or mental health disorder
- Has a parent currently or formerly incarcerated
- Has neither the work experience nor the credentials required for an occupation related to WWP's targeted sectors.

POLICY

To be eligible to participate in activities carried out under WIOA, an individual shall, at the time the eligibility determination is made, be an out-of-school youth (OSY) or an in-school youth (ISY). Participants must also comply with Selective Service registration requirements and work authorization requirements. Eligibility requirements are applied equally to all applicants in a program to avoid discrimination.

PROCEDURE

Out-of-School Youth Eligibility:

An OSY is an individual who meets all three criteria below:

1. Not attending any school:
   a. An individual who does not have a GED or secondary diploma and is not enrolled in secondary education or
   b. An individual who has a GED or secondary diploma and is not enrolled in a credit-bearing post-secondary class or
   c. An individual attending Adult Basic Education provided under Youth Build, Job Corps, or dropout re-engagement programs not funded by the public K-12 school system.
2. Not younger than age 16 or older than age 24 at the time of enrollment. Eligibility is based on age at enrollment; therefore, participants may continue to receive services beyond the age of 24 once they are enrolled in the program.
3. The individual has one or more of the following barriers:
   a. A school dropout; or
   b. An individual who is within the age of compulsory school attendance but has not attended school for at least the most recent complete school year calendar quarter; or
   c. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English Language Learner
   d. An individual who is subject to the juvenile or adult justice system; or
   e. A homeless individual
   f. An individual in foster care or who has aged out of the foster care system, or who has attained 16 years of age and left foster care for kinship guardianship or adoption; a child eligible for assistance under section 477 of the Social Security Act, or in an out-of-home placement
   g. An individual who is pregnant or parenting or
   h. An individual who is an individual with a documented disability as defined by Section 3 of the Americans with Disabilities Act of 1990 or
   i. A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

In-School Youth Eligibility:

An ISY is an individual who meets all criteria below:

1. Attending school, including secondary and post-secondary school; and not younger than age 14 or older than age 21 at the time of enrollment. Eligibility is based on the age at enrollment therefore, participants may continue to receive services beyond the age of 21 once they are enrolled in the program; and
2. A low-income individual; and
3. The individual has one or more of the following barriers:
    a. Basic Skills Deficient
    b. Is an English language learner; or
    c. An individual who is subject to the juvenile or adult justice system; or
    d. A homeless individual
    e. An individual in foster care or who has aged out of the foster care system, or who has attained 16 years of age and left foster care for kinship guardianship or adoption; a child eligible for assistance under sec. 477 of the Social Security Act, or in an out-of-home placement.
    f. An individual who is pregnant or parenting; or
    g. An individual who is an individual with a documented disability as defined by Section 3 of the Americans with Disabilities Act of 1990; or
    h. Requires additional assistance to enter or complete an educational program or to secure or hold employment.

Exception for Individuals who are not Low-Income:

WIOA allows a low-income exemption, in which not more than 5 percent (5%) of WIOA youth participants are individuals who meet all other eligibility criteria except the low-income rules. Registration of over-income individuals requires approval from Willamette Workforce Partnership (WWP) staff before they are determined eligible.

Requires Additional Assistance limits

WIOA provides a five percent (5%) eligibility window to allow ISY youth who meet the Requires Additional Assistance criteria to enroll in WIOA services. Sub-recipients can submit an email request for enrollment to Willamette Workforce Partnership. That request must include verification of ISY status and how the youth meet the additional assistance eligibility determination.

Eligibility Documentation for individuals with Temporary Work Authorization

To ensure equal treatment, all participants must provide, and sub-recipients must keep copies in case files, proof of authorization to work in the United States. For individuals whose work authorization is temporary, sub-recipients must verify their continued work

authorization at a reasonable interval determined by when their temporary authorization is expected to expire, but no less than once every three months. If, at any time, a sub-recipient becomes aware that a participant's employment authorization has expired or has been revoked outside that 3-month check, then the sub-recipient will exit the participant.

WILLAMETTE WORKFORCE PARTNERSHIP

EQUAL OPPORTUNITY

Revised: October 1, 2026	Policy: P02

PURPOSE

The purpose of this policy is to ensure that Willamette Workforce Partnership (WWP), its staff, and Workforce Innovation and Opportunity Act (WIOA) Title I subrecipients comply with WIOA Section 188 and 29 CFR Part 38 equal opportunity and nondiscrimination requirements, including the required publication, distribution, and documentation of the "Equal Opportunity Is the Law" notice; effective communication with individuals with disabilities; meaningful language access for individuals with limited English proficiency; and notice of discrimination complaint filing rights.

REFERENCES

- WIOA § 188
- 29 CFR §§ 38.34–38.36

POLICY

WWP and all WIOA Title I subrecipients must use the full **"Equal Opportunity Is the Law"** notice required by 29 CFR § 38.35. The notice must include the required nondiscrimination bases, the areas in which discrimination is prohibited, disability communication requirements, auxiliary aids and services requirements, and discrimination complaint filing rights, including the right to file with the recipient Equal Opportunity Officer (EOO) or with the Director, Civil Rights Center, U.S. Department of Labor.

Publication and Distribution. At a minimum, the Equal Opportunity Notice must be:

1. Posted prominently, in reasonable numbers and places, in available and conspicuous physical locations and on WWP/subrecipient website pages;
2. Disseminated in internal memoranda and other written or electronic communications with staff;
3. Included in employee and participant handbooks or manuals, whether electronic or paper, if both formats are available; and
4. Provided to each participant and employee and made part of each participant's and employee's file, including paper and electronic files if both are maintained.

Alternate Format and Language Access. The Equal Opportunity Notice must be provided in appropriate formats to registrants, applicants, eligible applicants/registrants, participants, applicants for employment, and employees with visual impairments. When notice is provided in an alternate format, documentation that the notice was provided must be retained in the employee or participant file. The notice must also be provided to participants in appropriate languages other than English as required by 29 CFR § 38.9.

WWP and its subrecipients must take reasonable steps to ensure meaningful access for individuals with limited English proficiency. Language assistance must be accurate, timely, effective, and provided free of charge. Qualified interpreters and competent translations must be used when necessary; individuals must not be required to provide their own interpreters, and minor children must not be used as interpreters except in a genuine emergency when no qualified interpreter is immediately available. WWP and subrecipients must assess language needs, identify vital information and documents, notify individuals that free language assistance is available, train staff on how to obtain assistance, and periodically review whether language access measures remain effective.

WWP and its subrecipients must provide reasonable accommodations and reasonable modifications for qualified individuals with disabilities unless doing so would impose an undue hardship or fundamentally alter the program or activity. Programs, services, communications, facilities, websites, electronic systems, and information and communication technology must be accessible as required by applicable law. Individuals must be informed how to request an accommodation, modification, auxiliary aid, or auxiliary service, and requests must be addressed promptly through an interactive process. Any denial must be documented and communicated to the requester with information about available review or complaint options.

Subrecipient Compliance. Subrecipients must maintain documentation showing where the notice is posted, how it is provided to participants and employees, how it is included in handbooks/manuals and electronic communications, and how notice provision is documented in participant and employee files.

WWP is responsible for issuing equal opportunity guidance, providing technical assistance, monitoring compliance, receiving reports of suspected violations, and requiring corrective action when necessary. Each subrecipient must designate a responsible official, implement this policy at every service location and online service point, train relevant staff, cooperate with monitoring and complaint investigations, and promptly notify WWP's Equal Opportunity Officer of any allegation or finding of discrimination involving a WIOA Title I-financially assisted program or activity.

WWP and WIOA services are subject to Equal Opportunity rules and regulations. Services must be available to eligible participants regardless of race, color, religion, sex, national origin, age, disability, political affiliation, or belief. In addition, for beneficiaries, applicants, and participants only, WIOA prohibits discrimination because

of citizenship status, or because of an individual's participation in WIOA Title I-financially assisted program or activity. WWP will designate an Equal Opportunity Officer (EOO).

The designated Equal Opportunity Officer reports directly to WWP's chief executive or an equivalent senior official on equal opportunity matters; have sufficient authority, staff, resources, and access to records to carry out the responsibilities required by 29 CFR Part 38; and must not have other responsibilities or activities that create an actual or apparent conflict of interest. The Equal Opportunity Officer's name, title, business address, email address, and telephone number must be made available to applicants, registrants, participants, employees, subrecipients, and interested members of the public.

Programs are required to inform each participant of Equal Opportunity rights and grievance procedures, by following this policy, at the time of program enrollment. Subrecipients are required to post Equal Opportunity posters in a prominent location where applicants and participants gather. Signs will be available in Spanish and English at each service location.

Recruitment brochures and other materials (including pamphlets, flyers, and other publications distributed or communicated in written or oral form, electronically or on paper, for customers, staff or the general public) that describe WIOA Title I-funded programs or activities will include the following approved Equal Opportunity Tagline:

- English: Willamette Workforce Partnership/[Subrecipient Name] is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available free of charge to individuals with limited English proficiency. Oregon Relay: 711 or 1-800-735-2900.

- Spanish: Willamette Workforce Partnership/[Nombre del subrecipiente] es un empleador/programa que ofrece igualdad de oportunidades. Hay ayudas y servicios auxiliares disponibles, previa solicitud, para personas con discapacidades. Hay asistencia lingüística gratuita disponible para personas con dominio limitado del inglés. Oregon Relay: 711 o 1-800-735-2900.

WWP and its subrecipients prohibit intimidation, retaliation, coercion, or discrimination against any individual because the individual filed a complaint, opposed a practice prohibited by WIOA Section 188 or 29 CFR Part 38, furnished information, assisted or

participated in an investigation, review, hearing, or other equal opportunity activity, or exercised any right or responsibility under the applicable civil rights laws. Allegations of retaliation or interference must be reported promptly to the Equal Opportunity Officer and processed under the applicable discrimination complaint procedures.

A discrimination complaint generally must be filed within 180 days of the alleged discrimination, unless the Director of the Civil Rights Center extends the filing period for good cause. When a complaint is filed with WWP's Equal Opportunity Officer, the complainant must receive written acknowledgment, notice of the issues accepted or rejected and the reasons for any rejection, a statement that the complainant may be represented, and notice of the right to request alternative dispute resolution when offered. WWP must issue a written Notice of Final Action within 90 days after the complaint is filed. The notice must explain the determination or resolution and inform the complainant of the right to file with the Director, Civil Rights Center, within 30 days if dissatisfied with the outcome or if no final action is issued within 90 days.

Complaints, including discrimination complaints under WIOA Section 188 and 29 CFR Part 38, will be processed in accordance with WWP Policy A01, Grievances and Complaints, and applicable state and federal requirements. Individuals alleging discrimination must also be informed of their right to file with either the designated WWP Equal Opportunity Officer or the U.S. Department of Labor Civil Rights Center, as described in the required Equal Opportunity notice.

WILLAMETTE WORKFORCE PARTNERSHIP

YOUTH INCENTIVES

Revised: October 16, 2024	Policy: P03

PURPOSE

The purpose of this policy is to provide guidance on incentives allowable under the Workforce Innovation and Opportunity Act (WIOA) for eligible youth participants.

REFERENCES

Code of Federal Regulations 20 CFR 681.640
Training and Education Guidance Letter (TEGL) 21-16
WIOA Sec. 129 (c)

DEFINITIONS

Incentive: Incentives are payments to youth participants for recognition and achievement directly tied to training activities and work experiences. The motivation must be linked to the achievement of a milestone and related to training and education, Measurable Skill Gains, or employment goals as identified in the Individual Service Strategy. All incentives must be earned and paid during the period of Youth participation. Incentives do not include supportive services items such as childcare, transportation, or reimbursement of work-related expenses.

POLICY

Incentives are allowable to youth enrolled in the WIOA Title I Youth Program. They are intended to be used to encourage and motivate WIOA youth to reach specific goals and obtain favorable outcomes. Incentive awards are not an entitlement nor should be considered a supportive service. All incentives will be subject to the availability of WIOA Youth funds and will be following the requirements contained in 2 CFR part 200.

Incentives can only be awarded upon equitable and non-discriminatory standards ensured by the sub-recipient. Sub-recipients show documentation of completion of a goal, form of incentive, and a receipt of the incentive being received by the participant.

Willamette Workforce Partnership (WWP) aims to ensure that the value of an incentive is tied to the size and nature of the achievement for which they are awarded and scaled to inspire participants to work toward the associated results. All incentive records must be maintained by following the record retention requirements so that Willamette Workforce Partnership (WWP) staff can verify accuracy and timeliness of payments. The duties of staff dispersing incentive payments to participants must be separated so that no one individual has complete authority or control over an entire financial transaction.

WILLAMETTE WORKFORCE
PARTNERSHIP

PRIORITY OF SERVICE

Revised: January 1, 2024	Policy: P04

PURPOSE

This policy aims to establish the priority of service concerning the Workforce Innovation and Opportunity Act Adult funding for career and training services.

REFERENCES

Code of Federal Regulations 20 CFR 1010.200-250
Code of Federal Regulations 20 CFR 679.370
Code of Federal Regulations 20 CFR 680.600 – 680.660
Oregon Workforce Investment Board Priority of Service Policy
Training and Education Guidance Letter (TEGL) 19-16; 10-09
WIOA Sec. 3 (5); (50); (53); (36)(a)
WIOA Sec. 134 (c)(3)(E) n
Policy 08 Adult and Dislocated Worker Eligibility

DEFINITIONS

- **Veteran:** An individual who served in the active military, naval, or air service and who was discharged or released from such service under conditions other than dishonorable.
- **Eligible Spouses of Veterans**: The spouse of a veteran who is a member on active duty at the time of application who is missing in action, captured in the line of duty, or forcibly detained or interned in the line of duty by a foreign government or power for a total of more than 90 days, or a veteran with a total disability from a connected service, or died from a service-connected disability.
- **Recipients of Public Assistance:** An individual who receives, or in the past six months has received or is a member of a family that Is receiving or in the past six months has received public assistance through Temporary Aid for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), General Assistance or Refugee Cash Assistance, or Supplemental Security Income (SSI).
- **Low-Income Individual:** An individual who receives, or in the past six months has received or is a member of a family that is receiving or in the past six months has received public assistance through SNAP or is in a family where the total family

income does not exceed the Federal Poverty line or 70% of the Lower Living Standard Income Level (LLSI). An individual with a disability whose family does not meet income eligibility criteria, but meets the income criteria, may be considered a low-income individual for priority of services.

- **Basic Skills Deficient:** An individual who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or society.

POLICY

Under WIOA, the priority of service means that a "covered" person shall be given priority over a "non-covered person" for the receipt of employment, training, and placement services provided. Depending on the type of service or resources provided, priority means that the "covered" person receives access to the service or support earlier in time than the "non-covered person," or if the service is limited, the covered person receives access to the service or support instead of, or before, the "non-covered" person. A "covered" person includes veterans and eligible spouses of veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

Priority of Service for veterans applies to all qualified job-training programs. Veterans will be identified and made aware of their entitlement to the priority of service, the full range of program services under the priority of service, and all applicable eligibility requirements during the point of entry. When a veteran does not have verifying documentation of veteran or eligible veteran status, the veteran or eligible spouse should be enrolled, and priority of service will be made available once documentation of status is verified. To receive training services under WIOA, veteran status must be verified.

For other priority populations, verification of priority of service should occur during enrollment for Adult applicants. Services will be provided to "covered" participants in the following priority order:

- Veterans and eligible spouses who are also included in the priority groups are given statutory priority for WIOA Adult formula funding.
- Individuals who are not veterans or eligible spouses but meet one of the

statutory priorities (priority groups) for WIOA Adult formula funding:

a. Recipients of public assistance
b. A low-income Individual
c. Basic skills deficient

Documentary Evidence for Verifying Priority of Service

Required WIOA eligibility documentation must be in every participant's file and available for review by Willamette Workforce Partnership. Required documentation sources for general WIOA eligibility are included in the table below. At least one document from every applicable category must be provided.

Priority of Service	Veteran Status, which includes a recently separated veteran, and eligible spouses	a. DD-214 Military Separation Record b. An official notice issued by the Department of Veterans Affairs that establishes entitlement to a disability rating or award of compensation to a qualified dependent. c. An official notice issued by the Department of Defense documents an individual's eligibility based on the missing or detained status of that individual's active-duty spouse. d. An official notice issued by a state veterans' service agency that documents veteran status or spousal rights, provided that the State veterans' service agency requires federal documentation of that information.
	Public Assistance Recipient, TANF, SNAP SSI/SSDI, other public assistance	a. Agency records b. Crossmatch with public assistance records
	Low-Income	a. Check stubs, W-2, or Employer records, including self-employment. b. Unemployment Insurance records c. Court records d. Self-employment records e. Verification with outside agencies

		f. Customer Attestation
	Basic Skills Deficient	a. less than a score of three on the National Career Readiness Certificate assessment b. Documentation of enrollment into an Adult Education/Literacy program no older than six months c. Staff case notes with detailed observation illustrating limited English Skills d. CASAS test showing basic skills deficiency

WILLAMETTE WORKFORCE
PARTNERSHIP

INDIVIDUAL TRAINING ACCOUNTS

Revised: July 1, 2026	Policy: P05

PURPOSE

The purpose of this policy is to establish guidelines for the issuance of Individual Training Accounts for participants engaged in approved training.

REFERENCES

Code of Federal Regulations 20 CFR 680.210; 230; 310
Oregon State Workforce Policy: 122 (a)
Training and Employment Guidance Letter (TEGL) 10-09, 19-16
WIOA Sec. 122 (a)(3)
WIOA Sec. 134 (c)(3)(a); 134 (d)(4)(g)

POLICY

An Individual Training Account (ITA) is designed to provide financial support for training services that equip participants with the sustainable skills necessary for competitive employment. ITAs are not essential for short-term prevocational services, such as GED or workforce preparation classes and or individualized career services. ITA funds are available to purchase training services from eligible training providers for Adults and Dislocated Workers. Eligible training programs are established through the Eligible Training Provider List (ETPL).

ITAs for training services are allowable for Adults, Dislocated Workers, and or Out-of-School Youth (ages 18-24). Participants are expected to make an informed choice about their future employment and the training services they need. Sub-recipients are expected to provide information, assessments, and resources to participants, enabling them to have an active role in managing their employment goals and future ITA.

ITA Obligations and Authorization

Before any ITA training funds are expended, the ITA application must be approved by the sub-recipient's staff. The following criteria for the award of a scholarship will be considered:

Need for Training

The award of an ITA is not an entitlement service; therefore, even though a participant may be eligible (including priority of service participants), the provision of training must be needed for the participant to obtain employment that leads to economic self-sufficiency. Furthermore, the participant must express a desire to complete a training program directly linked to employment opportunities in the local area or demonstrate a willingness to commute.

Use of Assessments

Individuals who indicate a need for training through the ITA must receive an interview, evaluation, or assessment *and* a career plan (IEP) prior to ITA obligations. During the

review, Sub-recipient staff will verify the need for training and if the person is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment. Assessments and interviews with interested candidates must also verify if the participant has the skills, qualifications, and means to participate successfully in training services, and accurately determine requirements for employment Co-enrollment in WIOA Title II Adult Education programs may be required for workplace English literacy skills where applicable. Evaluations conducted within the last six months are allowable.

Strategic Occupations

All ITAs need to consider the connection between the employment goal of the applicant and positions that lead to self-sufficiency and within the regionally emerging industries.

Eligible Training Provider

ITA funding may only be obligated and paid toward training programs located on the Eligible Training Provider list (ETPL). This includes programs found in Washington, Idaho, and Utah's ETPL. Eligible training programs approved by Washington, Idaho, or Utah are only available to Oregon participants if the Out-of-State programs are not offered in Oregon during the time of application, and the participant agrees to attend training through the out-of-state training program.

Registered Apprenticeship

ITAs may be developed for participants enrolled in a Registered Apprenticeship program that has registered with the U.S. Department of Labor or with Oregon's Bureau of Labor and Industry, Apprenticeship and Training Division. ITA funding does not cover the on-the-job portion of the program; however, it can include some or all of the classroom portion of the Registered Apprenticeship. A combination of ITA and OJT funding is allowable to fund the Registered Apprenticeship fully.

Time and Funding Limits

Willamette Workforce Partnership (WWP) does not have a time limit for ITA completion. Participants who need to prepare for a training program, such as completing math, reading, and writing prerequisites, are not considered to have started the training program and cannot be funded by an ITA award unless the prerequisite class is a part of the overall training program.

WIOA Title I ITA funding is defined in the ITA Standard and includes tuition and fees. The amount and duration of an ITA award will be determined on an individual basis, considering other financial assistance available to the participant.

Coordination of ITA Funds and Financial Aid

ITA funding is limited to participants who are unable to obtain grant assistance from other sources to cover the entire cost of training or require additional support beyond available grants. Participants must reapply for financial aid each year, and a copy of the award or denial notification must accompany the ITA application. Participants who require WIOA assistance in addition to other grants, such as Federal Pell Grants, will need the sub-recipient to make funding arrangements with the additional funding entities. A WIOA participant may enroll in a WIOA-funded training program while the participant's Pell grant is pending as long as the Sub-recipient has arrangements with the training provider. Agreements must include reimbursements. If the Pell Grant covers the entire training, the training provider must reimburse the sub-recipient the WIOA funds used to underwrite the training for the amount covered by the Pell Grant, including any fees the training provider charges for attending the training.

Coordination of ITA Funds and Other Federal Assistance

Sub-recipients are to consider other sources of funding for training (excluding loans) to cover training costs, ensuring that WIOA funds can supplement, but not replace, other sources.

Educational funding for Veterans who receive training benefits administered through the Department of Veterans Affairs is not required to exhaust benefits to receive WIOA training.

ITA Payments

Sub-recipients may write a Purchase Order (PO) or voucher for each identified to receive an ITA award. Sub-recipients have the flexibility to decide when to bill actual expenditures with the training provider. PO or vouchers are required to address de-obligations as individuals receive additional resources and or leave the training program before completion.

Training and Satisfactory Progress

Participants must be able to demonstrate the necessary skills to complete the training and enter employment and have no legal barriers to entering the occupation for which the instruction is targeted. Participants enrolled in an ITA must maintain a minimum grade average of 2.0 in all graded courses or programs, and a satisfactory rating in all ungraded courses, each quarter/semester/term. If a participant has two consecutive quarters/semesters/terms where the grade falls below a 2.0 GPA, Willamette Workforce Partnership (WWP) approval is required before further training payments.

Willamette Workforce Partnership (WWP) will consider the following before approval:

- Cause of failure, such as; illness, injury, or disability of the participant or member of the family;

- Weather conditions/natural disasters prevented the participant from completing training;
- Training is delayed or canceled;
- Employment that caused the participant to disengaged from training;
- Advice from academic personnel that recommended student "dropping" from the training program
- Modification to the training request

ITA Modifications

Sub-recipient staff can modify a participant's professional goal if the participant decides, after attending one-quarter of the school, that the chosen occupation is not a good fit. The participant must complete the same activities, such as providing labor and wage information, before the ITA modification is approved.

WILLAMETTE WORKFORCE PARTNERSHIP

INCUMBENT WORKER

Revised: April 22, 2022	Policy: P06

PURPOSE

The purpose of this policy is to clarify the criteria by which the Willamette Workforce Partnership (WWP) determines eligibility for incumbent worker services and the cost-sharing required for incumbent worker training projects, by following the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES

Code of Federal Regulations 20 CFR 680.780-820
Training and Education Guidance Letter (TEGL) 10-16 & 19-16
WIOA Sec. 3 (23) and (24)
WIOA Sec. 134 (d)(4-13)

POLICY

Willamette Workforce Partnership (WWP) may reserve and expend up to 20 percent of its combined adult and dislocated worker formula allotments for incumbent worker training. An individual must be employed, meet the Fair Labor Standards Act requirements for an employer-employee relationship, and have an established employment history with an employer for six months or more in order to qualify as an incumbent worker. If there is cohort training, not all employees must be employed for the six months if the majority of the cohort meets the six-month requirement. The training must be designed and implemented to meet the special requirements of an employer or group of employers to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment. The training must be conducted with a commitment by the employer to retain or avert the layoff of the incumbent workers. An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for Adults and Dislocated Workers under WIOA. Individuals who receive incumbent worker training are reportable and must have outcomes reported.

PROCEDURE

Employer Eligibility Criteria

The Willamette Workforce Partnership (WWP) must document the following factors when determining the eligibility of employers to receive the WIOA share of funds to provide training to incumbent workers using local Adult and or Dislocated Worker formula funds:

1. The characteristics of the incumbent workers to be trained, specifically, the extent to which they historically represent individuals with barriers to employment as defined in WIOA Section 3(24), and how they would benefit from retention or advancement;

2. The quality of the training (e.g., industry-recognized credentials, advancement opportunities);

3. The number of participants the employer plans to train or retrain;

4. The wage and benefit levels of participants (before and after training);

5. The occupation(s) for which incumbent worker training is being provided must be in demand as defined by WIOA Section 3(23) and as determined by workforce development area-specific labor market information.

6. The industry, to which the employer is assigned, as determined by its North American Industry Classification System (NAICS) code, must be in demand as defined by WIOA Section 3(23) and as determined by workforce development area-specific labor market information.

7. The employer must not have laid off workers within 12 months to relocate to Oregon from another state;

8. The employer must attest, in writing, that it is not delinquent in unemployment insurance or workers' compensation taxes, penalties, and/or interest.

9. How the design and implementation of the training will retain a skilled workforce or avert the need to lay off employees.

10. Employer must attest their commitment to retain or avert the layoff of the incumbent workers receiving the training.

Employer Share of Training Cost

Employers participating in incumbent worker training are required to pay the non-WIOA (non-federal) share of the cost of providing training to their incumbent workers. The employer's share of the cost of training can be cash payments and/or fairly evaluated in-kind contributions, such as the hourly wages during the time the trainee is receiving instruction. Employers are required to provide to WWP adequate documentation as proof of meeting the employer share of the cost of training.

The employer share is based on the size of the workforce as follows:

- At least 10 percent of the cost for employers with 50 or fewer employees
- At least 25 percent of the cost for employers with 51 to 100 employees
- At least 50 percent of the cost for employers with more than 100 employees

WILLAMETTE WORKFORCE PARTNERSHIP

SUPPORTIVE SERVICES AND NEEDS RELATED PAYMENTS

Revised: May 17, 2018	Policy: P07

PURPOSE

The purpose of this policy is to provide guidance for the provision of supportive services and needs-related payments to youths, adults, and dislocated workers participating in Workforce Innovation & Opportunity Act (WIOA) funded programs in compliance with federal and state laws, regulations, policies and guidance.

REFERENCES

Code of Federal Regulations 20 CFR 680.900-970; 681.570
Code of Federal Regulations 20 CFR Part 200
Code of Federal Regulations 26 CFR 1.21-1
Federal Register/Vol. 80. Number 73: Proposed Rulemaking
Training and Employment Guidance Letter (TEGL) 19-16
WIOA Sec. 134 (d)(3)(b) & 134 (c)(3)
WIOA Sec. 3 (59)

POLICY

Supportive Services may be provided to enable an individual to participate in WIOA activities. Participants must be enrolled in a WIOA youth program or WIOA Adult/Dislocated Worker individualized or training-level services in order to receive supportive services. The justification and documentation for all supportive services must be included in electronic and hard copy participant records.

Supportive services are intended to be provided in situations where a participant would otherwise be unable to successfully participate in WIOA-authorized activity. Supportive services will be provided on a case-by-case basis, only when determined necessary, and reasonable through a needs-based analysis, and dependent on funds availability.

Supportive services are not intended to take the place of public assistance and income maintenance payments provided by social service agencies and should only be utilized when it has been determined that other sources or services outside the WIOA are not available to the participant, including all local workforce partners, community services providers, and other public and/or private agencies. Provision of supportive services will be coordinated with these organizations, when appropriate.

Documentation for each supportive service payment must be maintained in the participant file. Sub-recipients will develop protocols for distribution and provision of Supportive Services that include:

- Internal controls that result in equitable treatment of participants;
- Documentation of "last resort"

- Assurance of coordination with and non-duplication of other community resources.

Allowable Supportive Services:
The following list includes allowable supportive services as guided by WIOA. This list is not exhaustive.

Community Services: Community services is defined as local resources that can assist participants in overcoming barriers to employment. This includes, *but is not limited to*; birth certificates and government identification. For youth, supportive services can pay for fees to organizations that provide opportunities to develop leadership skills through service to their respective communities is allowable.

Transportation: Transportation assistance may include: bus passes, mileage reimbursement, emergency car repairs, tire purchases, car payments, vehicle licenses, driver's licenses, and parking passes. Requests for transportation assistance by check or gas voucher/card can be made for participants in ongoing job search, training or employment activities, or WIOA program services.

Child Care: Child care services can only be paid for dependent children, under the age of 13, who receive services from state registered child care facilities or providers. Tutoring centers, summer school, and summer camps are not allowable child care services. The number of child care hours and the rates negotiated with the child care provider shall be documented. WIOA program will pay child care costs up to the rates established by the State of Oregon Department of Human Services. Payments for child care will be made only for actual hours of child care required to participate in an approved activity. This shall include not more than one-hour travel time to a training site (two-hour round trip). The participant is liable for payment of any child care costs incurred over and above the amount authorized by the WIOA program.

Dependent Care: Supportive Services for dependent care are only allowable for costs associated with care of a legal dependent who is unable to dress, clean, or feed themselves *or* if the dependent must have constant attention to prevent the dependent from injuring themselves or others. Dependent Care will be subject to the same hour limitations and documentation requirements as child care and payments for care cannot be paid to the participant's spouse, parent of qualifying person, or other family members in the home. Application fees for the care of a qualified

individual is an allowable expense. Dependent care centers are allowable expenses; however, overnight care centers or camps are not.

Housing: Housing support payments include application fees and rent that supports participation in approved WIOA activities. Utilities such as electricity, water, and sewage are considered necessary housing expenses and allowable. WIOA programs are required to coordinate with appropriate agencies and/or social service organizations to provide emergency services.

Educational Testing: Fees and other costs associated for educational testing are allowable expenses. This includes testing for high school equivalency tests, occupational certifications, and credentials.

Reasonable Accommodations for Individuals with Disabilities: Qualified participant with a disability to can request reasonable accommodation in order to effectively participate in education or employment.

Referrals to Health Care: Allowable expenses include medical testing/treatment prescriptions, mental health testing, or counseling. Health care costs are only allowable for the participant who is engaging in WIOA services and the health care cost directly permits the person to participate in training, job search, or employment.

Legal Aid Services: Legal aid services must be able to assist the participant in removing certain barriers to employment.

Uniform or Appropriate Work Attire and Work-Related Tools: When employees are required to purchase uniforms or tools, this cost is allowable. Tools, equipment, or clothing that is normally supplied by the employer are not allowable. Clothing and/or footwear for interviewing or training are allowable. Clothing items must be directly related to the participant's occupational goal.

Books, Fees, and School Supplies: Supplies necessary to complete secondary or post-secondary educational training are allowable if the participant is not receiving other funding, such as Pell Grants or scholarships that cover these costs.

Training Related Applications, Tests, and Certificates: Professional license fees, certificates, applications, and test preparation materials that ensure participant is prepared for a job interview, entering employment, and/or obtaining or renewing a licensure for employment opportunities are allowable.

Needs-Related Payments: Needs-Related Payments (NRPs) are financial supports that may be made available to eligible participants who are unable to participate in, or complete an approved training program without such assistance. NRPs are one of the supportive Services authorized by WIOA and are intended to provide cash assistance to participants. This assistance would be contingent upon the availability of funds and the number of requests received. All NRPs must be approved by WWP prior to being provided. The Willamette Workforce Partnership (WWP) may limit or eliminate the availability of NRPs, at its sole discretion, at any time based on funding availability. Needs Related Payments should be provided when it is determined that ongoing resources and income from all other sources are not adequate to support the participant while in WIOA-approved training.

To qualify, a participant must meet the eligibility requirements;

- Be enrolled in an eligible training program within required timeframes
- Be unemployed and have not qualified for or exhausted their unemployment compensation; and
- Not have been disqualified from receiving unemployment insurance benefits because of fraud or overpayments, and must have received unemployment insurance benefits within the last 12 months.

Note: Dislocated workers enrolled in approved training who are unemployed but who receive payments as a member of a reserve component of the U. S. Armed Services, or as a member of the National Guard, for periods of duty of 72 consecutive hours or less, shall be considered unemployed for purposes of qualifying for NRPs.

Participants who qualify may be eligible to receive NRPs for up to 52 weeks, at an amount not to exceed the participant's most recent weekly unemployment insurance benefit amount at the time the participant exhausted their weekly benefit. For participants who did not qualify for unemployment compensation, the weekly payment level may not exceed the poverty level for an equivalent period.

Limits and Restrictions

Willamette Workforce Partnership (WWP) supportive services limit is defined in the Supportive Service Standard. Sub-recipients are required to manage supportive services

funding which includes implementing protocols that ensure the equitable disbursement of supportive services to participants.

Supportive Services are not limited to the allowable list. Adult, Dislocated Worker, and Youth programs can offer other supportive services with pre-approval from Willamette Workforce Partnership (WWP). The following list includes disallowed supportive service costs.

- Payment toward goods or services incurred or received prior to the participant's enrollment in WIOA.
- Fines and penalties may not be paid with WIOA funds under any circumstances
- Alcohol or Tobacco
- The purchase of goods or services that are Illegal under federal, state, local law or statue
- Union dues, participant memberships, subscriptions (unless it is a specific requirement of a training program or necessary and reasonable condition of employment)

Re-Enrollment

Former participants who re-enroll shall be eligible for all supportive services; however, no participant shall be re-enrolled expressly for the purpose of obtaining supportive services.

WILLAMETTE WORKFORCE PARTNERSHIP

ADULT AND DISLOCATED WORKER ELIGIBILITY

Revised: April 1, 2026	Policy: P08

OVERVIEW

The Workforce Innovation and Opportunity Act (WIOA) provides Title I authority for Adult, Dislocated Worker, and Youth programs. This policy defines eligibility requirements for WIOA Adult and Dislocated Worker programs to ensure that only individuals who meet federal, state, and local eligibility criteria receive program services.

REFERENCES

Code of Federal Regulations 20 CFR 680–681
Code of Federal Regulations 1010.200–250
Training and Employment Guidance Letters (TEGLs): 10-09; 19-16; 14-18; 26-13; 10-23 Change 3
WIOA Sec. 3 (5), (50), (53), (36)(a)
WIOA Sec. 134(c)(3)(E)
Oregon Workforce and Talent Development Board Policy
Policy P04 Priority of Service
Policy P11 Selective Service
Policy P13 Self-Sufficiency
Policy P15 Natural Disaster Eligibility

DEFINITIONS

Business Closed or has had a Substantial Layoff: An individual who meets *one* of the following requirements:

- Has been terminated or laid off from employment, or received notice of termination or layoff, because of the permanent closure of, or any substantial layoff (defined as 10 or more affected workers) at the company (including a plant, facility, military installation, or business enterprise).
- Is employed at a company where the employer has made a general announcement that the company or location will close within 180 days. A general announcement may include media coverage, filing of a WARN with the State, and corporate written notice of intent to close within 180 days (written notice includes email communication, employer website, and/or social media postings).

Displaced Homemaker: An individual is eligible as a WIOA Displaced Homemaker – which also equates to Dislocated Worker eligibility status – if *one* of the following situations applies:

- The individual has been providing unpaid services to their family in the home and has been dependent on the income of another family member, but is no longer supported by that income and is having trouble obtaining or upgrading employment.
- The individual has been providing unpaid services to their family in the home and is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station or the service-connected death or disability of the service member and is having trouble obtaining or upgrading employment.

Family: Two or more persons related by blood, marriage, or decree of the court, who are living in a single residence, and are included in one or more of the following: A married couple and dependent children, a parent or guardian and dependent children; a married couple.

Information-only services or Self-Service Activities: Self-service occurs when individuals independently access workforce development program information and activities in a physical location or remotely via electronic technologies. Information- only services or activities are those that provide readily available information that does not require an assessment by a staff member of the individual's skills, education, or career objectives.

Military Spouse: An individual who meets *one* of the following requirements:

- Is the spouse of a member of the Armed Forces on active duty and has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the duty station of the Armed Forces member.
- Is the spouse of a member of the Armed Forces on active duty and is unemployed or underemployed and having trouble obtaining or upgrading employment.

Self-Employed and Business Closed: An individual who was self-employed (including employment as a farmer, rancher, fisherman, or an independent contractor or consultant not technically an employee of a firm or agency) but is unemployed because of general economic conditions in the community in which the individual resides or because of natural disasters.

Terminated or Laid-Off Worker: An individual who meets *all* of the following:

A. Has been terminated or laid off from employment or has received notice of termination or layoff, including separation from military service.
B. Is either:
   - Eligible for or has exhausted unemployment insurance compensation, **OR**
   - Not eligible for unemployment insurance but has demonstrated attachment to the workforce
C. Is unlikely to return to their previous industry or occupation

Underemployed: An individual who meets *one or more* of the following:

- Employed less than full-time who are seeking full-time employment
- Employed in a position that is inadequate with respect to skills and training
- Employed, but meet the definition of low-income
- Employed, but whose current job earnings are not sufficient compared to previous job earnings from previous employment.

Unlikely to Return: An unemployed worker having limited opportunities for employment or reemployment in the same or similar occupation in the area in which the individual resides, as confirmed by labor market information and/or labor analysis by the Oregon Employment Department or recent local labor market events. This may include, but is not limited to:

- Because of negative economic conditions or sudden economic impacts on industries or occupations (such as the pandemic).
- Because there is a decline in the previous occupations in the local market.
- Because of circumstances that cause significant barriers to employment, such as a criminal background, lack of a high school diploma or GED, disability, homelessness, cultural or language barriers, or being an older worker (55+) or deficient in basic skills.
- Because their previous industry or occupation has been eliminated, or the individual has been unable to secure a position at a compensation level comparable to their previous occupation.
- Because they exhausted their unemployment benefits and have been unable to find a job in their previous industry or occupation.
- Because they were seasonally employed and unlikely to return because of mechanization or significant variance to normal seasonal employment patterns, resulting in uncertain return-to-work duties.

Self-Sufficiency: Training services may be made available to employed Adults and Dislocated Workers where staff determine that all these elements apply:

- The individual is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services.
- They need training services to obtain or retain employment leading to self-sufficiency or wages comparable to or higher than wages from previous employment.
- They have the skills and qualifications to participate successfully in training services.

Reportable Characteristics: Information regarding a person's demographics that is reported under WIOA at program entry:

- Disability Status
- Membership of an Indian tribe, band, nation, or other organized group or community, including any American Indian/Alaska Native village, regional, or village corporation.
- Origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands
- Race and ethnicity
- Gender at birth
- School status
- Receiving public assistance (basic career services only)
- Foster care youth status
- Homelessness status
- Ex-offender status
- Low-income status
- English Language Learner
- Basic Skills Deficient
- Single parents (including pregnant women)
- Migrant and seasonal farmworker status

Self-Attestation: Self-attestation (also referred to as a participant statement) occurs when a participant attests to their status for a particular eligibility element, such as pregnancy or parenting youth, and then signs and dates a form acknowledging that status. The key elements for self-attestation are: (a) the participant identifying their status for permitted elements, and (b) signing and dating a form attesting to this self-identification.

Self-attestation may only be used where permitted and must not be used to verify low-income status.

Separating Service Member: An individual who meets the following requirements and for whom documentation with a DD-214 is required:

- Is a member of the Armed Forces who is separating from service to enter or re-enter the civilian labor force (being discharged), and the discharge is for any reason other than dishonorable.

POLICY

To be eligible for WIOA Adult or Dislocated Worker services, an individual must meet all applicable eligibility requirements at the time of enrollment.

Registration occurs when an individual begins receiving staff-assisted career or training services.

Eligibility must be determined and documented in accordance with federal regulations and Willamette Workforce Partnership policies.

General Eligibility Requirements

All individuals must;

- Be authorized to work in the United States.
- Comply with Selective Service requirements (Policy P11), if applicable

Adult Eligibility Criteria

An individual who:

- Is 18 years of age or older; **AND**
- Meets general eligibility requirements

Priority of Service

Priority of Service is not an eligibility requirement; however, it must be applied in accordance with Policy P04. Priority shall be provided in the following order:

1. Veterans and eligible spouses who are also in priority groups
2. Low-income Individuals, receiving public assistance, or basic skills deficient
3. Veterans and eligible spouses not included above
4. Other individuals

Dislocated Worker Eligibility Criteria

An individual must meet general eligibility requirements and qualify under at least *one* of the following categories:

1. General Dislocation

An individual who:

- **1.1** Has been terminated, laid off, or received a notice of termination or layoff; **AND**
- **1.2** Is determined unlikely to return to their previous industry or occupation; **AND**
- Meets *one* of the following:
    - **1.3.1** Is eligible for or has exhausted entitlement to unemployment compensation, **OR**
    - **1.3.2** Is not eligible for unemployment compensation but can demonstrate attachment to the workforce of sufficient duration

2. Dislocation from Facility Closure or Substantial Layoff

An individual who meets *one* of the following:

- **2.1** Has been terminated, laid off, or received a notice of layoff from employment at a plant, facility, or enterprise due to:
    - Permanent closure; **OR**
    - Substantial layoff

    OR
- **2.2** Is employed at a facility where the employer has made a general announcement that the facility will close within 180 days

3. Self-Employed Dislocation

- **3.1** An individual who was self-employed (including a farmer, rancher, or fisherman) and is unemployed due to general economic conditions or natural disasters. Refer to Policy P15 for additional information.

4. Displaced Homemaker

An individual who meets the following:

- **4.1** Meets *one* of the following:
    - Was dependent on the income of another family member and is no longer supported by that income; **OR**
    - Is the dependent spouse of a member of the armed forces on active duty and whose family income is significantly reduced due to deployment, call to active duty, or service-connected death or disability

    AND
- **4.2** Is unemployed or underemployed and experiencing difficulty obtaining or upgrading employment

5. Dislocated / Separating Military Service Member

- **5.1** An individual who is a non-retiree service member who was discharged or released

from service under conditions other than dishonorable, or has received a notice of separation

Per 20 CFR 680.660, separating service members are considered unlikely to return to a previous occupation and are eligible for unemployment insurance.

Note: Dislocated military service members, veterans, and other covered persons are eligible for Priority of Service.

6. Spouse of Military Service Member
An individual who meets *one* of the following:

- **6.1** Is the spouse of an active-duty service member who has experienced a loss of employment due to relocation, **OR**
- **6.2** Is the spouse of an active-duty service member who is unemployed or underemployed and experiencing difficulty obtaining or upgrading employment

Note: A military spouse may also qualify as a displaced homemaker.

PROCEDURE

Eligibility determination for WIOA Adult and Dislocated Worker programs must follow consistent and compliant processes to ensure accurate enrollment and documentation.

Eligibility Determination
Eligibility must be determined before enrollment in staff-assisted career or training services. Individuals receiving only self-service or information-only activities are not required to meet eligibility requirements.

Eligibility determinations must be based on:

- Information provided by the individual
- Verification through acceptable documentation
- Applicable federal, state, and local policies

Documentation Requirements
Eligibility must be supported by documentation sufficient to verify all required eligibility elements.

Acceptable documentation methods include:

- Documentary evidence
- Self-attestation, where permitted
- Case notes, when appropriate

Self-attestation must not be used to verify low-income status under any circumstances.

All documentation must be retained in the participant file and be available for monitoring and data validation.

WILLAMETTE WORKFORCE PARTNERSHIP

ON-THE-JOB TRAINING

Revised: January 10, 2018	Policy: P09

PURPOSE

The purpose of this policy is to provide guidance for the provision of On-the-Job Training (OJT) contracts funded through the Workforce Innovation and Opportunity Act (WIOA) and other discretionary fund sources in compliance with federal and state laws, regulations, policies, and guidance**.**

REFERENCES

Code of Federal Regulations 20 CFR 680.700-720; 830-840
Code of Federal Regulations 20 CFR 683.200; 250; 255; 270; 275
Code of Federal Regulations 29 CFR Part 97.35
Oregon State Workforce Policy 122 (a)
Training and Employment Guidance Letter (TEGL) 19-16
WIOA Sec. 181 (a)(1)(A); 181(b)(7)
WIOA Sec. 3 (44)
WIOA Sec. 134 (c)(3)(D) ii

POLICY

An OJT is provided under a contract with an employer or registered apprenticeship program sponsor in the public, private non-profit, or private sector. Through the OJT contract, occupational training is provided for the WIOA participant in exchange for the reimbursement, typically up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and supervision related to the training.

The OJT activities are defined in a contract with the employer and should be viewed as an alternative to more traditional classroom-based learning that allows participants to learn in their real work environment. The contract will include a structured training plan with a commitment of supervision and continued employment following successful completion of the training period.

On-the-Job training (OJT) is a hire-first job training program that benefits both participant trainees and local employers. An OJT is not an entitlement program for employers and WIOA participants. The decision to enter into contract with an employer is at the discretion of Willamette Workforce Partnership (WWP) and its contracted programs.

Strategic Occupations

All OJTs need to consider the connection between the employment goal of the applicant and positions that lead to self-sufficiency or within the regionally emerging industries.

Employer Eligibility

OJTs agreements may only be executed with eligible employers and positions. In order for an employer to be eligible, the following must occur:

- The OJT employer is registered with the Internal Revenue Service (IRS), reports to the Oregon State Employment Department for Unemployment Insurance, and carry Workman's Compensation Insurance.
- The employer is financially solvent and has an adequate payroll record keeping system that tracks hours worked, gross pay, deductions, and net pay.

Placement Restrictions

All OJT agreements must comply with WIOA, State of Oregon, and Willamette Workforce Partnership (WWP) guidelines which include:

- OJTs cannot be placed in employment that carries out the construction, operation, or maintenance or any part of a facility used for sectarian instruction or as a place for religious worship with the exception of maintenance of facilities that are not primarily used for instruction or worship.
- The business has not been debarred or suspended in regard to federal funding.
- OJTs must not be entered into with an employer who has received payments under WIOA or WIA and exhibits a *pattern of failing* to provide OJT trainees with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.
- The business cannot be involved in a labor dispute, has employees in layoff status, or is in violation of Davis Bacon Labor practices that govern prevailing wage rates for government construction contracts.
- The business cannot have a member of the OJT participant's immediate family engaged in the administrative capacity for the employer or supervise the OJT participant.
- The OJT agreement cannot impair existing contracts for services or collective bargaining agreements. When an OJT agreement is being considered for positions under a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the OJT can be finalized.
- The OJT would not assist, promote, or deter union organizing.
- The employer does not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, physical or mental handicap, political beliefs, or affiliations, or age.
- OJTs cannot be placed in jobs that pay by commission or piecework. Furthermore, seasonal and temporary employment are not considered appropriate placements because the OJT outcome is focused on long-term employment.
- The OJT trainee would not be engaged in partisan political activities.
- The employer does not have individuals on layoff from the same or any substantially equivalent job. This includes ensuring the employer has not

terminated the employment of any regular employee or reduce the workforce of the employer with the intention of filling the vacancy with an OJT trainee.
- The OJT would not infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).
- The OJT does not encourage the relocation of a business or part of a business if such relocation would result in a loss of employment for any employee at the OJT placement location.
- The OJT cannot be placed if a fee has been charged to the participant for referral or placement of the OJT.
- All OJTs cannot be less than four (4) weeks or more than twenty-six (26) weeks unless an exception has written approval by Willamette Workforce Partnership (WWP).

Trainee Eligibility and Guidelines
All OJT trainees must be determined eligible for Adult or Dislocated Worker programs, even if funding is from specialized grants. All Willamette Workforce Partnership (WWP) Standards for Adult and Dislocated Worker participants apply to OJT candidates.

Trainees are only eligible for OJTs when the following occur:
- The trainee is unemployed
- The trainee does not already possess a substantial portion of the skills required to perform the job
- The trainee is employed and is not earning a self-sufficient wage or wages comparable, or higher than, previous employment. The OJT position must provide an increase wage, hours, and/or benefits that ***leads*** the participant to self-sufficiency.
- The trainee is employed and must be able to learn new technologies, new production or service procedures, or able to upgrade to a new job that requires additional skills or workplace literacy.

Eligible trainees who have been assessed as having the skills and qualifications to participate successfully in an OJT contract may be provided services through the OJT program. OJT may be sequenced with other WIOA program services; such as work experience or classroom training.

OJT Contract and Training Plan
OJT opportunities can only be executed with approved employers who have completed an Employer Eligibility Checklist. Every OJT must consist of an OJT contract and Training Plan. The contract or training plan must be completed and signed by all parties (sub-recipient staff, employer, and trainee) before the OJT employee may begin training.

An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation to which the training is being provided. As part of the

contract, the training plan is a formal and written program of the structured job training that provides participants with a combination of instruction in job-ready skills (where indicated), general employment competencies and occupational skills.

Registered Apprenticeship and OJT
OJTs may be developed for participants enrolled into a Registered Apprenticeship program that has registered with U.S. Department of Labor or with Oregon's Bureau of Labor and Industry, Apprenticeship and Training Division. OJT contracts may be with the employer or the Registered Apprenticeship sponsor. OJT funding does not cover the classroom portion of the program; however, can cover, some or all, of the on-the-job portion of the Registered Apprenticeship. A combination of ITA and OJT funding to completely fund the Registered Apprenticeship is allowable.

Ending of an OJT
An OJT Training Plan is considered ended when of the following occurs:

- The trainee successfully completed the OJT and retained by the employer
- The OJT Training Plan reached ending date or the completion of the training; however, the trainee was not retained by the employer.
- The trainee quits or is terminated prior to training end date.

Sub-recipient may terminate an OJT training plan when the following situations occur:

- The employer fails to provide the training that was specified in the training plan
- The employer violates terms and conditions of the Training Agreement, this includes general violations of Federal and/or State regulations such as significant safety violations or failure to pay wages.

If sub-recipient terminates an OJT training plan because of the violations by the employer, staff must notify Willamette Workforce Partnership (WWP).

Payment and Limits
The total OJT payment may not be more than 50% of the actual gross wages earned during the training period (not including sick, holiday, or vacation time). Employers may not pay less than Oregon minimum wage.

Payments can only be made when all the training plan competencies have been scored at a passing level. Any refunds made to the participant account must be electronically noted with paper verification of refund located in participant file.

WILLAMETTE WORKFORCE PARTNERSHIP

LAYOFF ASSISTANCE

Revised: April 2, 2024	Policy: P10

PURPOSE

The purpose of this policy is to guide the provision and implementation of layoff assistance activities funded through the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES

Code of Federal Regulations 20 CFR 682.320-370
Code of Federal Regulations 20 CFR 682.350
Training and Education Guidance Letter (TEGL) 19-16
WIOA Sec. 133 (a)(2)
WIOA Sec. 134 (2)(A)
WIOA Sec. 3 (63)(b)

POLICY

Willamette Workforce Partnership (WWP) and its sub-recipients will comply with the Higher Education Coordinating Committee Office of Workforce Investments (HECC-OWI) policy and state-issued guidance for layoff assistance activities. These activities include Rapid Response, Additional Assistance Projects, Gap-Fill Projects, and National Dislocated Worker Grants (DWG).

Rapid Response

WWP is designated as the entity responsible for executing Rapid Response activities in the local area as quickly as possible following the announcement of a permanent closure, mass layoff, natural disaster, or other disaster resulting in a mass job dislocation. In Oregon, a mass layoff is one that affects 10 or more workers. Rapid Response shall be provided under the following circumstances:

- Notification of permanent closure, regardless of the number of workers
- Filing of a Worker Adjustment and Retraining Notification Act (WARN) notice
- Notification of a mass layoff
- A mass job dislocation due to a disaster
- Filing of a Trade Adjustment Assistance (TAA) petition

In response to such events, WWP will take immediate action and designate a Local Area Rapid Response Coordinator to oversee the execution of Rapid Response activities. The coordinator's contact information will be provided to the Office of Workforce Investments (OWI) and kept up to date to ensure continuous communication.

The Local Area Rapid Response Coordinator shall register to receive WARNs and maintain access to the Oregon Rapid Response Activity Tracking System (ORRATS). All activities and communications concerning layoffs will be documented accurately and promptly in ORRATS within 3 working days of notification.

\

If the affected workforce is unionized, the Local Area Rapid Response Coordinator will liaise with the state workforce labor liaison to ensure union representatives are involved in planning and executing Rapid Response activities. This collaboration will respect the effects of bargaining and other union-led initiatives.

The Local Area Rapid Response Coordinator will organize Rapid Response Information Sessions to disseminate crucial information to affected workers. The sessions will cover available resources and reemployment services and include agenda items pertinent to union involvement when applicable. Further, WWP will ensure that services are coordinated with all relevant partners to provide a comprehensive response.

The sequence of Rapid Response activities includes:

- **Notification of Layoff or Closure**: Upon receiving a formal WARN notice or equivalent information, WWP will coordinate with the Local Area Rapid Response Coordinator and state or local partners to respond.
- **Initial Engagement:** A prompt meeting with company and worker representatives to assess needs and plan appropriate services.
- **Transition Team Formation:** Composed of key stakeholders, including Unemployment Insurance, WorkSource Oregon staff, union representatives (if applicable), and other service providers as applicable.
- **Worker Survey:** Conducted to determine the services most relevant to the affected employees.
- **Information Session Coordination:** Organized to inform employees about available services, including Unemployment Insurance and reemployment assistance.
- **Service Planning**: Using the information gathered, WWP will plan tailored services for affected workers.
- **Employer Feedback**: Follow-up with employers to ascertain if additional services are required.

National Dislocated Worker Grants

For layoffs affecting more than 50 workers and planned participant enrollment levels of more than 25, WWP will apply for a National Dislocated Worker Grant (DWG). DWGs are discretionary grants awarded by the Department of Labor to respond to large, unexpected layoff events causing significant job losses. Under WIOA, WWP may apply for DWG funds when:

- One of the following events occurs:
    - Mass layoff or closure of one or more companies results in the dislocation of 50 or more workers;
    - Two or more companies with the same North American Industrial Classification System (NAICS) experience layoffs. At least one company must have at least 50 affected workers;

\

  - Multiple small dislocations occur over a period of up to 12 months that have significantly increased the total number of unemployed individuals in a designated regional or local workforce area (The project application must impact at least 50 affected workers);
  - At least 50 or more recently separated veterans do so within 48 months of separation as defined by WIOA section 3(63)(B);
  - An emergency or major disaster is declared by the Federal Emergency Management Agency (FEMA);
  - There is a federal agency declaration that qualifies the event for a DWG; or
  - Circumstances where 50 or more individuals relocate to another area from a disaster area.
- If the event was a closure or layoff, WorkSource Oregon staff conduct Rapid Response activities;
- For closure or layoff situations, 70% of WWP's Dislocated Worker fund for the previous program year must be expended or allocated;
- Based on the availability of local resources and the extent of need, staff analysis will determine if a DWG is necessary to ensure services to affected workers.

The decision to apply will be made within 30 days of the event or Rapid Response, whichever occurs later. Applications will be submitted within 120 days of a qualifying event(s).

Implementation

If a DWG is awarded, WWP will implement the grant according to the award terms and conditions. DWG funds will be used solely to assist individuals who are eligible as determined by the grant. Eligible participants will be co-enrolled in appropriate WIOA-funded programs as well as other discretionary grants available at the time of enrollment.

WWP will monitor each DWG to ensure compliance with the discretionary grant award. Monitoring will be conducted in alignment with WWP policies.

Veteran's Priority

DWG is subject to the priority of service to veterans and certain eligible spouses. To obtain priority of service, the veteran must meet the program eligibility requirements for the DWG project and must be a dislocated worker from the approved target population.

Gap Fill Funds

Along with the submission of a DWP application, WWP may apply for Gap Fill funds. Upon approval from the state, Gap Fill funds will be utilized to begin providing services to affected workers while the DWG application is being processed. Participants must be enrolled in both the WIOA Title I dislocated worker program and the Gap-Filled Project.

\

WILLAMETTE WORKFORCE
PARTNERSHIP

SELECTIVE SERVICE

Revised: January 1, 2024	Policy: P11

PURPOSE

The purpose of this policy is to establish guidelines for participants in the Workforce Innovation and Opportunity Act (WIOA) programs regarding Selective Service Registration requirements. WIOA requires that all individuals assigned male at birth and receiving any assistance or benefits under this title shall follow the Selective Service requirements if otherwise eligible.

REFERENCES

Training and Employment Guidance Letter (TEGL) 11-11 Change 2
WIOA Sec. 189 (h)
Policy P01 Youth Service Eligibility
Policy P08 Adult and Dislocated Worker Eligibility

POLICY

To participate in a program established by or receiving assistance under WIOA Title I, all males 18 years old or older must be registered for Selective Service. Male applicants who are 18 years or older must be registered at the time of application. Male participants who turn 18 years of age while receiving services must register within 30 days to continue receiving services. Women, males who were born before January 1, 1960, or males who have not yet reached their 18th birthday are not allowed to register with the Selective Service System and are therefore not required. Additional exceptions and documentation requirements are identified in WWP's Selective Service standard.

Males who reach their 26th birthday and have not registered with Selective Service are no longer eligible to register and may be unable to access many federally funded services. Applicants who failed to register must provide proof that the failure was not knowing and willful in order to be considered for receiving WIOA funded services. The Willamette Workforce Partnership (WWP) is responsible for evaluating the evidence presented by the applicant to determine whether the failure to register was knowing and willful.

For transgendered participants, compliance with selective service is predicated on the individual's gender as assigned at birth/as recorded on a birth certificate.

For participants in WIOA Youth programs, hard copy paper documentation must be collected at enrollment or upon the participant's 18th birthday to determine eligibility.

WILLAMETTE WORKFORCE
PARTNERSHIP

ONE-STOP CERTIFICATION

Revised: January 10, 2018	Policy: P12

PURPOSE

Under WIOA, local boards are required to establish criteria and procedures to assess the effectiveness, physical and programmatic accessibility, and continuous improvement of one-stop centers. The purpose of this policy is to develop the criteria and the process for the assessment and certification of Mid-Valley WorkSource Oregon (WSO) centers by following the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES

Oregon State Workforce Policy: 121(g)
Training and Education Guidance Letter (TEGL)16-16
WIOA Sec. 116
WIOA Sec. 121
WIOA Sec. 188

POLICY

Willamette Workforce Partnership (WWP) will assess all Mid-Valley WorkSource centers annually as part of program monitoring processes. At a minimum, all comprehensive and affiliate sites will be certified as a result of the assessment once every three years beginning June 30, 2017.

PROCEDURE

The process for assessing/certifying Mid-Valley one-stop centers follows:

- All Mid-Valley WSO centers will be evaluated utilizing the Mid-Valley WorkSource Certification Checklist (Attachment A) no later than June 15.
- The completed assessment will be evaluated in-person by Willamette Workforce Partnership (WWP) staff for all comprehensive and affiliate center sites every three years, at a minimum. Staff will conduct the review on-site at each center to determine if the center meets the certification requirements outlined in Attachment A. Staff will conduct the evaluation of physical accessibility as part of annual monitoring, in accordance with Willamette Workforce Partnership (WWP) monitoring and EEO policies and regulations, and will utilize the outcomes of that evaluation as a component of center certification. An additional assessment will not be conducted as part of center certification processes.
- In the event that a center does not meet certification criteria, technical assistance and or a corrective action plan will be documented that includes the actions to be taken and the allotted period of time to meet the conditions for

certification. These documents will be maintained with the certification documentation and by following the record retention policies and procedures. Willamette Workforce Partnership (WWP) staff will re-evaluate, as required by these documents, to determine center compliance with certification criteria.

- At the discretion of Willamette Workforce Partnership (WWP), a center may be certified/re-certified while concurrently receiving technical assistance or completing corrective action. Certifications are documented using Attachment A and reported to Higher Education Coordinating Commission in compliance with its One-Stop Center Certification Policy.

ATTACHMENT A

Mid-Valley WorkSource Certification Checklist

Center Name:	
Center Address:	
Center/Site Type:	❒ Comprehensive Center ❒ Affiliated Center ❒ Partner/Specialized Site
Certification Period:	July 1, 2019 – June 30, 2020
Outcome of Review:	❒ Certified ❒ Technical Assistance Required (attached) ❒ Corrective Action Required (attached) *more than one box may be checked
Name of Reviewer:	
Signature of Reviewer:	
Date of Review:	

WILLAMETTE WORKFORCE
PARTNERSHIP

ONE-STOP CERTIFICATION

Revised: January 10, 2018	Policy: P12

OVERVIEW:

In compliance with the Willamette Workforce Partnership (WWP) policy on one-stop center certification, the Mid-Valley one-stop centers will be assessed annually as part of program monitoring, and certified no less than every three years, beginning July 1, 2017. All assessment and certification documents will be kept on file in accordance with applicable records retention rules and regulations. Any technical assistance or corrective action will be documented to include the actions to be taken, as well as dates by which actions must be taken. Willamette Workforce Partnership (WWP), staff will re-evaluate for compliance, as outlined in these documents.

EVALUATION:

In the event that a center is not compliant with a line-item of the evaluation, technical assistance and/or corrective action will be documented. Centers may be certified even when technical assistance/corrective action is imposed, at the discretion of the evaluator(s).

Part I: Programmatic Access

The following list includes the required One-Stop Partners, in accordance with the Mid-Valley one-stop Memorandum of Understanding (MOU), and WIOA Sec. 121 (b)(1)(a). Each required partner/program and its agreed-upon level of access is listed. Evaluators are to assess compliance with the agreed-upon level of access and indicate results in the table below.

Access Definitions:

1. Physical presence at the centers.

2. Partner program staff physically staffed at the One-Stop are appropriately trained to provide information regarding programs, services and activities available through partners.

3. Direct and available linkage through technology to program staff that can provide meaningful information or services. This does not include providing phone numbers, website address, pamphlets, or materials.

4. Not applicable. The program/partner is not offered in the local area and/or is not included in the MOU.

Revised: January 10, 2018	Policy: P12

Program/Partner	Access	Compliant	Notes
Title I Adult and Dislocated Worker Services			
Title I Youth Program Services			
Title II Adult Education and Literacy Services			
Title III Wagner-Peyser Employment Services			
Title IV Vocational Rehabilitation Services			
DHS Self-Sufficiency Programs			
Carl D. Perkins Postsecondary Programs			
Community Service Block Grant E&T			
Housing and Urban Development E&T			
Job Corps			
Jobs for Veterans State Program			
Migrant Seasonal Farmworker Program			
National Farmworker Jobs Program			
Native American Programs			
Second Chance Act Re-Entry (sec. 212)			
Senior Community Employment Programs			
Trade Adjustment Assistance Program			
Unemployment Compensation Program			
YouthBuild Program/Services			
Other:			

Part II: Center Effectiveness

Center effectiveness is defined in WIOA as performance accountability in WIOA section 116. The primary indicators of performance for Mid-Valley WSO centers are those activities provided under the Adult and Dislocated Worker programs, as follows. Targets are negotiated with and approved by the Higher Education Coordinating Commission.

Performance Measure	Target	Compliant	Notes
Percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.			
Percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program.			
Percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within one year after exit from the program.			
Percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.			
Indicators of effectiveness in serving employers			

Part III: WorkSource Oregon Operational Standards

WSO Centers report their progress toward full implementation of the WSO Standards via self-assessment checklists on a quarterly basis. These evaluations include the following categories and will be considered as the baseline for compliance with this section of the one-stop certification. Compliant indicators are those other than "not yet started." If the indicator is "in process" the center must have an implementation strategy in order to be compliant.

Indicator Definitions:

1. Not yet started
2. In process
3. Implemented
4. Best Practice Identified (and is fully implemented)

Standard	Indicator	Compliant	Notes
Co-Location			
Align Services			
Branding (WSO and AJC)			
Technology			

Local Leadership Team			
Four Services			
Labor Market Information			
Continuity of Service			
Work Ready Criteria			
Talent Development			
Skills Validation			
Placement Assistance			
Recruitment Services			
Feedback Mechanisms on Referrals			
Feedback Mechanisms on Training			
Target Populations			
Sector Partnerships			
Populations to Sector Industries			

Part IV: Physical Accessibility

All centers must be assessed for compliance with requirements for physical accessibility outlined in WIOA section 188 and the Americans with Disabilities Act of 1990. These requirements are assessed in their entirety as part of the Willamette Workforce Partnership (WWP) annual monitoring process of its contracted sub-recipients. The following indicators are considered for center certification.

Indicator	Yes	No	Notes
Center has been assessed for physical access as part of annual monitoring process.			
The physical assessment conducted resulted in satisfactory compliance with all requirements.			
If the physical assessment conducted resulted in unsatisfactory results, technical assistance/corrective actions have been documented as part of the monitoring report.			
A copy of the physical access assessment used in annual monitoring has been obtained, reviewed on-site as part of the certification process, and a			

copy of is in included in the certification documentation.			

WILLAMETTE WORKFORCE PARTNERSHIP

SELF-SUFFICENCY

Revised: March 1, 2018	Policy: P13

PURPOSE

The purpose of this policy is to establish the definition and provide guidance on determining self-sufficiency wages for enrolled adults and dislocated workers receiving Training Services under the Workforce Innovation and Opportunity Act (WIOA).

REFERENCES

Code of Federal Regulations 20 CFR 675.300
Code of Federal Regulations 20 CFR 680.140; 680.210
Code of Federal Regulations 26 CFR 54.4980H-3
Federal Register Lower Living Standard Income Level Guidelines
Training Employment and Guidance Letter (TEGL) 19-16
WIOA Sec. 133 (b); 133 (b)(2)(B)
WIOA Sec. 134 (c)(3)(A)(I)(aa)

DEFINITION

Family: Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following: A married couple and dependent children, a parent or guardian and dependent children; a married couple.

Full-Time Employment: An employee who is employed an average of at 30 hours or more of service per week during the standard work week.

Part-Time Employment: An employee who is employed less than 30 hours of service per week during the standard work week.

Underemployed: Individuals who meet one or more of the following:

- Employed less than full-time who are seeking full-time employment;
- Employed in a position that is inadequate with respect to skills and training
- Employed, but meet the definition of low-Income
- Employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment

WILLAMETTE WORKFORCE PARTNERSHIP

SELF-SUFFICENCY

Revised: March 1, 2018	Policy: P13

POLICY

WIOA requires that the self-sufficiency wage standard will be utilized to determine the eligibility of employed workers to receive funds for Training Services. Self-sufficiency is referred to as the income needs of the family in order to meet his/her most basic expenses without public or private assistance. This income is determined by family size, the number and ages of children in the family, the sub-state geographical location, and special considerations resulting from the location.

Willamette Workforce Partnership (WWP) defines self-sufficiency wage as 200% of the Lower Living Standard Income Level (LLSIL). Up to date information can be located at https://www.doleta.gov/llsil/.

An individual who has full-time employment at a pay rate at or above the designated self-sufficiency wage, shall be considered to have achieved employment that allows for self-sufficiency. Therefore, the individual shall be considered to be self-sufficient and unable to receive Training Services. Regardless of full-time or part-time status, individuals who meet the underemployed status can receive Training Services.

WILLAMETTE WORKFORCE PARTNERSHIP

TRANSITIONAL JOBS

Revised: January 15, 2019	Policy: P14

PURPOSE

The Workforce Innovation and Opportunity Act (WIOA) allows local boards to provide transitional jobs in the public, private, or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have inconsistent work history. The goal of a transitional job is to assist the individual with establishing a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention of unsubsidized employment. The purpose of this policy is to provide guidance for executing transitional job activities to eligible Adult and Dislocated Worker participants.

REFERENCES

Code of Federal Regulations 20 CFR 680.190; 680.195
Code of Federal Regulations 20 CFR 683
Training and Employment Guidance Letter (TEGL) 19-16
Policy 07 Supportive Services and Needs-Related Payments
WIOA Sec. 134 (c)(3)(D) viii
WIOA Sec. 134 (c)(3)(D) viii (d)(5)

DEFINITIONS

Chronically Unemployed: An individual who has been unemployed for a total of six (6) months within the last twelve (12) calendar months.

Inconsistent Work History: An individual who has had four (4) or more jobs within the last 24-month period.

Targeted Populations: Individuals who have multiple barriers to employment. This includes, but is not limited to, refugees, immigrant populations, English language learners, ex-offenders, and people experiencing homelessness or at-risk of experiencing homelessness, or currently receiving housing subsidies.

POLICY

Willamette Workforce Partnership (WWP) may use no more than 10 percent (10%) of the combined total of Adult and Dislocated Worker funds to provide transitional job opportunities to participants. Transitional jobs are training services and is only offered when combined with individualized career services and supportive services. Transitional Jobs are unlike On-The-Job Trainings because there is no requirement for the employer to retain the individual upon completion of the transitional job, although it is encouraged.

Requirements

Transitional jobs allow participants to earn a paycheck, learn workplace skills, and receive mentoring and supports that address barriers to employment retention. As part of the workplace training, transitional job activities must meet the following components:

- Paid work experience of a fixed duration (i.e., three days a week)
- Integrates Individualized Career Services (i.e., workforce preparation services, career exploration services)
- Provides Supportive Services (i.e., employment-focused supports)

Eligible Participants

All Transitional Job participants must be determined eligible for Adult or Dislocated Worker programs, even if funding is from specialized grants. All Willamette Workforce Partnership (WWP) Standards for Adult and Dislocated Worker participants apply. Prior to the start of a Transitional Job activity, individuals must receive an assessment to determine eligibility and the overall need for the Transitional Job activity.

Transitional Jobs are only available to individuals who meet one or more of the following:

- Have chronic unemployment;
- Have inconsistent work history;
- Have multiple barriers to employment as outline under Targeted Populations.

Individuals who do not meet criteria for eligibility should be assessed for other career or training services as appropriate.

Host Site Eligibility

Transitional Jobs participants may be placed with eligible employers in the private, public, or non-profit sector. Sub-recipients shall employ a work site review to determine the appropriateness of utilizing the employer for the transitional job. As part of participation, host sites must be willing to work closely with sub-recipient staff and provide proper supervision.

Placement Restrictions

Placements may not occur with the following:

- Businesses in or related to the marijuana industry
- Businesses where the employment carries out the construction, operation, or maintenance or any part of a facility used for sectarian instruction, or as a place for religious worship with the exception of maintenance of facilities that are not primarily used for instruction or worship.
- Businesses who have received payments under WIOA or WIA and exhibited a pattern of failing to provide trainees with working conditions at the same level

and to the same extent as other employees working a similar length of time and doing the same type of work.

- Businesses who are involved in a labor dispute, have trainees in placements where employees in layoff status, or are in violation of Davis Bacon Labor practices that govern prevailing wage rates for government construction contracts.
- The businesses placement does not assist, promote, or deter in union organizing.
- Businesses that illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, physical or mental handicap, political beliefs, or affiliations, or age.
- The organization requires the placement to engage in partisan political activities.
- Businesses who have individuals on layoff status from the same or equivalent job. This includes ensuring the employer has terminated the employment of any regular employee or reduced the workforce of the employer with the intention of filling the vacancy with a trainee.
- A situation where the placement would infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).
- A situation where the participant is in an employment activity where the member of the participant's immediate family directly supervises or is directly supervised by the participant.
- A situation where a fee has been charged to the participant for referral or placement.

Transitional Job Agreement and Training Plan

Transitional Job opportunities can only be executed with approved employers who have completed a Transitional Job Agreement. Participant placement can only begin after a Training Plan is created.

Ending of a Transitional Job

A Transitional Job is considered ended when one of the following occurs:

- The participant successfully completes the Training Plan and is retained by the employer;
- The Training Plan reached the end date or the completion of the training; however, the trainee was not retained by the employer;

- The participant quits or is terminated prior to training end date.

Sub-recipients may terminate a Transitional Job when the following situations occur:

- The employer fails to provide the training that was specified in the training plan;
- The employer violates terms and conditions of the Training Agreement. This includes general violations of Federal and/or State regulations such as significant safety violations.

If a sub-recipient terminates a Transitional Job because of the violations by the employer, staff must notify Willamette Workforce Partnership (WWP).

Wage Reimbursement

Participants receiving a Transitional Job must be placed on the sub-recipient regular payroll and compensated according to the minimum wage standards, and/or the prevailing wage of employees with similar training, experience, and skills for a similar occupation, as set by the employer. However, since Transitional Jobs are intended as trainee positions, wages do not typically exceed those for entry-level employees.

Limits

Transitional Jobs cannot be longer than 200 hours unless Willamette Workforce Partnership provides an exception. Sub-recipients must work with the host site and participant to determine the amount of hours necessary for the transitional job placement. Willamette Workforce Partnership does not allow overtime pay.

WILLAMETTE WORKFORCE PARTNERSHIP

Natural Disaster Eligibility

Revised: May 22, 2020	Policy: P15

PURPOSE

The purpose of this policy is to include additional definitions for Dislocated Worker eligibility for Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker grants relating to natural disasters and the economic impacts resulting from the natural disaster.

REFERENCES

Code of Federal Regulations 20 CFR 687.170
Code of Federal Regulations 20 CFR 680.130
Training and Employment Guidance Letter (TEGL) 12-19;
Policy P08 Adult and Dislocated Worker Eligibility
Policy A02 Disaster Recovery
WIOA Sec. 3 (15)

DEFINITIONS:

Unemployed as a result of a natural disaster: An individual who is unemployed because of a major adverse event(s) resulting from natural processes of the Earth or forces other than the acts of human beings, including environmental conditions such as, but not limited to: earthquakes; floods; tornadoes; and/or other natural events beyond an individual's control.

Unemployed due to general economic conditions resulting from a natural disaster: An individual unemployed, including from self- employment, due to general economic conditions in the local community. This includes not limited to:

- unemployment caused by the failure or closure of one or more businesses in the community or substantial layoffs in one or more businesses in the community that had a direct effect on the individual's unemployment
- depressed price(s) or market(s) for articles/products/services produced by the self-employed individuals;
- inability to generate a profit during the preceding 12 months;
- inability to obtain capital necessary to continue operations;
- other event indicative of the likely insolvency of the farm, ranch or business.

Unlikely to return to a previous industry or occupation resulting from a natural disaster
An unemployed worker having limited opportunities for employment or reemployment in the same or similar occupation in the area in which the individual resides as confirmed by labor market information and/or labor analysis by Oregon Employment Department or recent local labor market events.

POLICY

Individuals who are unemployed as a result of a natural disaster, unemployed due to general economic conditions resulting from a natural disaster, and/or unlikely to return to a previous industry or occupation due to a natural disaster are eligible for Dislocated Worker funding or other

funding priorities and programs related to a natural disaster. Please refer to Policy A08 for Dislocated Worker eligibility.

Participants who are unlikely to return to a previous industry or occupation due to a natural disaster must show additional verification criteria to establish eligibility. Any of the following criteria can be used to establish an individual as unlikely to return to a previous industry or occupation because of a natural disaster:

- **Occupation balanced or in decline**: The industry and/or occupation is balanced, in decline, or the job has become obsolete based on local labor market information or labor market event.
- **Skill Oversupply**: Based on labor market information or labor market events, it is determined there is an excess number of workers with similar skill sets and experience that exceeds current demand in the local area.
- **Outdated Skills or Lacks Credentials:** Based on assessment of skills, it is determined that the individual has out-of-date skills or lacks required education, credentials, and/or experience based on local labor market information.
- **Local Layoff Impact:** A local plant or business closure has had a significant negative impact on the availability of jobs in the individual's primary occupation
- **Unsuccessful Job Search:** The individual has been available and searching for work for 8 weeks or more and has not received a job offer. Staff assessment indicates the unsuccessful job search suggests the individual is unlikely to regain employment in previous occupation or industry.
- **Gap in Employment:** Staff assessment indicates the individual's gap in employment significantly decreases chances of returning to the same level of occupation or type of job.
- **Physical Limitations or Disabilities:** The individual has acquired physical or mental limitations or injuries which limit the ability to return to employment in the same industry or occupation.
- **Legal Limitations**: The individual is not able to work in the occupation or industry from which dislocated due to legal issue that creates a barrier to return to employment.

WILLAMETTE WORKFORCE PARTNERSHIP

TRAINING CONTRACTS

Revised: July 11, 2022	Policy: P16

PURPOSE

The Workforce Innovation and Opportunity Act (WIOA) allows local boards to use Training Contracts as funding mechanisms other than the Individual Training Account to provide training services for Adults and Dislocated Workers. Under WIOA, Training Contracts can only be offered under certain exceptions and when the consumer choice requirements are met.

REFERENCES

Policy 05 Individual Training Account
20 CFR 680.320(a)
20 CFR 680.340
Training and Employment Guidance Letter (TEGL) 19-16
WIOA Sec. 134 (c)(3)(G)(ii)
WIOA Sec. 134(c)(3)(G)(iii)

DEFINITIONS

Eligible Training Provider: A provider of training services who has met the eligibility requirements to receive WIOA Title I Adult, Dislocated Worker, and Youth funds via an Individual Training Account (ITA) to provide training services to eligible individuals. An eligible training provider is determined through the Higher Education Coordinating Commission.

Individuals with Barriers to Employment: Individuals who have multiple barriers to employment. This includes, but is not limited to, Displaced homemakers, low-income individuals, Indians, Alaska Natives, individuals with disabilities, older individuals, i.e., those aged 55 or over, ex-offenders, youth who have aged out of the foster care system, refugees, eligible immigrant populations and seasonal farmworkers, English Language Learners, individuals re-entering society, single-parents (including single pregnant women), long-term unemployed individuals, or individuals experiencing homelessness.

Consumer Choice: Information provided to a participant about training services. The information must maximize the participant's choice in the selection of the eligible training provider and training service.

In-Demand Sector: An industry sector that has a substantial current or potential impact (including through jobs that lead to self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses or the growth of other industry sectors.

In-Demand Occupation: An occupation that currently has or is projected to have several positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector to have a significant impact on the state, regional, or local economy, as appropriate.

Revised: July 11, 2022	Policy: P16

POLICY

Willamette Workforce Partnership (WWP) may offer Training Contracts in lieu of individual Training Accounts when one or more of the following apply:

- The training is On-the-job training, customized training, incumbent worker training, transitional jobs, internships, or paid or unpaid work experience, which are not included on the Eligible Training Provider List and therefore not subject to Individual Training Account eligibility requirements.
- WWP determines that it is necessary to contract with a community-based organization or other private organization for training that meets the needs of individuals with barriers to employment.
- WWP determines that the most appropriate training could be provided by an institution of higher education or other eligible training providers to train multiple individuals for jobs in in-demand sectors or in-demand occupations.

The information outlined below does not apply to training contracts for On-the-job training, customized training, incumbent worker training, transitional jobs, internships, or paid or unpaid work experience.

For Training Contracts established for community-based organizations or other private organizations that include occupational skills training and/or adult education and literacy services, the training program must be assessed before WWP enters a training contract. The assessment will determine if the training program has demonstrated effectiveness which includes the evaluation of the financial stability of the organization providing the training and previous performance in the delivery of services to individuals with barriers to employment. WWP will measure previous performance through the program completion rate, attainment of skills, certificates, or degrees the program is designed to provide, employment rate after training, and retention after employment. WWP will also assess how the current training offerings are not duplicating existing training courses, training design, and curricula. Training similar in content but utilizing a cultural lens will not be considered duplicating existing training courses and curricula.

For Training Contracts with an institution of higher education or other eligible training providers to train multiple individuals for in-demand sectors or in-demand occupations, the contract can be used to procure a portion of a training class. WWP will assess that the curriculum activities are focused on adapting existing or creating new curricula that will result in a short-term increase in training capacity rather than long-term curriculum development activities.

WWP may also determine that providing training through a combination of ITAs and Training Contracts is the most effective approach. This approach could be used to support placing participants in programs such as Registered Apprenticeships and other similar types of training.

In cases where a Training Contract is denied, the training provider may appeal the decision within 10-days of issuance of the denial. The appeal must be in writing, submitted to WWP, and include a statement for the grounds of the appeal and the signature of the appropriate representative of the agency. Appeals that focus on the impact on the program, agency, or participants served are considered insufficient grounds for an appeal. Appeals will be evaluated for the following:

- Technical errors in the decision and/or awarding process
- New information or changes in circumstances that have emerged since the original request for a training contact

All appeals will go under review by the Executive Director of WWP or a review panel selected by WWP before a final decision will be made.

WILLAMETTE WORKFORCE
PARTNERSHIP

FOLLOW-UP SERVICES

Revised: November 16, 2023	Policy: P17

PURPOSE

The purpose of this policy is to establish and define what activities/services are appropriate and allowable under follow-up programming for Adults, Dislocated Workers, and Youth participants.

REFERENCES

Code of Federal Regulations 20 CFR 678.430(c)
Code of Federal Regulations 20 CFR 680.150(c)
Code of Federal Regulations 20 CFR 681.580
Training and Employment Guidance Letter 16-16; 19-16; 14-18; 21-16

DEFINITIONS

Exit: The date a participant stopped receiving services funded by a program or grant that are not considered follow-up. Occurs when a participant does not receive a service for ninety (90) consecutive calendar days and is not scheduled for future services; services do not include follow-up. The exit date is the date of the last qualifying service received.

POLICY

Follow-up services begin after the last date of service if the participant does not receive any other future services and must occur based on the need and level of intensity required by the individual participant.

Adults and Dislocated Workers

Adults and Dislocated Workers must be offered follow-up services for twelve (12) months after the first day of unsubsidized employment unless the participant declines to receive follow-up services or cannot be located or contacted. Examples of appropriate follow-up services to be made available include:

- Additional career planning;
- Soft skills counseling for the workplace;
- Peer support groups;
- Information about additional education opportunities;
- Referral to community resources

Youth

Youth participants must be offered follow-up services that align with their individual service strategy for twelve (12) months beginning at the time of exit unless the participant declines to receive follow-up services or cannot be located or contacted. Follow-up services may include the following elements:

- Supportive services;
- Adult mentoring;
- Financial literacy education;
- Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, counseling, and exploration;
- Activities that help youth prepare for and transition to postsecondary education and training

Revised: November 16, 2023	Policy: P17

Restrictions

WIOA-funded supportive services are not an eligible follow-up service for Adults and Dislocated Workers. WIOA-funded work-based training or ITA-funded activities are not an eligible follow-up service for Youth.

Follow-up services must include more than only a contact attempted or made for securing documentation to report a performance outcome.