



Missouri
Division
of

DWD Issuance 03-2019

Release Number—Program Year

Release Date:

July 29, 2019

Effective Date:

July 29, 2019

Expiration Date:

Continuous, until further notice

SUBJECT:

Co-enrollment and Provision of Services by Workforce Staff Policy

ATTACHMENTS:

None

This Issuance is Official Policy of the Missouri Division of Workforce Development

ISSUING AUTHORITY:

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Director
Missouri Division of Workforce Development

THIS ISSUANCE MAY REQUIRE CREATION OR ALTERATION OF EXISTING, LOCAL PRIORITY-OF-SERVICE POLICY FOR ACCESS TO ADULT SERVICES. SEE WIOA SEC. 134(c)(3)(E) [29 U.S.C. 3174(c)(3)(E)] AND THE RULES AT 20 CFR 680.600.

KEYWORDS:

Co-enrollment; Employment Services; MoJobs procedures; staff tasking; Wagner-Peyser Act; Workforce Innovation and Opportunity Act (WIOA).

THIS ISSUANCE AFFECTS:

Missouri One-Stop Delivery System (MJs/AJCs)
WIOA Title I Local Areas/Local Boards/Local Plans
WIOA Title I One-Stop Delivery/Service Providers
State of Missouri Workforce System Procedures

FOR THE ATTENTION OF:

DWD State Professional Staff
One-Stop Frontline Staff
Local Chief Elected Officials
Local WDB Chairpersons
Local WDB Directors
One-Stop Operators
One-Stop Functional Leaders
Local Quality Assurance Monitors

RESCISSIONS:

None

REFERENCES:

- U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) 10-16, [Change 1](#), “Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs,” August 23, 2017.
- [WIOA MythBusters.](#)
- [Employment Services and Merit-Based Staffing in the AJCs.](#)

SUMMARY:

The Division of Workforce Development (DWD) previously issued directions regarding co-enrollment and allowable services as combined guidance.¹ This Issuance replaces the guidance regarding co-enrollment as a standalone topic. A separate Issuance deals exclusively with allowable services.

The WIOA² program enrollments require numerous data elements. Therefore, DWD only *requires* co-enrollments linking WIOA Title I programs with specific non-Title I programs: W-P program, Trade Adjustment Assistance (TAA), National Dislocated Worker Grants, and Missouri SkillUP.

Any authorized user may post **Basic Career Services** in the statewide electronic case-management system under the Wagner-Peyser (W-P) application. This does *not* contradict, and is *not* excluded by, the regulatory requirement that State merit staff must deliver W-P funded services. Likewise, all appropriately trained Missouri Job Center staff may—and should—assist

¹ DWD Issuance 01-2017, “Co-enrollment and Allowable Services Policy,” July 14, 2017, *rescinded*.

² Pub. L. 113-128 [[29 U.S.C. 3101 et seq.](#)].

customers with initiating Unemployment Insurance claims. They may receive personal information from participants and provide *general* information about the claim process and requirements.

BACKGROUND:

State monitoring indicates an unwarranted division of labor in some Missouri Job Centers regarding WIOA staff and W-P merit staff regarding their responsibilities for delivering Basic and Individualized Career Services to customers. This may arise from a misunderstanding of what the rules mean concerning provision of W-P services being restricted to State merit staff:

*“...the [Labor] Secretary requires that labor exchange services provided under the authority of the Wagner-Peyser Act, including services to veterans, be provided by State merit-staff employees.”*³

All of the Labor Exchange services authorized by W-P⁴ are also classified as WIOA Basic or Individualized Career Services and, therefore, must be delivered by all Missouri Job Center staff regardless of employer of record or funding stream. The only Missouri Job Center services that are restricted to State merit staff are those funded by the TAA program⁵ and the Jobs for Veterans State Grant.

Career Services for both WIOA Title I Adult and Dislocated Worker customers, and for Title III W-P customers, are to be promptly provided by all appropriate staff, regardless of their employer of record or funding source. They may be recorded by *any* user authorized to enter the statewide electronic case-management system case data.

Staff have long-standing obligations to serve customers effectively without needlessly disquieting them about the distinctions between WIOA or W-P funding sources. This is not new policy.⁶

SUBSTANCE:

All customers of WIOA Partners must be presented with the availability of services for which they are eligible—or potentially eligible. They must be actively engaged and assisted in co-enrolling in services they choose. Such staff activity helps implement a central principle of WIOA—that of maximizing informed consumer choice.⁷

To provide that choice, WIOA Partners must work effectively together. Focus on effective *co-enrollments* is as important as effective *referrals* that bridge the space between WIOA Partner services.

When WIOA Partners co-enroll customers, we are better able to:

- Achieve the vision and goals laid out in WIOA;
- Improve participant outcomes by meeting the needs of employers and jobseekers;
- Improve WIOA Partner outcomes by collaborating to achieve our performance goals; and
- Eliminate barriers to services and reduce the burden on customers to identify and access our services.

Effective from this Issuance’s date, these co-enrollment rules are **mandatory**:

- All job seekers receiving staff-assisted services in a Missouri Job Center (including Youth) must be enrolled in the W-P program. *Any* Missouri Job Center staff can—and should—complete the W-P enrollment in the statewide electronic case-management system.

³ [29 CFR 652.215](#).

⁴ [Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014](#)

⁵ [TEGL 1-19](#), “Trade Adjustment Assistance Data Integrity (TAADI)” July 1, 2019.

⁶ U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter [\(TEGL\) 23-14](#), “Workforce Innovation and Opportunity Act (WIOA) Youth Program Transition,” March 26, 2015; [DWD Issuance 24-2015](#), “Workforce Innovation and Opportunity Act Missouri Job Center Service and Referral Policy,” June 15, 2016; [TEGL 03-15](#) (July 1, 2015) later superseded by [TEGL 19-16](#), “Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules,” March 1, 2017.

⁷ WIOA sec. 107(d)(10)(E), sec. 122(b)(1)(j)(iii), and sec. 134(c)(3)(F) [[29 U.S.C. 3122\(d\)\(10\)\(E\)](#)], [[29 U.S.C. 3152\(b\)\(1\)\(j\)\(iii\)](#)], and [[29 U.S.C. 3174\(c\)\(3\)\(F\)](#)].

- All TAA participants must be co-enrolled in the WIOA Dislocated Worker program.
- All National Dislocated Worker Grant participants must be co-enrolled in the WIOA Dislocated Worker program if they meet the eligibility requirements.
- All Missouri [SkillUP](#) (skills, training, or work experience for Food Stamp recipients) participants who **receive training** must be co-enrolled in the WIOA Adult program.

Other co-enrollment in complementary programs is consistent with the intent of WIOA. Use this approach as appropriate, at the discretion of the Local Workforce Development Board (WDB), in line with stated policy in its approved Local Plan.⁸

Both W-P and WIOA funds are to be used to provide Career Services. Staff funded by WIOA, including W-P staff, are to provide Basic and Individualized Career Services.

At the discretion of the Local WDB, DWD staff may be authorized to enroll individuals in WIOA programs. This is allowable because eligibility determination, outreach and intake, comprehensive assessment, employment planning, and follow-up are all Career Services they are required to deliver.⁹

Basic Career Services fall into two groups. They are either self-service/informational services or staff-assisted services:

Self-service occurs when individuals independently access any of the workforce-development system products or services either directly (at a physical location, such as at a Missouri Job Center or at a WIOA Partner agency) or remotely via the use of electronic technologies. Even if staff provide basic technical instruction on how to use the system technology to get the customer started, it is *still* a self-directed job search.

Informational 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. Missouri Job Center Workshops also fit this definition.

Current the U.S. Department of Labor guidance¹⁰ identifies 13 Basic Career Services¹¹ that are defined as self-service or informational in nature. They do not trigger program participation, and do not require the collection of eligibility documentation:

- Eligibility determination;
- Outreach, Intake, Orientation;
- Job Search assistance (Self-directed);
- Providing information on in-demand sectors, occupations, or nontraditional employment;
- Provision of referrals and associated coordination of activities with other programs and services;
- Provision of workforce and labor market employment statistics information;
- Provision of information on job vacancies;
- Provision of information on job skills necessary to fill vacancies;
- Provision of information on local demand occupations, with earnings, skill requirements, and opportunities for advancement for those jobs;
- Provision of performance and program cost information for providers of education and training;
- Provision of information on local performance;
- Provision of information on availability of supportive services or assistance; and
- Referral to supportive services.

⁸ Local Plan Section VIII(H). See [DWD Issuance 14-2015](#), "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," February 16, 2016, and any subsequent guidance.

⁹ [20 CFR 678.430](#)

¹⁰ U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter ([TEGL](#)) [10-16, Change 1](#), "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs," August 23, 2017.

¹¹ [TEGL 10-16, Change 1, Attachment 7, Table A](#), "Participation Level Services Chart—WIOA Title I Adult, Title I Dislocated Worker, and Title III Employment Service Programs," August 23, 2017.

Any Missouri Job Center staff may provide self-service or informational services to individuals regardless of WIOA enrollment status. Any Career Service provided by WIOA-funded staff that is **not** defined as self-service or informational, **requires enrollment in the WIOA program for which the participant is determined eligible.**

The WIOA regulations require states and Local Workforce Development Areas establish criteria for application of priority for Adult program-funded Individualized Career Services and Training Services. The State’s policy is that Local WDBs must establish tiered, local, priority-of-service policies. These policies must assign top priority to public-assistance recipients, other low-income individuals, and individuals who are basic-skills deficient. These policies must also allow other eligible individuals outside of the top-priority group to have access to these services.¹²

For the WIOA Adult program (staff-assisted Career Services only), participants do not have to demonstrate low-income status.¹³ The general eligibility requirements, as outlined in DWD’s Adult and Dislocated Worker programs eligibility and documentation technical assistance guidance,¹⁴ are the only required documentation. Staff may upload the required eligibility documentation into the statewide electronic case-management system using either one of these secure methods:

- Scanning the documentation on a network scanner/copier that can transmit the image to a staff computer for uploading to the statewide electronic case-management system. This transmission is considered secure if the documentation never leaves the secure network. The State network, and any local network compliant with NIST security standards, is considered secure.
- Scanning the documentation on a scanner that is directly connected to a staff computer for uploading to the statewide electronic case-management system. This transmission is considered secure because the documentation is never transmitted over the Internet.

ROLES, RESPONSIBILITIES, and REQUIRED ACTIONS:

All Local WDB Directors and Missouri Job Center Leadership should immediately inform Frontline Workforce System Staff of these requirements.

All Frontline Workforce System Staff handling enrollments and posting services to the statewide electronic case-management system should immediately apply these requirements as described as they apply to Basic Services and Individualized Career Services.

TIMELINE:

All Missouri Workforce System Staff — Implementation of these rules..... October 29, 2019

INQUIRIES:

Please direct all questions or comments regarding this Issuance document to dwdpolicy@ded.mo.gov. All active DWD Issuances are available at jobs.mo.gov/dwdissuances. Expired or rescinded Issuances are available on request.

For information about [Missouri Division of Workforce Development](#) services, contact a [Missouri Job Center](#) near you. Locations and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627).

Missouri Division of Workforce Development is an [equal opportunity](#) employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.

¹² [20 CFR 680.600](#)

¹³ [TEGL 19-16](#), “Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules,” March 1, 2017.

¹⁴ [DWD Issuance 08-2018](#), “Workforce Innovation and Opportunity Act Adult and Dislocated Worker Programs Eligibility and Documentation Technical Assistance Guidance Policy,” March 19, 2019.