REQUIRED WRITTEN LOCAL WORKFORCE DEVELOPMENT BOARD POLICIES

This review collates policy requirements in WIOA [29 U.S.C. 3101 et seq.], Titles 2, 20, and Title 29 of the Code of Federal Regulations, advisory guidance from selected DOL TEGLs, active DWD Issuances, the DWD Financial Manual, the Missouri Code of State Regulations, and RSMo Chapter 610. It is complete as practicable, but omissions are possible.

LOCAL POLICIES AND SUNSHINE: General—Regardless of whether or not they are required by the Local Plan, or required by federal or state laws or regulations, all Local WDB policies that are specific to the LWDA and approved by vote of the board must be available to the public in writing at the board office and available for Sunshine requests. (Electronic access can substitute for paper copies.) This includes any standing policy or policy resulting from a declared vote by the Local WDB. (The only exceptions are specific security policies with details affecting people or facilities.)

Note that all but one of the policies listed in this document are subject to open records Sunshine requirements (marked *)

PROHIBITED LOCAL POLICIES: Linking Follow-up and Performance—States and local areas must establish policies that define what are considered appropriate follow-up services, as well as policies for identifying when to provide follow-up services to participants. However, follow-up services do not extend the date of exit in performance reporting. Local WDBs are disallowed any policy that includes “follow-up services” as a strategy to manage or influence exit-based performance. Any such policy still “on the books” effect must be immediately rescinded and replaced.

UNNECESSARY LOCAL POLICIES: Drug-testing Appeals Policy—Due to a technical error, the current OJT P&P manual (DWD Issuance 17-2015, ATT #1, page 9) erroneously instructs the Local WDB to establish due-process procedures to provide expeditious appeal for WIOA participants subject to testing, or who are sanctioned or restricted after testing positive for the use of controlled substances. This is a DWD technical editing error introduced in the last revision of the OJT P&P issuance. There is no State policy to which a Local Policy would need to respond. This instruction will be deleted from the next update of the OIJT Policy & Procedures Manual. Although this is not a required policy, in the absence of State policy on appeals, Local WDBs are free to have a testing appeals policy if they choose to create one.

DWD RECOMMENDATION: It is currently a local option whether or not to list or include any standing policies of the Chief Elected Official/CEO consortium (or any policy resulting from a declared vote taken by the consortium) in the Local Plan. Although current guidance allows Local Plan Attachment 7 (Chief Elected Officials’ Agreement, CEO membership and By-Laws) to be an optional inclusion in the Local Plan, any policies originating with the CEOs that are inconsistent with WIOA or the regulations may go undetected. It is recommended to include Attachment 7 in the Local Plan.
## LOCAL POLICIES THAT ARE REQUIRED COMPONENTS OF THE LOCAL PLAN

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(*could be subparts of the same policy*)
ADDITIONAL REQUIRED LOCAL POLICIES BEYOND THE LOCAL PLAN

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<td>● FACILITIES—SAFETY/SECURITY—Disruption or Threat Policy (discretionary)</td>
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<td>● FACILITIES—DAMAGES (discretionary)</td>
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<td>○ FACILITIES—EMERGENCY / SAFETY / SECURITY POLICY (could be subparts of the same policy)</td>
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<td>● NONDISCRIMINATION POLICY— Gender Identity, Expression, and Sex Stereotyping (optional separate policy)</td>
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<td>● PERSONNEL—Travel Policy (Required if federal allowances are not used.)</td>
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<td>● RECORDS—Access to Records/Sunshine Policy</td>
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<td>● RECORDS—Retention and Destruction</td>
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<td>● SERVICE POLICY—Serving the Underemployed (Federal recommendation; not a requirement)</td>
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<td>● TRAINING—Out-of-state Providers Policy</td>
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<td>● YOUTH—Monitoring of Stand-alone Programs Policy</td>
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LOCAL POLICIES REQUIRED IN THE LOCAL PLAN (SUMMARIES)

- **ACCESSIBILITY POLICY — Persons with Disabilities** .......................................................... Local Plan Section VIII(F)
  Local WDB policies shall be developed, and resources allocated, to assure facility and programmatic access. [NOTE: “Accessibility” Policy and “Accommodation” Policy are two separate things. See “Accommodation Policy,” under “Other Required Policies.”]
  
  DWD ISSUANCE 04-2001 (Missouri Accessibility Policy), ATT #1, Section III(A);
  DWD ISSUANCE 14-2015 (Local Planning Guidance), ATT #1, page 7

- **ACCESSIBILITY POLICY—Persons with Limited English Proficiency** ........................................ LP Section VIII(G)
  Local WDBs must develop and implement a comprehensive, written policy that will ensure meaningful access and communication for LEP individuals.
  
  DWD ISSUANCE 14-2015 (Local Planning Guidance), ATT #1, page 7;
  DWD ISSUANCE 06-2014 (Access to Meaningful Services for Individuals with Limited English Proficiency)

- **ADULT EDUCATION AND LITERACY (AEL) POLICY** .................................................. LP Section VIII(J)
  How the Local WDB will coordinate workforce development activities with DESE Title II provider(s) of AEL in the LWDA, including alignment-review process for DESE Title II applications.
  
  DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

- **ADULT EMPLOYMENT & TRAINING—Prioritization Policy** ........................................... LP Section VIII(B)
  Local WDB criteria to determine whether Adult E&T funds under WIOA sections 133(b)(2) or (b)(3) are limited, and how One-Stop Operator will prioritize available funds use.
  
  DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

- **BASIC SKILLS ASSESSMENTS—Testing Policy** ............................................................... LP Sections XI(B)(1) and XI(D)(2)(g)
  The Local WDBs must develop a policy for determining basic skills deficiency criteria as defined in WIOA Section 3(5) and must choose the assessments for basic skills testing. This policy should be developed with guidance for the local subcontractors to implement.

  DWD ISSUANCE 14-2015 (Local Plan Guidance)
  DWD ISSUANCE 4-2016 (Basic Skill Assessments to Determines Deficiencies);
  20 CFR 681.290

- **BUSINESS SERVICES POLICY** ....................................................................................... LP Section XI(E)(4)
  Business Services Plan outlining goals, policies, and procedures to ensure seamless delivery of services, avoid duplication, and ensure feedback to local Job Centers.
  
  DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)
COMPLAINTS AND GRIEVANCE POLICY—Nondiscrimination .................................................. LP Section XIII(H), ATT #15
Local complaints and grievances policy related to nondiscrimination (as differentiated from programmatic complaints about WIOA procedures; these can be included in the same policy). If Local WDB chooses to follow State policy, a local policy is not required, only a statement to that effect.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)
[RETURN TO LOCAL PLAN LIST]

COMPLAINTS AND GRIEVANCE POLICY—Programmatic ......................................................LP Section XIII(H); ATT #15
Local policies should correspond with the State’s complaint and grievance policy. All participants receiving services under Title I of WIOA have the opportunity to report and receive relief from negative actions of the WIOA funded grantees (as differentiated from discrimination complaints; these can be included in the same policy). If Local WDB chooses to follow State policy, a local policy is not required, only a statement to that effect.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)
[RETURN TO LOCAL PLAN LIST]

CONFLICT OF INTEREST POLICY ....................................................................................................... LP ATT #8
Local WDB must have a local conflict of interest policy to be included in Board bylaws and local plan; also required in CEO consortium bylaws. Neither the Local WDB staff, the OSO, nor any other services provider, may manage a services competition (drafting proposal specifications, evaluating bids, selecting the awardee, etc.) in which it will be a competitor. The Local WDB must establish “robust” policies and firewalls to avoid any inherent conflict of interest. “Recipients and subrecipients of WIOA title I and Wagner-Peyser Act funds must have an internal control structure and written policies in place that provide safeguards to protect personally identifiable information, records, contracts, grant funds, equipment, sensitive information, tangible items, and other information that is readily or easily exchanged in the open market, or that the Department or the recipient or subrecipient considers to be sensitive, consistent with applicable Federal, State and local privacy and confidentiality laws.”

★ 20 CFR 679.390; DWD ISSUANCE 15-2011 (Transparency and Integrity)
[Replacement DWD ISSUANCE XX-2016 (Ethics for CEOs and Local WDBs is forthcoming]

DWD ISSUANCE 14-2015 (Local Planning Guidance), ATT #1, Section X-E, page 9
DWD ISSUANCE 04-2016-C1 (Selection or Designation of Service Providers, including Selection of One-Stop Operators)
DWD FINANCIAL MANUAL (July 2016), page 15
★ 20 CFR 678.610(c)
★ 20 CFR 678.615(a)
★ 20 CFR 683.220(a)
[RETURN TO LOCAL PLAN LIST]

ELIGIBILITY— Youth Barriers Policy...........................................................................................................LP Section VIII(C)
ISY and OSY Additional assistance barrier. “If the state does not establish these definitions and eligibility documentation, the local area must do so if it uses this criterion”; “Individual who needs additional assistance to enter or complete an educational program or to secure or hold employment (as defined by the Local Board)”

★ TEGL 21-16

DWD ISSUANCE 02-2015 (WIOA Youth Program Eligibility and Documentation Technical Assistance Guidance Policy)
★ 20 CFR 681.300 and 681.310
[RETURN TO LOCAL PLAN LIST]

EMPLOYMENT TRANSITION TEAM POLICY.........................................................................................LP Section XI(C)
How the Local WDB coordinates with the LWDA’s ETT Coordinators; including pre-layoff services, proactive measures to identify potential layoffs, and layoff aversion strategies.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)
[RETURN TO LOCAL PLAN LIST]
FAITH-BASED AND COMMUNITY-BASED OUTREACH POLICY ............................................................. LP Section XI(G)
Local WDBs policy regarding Title I financial assistance to increase participation of and access by FBOs and CBOs.

DWD ISSUANCE 14-2015 (Local Planning Guidance), ATT #1, page 13
DWD ISSUANCE 02-2006 (Title I Financial Assistance to Employ or Train Participants in Religious Activities), page 2

FINANCIAL—Procurement Policy .................................................................................................................. LP ATT #12
Local WDB Procurement Policy; policies that allow self-certification.

DWD ISSUANCE 01-2007 (Procurement Policies and Disposal of Surplus Assets) This Issuance, still active, requires adherence to Missouri OA procurement guidance at 1-CSR-40-1, but this State regulation is not noted in the current DWD Financial Manual
DWD ISSUANCE 14-2015 (Local Planning Guidance), ATT #1, Section XIII-C, page 15
DWD 24-2009 (Business Card Policy)
DWD Financial Manual (July 2016) page 19
DWD 04-2016 (Selection or Designation of Service Providers), pages 3-4
DWD ISSUANCE 04-2016-C1 (Selection or Designation of Service Providers, including Selection of One-Stop Operators, by the Local Workforce Development Board)

INCUMBENT WORKER TRAINING POLICY .............................................................................................. LP ATT #16
“Any Board planning to implement Incumbent Worker Training … must establish policies and definitions to determine which workers, or groups of workers, and which employers are eligible for incumbent-worker services.”; “WIOA sec. 134(d)(4)(D) requires Local WDBs to establish policies regarding the non-federal share of the cost of IWT.”

DWD ISSUANCE 25-2015 (Incumbent Worker Training Policy)

INDIVIDUAL TRAINING ACCOUNTS—Funding Limits Policy ................................................................. LP Section VIII(E)
Policy defining duration and funding limits on ITAs.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

INTEGRATION OF SERVICES—Co-enrollment Policy .............................................................................. LP Section VIII(H)
Board policy to promote integration of services through co-enrollment processes, beyond the automatic co-enrollment of the NGCC model.
● MONITORING—Sub-state Monitoring Policy .................................................................................................................. LP ATT #9
Local policy on sub-state monitoring must address the organization and (if applicable) staff position that will perform any monitoring activities.

DWD ISSUANCE 16-2015 (Statewide Sub-state Monitoring Policy), ATT #1, page 1
DWD ISSUANCE 14-2015 (Local Planning Guidance), ATT #1, page 9

[RETURN TO LOCAL PLAN LIST]

● PRIORITY OF SERVICE POLICY—Access to Adult Services .................................................................................................. LP Section VIII(B)
In DWD ISSUANCE 11-2013, it is implied that each Local WDB is expected to have a priority of service policy for the application of what used to be intensive-level services (under WIA) and are now individualized career services and training services (under WIOA). WIOA and the Rules still call for states and local areas to establish policies for individualized career services and training services funded with Title I adult funds assigning priority to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient and any other State or local designees (as long as it does not conflict with veterans PoS).

DWD ISSUANCE 11-2013 (Distance and online learning), ATT #1, page 1
★ WIOA sec. 134(c)(3)(E)
★ 20 CFR 680.600 and 680.610

[RETURN TO LOCAL PLAN LIST]

● PRIORITY OF SERVICE POLICY—Veterans .................................................................................................................. LP Section VIII(D)
Local policy on incorporating PoS for veterans and eligible spouses into all program areas.
DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)
DWD ISSUANCE 10-2016 (Priority of Service for Veterans and Eligible Spouses)

[RETURN TO LOCAL PLAN LIST]

● SUPPORTIVE SERVICES—GENERAL .................................................................................................................. LP ATT #2
General Local WDB policy (compliant with State policy) for Supportive Services to enable individuals to participate in WIOA Title I activities. /NOTE: DWD ISSUANCE 12-2010 refers to a “regional” policy. The intended meaning is a policy applicable to the Local Workforce Development Area (LWDA).] 
DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)
DWD ISSUANCE 12-2010 (Statewide Supportive Services Policy)
★ TEGL 19-16
★ 20 CFR 680.900–680.970

[RETURN TO LOCAL PLAN LIST]

● SUPPORTIVE SERVICES—Needs-related Payments Policy—ADLT & DLW .................................................................................................. LP ATT #2
The maximum level of needs-related payments must be set by the Local WDB and must follow criteria at 20 CFR 680.970. Payment level for adults must be established by the Local WDB; also required for Employment Recovery Dislocated Worker Grants.

★ 20 CFR 680.970
★ TEGL 19-16
★ TEGL 6-16, ATT-2

[RETURN TO LOCAL PLAN LIST]

● SUPPORTIVE SERVICES—Trade Act Adjustment (TAA) Policy .................................................................................................. LP ATT #2
Local policy to provide WIOA wrap-around services for Trade Act customers needing services not covered by the Trade Act (reimbursements, etc.). TAA funding must be completely utilized before tapping WIOA funds.
DWD ISSUANCE 12-2010 (Supportive Services Policy), ATT #1, page 5

[RETURN TO LOCAL PLAN LIST]
TRAINING— Expenditure rates and training criteria—ADLT & DLW

Board must establish policy on training expenditure rates for the Adult and Dislocated Worker regular formula fund allocations, and on a local process for determining who will receive training under the NGCC initiative.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

RETURN TO LOCAL PLAN LIST

VOC. REHAB./REHAB. SERVICES FOR THE BLIND—Coordination Policy

Policy on how the Local WDB will coordinate workforce development activities with Vocational Rehabilitation and Rehabilitative Services for the Blind.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

RETURN TO LOCAL PLAN LIST

YOUTH—Apprenticeships Policy

The Local WDB is to have a policy on apprenticeships. DOL guidance (TEN 13-12) cited by DWD ISSUANCE 11-2015 implies (page 2) that, for a pre-apprenticeship program, the Local WDB “should” have a policy guiding outreach for under-represented populations and to increase the acceptance rates for registered apprenticeships. [NOTE: This additional policy is not required if there is no youth pre-apprenticeship program in the Local Area.]

DWD ISSUANCE 11-2015 (Workforce Innovation and Opportunity Act Work Experiences for Youth Participants)

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

RETURN TO LOCAL PLAN LIST

YOUTH—Out-of-school Youth (OSY) Policy

Policy documents how the Board will define, identify, document, and serve youth participants meeting OSY eligibility criteria.

DWD ISSUANCE 14-2015 (Planning Policy and Guidelines for Missouri Local WDBs)

RETURN TO LOCAL PLAN LIST
REQUIRED LOCAL POLICIES BEYOND THE LOCAL PLAN (SUMMARIES)

● ACCOMMODATION POLICY
Because the most recent State Issuance combines this with Harassment/ Discrimination; they may or may not be separate policies. This policy requirement is not the same as having an “accessibility” policy. “Accommodation” refers to requests for providing reasonable employment-related accommodations to employees and job applicants with disabilities. (However, meaningful steps to ensure access to LEP individuals by providing translation are nondiscrimination policies and not “accommodations.”)

20 CFR 38.14 to 38.17
DWD ISSUANCE 10-2012 (Harassment and Discrimination Policy and Accommodation Policy)
[An update to this issuance is a work in progress]

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

● CONFIDENTIALITY AND INFORMATION SECURITY POLICY
The Local WDB must have a policy for the LWDA that conforms to the State’s Confidentiality and Information Security Policy, and the Local WDB must monitor subrecipients’ policies for conformity to both the State and the local policies.

DWD ISSUANCE: 13-2016, Confidentiality and Information Security)
DWD FINANCIAL MANUAL (July 2016), page 57.

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

● CUSTOMIZED TRAINING—Employed Workers Eligibility Policy
“Customized training of an eligible employed individual may be provided for an employer or a group of employers when… the employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by Local WDB policy…”

20 CFR 680.770.

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

● CUSTOMIZED TRAINING— Employer’s Share Policy
Local WDBs must create policies for determining what constitutes an employer’s payment of “a significant portion of the cost of training.” This must take into account: the size of the employer and other factors the Local WDB determines are appropriate. These may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities. Employers are required to pay the non-federal share of the cost of providing incumbent worker training. (WIOA sec. 134(d)(4)(D) also requires Local WDBs to establish policies regarding the non-federal share of the cost of IWT. See Local Plan ATT #16.)

TEGL 19-16

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

● ELIGIBILITY POLICY— Individualized Career Services
Local Workforce Development Boards must identify the assessments to be used to determine eligibility and must ensure eligibility determination policies are consistent with state policies.

TEGL. 19-16

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]
**FACILITIES—SAFETY/SECURITY—Disruption or Threat Policy (discretionary)**
To eject disruptive person(s), the Local WDB should have a written policy for barring, restricting, or removing a disruptive person from a Job Center or other Local WDB premises. Posting a notice or listing circumstances that would result in an individual being removed or asked to leave probably would be necessary. *(See similar requirements for schools at RSMo 160.261.)*

*DWD ISSUANCE 11-2014 (Job Center Safety/Security Policy Manual), ATT #1, page 19*

**FACILITIES—DAMAGES (discretionary)**
The WIOA nondiscrimination rules explicitly state that the owner of a service animal cannot be held liable for physical damages to the facility unless the Local WDB has a general written policy already in place (and probably posted) concerning surcharges or restitution for damages that applies equally to all visitors. *(Conceivably, such damages could also extend to careless use of motorized support, food & drink brought into the center, unattended children, etc.)*

★ 29 CFR 38.16(b)

**FACILITIES—EMERGENCY/SAFETY/SECURITY POLICY**
Although not specifically ordered as an “Action” item, the safety and security manual Issuance and attachments presumes the existence of a Local WDB emergencies policy. However, this document should be classified. The Missouri Sunshine specifically exempts security documents, evacuation plans, floor plan drawings, or other similar materials whose release would compromise the safety of the public or the employees using a public facility, such as a Job Center.

*DWD ISSUANCE 11-2014 (Job Center Safety/Security Policy Manual), ATT "F"*

★ RSMo 610.021.18 through 610.021.20

**FINANCIAL—General Policy**
Subrecipients and their subrecipients must maintain and follow detailed written policies and procedures that address all functions and processes within their financial system.

*DWD FINANCIAL MANUAL (July 2016), Standard #17*

**FINANCIAL—AUDIT TRACKING**
Local WDB must develop/revise a policy on use of Audit Tracking Forms for contracts with subrecipients.

*DWD ISSUANCE 01-2011 (Audit Tracking Forms Policy)*

**FINANCIAL—Cost Policy (Cost Allocation) Statement**
The Local WDB must have a Cost Policy Statement, describing all accounting policies and narrating in detail the proposed Cost Allocation Plan. This Plan must describe the procedures used to identify, measure, and allocate all costs to each benefiting activity. It must be signed by a duly authorized official. Cost policy must cover compensation for personal services and professional services. The policy must conform to GAAP.

*DWD ISSUANCE 06-2015 (Indirect Cost Rate Proposals Guidance and Policy)*

DWD FINANCIAL MANUAL (July 2016), pgs. 29, 32

★ Uniform Guidance at 2 CFR 200.404(c), 200.404(e), 200.403(a), and 200.430(b).

**RETURN TO ADDITIONAL REQUIRED POLICIES LIST**
FINANCIAL—Cost Accounting Policy
“Recruiting costs for Local WDB staff are allowable per the Uniform Guidance at 2 CFR 200.463 ‘Recruiting,’ but must be consistent with the non-federal entity’s existing cost-accounting practices and policies.” (Implying that such policies must exist.)

DWD ISSUANCE 04-2016 (Selection or Designation of Service Providers One-Stop Operators)
★ 2 CFR 200.463

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

FINANCIAL—Financial Reporting/Cash Draw Request Deadlines
Local financial policies must include cash draw request deadlines and comply with State policy.

DWD ISSUANCE 03-2016 (Financial Reporting and Cash Draw Request Deadlines Policy), page 1

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

FINANCIAL—Fraud, Waste, Abuse, and Criminal Activity Policy
DWD specifically requires that subrecipients have a well-defined policy on procedures to report fraud, program abuse, and criminal conduct to the DWD. The DWD will review this policy on its annual monitoring.

DWD FINANCIAL MANUAL (July 2016), page 45
DWD ISSUANCE 23-2015 (Policy on Reports and Complaints about Criminal Fraud, Waste, Abuse, or Other Criminal Activity Related to Federal Awards)
★ WIOA sec. 107(c)(3) [29 U.S.C. 3122(c)(3)]
★ 20 CFR 683.200(h)
★ 2 CFR 200.113
★ 2 CFR 200.338

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

FINANCIAL—Internal Accounting Policy
“The application of these cost principles should require no significant changes in the internal accounting policies and practices of the non-Federal entity…”; “…Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.”

★ Uniform Guidance at 2 CFR 200.400(d) and 2 CFR 403(d)

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

FINANCIAL—Local Bonding Policy
A list of items to be reviewed during financial monitoring should contain, but is not limited to, the following… (f) Bonding policy;
“For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or passthrough entity has made a determination that the Federal interest is adequately protected.”

DWD FINANCIAL MANUAL (July 2016), pgs. 56-57
★ Uniform Guidance at 2 CFR 200.325

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

FINANCIAL—Payments to Employers Policy
“Invoicing: Payments to employers for the OJT must comply with WIOA program guidelines and the LWDB’s policies.”

DWD ISSUANCE 17-2015 (OJT Policy), ATT #1, page 12

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]
**FOLLOW-UP POLICY—General**
States and local areas must establish policies that define what are considered appropriate follow-up services, as well as policies for identifying when to provide follow-up services to participants.  

★ TEGL 19-16

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**FOLLOW-UP POLICY—Youth**
Some youth may not be responsive to attempted contacts for follow-up, and other youth may be difficult to locate making it impossible to provide follow-up services for such individuals. Local programs should have policies in place to establish how to document and record when a participant cannot be located or contacted.

★ TEGL 21-16

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**HARRASSMENT AND DISCRIMINATION POLICY**
Because the most recent State Issuance combines this with “Accommodation,” they may or may not be separate policies. All Local WDBs, partner agencies, and/or subcontracting entities must develop and implement policies prohibiting employees and nonemployees from harassing or discriminating against staff, customers, and employees.

*DWD ISSUANCE 10-2012 (Harassment and Discrimination Policy and Accommodation Policy [replacement in progress])*  
★ 29 CFR 38.10 “Harassment prohibited” [new rule]

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**NONDISCRIMINATION POLICY—Gender Identity, Expression, and Sex Stereotyping (optional as separate policy)**
All forms of sex discrimination are now prohibited under WIOA and its implementing rules. About 17 months after the TEGL and DWD Issuance referenced here came out, the Final Rules for Part 38, implementing WIOA Section 188 Nondiscrimination requirements, added these protections. Therefore, a separate policy may no longer be necessary.

*DWD ISSUANCE 15-2014 (Update on Complying with Nondiscrimination Requirements)*  
★ TEGL 37-14  
★ 29 CFR Part 38

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**ON-THE-JOB TRAINING—Dispute Resolution Policy**
The Local WDB must have a policy in place to handle employer disputes, nepotism, and agreement modifications.

*DWD ISSUANCE 17-2015 (OJT Policy), ATT #1, page 9*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**ON-THE-JOB TRAINING—Employed Workers Eligibility Policy**
“OJT contracts may be written for eligible employed workers when... the employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by Local WDB policy...”  

★ 20 CFR 680.710

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**ON-THE-JOB TRAINING—Funds to Support Registered Apprenticeships Policy**
The Local WDB must have a policy on whether OJT funds can be used to for registered apprenticeships and identifying to what extent (some or all) of Registered Apprenticeship can be so covered.

★ 20 CFR 680.740

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]
**ON-THE-JOB TRAINING—Outreach Policy**
Local WDBs will “develop local protocols and policies for outreach.”

*DWD ISSUANCE 17-2015 (OJT Policy), ATT #1, page 3*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**PERSONNEL—Facilities Closings Policy**
The Local WDB guidance for the creation of MOUs for the one-stop system assumes the existence of formal policies on holiday/emergency closing that will need to be coordinated among partner agencies. *SUNSHINE NOTE: Personnel policies, as opposed to individual records, are subject to the Sunshine law, and reasons/dates for closings are usually public information.*

*DWD ISSUANCE 12-2015 (MOU Guidance)*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**PERSONNEL—Hiring and Firing Policy**
The Functional Leader Issuance implies that there should be Local WDB personnel policies: “The Functional Leader serves at the joint pleasure of the Board and DWD, who determine the filling of, or removal from, that position in accordance with the employer of record’s personnel policies.” *SUNSHINE NOTE: Personnel policies, as opposed to individual records, are subject to the Sunshine law.*

*DWD ISSUANCE 01-2016 (Functional Leadership for Missouri Job Centers Guidance and Policy)*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**PERSONNEL—Personal Leave Policy**
The Local WDB guidance for the creation of MOUs for the one-stop system assumes the existence of formal policies on staff leave that will need to be coordinated among partner agencies. The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if they are provided under established written leave policies. *SUNSHINE NOTE: Personnel policies, as opposed to individual records, are subject to the Sunshine law.*

*DWD ISSUANCE 12-2015 (MOU Guidance)*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**PERSONNEL—Travel Policy (Required if federal allowances are not used.)**
“In the absence of an acceptable, written non-Federal entity policy regarding travel costs, the rates and amounts established under 5 U.S.C. 5701–11, (‘Travel and Subsistence Expenses; Mileage Allowances”), or by the Administrator of General Services, or by the President (or his or her designee) pursuant to any provisions of such subchapter must apply to travel under Federal awards [48 CFR 31.205–46(a)].” *SUNSHINE NOTE: Personnel policies, as opposed to individual records, are subject to the Sunshine law.*

*Uniform Guidance at 2 CFR 200.431(b)(1)*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**RECORDS—Access to Records/Sunshine Policy**
The Local WBD must have policy on public access to records, including a schedule of reasonable fees. (This must be in accordance with section 610.026 of Missouri Sunshine Law.)

*DWD FINANCIAL MANUAL (July 2016), page 14*

*RSMo 610.026*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

**RECORDS—Retention and Destruction**
The Local WDB must have a local records retention and destruction policy.

*DWD ISSUANCE 05-2007 (Destruction of Records)*

*DWD FINANCIAL MANUAL (July 2016), page 13*

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]
SERVICE POLICY—Serving the Underemployed *(Federal recommendation; not a requirement)*

“State and local policy should be developed for serving individuals that are underemployed… We encourage states and local areas to develop policies and procedures for determining underemployment for both the adult and dislocated worker programs.”

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

TRAINING—Out-of-state Providers Policy

An individual may choose eligible training providers and programs outside of the State consistent with State and local policies and procedures. State policies and procedures may provide for reciprocal or other agreements established with another State to permit eligible training providers in a State to accept ITAs provided by the other State.

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

TRANSITIONAL JOBS POLICY *(program dependent)*

If the Local WDB implements a TJ program, then “Local WDBs utilizing the Transitional Jobs must adopt policies and identify employers (public, private, or nonprofit) that can provide quality experiences through which individuals can achieve unsubsidized employment.” Additionally, these policies must include plans on the amount of reimbursements for the jobs (up to 100 percent of the wage), what supportive services must be included, and the limits on the duration of the transitional job. If states and Local WDBs choose to use transitional jobs as a strategy, they must develop policies for defining and identifying individuals who are “chronically unemployed” or “have an inconsistent work history.”

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

YOUTH—Incentives Policy

Enrolled youth incentive payments must be backed up by a Local WDB incentives policy. The local program must have written policies and procedures in place governing the award of incentives.

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]

YOUTH—Monitoring of Stand-alone Programs Policy

Boards must incorporate additional financial and programmatic monitoring policies to ensure funds intended to support stand-alone summer youth programs or other special initiatives are administered in accordance with contractual scopes of work.

[RETURN TO ADDITIONAL REQUIRED POLICIES LIST]