



Ted Strickland, Governor
Douglas E. Lumpkin, Director

February 19, 2009

Workforce Investment Act Policy Letter No. 08-08.1

To: WIA Local Workforce Investment Boards (WIBs), Fiscal Agents,
Administrative Entities and One-Stop Operators

From: Douglas E. Lumpkin, Director

Subject: National Emergency Grants (NEGs) – Needs-Related Payments for
the Wilmington Airpark Dislocated Workers

I. Purpose

To provide guidance on National Emergency Grants (NEGs) Needs-Related Payments (NRPs) to be provided to eligible Wilmington Airpark workers.

This NEG policy applies to all targeted participants served by the following Project Operators: Local Area 7 - Clinton, Montgomery, Highland, Greene, and Fayette; Local Area 12 - Butler, Clermont, and Warren; Local Area 1 - Scioto, Adams, Brown, and Pike; Local Area 13 - Hamilton; Local Area 11 - Franklin; and Local Area 20 – Ross, Fairfield, and Pickaway. In instances where a local WIB policy conflicts with this issuance, the NEG policy shall be followed when the service is paid with NEG funds. Workers impacted by the downsizing of the Wilmington Airpark who reside outside of the aforementioned areas should be referred to the Wilmington Airpark Transition Center to access available services. Out-of-area One-Stops may also make arrangements to access available NEG services through any one of the project operators.

NEG services are available to eligible dislocated workers identified in the approved NEG resulting from the downsizing of the Wilmington Airpark regardless of their counties of residence. Local WIBs outside of the project operators listed above may use local funds as appropriate, to serve this targeted group if accessing NEG-funded services is not feasible for the workers. Non-project operators may follow their local policies when using their local formula funds for impacted workers.

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II. Effective Date

October 1, 2008

III. Background

NEGs are discretionary awards intended to temporarily expand service capacity at the state and local levels by providing time-limited funding assistance in response to significant dislocation events. In August 2008, the Ohio Department of Job and Family Services, Office of Workforce Development applied for NEG funds to aid the areas and workers affected by the downsizing of the Wilmington Airpark in Wilmington, Ohio. Due to the number of workers and counties impacted in Ohio, the state wants to ensure that workers will receive consistent and efficient services from the One-Stop network, thereby providing a seamless transition regardless of the county of residence or local workforce investment area of the workers.

IV. Guidance Statement

NRPs provide financial assistance to participants for the purpose of enabling individuals to participate in training, and are one of the supportive services authorized by WIA section 134(e)(3). National Emergency Grants supportive service funds may be used to pay for needs-related payments - where authorized by local workforce investment boards. If local WIB supportive services policies prohibit the payment of NRPs, they must be modified to allow NEG-funded NRPs for this target group of workers.

A. Initial Eligibility for Needs-Related Payments

Eligibility for needs-related payments is not an entitlement for eligible participants. This supportive service is based upon the family's financial need, as well as the participant's enrollment into training and ineligibility for unemployment compensation (UC) and Trade Readjustment Allowance (TRA) assistance. This two-part determination is described below.

Part 1 – Financial Need

1. Dislocated workers must have a three-month family income of less than the Lower Living Standard Income Level (LLSIL).
2. Determination of financial need may be determined up to ninety days prior to the start of training. This initial determination of eligibility is based on the family income from the prior three months.

Part 2 – Training & UC/Trade Status

1. Be unemployed, and:
 - a. Have ceased to qualify for UC or TRA; and
 - b. Be enrolled in a program of training services under WIA by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months.

If, due to the lack of formula or emergency grant funds in the State or local area at the time of dislocation, unemployed dislocated workers served by the project are not able to meet the 13 or 8 week deadline for enrollment in training, as set forth in WIA section 134(e)(3)(B), then such individuals may be eligible for needs-related payments if they are enrolled in training by the end of the 6th week following the date of the emergency grant award.

2. Be unemployed and did not qualify for UC or TRA.

If the participant is not initially eligible and his or her financial situation changes during the course of training, eligibility may be re-determined throughout the course of participation. However, the timeframe requirements for beginning training (if applicable) and the family income requirements must be met in order to begin issuing needs-related payments.

Note: Verification demonstrating proof of Unemployment Insurance (UI) payments, amounts paid, and the fact that the participant is no longer receiving benefits, all need to be part of the participant's file. Refer to WIATL No. 27 for documentation required to be kept on file.

B. Level of Payments and Conditions

The level of needs-related payments for Wilmington Airpark workers will not exceed the following:

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

Weekly payments may begin on the Monday after both eligibility and training enrollment criteria have been met.

If the participant has been accepted into a training program that will begin within 30 calendar days of the determination of NRP eligibility, payments may be awarded prior to the start date of training classes for the purpose of enabling the participant to enroll in the program. All training participants must be enrolled and attending full-time training as defined by the school, and maintain a minimum GPA of 2.0 in order to continue receiving NRPs.

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

Needs-related payments must be immediately terminated for any participant who fails to meet one of these requirements.

C. Continuing Eligibility to Receive NRPs

Participants receiving NRPs must re-qualify for these benefits during the period of the training program every ninety days from the date of the original determination. This re-determination shall be based on the family income for the previous ninety day period. Any income from needs-related payments will not be included. The total revised family income so determined shall continue to be annualized to determine the participant's current eligibility for needs-related payments. Where the revised family income exceeds the LLSIL, the eligible participant shall not be eligible for needs-related payments. Where the revised family income does not exceed the LLSIL, the eligible participant shall continue to receive needs-related payments. NRPs are not allowable for participants receiving UC, TRA, OJT, and relocation assistance.

D. Training Services

A program of training services is one or more courses or classes, or a structured regimen that upon successful completion, leads to:

1. A certificate, an associate degree, baccalaureate degree; or
2. The skills or competencies needed for a specific job, type of work, occupation, occupational group, or generally, for many types of jobs or occupations, as recognized by employers and determined prior to training.

Types of training include:

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

E. Limitations

In the event that training is delayed, NRPs may be paid while a participant is waiting to start training classes provided the participant has been accepted in a training program that will begin within thirty (30) calendar days.

NRP funds may be used only during the period in which a dislocated worker participates in WIA training.

F. Reporting

All participants served under this NEG will be counted in statewide performance and must be entered in SCOTI WIA, Special Grants. Participants may be co-enrolled in local formula funded WIA programs. Co-enrolled participants will be counted in both statewide and local performance.

G. Local Implementation of NEG Policies

In order to access NEG funds for targeted individuals, local WIBs must pass a resolution to adopt the statewide NEG policies for targeted individuals or modify existing policies to adopt the statewide NEG policies.

H. Using Formula Funds

Local WIBs identified as project operators for this NEG may elect to serve eligible workers under the NEG using local formula funds if desired. In

order to ensure consistent and equitable service delivery, local WIBs must, at a minimum, follow the guidelines of the NEG policies that apply to the targeted workers. If local policies exceed the financial caps for services or broaden the array of services, the local policies may be utilized when serving participants with local funds.

Affected workers served with local formula funds must be enrolled in SCOTI WIA, and identified by a unique code entered in the local use field in the basic intake screen as an individual covered under this NEG. Separate reporting requirements to further explain this process have been issued by the ODJFS Office of Workforce Development.

V. Technical Assistance

For additional information, you may send your questions to the Office of Workforce Development: WIAQNA@JFS.OHIO.GOV.

VI. References

Federal Register / Vol. 69, No. 81 / Tuesday, April 27, 2004 / Notices
Workforce Investment Act of 1998, Public Law 105-220, August 7, 1998,
WIA Section 134
20 CFR Part 652 et al. Sections §663.815, §663.820, §663.825, §663.840,
§667.272(c), §671.140
TEGL No. 17-05
USDOL approved National Emergency Grant, Wilmington Airpark