



## Workforce Development Board Policies

A summary of the WDB Policies

July 20, 2023

**AUTHORITY:** The Michigan Works! Southwest Workforce Development Board is established under the Workforce Innovation and Opportunity Act of 2014 and is assigned the responsibility to set policy for the portion of the statewide workforce investment system within the local area (Branch, Calhoun, Kalamazoo, and St. Joseph Counties).

**PRECEDENCE:** Where any part of these policies shall be determined to conflict with any federal, state, or local policy, the federal, state, or local policy shall take precedence without affecting any other part or parts of these policies.

Federal regulations require and/or allow the Workforce Development Board (WDB) to establish specific guidance on various aspects of program/service delivery and fund utilization. The following provides a summary of the content and application of current WDB Policies. All WDB approved Policy revisions will supersede those listed.

### **Policy 01 Rev 04      Program Design for WIOA and ES**

The policy establishes priorities for the Workforce Innovation and Opportunity Act (WIOA) and Wagner-Peyser (Employment Service) fund allocation for specific activities.

- A portion of WIOA Adult and Dislocated Worker program funds to ES for Basic Career Services provided to WIOA participants.
- Describes the services available to individuals who are not able to validate their authorization to work in the United States.
- Wagner-Peyser funds for self-service (Basic Career Services for ES) to the public.
- Minimum of 25% of WIOA Adult and Dislocated Worker program funds for Training Services.

**NOTE:** See WDB Policy 17, "WIOA Program Eligibility" for additional eligibility elements.

### **Policy 02              Unassigned**

### **Policy 03              Unassigned**

*Former Policy 03 Education Advisory Group (EAG).  
Rescinded by WDB Executive Committee 8-19-2015.*

### **Policy 04              Unassigned**

*Former Policy 04 Michigan Works! System Center Operator.  
Rescinded by WDB Executive Committee 10/21/2015.*

**Policy 05 Rev 08 Supportive Services and Needs Related Payments**

The policy identifies criteria for supportive service funding, eligibility, distribution, and documentation for all programs. Limitations/restrictions applicable to programs and/or categories of supportive service are also described, including local WIOA limitations, which have been established within the federal and/or state policy requirements.

- Requires subrecipients/service providers to have written procedures.
- This policy identifies supportive services as they relate to Special Initiatives that may be used to supplement provided the need is documented and allowed.
- Written approval for any variance is required. A local form was developed for this purpose.
- Language from what was formerly labeled as Attachment A was incorporated into the policy and the Attachment was removed from the policy.
- The policy contains criteria for the use, eligibility, and documentation for Needs Related Payments.

**Policy 06 Rev 07 Procurement and Property Management**

This policy establishes the MWA procurement standards including:

- A simplified threshold for procurements requiring WDA prior approval is set consistent with state policy. The threshold for MW Administrative prior approval for equipment purchases is also established.
- Definitions of equipment and supplies.
- Requires the MWA to maintain written procedures for procurement and property management. Incorporates Standards of Conduct and Conflict of Interest guidelines into the procedures.
- Establishes processes for the selection of service providers.
- Requires subcontractors to establish procedures for the accountability of all property purchased with state or federal funds regardless of cost.
- Requires service providers to contact the MW Property Coordinator prior to purchasing equipment or property to determine if a suitable item is available in the local inventory of unused/returned items.
- Allows goods and equipment to be used in other federally funded programs when no longer used for the program or service for which it was originally purchased.

**Policy 07 R04 WIOA Priority of Service**

Local policy establishes priority for the use of WIOA funds to individuals who are recipients of public assistance, low income and/or basic skills deficient.

- Defines low-income and each of the six categories under which someone may be determined to meet this requirement.

WIOA Funds will be locally allocated as follows:

- A portion of program funds for Basic Career Services.
- The majority of program funds for Individualized Career Services and Training Services with no less than 25% of the total being used for Training Services.
- For veterans and eligible spouses, once WIOA priority has been determined, veteran priority will then be applied.

- Policy 08**                    **Unassigned**  
*Former Policy 08 Selection Policy for “Job-Ready”.*  
*Incorporated into Policy 17 12/6/12.*
- Policy 09 R01**                **Unassigned**  
*Former Policy 09 and subsequent changes, Performance Standards (WIA).*  
*Rescinded by WDB Executive Committee on 8-19-2015.*
- Policy 10 R06**                **Standards of Conduct**  
Policy content addresses the federal and state policies and regulatory requirements for standards of conduct, conflict of interest and nepotism as they related to members of the Workforce Development Board, members of other Michigan Works Agency (MWA) oversight entities, and staff and subcontractors of the MWA.
- Policy was previously titled Conflict of Interest/Standards of Conduct
  - Incorporates disclosure requirements for WDB members, members of other MWA entities, MWA staff, and Request for Proposal Reviewers.
  - Details the role of members of the WDB and other MWA oversight entities in the procurement process.
  - Addresses the issue of nepotism and incorporates the content of the previous stand-alone policy, WDB Policy 22 Nepotism.
  - Defines who is included in the “Immediate Family” definition.
- Policy 11 R01**                **Freedom of Information Act: Information Releases**  
The local policy reiterates Michigan’s FOIA policy, but adds local elements as allowed by the State FOIA:
- Definitions are included in the policy.
  - All FOIA requests will be reported to the MWA Director.
  - All FOIA requests shall be recorded by the MWSW Coordinator(s) and maintained in a specific file location.
  - The MWSW Coordinator(s) reviews all requests and makes a recommendation to the MWSW Director.
  - The MWSW Director will make the final determination of whether the request(s) fall within the guidelines of the FOIA.
  - Information regarding FOIA Appeals is included in the policy.
  - Fees may be charged for providing a copy of a public record.
- Policy 12 R01**                **Work-Based Training Services**  
This policy provides guidance regarding training services that are provided to equip individuals to enter the workforce, prepare for new employment opportunities and/or to increase employment retention and covers a variety of training formats that may be used to accomplish these objectives including classroom training provided through Individual Training Accounts and work-based training where the employer serves as the training provider.

All covered in this policy: customized training, On-the-Job Training (OJT), incumbent worker training, transitional employment and registered apprenticeships are all identified as work-based training services. Each of these types of training can be used successfully to meet the needs of jobseeker populations ranging from entry level to highly skilled technical and management positions for employers in a variety of industries.

*Note: This policy was formerly called Standards for On-the-Job Training and the former Policy 12, R01: Standards for On-the-Job Training has been incorporated into Policy 12: Work-Based Training Services.*

**Policy 13 Rev 07 Individual Training Account (ITA) System**

Local policy that describes the purpose of the ITA System and its role in training services.

- Provides the scope and limitations (maximum cost, local limit, duration for training supported through the local ITA Voucher system, and waiver criteria).
- Establishes training programs that are eligible to receive financial support.
- Provides a description for the use of ITAs for Internet-based training.
- Provides guidance for the impact of scholarships and other financial aid on ITAs.
- Requires development of ITA System Procedures.
- Outlines exceptions for TAA and subsequent versions of the Trade Act.
- References WDB Policy 17 regarding in-demand employment.
- Provides criteria for approval of school under initial and continued eligibility.
- Provides an appeals process.

**Policy 14 Unassigned**

*Former Policy 14 Audit Plan.*

*Rescinded by WDB Executive Committee 10/21/2015.*

**Policy 15 Rev 03 Work Experience**

Local policy that establishes guidelines for work experience provided through any MWA program where work experience is an allowable activity:

- Participant eligibility and activity components based on the funding source/program,
- Work Experience duration and use as a paid or unpaid activity,
- Worksite Development,
- Clarifies rates of pay, activity attendance documentation, and worksite and supervisory requirements based on population using the activity.

**Policy 16 Rev 03 Disruptive Behavior and Non-Compliance**

Local policy that describes the behaviors and actions that are considered disruptive and/or non-compliant:

- Establishes criteria under which disciplinary action, up to and including termination and loss of access to services, may be taken for individuals that exhibit disruptive behavior and/or non-compliance while utilizing services or participating in a program.

- Establishes guidelines for reporting, handling, disciplinary options, and documentation of these situations and behaviors.
- Describes the appeal process for disciplinary action taken in response to disruptive behavior or non-compliance.

**Policy 17 Rev 05 WIOA Program Eligibility**

Federal regulations require and/or allow the Workforce Development Board to establish criteria on specific program eligibility issues. This policy:

- Declares that the MWA has limited funds for training and, as a result, priority will be given to recipients of public assistance and/or individuals who are low income or basic skills deficient.
- Details the specific eligibility requirements for individuals receiving assistance using WIOA Adult, Dislocated Worker, and Youth funds.
- Defines the following criteria where local flexibility is applicable: self-sufficiency, responsible adult signature, attachment to the workforce, unlikely to return to previous industry, substantial lay-off, and basic skills deficiency.
- The WDB has chosen to establish a “Sixth Eligibility Criteria” for youth, (Individuals who require additional assistance to complete an educational program or to secure and hold employment) and have defined those criteria in the policy.
- Eligibility criteria for WIOA funded training.

**Policy 18 Rev 06 Monitoring**

Federal policy requires the Workforce Development Board to provide oversight for their programs. This policy describes the four levels of local monitoring and oversight that occur including the role of the WDB Monitoring and Evaluation Committee:

- Monitoring by State Agencies,
- Workforce Development Board Oversight,
- Service Provider Compliance Monitoring including fiscal, program, eligibility, nondiscrimination/EO and MIS monitoring and participation in Data Validation processes, and
- Subcontractor Internal Monitoring.

This version of the policy incorporates the monitoring requirements for the Workforce Innovation and Opportunity Act.

**Policy 19 Rev 04 Participant Attendance and Satisfactory Progress in Training Activities**

The policy establishes guidelines for training attendance and the acceptable forms of documentation for satisfactory progress in training.

- Establishes attendance expectations for training funded by WIOA, PATH, and all versions of the Trade Act and describes documentation to be used to track training attendance.
- Defines satisfactory progress in training and how this will be measured for WIOA and PATH funded training.
- Satisfactory progress in Trade Act funded training is defined including specific requirements for training funded under each of the TAA laws.

- Requires training benchmarks to be required components of the Individual Service Strategy (ISS) for participants enrolled under all TAA laws.

**Policy 20 Rev 03 Incentive Payments**

Local policy describing the process for the use of incentive payments:

- Local policy is restricted to individuals participating in the WIOA Youth program.
- Primary emphasis is payment for achieving academic/employability skills competencies at or above a minimum standard, with exceptions as approved by the MWSW Administration (e.g., follow-up responses).
- Payment based on attendance is permitted provided attendance: (1) is directly associated with an activity that is designed to enhance positive academic/employability skills competencies and (2) payment for attendance does not exceed 45% of the total performance payment for the activity.
- Subcontractors must prepare written procedures for their incentive payment system. Procedures will be approved by the MWSW Administration.

**Policy 21 Confidentiality Standards for Data Privacy and Security and Protecting Personal Identifiable Information (PII)**

Outlines the requirements pertaining to confidentiality standards for data privacy and security and the acquisition, handling, and transmission of Personal Identifiable Information (PII).

- Identifies Personal Identifiable Information and Sensitive Personal Identifiable Information.
- Includes requirements for securing and safeguarding sensitive information.
- Includes specific criteria for the handling of social security numbers to ensure privacy and protection.
- Includes the handling of information requests that fall under the Freedom of Information Act.
- Requires policies and procedures to ensure employees are aware of the importance of safeguarding PII, gathering information confidentially, a secure check-out process for physical files, the use of a secure network and encryption for the transfer of information, as well as the return and/or destruction/deletion of such data.

*A former Policy 21 Confidentiality Standards – Use of Social Security Number was eliminated 12/6/12. This policy was reactivated and updated with a new name due to an increased federal and State focus on PII.*

**Policy 22 Unassigned**

*Former Policy 22 Nepotism – incorporated into Policy 10 R01 (4/5/12)*

**Policy 23 Rev 04 Sexual and Other Forms of Workplace Harassment**

Federal and state policy requires local areas to establish policy and procedures, consistent with state and federal requirements, which address sexual and workplace harassment.

- Establishes a definition of sexual harassment that is consistent with federal and state definitions.
- Establishes protocol for handling claims of sexual and workplace harassment.
- Establishes prohibition against reprisal or retaliation on individuals that file harassment complaints.
- All discrimination complaints must be filed with either the State-Level Equal Opportunity Officer or the United States Department of Labor, Civil Rights Center.
- Service providers and MWA administration are required to establish procedures for addressing complaints of sexual or workplace harassment within their area of control.

#### **Policy 24 Rev 08 Grievance and Complaint Handling**

- Defines grievances and complaints and encourages resolution of complaints at the informal level using the procedures of the affected organization(s).
- Includes language to address discrimination and retaliation complaints.
- All discrimination complaints must be filed with either the State-Level Equal Opportunity Officer or the United States Department of Labor, Civil Rights Center.
- Requires that procedures consistent with federal and state regulations and policies be developed and utilized to handle grievances.
- Describes how these procedures are distributed, where they are available, and the documentation of distribution that is required.
- References the policy and process used to appeal a funding decision made through the procurement process (RFP, RFQ, etc.).
- Includes process for handling appeals of State level monitoring findings and designation as a local Workforce Investment Area.
- Allows for opportunity to resolve complaints informally.
- Addresses accessibility, language barriers, and the posting of the Grievance and Complaint procedures.

#### **Policy 25 Rev 05 Nondiscrimination and Equal Opportunity**

Federal and state policy requires local areas to establish policy and procedures consistent with state and federal requirements that address Nondiscrimination and equal opportunity (EO).

- Equal Opportunity includes the traditional statement for nondiscrimination and the establishment of EO benchmarks for “Protected Classes” based on the Annual Planning Information Report.
- Requires compliance with the posting of Nondiscrimination and EO notices for both public and staff access.
- Includes serving individuals with Limited English Proficiency (LEP)
- Specifies data collection and reporting requirements.
- Provides for a process of notification, complaint processing and file documentation.
- All discrimination complaints must be filed with either the State-Level Equal Opportunity Officer or the United States Department of Labor, Civil Rights Center.

- Policy 26 Rev 03**     **Reasonable Accommodations**  
Federal and state policy requires local areas to establish local policy and procedures consistent with state and federal requirements that address reasonable accommodations.
- Policies concerning the reasonable accommodations process for participants, employees, and the public.
  - Processing accommodations requests at service provider and administrative levels
- Policy 27**             **Unassigned**  
*Former Policy 27 Recovery Activities.*  
*Rescinded by WDB Executive Committee 12/6/2012.*
- Policy 28 Rev 03**     **Priority of Service for Veterans, Eligible Spouses and Family Caregivers**  
This policy defines priority of service for veterans, eligible spouses and family caregivers in the workforce development programs under the control of the Michigan Works! Southwest Workforce Development Board. In addition to defining priority of service, the policy describes how the availability of priority of service will be communicated within the workforce system and how priority is implemented for universal access services that require no eligibility as a condition to receive services as well as for targeted programs, services and activities where the individuals receiving veterans' priority of service must first meet all statutory eligibility and program requirements.
- Policy 29**             **Unassigned**  
*Former Policy 29 Career Readiness & Employability Skills Certifications.*  
*Rescinded by WDB Executive Committee 8/19/2015.*
- Policy 30 Rev 03**     **Trade Adjustment Assistance Training Waivers**  
Consistent with State and Federal policy, this local policy was developed to provide guidance for the issuance, continuation, extension, revocation, and denial of training waivers used in all versions of the Trade Adjustment Assistance (TAA) Program. The policy also describes the role of training waivers in individual eligibility for Trade Readjustment Allowance (TRA), a financial support available to TAA participants.
- Policy 31 Rev 03**     **Records Management and Destruction**  
Local policy that establishes standards for management, access, custody, and destruction of records that support the operations of programs funded through the Workforce Development Board. The policy applies to the administrative entity, all service providers, and other recipients of funds and includes all financial and program records.
- Includes language to clarify the management of records that contain disability related information, both digital and hard copy format.
- Includes record retention requirements for all records included in data validation.



**Policy 32 Rev 04 Selective Service Registration for WIOA**

This policy fulfills the federal requirement for local areas to establish a policy to work with male WIOA applicants, 26 years of age and older, who have not registered with Selective Service and are requesting an eligibility determination to receive WIOA funded assistance. The processes and forms (staff and participant questionnaires) to be used when a local area assessment of “knowing and willful” failure to register for Selective Service is needed was separated from the policy and are now stand-alone procedures.

**Policy 33 Rev 03 Rapid Response Activities**

This policy details the local role in the coordination and delivery of Rapid Response activities to individuals following either a company closure, mass lay-off, or a natural (or other) disaster resulting in a mass job dislocation. The option to form a Joint Adjustment Committee (JAC) and the role of the MWA in supporting the work of the Committee are described. Local criteria are established that may trigger an application for State Adjustment Grant (SAG) funding to respond to unique job dislocation events in the area. It also covers the use of Dislocated Worker Surveys (DWS) and the process for applying for National Dislocated Worker Grants (NDWGs).

The policy also describes how the MWA will coordinate lay-off aversion strategies in the local area, the role of the Business Service Team in these activities, and how, if available, Incumbent Worker Training funds will be used to support the lay-off aversion strategies.

**Policy 34 Rev 02 Authorization to Work in the United States**

This policy provides guidance for the delivery of services to individuals who are unable to access WIA/WIOA funded intensive and/or training services due to their inability to document their authorization to work status.

**Policy 35 R01 Management Information System (MIS) Standards and Internal Controls**

This policy applies to Management Information Systems used by Michigan Works! Southwest. These include One Stop Management Information System (OSMIS), Pure Michigan Talent Connect (PMTTC), MiLogin, Salesforce, MI Bridges and APEX (APplication EXpress). Effective control and management of programs and the integrity of the data and reports that are drawn from the management information systems require accurate and timely record keeping and data entry. Access to valid data allows program operators and administration to evaluate the effectiveness of existing programs, track the progress of participants against planned activities, and plan for future programs and activities. To assure data integrity, timely data entry and local oversight of the system, the Michigan Works! Southwest Administrative entity is charged with developing and implementing local policies and procedures for managing system access, assigning staff to support the systems and local users, developing and carrying out oversight procedures, and serving as the liaison with state MIS staff. This policy provides guidance for the local system in carrying out responsibilities related to these systems.

**Policy 36****Stipend Payments**

This policy applies to the WIOA Youth Programs. This policy allows for the use of a stipend payment to defray expenses and support an individual while participating in a training or learning experience or exploration activities that enhances the choices available to eligible participants and encourages progression through a career pathway and entry into unsubsidized employment that leads to self-sufficiency. Components of the policy include allowable activities, funding, payment requirements, participation requirements and procedure requirements. The subrecipient/service provider is required to submit and receive prior approval of their written stipend payment procedures prior to issuing any payment.

**End of Current WDB Policies  
July 20, 2023**