

Policy Name:	Needs Related Payment Policy
Owner	Executive Director/Director of Adult and Dislocated Worker (DW) Services
Program Committee Date Approved	05/23/2023
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Purpose

Needs-related payments provide financial assistance to participants for the purpose of enabling them to participate in training and are a supportive service authorized by WIOA sec. 134(d)(3). Unlike other supportive services, in order to qualify for needs-related payments, a participant must be enrolled in training.

There are 11 Adult and Dislocated Worker allowable trainings under WIOA Sec. 134 (c)(3)(D) that qualify for Needs Related Payments (NRP):

- a) Occupational skills training, including training for nontraditional employment;
- b) On-the-job training (OJT)
- c) Incumbent worker training, in accordance with WIOA sec.134(d)(4) and [§§ 680.780, 680.790, 680.800, 680.810, and 680.820](#)
- d) Programs that combine workplace training with related instruction, which may include cooperative education programs;
- e) Training programs operated by the private sector;
- f) Skills upgrading and retraining;
- g) Entrepreneurial training;
- h) Transitional jobs in accordance with WIOA sec 134(d)(5) and [§§ 680.190 and 680.195](#);
- i) Job readiness training provided in combination with services listed in [paragraphs \(a\) through \(h\)](#) of this section;
- j) Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with training services listed in [paragraphs \(a\) through \(g\)](#) of this section; and
- k) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training (see [§§ 680.760 and 680.770](#)).

Policy

Needs-Related Payments will be made available as local WIOA funding permits, to enable participants to pursue training of sufficient duration to acquire skills and credentials of value that will connect them to demand occupations. The goal of the One-Stop Career Centers is to provide participants approved to attend training assistance with living expenses. Needs-Related Payments, a sub-category of supportive services, are a means of allowing participants to pursue or continue full-time training in a locally approved training program when a participant does not qualify for or has exhausted their Unemployment Insurance benefits.

Eligibility Requirements

Payments will **not** be offered to participants who have other means of financial support to cover the cost of the Needs-Related Payments or who receive Needs-Related Payments from any other source.

Adults

- Unemployed; and
- Do not qualify for, or have ceased to qualify for UI; and
- Are enrolled in a program of training services; and
- Family income (based on family size) does not exceed 250% of the poverty level.

Dislocated Worker

- Unemployed; and
- Have ceased to qualify for UI or trade readjustment allowance under TAA; and
- Enrolled in a program of training services under WIOA sec. 134 (c) (3) 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; and
- Family income (based on family size) does not exceed 250% of the poverty level.

Definition of Unemployed

According to the Department of Labor, people are classified as unemployed if they do not have a job, have actively looked for work in the prior 4 weeks, and are currently available for work. Actively looking for work may consist of any of the following activities:

- Contacting:
 - An employer directly or having a job interview
 - A public or private employment agency
 - Friends or relatives
 - A school or university employment center
- Submitting resumes or filling out applications
- Placing or answering job advertisements
- Checking union or professional registers
- Some other means of active job search

Needs-related payments shall not be provided to any participant for the period that such individual is employed, enrolled in, out-of-area job search, or basic readjustment services. Needs-related payments will not be provided to participants who receive Needs-Related Payments from any other source.

If eligibility requirements are met, participants may be awarded Needs-Related Payments from WIOA funding from the start date of locally approved WIOA training classes until the end date of locally approved WIOA training classes. Approved training for Needs-Related Payments does not include programs that include payment of wages.

Level of Payment Determination

Under this policy, the level of NRP made to an Adult or Dislocated Worker will be limited to \$25 per day for each day that the participant is in ITA occupational skills training, not to exceed \$125 per week for a maximum of 52 weeks. Training must be a minimum of 12 clock hours per week, or 12 credit hours per semester, to qualify for Needs-Related Payments. Payments will be made on a bi-weekly basis for participant attendance documented in the previous bi-weekly period. Total payments will not exceed \$6,500 per qualified participant. Needs Related Payments will only be offered for one (1) training opportunity every three years.

The LWDB has aligned the limit for needs-related payments for Adults with the federally imposed limit for Needs-Related Payments for Dislocated Workers.

The level of a Needs-Related Payment made to an Adult or Dislocated Worker shall not exceed the greater of:

- The applicable weekly level of unemployment insurance compensation (for participants who were eligible for unemployment insurance compensation as a result of a qualifying dislocation), or
- If the worker did not qualify for unemployment insurance compensation, the weekly payment may not exceed the poverty level for an equivalent period. The weekly payment level must be adjusted to reflect changes in total family income as determined by Local Board policies. WIOA does not specify a minimum level of payment.

Decisions regarding payments will be based on funding availability and eligibility criteria. Allocations for NRPs per Program Year will not exceed 10% of the total WIOA budget per Program Year.

Needs-Related Payments Policy Requirements

Payments will only be made to participants during the time the participant is enrolled 12 clock hours per week, or 12 credit hours, in a locally approved training program under WIOA. Approved training does not include programs that include payment of wages.

Payments will cease upon completion, withdrawal, or termination from the approved training program.

Payments can be paid during the academic school year while the customer is in training and during scheduled college breaks not to exceed 3 weeks within the regular academic year.

Requests for Needs-Related Payments during a summer school session may only be approved under the following conditions:

- (1) Courses must be pre-approved by the WIOA Counselor, and
- (2) Courses must be part of the matriculated curriculum requirements for that degree or certificate program, and
- (3) Summer school coursework must be taken with the purpose of shortening the overall length of time to complete the approved training program.

Participants must make satisfactory progress in the approved training program to continue to receive Needs-Related Payments.

In the event of the discovery of fraudulent activity, all payments to the fraudulent party will cease and all funds paid will be recovered. All cases of fraud or suspected fraud will be forwarded to the appropriate legal authorities for prosecution. Needs-Related Payments have been classified as non-taxable income by the I.R.S.

Needs-Related Payments Documentation Requirements

Each Local Workforce Development Board is required to specify in their local Needs-Related Payments policy how they will document the requirements for and payments from this program.

The One-Stop Career Center staff is required to maintain documentation sufficient to satisfy the requirements of this Needs Related Payment policy, as well as those requirements promulgated by New York State Department of Labor Technical Advisories. At a minimum, this includes:

- A copy of a UI entitlement decision or confirmation of UI benefits being exhausted.
- A copy of request for training classes for each period of training (quarter, semester, block, class, etc.).
- Verification of enrollment/registration, participation, grades, and completion of training classes (confirmation from Registrar's office and course instructor).
- All eligibility determinations must be documented.
- Data entry into One-Stop Operating System (OSOS) must be performed in compliance with NYSDOL requirements.
- OSOS Comment must indicate that the participant is eligible for the Needs Related Payment(s) being provided and, after efforts by the Workforce Advisor and participant to secure Needs Related Payments from other sources, is unable to obtain such Needs Related Payment(s) through other sources. The Comment must include the other-source referrals made and the results of those referrals.
- Other documentation as required by law or required to meet NYSDOL standards.

References: WIOA Final Rule, § 134(d)(3-4) and (c)(3), and 680.900 to 680.970; 20 CFR Part 680 (G), TEGL 19-16 (page 18)

Important Notes:

*WIOA should be the last option for funding if other programs or providers are available. Needs-related payments will only be offered when WIOA funds are available for such payments and will only be offered when such payments will not negatively impact the ability to fund additional WIOA-eligible training participants. Denial of other services should be annotated to OSOS.

*All needs-related payments should have an appropriate corresponding comment entered in OSOS. Please make sure that all OSOS fields are updated to meet eligibility requirements. E.g. Work History, Employment Status.

School breaks are defined as Spring Break, Winter/Christmas Break, etc., and the period of time between Fall and Spring; Spring and Summer; and Summer and Fall semesters. Under no circumstances will customers be allowed to collect needs-related payments over the summer if they are not attending classes.

NEEDS-RELATED PAYMENT REQUEST

Name:

Telephone:

Address:

Email:

Request Period:

Amount:

Did you claim, or intend to claim, any type of Unemployment Insurance benefits, or are you receiving TRA, for the month of training?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Monthly Claim Amount: \$
Did you receive any payments for work or vacation during the training month?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Monthly Claim Amount: \$
Are you currently participating in a work experience, or work study?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Did you maintain satisfactory progress in training for the previous semester, as defined by the approved training institution?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A <input type="checkbox"/> No
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Monthly Income (Cannot exceed 250% of the poverty level)

Please list all income sources for the Training Applicant and/or Family.

Income Source for Training Applicant	Monthly Amount	Comments
Wages/Severance Payments*		*Note: Must be unemployed to qualify for NRP.
Child Support		
Social Security		
Maintenance/Alimony		
Retirement		
Unemployment Insurance		
Public Assistance SNAP/TANF/Other		
Grant(s)		
Scholarship(s)		
Other		
Other		
Total Monthly Income:		

Needs-Related Payments are not intended to provide the entire amount of income support you may need to complete your training. These payments are made to temporarily help you while making satisfactory progress during your participation in full-time training. Needs-Related Payments are subject to your ongoing eligibility for the program and funding eligibility.

I hereby certify that the above information is true. I certify that I am not eligible for and/or am not receiving Needs-Related Payments from any other source. I understand that I must report any changes in family income or school status to my Counselor immediately and that I will need to submit documentation including grade reports to be considered for Needs-Related Payments for the next semester of approved training.

Signature of Customer

Date