



Department of Job and Family Services

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Fiscal Administrative Procedure Transmittal (FAPMTL) No. 474

TO: Fiscal Administrative Procedure Manual Holders
FROM: Matt Damschroder, Director
SUBJECT: Workforce Innovation and Opportunity Act (WIOA) Allocations

The Ohio Department of Job and Family Services (ODJFS) has amended the following Administrative Code rules to update language, reflect current program rules and to clarify current funding practices:

- 5101:9-31-92 "Workforce Innovation and Opportunity Act (WIOA) Adult Methodology;"
5101:9-31-93 "Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker Methodology;" and
5101:9-31-94 "Workforce Innovation and Opportunity Act (WIOA) Youth Allocation Methodology."

Please direct inquiries to your ODJFS Fiscal Supervisor or the CFIS Helpdesk
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Instructions:

Table with 3 columns: Location, Remove, Insert. Rows show updates for Chapter 31 rules 5101:9-31-92, 5101:9-31-93, and 5101:9-31-94.

5101:9-31-92

Workforce Innovation and Opportunity Act (WIOA) adult methodology.

- (A) The Ohio department of job and family services (ODJFS) issues the department of labor (DOL) Workforce Innovation and Opportunity Act (WIOA) allocations to the local area WIOA fiscal agent on behalf of the WIOA local workforce development boards (LWDBs) to provide ~~to~~ adults with barriers to employment; the services they need to succeed in the labor market. These services include increased access to opportunities for employment, education, training and support services.
- (B) This allocation is composed of one hundred per cent federal funds. The ~~catalog of federal domestic assistance (CFDA)~~ assistance listings number is 17.258.
- (C) ~~The period of performance~~ ODJFS communicates the funding and liquidation ~~period~~ periods for this allocation ~~will be communicated by ODJFS~~ through the county finance and information system (CFIS). ~~Funds must be expended by~~ The WIOA local area can incur accruals through the end of the funding period of performance ~~and disburse and reported~~ report expenditures no later than the end of the liquidation period.
- (D) ODJFS authorizes the WIOA adult funds on a program year (PY) and/or a federal fiscal year (FFY) basis.
- (E) Methodology.

ODJFS uses the following formulas to allocate formulary funding for WIOA local areas. Statistics used to calculate funding are provided by the office of workforce development (OWD) as described in the state plan approved by the DOL.

- (1) ODJFS allocates one-third of the funds based on the relative number of unemployed individuals in areas of substantial unemployment in each WIOA local area, compared to the total number of unemployed individuals in areas of substantial unemployment in the state.
- (2) ODJFS allocates one-third of the funds based on the relative excess number of unemployed individuals in each WIOA local area compared to the total excess number of unemployed individuals in the state.
- (3) ODJFS allocates one-third of the funds based on the relative number of disadvantaged adults in each WIOA local area compared to the total number of disadvantaged adults in the state.
- (4) Hold harmless provision

- (a) ODJFS applies the "hold harmless" provision which states that the WIOA local area will not receive an allocation amount for a PY that is less than ninety per cent of the average allocation percentage of the local area for the two preceding PYs.
 - (b) ODJFS ~~will calculate~~calculates the amounts necessary for increasing allocations to WIOA local areas in accordance with the hold harmless provision by proportionately reducing the allocations made to other WIOA local areas.
 - (c) If the amount of the WIOA funds appropriated in a fiscal year are not sufficient to provide the amount specified in paragraph (E)(4)(b) of this rule to all WIOA local areas, ODJFS ~~will proportionally reduce~~reduces the amounts allocated to each WIOA local area.
- (5) Should the DOL issue a rescission of funds, ODJFS ~~will determine~~determines the level of adjustments needed to comply with the rescission.

(F) Allowable expenditures.

~~Allowable expenditures must~~ WIOA local areas shall comply with all office of workforce development (OWD) program policy regarding expenditure rates and recapture of unused funds. ODJFS will determine the level of adjustment needed if DOL should issue a rescission of funds, requirements of the state and local area subgrant agreement, as well as any incorporated assurances, certifications, and 2 C.F.R. Parts 200 and 2900.

(1) Career pathways

Career pathways provide participants education and training services that align with the skill needs of industries in the involved economy. The focus on career pathways enables individuals to participate in activities that support industry or sector partnerships and provide increased focus on the attainment of industry-recognized certificates and credentials linked to in-demand occupations. Career pathways include:

- (a) Counseling that supports education and career goals;
- (b) Education and training for workforce preparation and specific occupation or occupation cluster;
- (c) Services that accelerate the educational and career advancement of the participant; and

- (d) Training that assists the participant's attainment of a secondary diploma or its recognized equivalent.
- (2) Incumbent worker training services up to twenty per cent, as described in WIOA section 134(d)(4) unless a waiver from the US department of labor allows for a deviation from this standard.
- (3) Supportive services, including needs related payments as described in WIOA sections 134(d)(2) and 134(d)(3).
- (4) Under WIOA section 133(b)(4), a local area may utilize the WIOA adult funding for allowable services under dislocated worker employment and training activities.
- (5) ~~WIOA Local~~ local areas electing to use a percentage of the WIOA adult grant for dislocated worker activities shall use the coding established in CFIS.
- ~~(6) All funding is subject to the OWD program policy regarding expenditure rates and recapture of unused funds.~~

(G) Administration.

- (1) The costs of administration are the costs associated with performing the following:
 - (a) Accounting, budgeting, financial and cash management;
 - (b) Procurement and purchasing;
 - (c) Property and personnel management;
 - (d) Payroll;
 - (e) Audits and coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;
 - (f) General legal services;
 - (g) Developing systems and procedures, including information systems, required for these administrative functions; and
 - (h) Fiscal agent responsibilities.
- (2) In accordance with 20 C.F.R. part 683.215, the definition of WIOA administration specifies that all costs incurred for functions and activities of sub-recipients

and contractors are program costs, unless the sub-recipient or contractor is performing only administrative functions.

- (3) A WIOA local area may use up to ten per cent of the allocation amounts for the administrative cost of carrying out WIOA activities.
 - (4) Sub-recipients and contractors performing program functions that are funded with WIOA adult funds do not report the costs associated with performing these program functions as administrative costs against the WIOA local area's ten per cent administration expense limit.
- (H) Statewide activities.
- (1) The governor may set aside a portion of the funds for this allocation as defined in federal legislation for statewide activities, including five per cent for administrative activities.
 - (2) The governor or WIOA ~~LWDBs~~ local workforce development board (LWDB) may increase the on-the-job training reimbursement rate to seventy-five per cent under certain conditions as defined in WIOA section 134(c).
 - (3) ODJFS may periodically allocate statewide funding for special projects.
- (I) Allocated funds may not be used on construction or purchase of facilities, buildings, or foreign travel.
- (J) The WIOA local area shall maintain documentation in accordance with the records retention requirements in rule 5101:9-9-21 of the Administrative Code. This documentation may be subject to inspection, monitoring, and audit by the ODJFS office of fiscal and monitoring services (OFMS) and the Ohio auditor of state (AOS).

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5101:9-31-93

Workforce Innovation and Opportunity Act (WIOA) dislocated worker methodology.

- (A) The Ohio department of job and family services (ODJFS) issues the department of labor (DOL) Workforce Innovation and Opportunity Act (WIOA) dislocated worker allocations to the WIOA local area ~~WIOA~~-fiscal agent on behalf of the WIOA local workforce development boards (LWDBs) to help job seekers access employment, education, training and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.
- (B) These allocations are composed of one hundred per cent federal funds. The ~~catalog of federal domestic assistance (CFDA)~~-assistance listings number is 17.278.
- (C) ~~The period of performance~~ODJFS communicates the funding and liquidation ~~period~~periods for this allocation will be communicated by ODJFS through the county finance and information system (CFIS). ~~Funds must be expended by~~The WIOA local area can incur accruals through the end of the funding period of performance and disburse and reported report expenditures no later than the end of the liquidation period. The LWDBs shall report expenditures as described in rule 5101:9-7-29 of the Administrative Code.
- (D) ODJFS authorizes the WIOA dislocated worker funds to WIOA local areas on program year (PY) and/or a federal fiscal year (FFY) basis.
- (E) Methodology.

Dislocated worker funding stream

- (1) ODJFS distributes dislocated worker funds in accordance with Ohio's federally approved plan for workforce programs.
- (a) ODJFS may reserve up to twenty-five per cent of the funds available in the state's dislocated worker funding stream for rapid response activities as described in the WIOA section 133(a)(2).
- (b) ODJFS allocates the remaining funds based on a formula prescribed by the governor as designated in the state plan.
- (2) Hold harmless provision
- (a) ODJFS applies the "hold harmless" provision which states that the WIOA local area will not receive an allocation amount for a PY that is less than ninety per cent of the average allocation of the WIOA local area for the two preceding PYs.

- (b) ODJFS ~~will calculate~~calculates the amounts necessary for increasing allocations to WIOA local areas in accordance with the hold harmless provision by proportionately reducing the allocations made to other WIOA local areas.
- (c) If the amount of the WIOA funds appropriated in a fiscal year are not sufficient to provide the amount specified in paragraph (E)(2)(b) of this rule to all WIOA local areas, ODJFS ~~will proportionately reduce~~reduces the amounts allocated to each WIOA local area.

(3) Should the DOL issue a rescission of funds, ODJFS ~~will determine~~determines the level of adjustments needed to comply with the rescission.

(F) Allowable expenditures.

~~Allowable expenditures must~~WIOA local areas shall comply with all ~~requirements of the state and local area subgrant agreement, as well as any incorporated assurances, certifications, and 29 C.F.R. part 97~~ office of workforce development (OWD) program policy regarding expenditure rates and recapture of unused funds. ODJFS will determine the level of adjustment needed if DOL should issue a rescission of funds.

(1) Career pathways

Career pathways provide participants education and training services that align with the skill needs of industries in the involved economy. The focus on career pathways enables individuals to participate in activities that support industry or sector partnerships and provide an increased focus on the attainment of industry-recognized certificates and credentials linked to in-demand occupations. Career pathways include:

- (a) Counseling that supports education and career goals;
- (b) Education and training for workforce preparation and specific occupation or occupation cluster;
- (c) Services that accelerate the educational and career advancement of the participant; and
- (d) Training that assists the participant's attainment of a secondary diploma or its recognized equivalent.

(2) Incumbent worker training services up to twenty per cent, as described in WIOA section 134(d)(4).

- (3) Supportive services, including needs related payments as described in WIOA sections 133(b)(2)(B), 134(d)(2) and 134(d)(3).
- (4) Under WIOA section 133(b)(4), a WIOA local area may utilize the WIOA dislocated worker funding for allowable services under adult employment and training activities. WIOA Local areas electing to use a percentage of the WIOA dislocated worker grant for adult activities shall use the coding established in the CFIS.
- (5) All funding is subject to the OWD program policy regarding expenditure rates and recapture of unused funds.

(G) Administration.

- (1) The costs of administration are the costs associated with performing the following:
 - (a) Accounting, budgeting, financial and cash management;
 - (b) Procurement and purchasing;
 - (c) Property and personnel management;
 - (d) Payroll;
 - (e) Audits and coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;
 - (f) General legal services;
 - (g) Developing systems and procedures, including information systems, required for these administrative functions; and
 - (h) Fiscal agent responsibilities.
- (2) In accordance with 20 C.F.R. part 683.215, the definition of WIOA administration specifies that all costs incurred for functions and activities of sub-recipients and contractors are program costs, unless the sub-recipient or contractor is performing only administrative functions.
- (3) A WIOA local area may use up to ten per cent of the allocation amounts for the administrative cost of carrying out WIOA activities.
- (4) Sub-recipients and contractors performing program functions that are funded with WIOA dislocated worker funds do not report the costs associated with

performing these program functions as administrative costs against the area's ten per cent administration expense limit.

(H) Statewide activities

- (1) The governor may set aside a portion of the funds for this allocation as defined in federal legislation for statewide activities, including five per cent for administrative activities.
 - (2) The governor may reserve fifteen per cent of funds for statewide workforce investment activities.
 - (3) The governor may use unobligated rapid response funds after one year, for statewide employment and training activities as described in WIOA section 134(a)(2)(A)(ii).
 - (4) The governor or the LWDBs may increase the on-the-job training reimbursement rate to seventy-five per cent under certain conditions as defined in WIOA section 134(c).
 - (5) ODJFS may provide career services through the one-stop system, either directly or via contracts with other providers.
 - (6) ODJFS may periodically allocate statewide funding for special projects.
- (I) Allocated funds may not be used on construction or purchase of facilities, buildings, or foreign travel.
- (J) The WIOA local area shall maintain documentation in accordance with the records retention requirements in rule 5101:9-9-21 of the Administrative Code. This documentation may be subject to inspection, monitoring, and audit by the ODJFS office of fiscal and monitoring services (OFMS) and the Ohio auditor of state (AOS).

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5101:9-31-94

Workforce Innovation and Opportunity Act (WIOA) youth allocation methodology.

- (A) The Ohio department of job and family services (ODJFS) issues the department of labor (DOL) WIOA youth formulary allocations to the local WIOA fiscal agent on behalf of the WIOA local workforce development boards (~~LWDBs~~)(LWDBs) to help disadvantaged and unemployed youth earn while learning through support services and effective employment-based activities.
- (B) This allocation is composed of one hundred per cent federal funds. The ~~catalog of federal domestic assistance (CFDA)~~assistance listings number is 17.259. ODJFS authorizes the WIOA youth funds on a program year (PY) basis.
- (C) ~~The period of performance~~ODJFS communicates the funding and liquidation period~~periods for this allocation will be communicated by ODJFS~~ through the county finance information system (CFIS). ~~Funds must be expended by the end of~~The WIOA local area can incur accruals through the funding period of performance and disburse and reported report expenditures no later than the end of the liquidation period.

(D) Methodology

ODJFS uses the following formulas, as described in WIOA section 127(b)(1)(C)(ii) to allocate youth formulary funding to WIOA local areas. Statistics used to calculate funding are provided by the office of workforce development (OWD) as described in the state plan approved by DOL.

(1) Youth funding stream

- (a) ODJFS allocates one-third of the funds based on the relative number of unemployed individuals in areas of substantial unemployment in each WIOA local area compared to the total number of unemployed individuals in areas of substantial unemployment in the state.
- (b) ODJFS allocates one-third of the funds based on the relative excess number of unemployed individuals in each WIOA local area compared to the total excess number of unemployed individuals in the state.
- (c) ODJFS allocates one-third of the funds based on the relative number of disadvantaged youth living in each WIOA local area compared to the total number of disadvantaged population (where disadvantaged youth in the state are individuals aged fourteen to twenty-one, with income or in a family with income that does not exceed the poverty line or seventy per cent of the lower living standard income level for the family size, whichever is less).

(2) Hold harmless provision

- (a) ODJFS applies the "hold harmless" provision which states that no WIOA local area receive an allocation that is less than ninety per cent of the average allocation for the preceding two fiscal years.
- (b) ODJFS will calculate the amounts necessary for increasing allocations to WIOA local areas in accordance with the hold harmless provision by proportionately reducing the allocations made to other WIOA local areas, unless a waiver from the DOL allows for a deviation from this standard.
- (c) If the amount of WIOA funds appropriated in a fiscal year are not sufficient to provide the amount specified in paragraph (D)(2)(b) of this rule to all WIOA local areas, ODJFS will proportionally reduce the amounts allocated to each WIOA local area.

(E) Allowable expenditures

~~Youth program design and youth program elements~~ WIOA local areas shall comply with all office of workforce development (OWD) program policy regarding expenditure rates and recapture of unused funds. ODJFS will determine the level of adjustment needed if DOL should issue a rescission of funds.

The list of youth program design and elements under WIOA section 129(c)(2) consists of:

- (1) Tutoring, study skills training, instruction and evidence based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its equivalent;
- (2) Work experiences which may include summer employment opportunities and other employment opportunities available throughout the school year, pre-apprenticeship programs, on-the-job training, and internships and job shadowing;
- (3) Alternative secondary school services, or dropout recovery services;
- (4) Occupational skills training;
- (5) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation;
- (6) Leadership development opportunities, including community service and peer-centered activities;

- (7) Supportive services;
- (8) Adult mentoring for at least twelve months during and after program participation;
- (9) Follow-up services for at least twelve months after completion of participation;
- (10) Comprehensive guidance and counseling, as appropriate to the individual youth;
- (11) Financial literacy education;
- (12) Entrepreneurial skills training;
- (13) Services that provide labor market information about in-demand industry sectors or occupations available in the WIOA local areas; and
- (14) Activities that help youth prepare for and transition to postsecondary education and training.

(F) Expenditure requirements

(1) Out-of-school youth

- (a) The WIOA's primary focus for youth formula programs is to support the educational and career success of out-of-school youth (OSY) as described in the WIOA section 129(a)(1)(B).
- (b) WIOA section 129(a)(4) requires WIOA local areas to spend a minimum of seventy-five per cent youth formula funds excluding administration funds, on OSY.

(2) Youth work experience

- (a) WIOA section 129(c)(4) prioritizes paid and unpaid work experiences as a critical youth program element that includes an academic and occupational education component.
- (b) ~~WIOA Local~~ WIOA local areas must spend at least twenty per cent of youth formula funds on unpaid and paid work experiences as described in paragraph (E) (2) of this rule, exclusive of funds provided for administrative costs.
- (c) Program expenditures for the work experiences program element include wages and staffing costs for the development and management of work experiences.

- (3) Allocated funds may not be used on construction or purchase of facilities, buildings, or foreign travel.

(G) Administration

- (1) The costs of administration are the costs associated with performing the following:
 - (a) Accounting, budgeting, financial and cash management;
 - (b) Procurement and purchasing;
 - (c) Property and personnel management;
 - (d) Payroll;
 - (e) Audits and coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;
 - (f) General legal services;
 - (g) Developing systems and procedures, including information systems, required for these administrative functions; and
 - (h) Fiscal agent responsibilities.
- (2) In accordance with 20 C.F.R. part 683.215, the definition of WIOA administration specifies that all costs incurred for functions and activities of sub-recipients and contractors are program costs, unless the sub-recipient or contractor is performing only administrative functions.
- (3) A WIOA local area may use up to ten per cent of the allocation amounts for the administrative cost of carrying out WIOA activities.
- (4) Sub-recipients and contractors performing program functions that are funded with WIOA youth funds do not report the costs associated with performing these program functions as administrative costs against the area's ten per cent administration expense limit.

~~(H) Local areas shall comply with all office of workforce development (OWD) program policy regarding expenditure rates and recapture of unused funds. ODJFS will determine the level of adjustment needed if DOL should issue a rescission of funds.~~

⊕(H) Statewide activities

- (1) The governor may set aside a certain percentage of youth formula funds as described in WIOA section 128 for statewide activities, including five per cent for administrative activities. These funds may be combined and spent on statewide youth activities as described in WIOA section 129(b).
 - (2) ODJFS may periodically allocate statewide funding for special projects.
 - (3) Statewide funds are available for expenditure during the current PY and the two succeeding PYs.
- ⊕(1) The WIOA local area shall maintain documentation as described in rule 5101:9-9-21 of the Administrative Code. This documentation may be subject to inspection, monitoring, and audit by the ODJFS office of fiscal and monitoring services (OFMS) and the Ohio auditor of state (AOS).

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