

Technical Assistance Guidance

TAG 41-2020

Issued Date: May 20, 2020

Subject: Work Experiences Interrupted by COVID-19

Purpose

This TAG provides guidance for work experience (WEX) activities that were interrupted by COVID-19 directives.

References

Public Law P.L. 113-128; Workforce GPS Coronavirus (COVID-19) Resources Grants Management Guidance, Workforce Connections (WC) Policies ADW-030-05 and YTH-040-05,

Background

The Employment and Training Administration (ETA) has developed Frequently Answered Questions (FAQs) to address questions related to Coronavirus (COVID-19) to help state and local workforce leaders, and other stakeholders and partners to assist the public workforce system during this crisis.

On March 12, 2020, Governor Steve Sisolak declared a State of Emergency in Nevada as a result of the public health threat associated with the novel coronavirus (COVID-19). Over the subsequent days, the Governor proclaimed various directives mandating “social distancing” and the closure of non-essential businesses to protect Nevada citizens from further spread of the virus. As a result, many work experience (WEX) activities under WIOA Title I were canceled.

Action

If a program participant’s time commitment, wages/stipends, and/or other academic work experience terms were established prior to the national health emergency declaration, service providers should continue to pay the participant for the remainder of the term established in the worksite agreement.

For dates in completed WEX pay periods covering March 12, 2020 through the date of this TAG, a single retroactive payment may be processed to “catch up” payments for participants whose WEX was cancelled if the following criteria is met:

- The Career Coach must have written documentation from the worksite that the WEX was cancelled because of COVID-19.
- The participant must still be engaged and active with the program at the time of the retroactive payment.
- The Career Coach must have had direct contact with the participant at least once within the thirty (30) days prior to payment. This contact must be documented in the case notes in the MIS (EmployNV).
- The following documentation must be retained as source documentation for the payment:
 - Written documentation of the worksite closure due to COVID-19.
 - A copy of the WEX schedule from the training plan showing the schedule of days of the week and hours per day that the WEX would have followed if it had not been cancelled. (Timesheets are not required but may be used to facilitate the calculation of the amount due for payment.)

For WEX dates in scheduled pay periods containing the date of this TAG and forward, payments may be continued for participants if the following criteria is met:

- Payment has been processed to the participant for all prior WEX dates per the guidance above.
- The participant must still be engaged and active with the program.
- The Career Coach must have weekly direct contact with the participant that is documented in case note entries in the MIS (EmployNV). The most recent date of contact must be within seven (7) days of the pay date.
- The following documentation must be retained as source documentation for the payment:
 - Written documentation of the worksite closure due to COVID-19.
 - A copy of the WEX schedule from the training plan showing the schedule of days of the week and hours per day that the WEX would have followed if it had not been cancelled. (Timesheets are not required but may be used to facilitate the calculation of the amount due for payment.)

If the WEX worksite reopens, the participant must return to the worksite to continue to be paid unless the employer has documented in writing that the participant is not allowed to return to the WEX due to social distancing requirements, lack of personal protective equipment, or other COVID-19 related circumstances. If this documentation is received, the participant may continue to be paid according to the guidelines listed above, with the additional requirement that the written notification that the participant may not return to the worksite must be included with the other required source documentation listed above.

If the worksite reopens and the participant may return to the worksite but opts not to do so for any reason, the WEX will terminate and no future payments may be processed.

WC strongly encourages service providers to make every effort to process all retroactive and current WEX payments that meet the guidelines above. At this time, Work-Based Learning (WBL) expenditure requirements are still in effect and being enforced. These payments and the staff time needed to retain the documentation to process them, will count towards the WBL expenditure requirement and assist service providers with meeting this expenditure requirement for PY19.

Technical Assistance

Please seek guidance prior to processing a payment for any situation that is not covered in this TAG.