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I. APPLICABILITY/SCOPE

This policy applies to the Workforce Innovation and Opportunity Act (WIOA) Title IB workforce development programs, specialized grants, including the Strengthening Working Families Initiative grant, and services. The provisions of this policy apply retroactively to March 11, 2020.

II. PURPOSE

In response to a federal and state declaration of emergency and guidance issued by the COVID-19 Response Bill #3: H.R. 748 Coronavirus Aid, Relief, and Economic Security Act and Arizona Governor Doug Ducey’s executive orders related to the public health emergency of COVID-19 (particularly [State of Arizona Executive Orders 2020-12](#) and [2020-18](#)), this Phoenix Business and Workforce Development (PBWD) Board policy institutes a general waiver as outlined in Section V. of this policy.

III. BACKGROUND

On March 11, 2020 Governor Doug Ducey declared a public health emergency in the State of Arizona in response to the spread of COVID-19. The State remains focused on proactively limiting the spread of COVID-19 and reducing regulatory burden that would impede this focus. In conjunction with guidance from the U.S. Centers for Disease Control and Prevention, the Arizona Department of Health Services has issued recommendations to hinder the progress and impact of COVID-19.

IV. DEFINITIONS

COVID-19: A mild to severe respiratory illness that is caused by a coronavirus (*Severe acute respiratory syndrome coronavirus 2* of the genus *Beta coronavirus*), is transmitted chiefly by contact with infectious material (such as respiratory droplets), and is characterized especially by fever, cough, and shortness of breath and may progress to pneumonia and respiratory failure.


Work Experience (WEX): A work experience is a summer employment opportunity, an internship, job-shadowing, On-the-Job Training (OJT) or a pre-apprenticeship program.

Support Services: Supportive services, such as transportation, child care, vision care, work-related clothing, and certifications that can be provided to eligible individuals while participating in career or training services to assist in the removal of obstacles that are hindering their efforts to successfully secure and retain permanent employment. All support services must be reasonable and necessary to remove a barrier to completing an educational training program, work experience, leadership development and/or accepting/retaining employment.

V. POLICY

A. Work Experience (WEX)

1. Effective March 11, 2020, the maximum number of hours (320) is waived per participant for work experience activities.

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- i. Program providers are responsible for determining the maximum number of hours a participant can participate based on their program budget.
- ii. Program providers are responsible for tracking program expenditures on paid and unpaid WEX's, including wages and staff costs for the development and management of work experiences.
- iii. Program providers are responsible for ensuring there is a written worksite agreement or contract between each employer offering a WEX to ensure compliance with WIOA and applicable regulations.
- iv. Providers must document in the Notes section of the Service and Training Plan when a WEX is currently on hold due to COVID-19. This will automatically populate in Program Notes. Please review [DES WIOA COVID-19 Frequently Asked Questions \(FAQs\)](#) for additional guidance.

2. Program providers are still required to adhere to the following:


- i. All worksites must adhere to social distancing requirements and compliance with the Governor's Executive Orders related to COVID-19, particularly Executive Order 2020-18. For the duration of Executive Order 2020-18, or any further stay-at-home order issued by the State of Arizona or the City of Phoenix, WEX should be limited to essential functions, as defined in State of Arizona Executive Order 2020-12 and any subsequent guidance from the State of Arizona or the City of Phoenix.
- ii. Ensure that participants complete a two-day work readiness training virtually.
- iii. The WEX must align with outcome-oriented occupational goals that are specified in the College and Career Blueprint. When appropriate, Career Pathway programs should be a focus for occupational trainings.
- iv. Review and determine the feasibility and suitability of utilizing a WEX with the participant.
- v. Determine the selection of a worksite for a paid or unpaid WEX by the needs of the participant and the employer.

B. Support Services

Support Services waivers and maximum cost conditions are not required during this state of emergency and program providers must ensure that program funds are administered to participants in a fair, equitable, and non-discriminatory manner.

1. Strengthening Working Families Initiative (SWFI)

- i. Waivers will not be required in situations where the cost limit creates a hardship and prevents the service from being provided.
- ii. The maximum cost for each SWFI participant has been waived and must not exceed the program provider's budget allocations for support services per program year.

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2. Youth

- i. The youth program providers are expected to continue using existing resources, however if the coordination of funds cannot occur timely or otherwise creates a hardship to get the service provided, justification must be made as to why WIOA funds will be utilized.
- ii. The maximum cost for each youth participant has been waived and must not exceed the program provider’s budget allocations for support services per program year.

3. Adult and Dislocated Worker

- i. Waivers will not be required in situations where the cost limit creates a hardship and prevents the service from being provided.
- ii. The maximum cost for each Adult/DW participant has been waived and must not exceed the program provider’s budget allocations for support services per program year.

C. Self-Attestation


Program applicants may self-attest to program eligibility elements as a last resort. During the COVID-19 emergency, “the last resort requirement” is met for the following elements and self-attestation is acceptable:

- 1. Homeless Individual or Runaway Youth
- 2. Offender
- 3. Individual Status/Family Size
- 4. Individual Family Income
- 5. Pregnant or Parenting Youth
- 6. Youth who need Additional Assistance
- 7. Youth in Foster Care
- 8. Education Status at time of participation
- 9. Dislocated Worker Program

D. Non-Original and Required Signatures

While some documents for the WIOA Title IB programs require signatures from participants and employers, a wet signature is not required. Electronic signatures to include, signatures that are scanned, emailed, and/or faxed, are acceptable.

Name of Form	Policy Response
WIOA Title I-B Applicant Statement	This form must be signed.
Local WIOA Title I-B Application	An AJC system printout should be signed per USDOL and kept in the participant’s file, but this is not currently a requirement by the state. State policy is being updated to include this requirement.
IEP/ISS	Signatures are required when the IEP/ ISS is developed and modified.

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Equal Opportunity is the Law	This form is not required to be signed but must be provided to the participant and a copy must be maintained in the participant's file.
WEX/ Internship Agreement	This document must be signed.

The PBWD Board will refer to state guidance as information is updated. Please review [DES WIOA COVID-19 FAQs](#) for additional guidance.

VI. POLICY MANAGEMENT REQUIREMENTS

Administrative revisions to the policy, as well as any revisions in line with the standards adopted by the Arizona Department of Economic Security related to the COVID-19 emergency, may be made by the Phoenix Business and Workforce Development (PBWD) Board Executive Director, with notice to the PBWD Board’s Executive Leadership Committee. All other substantive revisions will go to the PBWD Board’s Executive Leadership Committee for review and approval.

This policy will terminate automatically on the expiration of Governor Ducey’s declaration of a public health emergency or June 30, 2021, whichever is earlier, unless subsequently renewed by the PBWD Board. Additional guidance from federal, state, or local jurisdictions will be added to this policy as necessary.

VII. ATTACHMENTS AND LINKS

1. [DES WIOA COVID-19 Frequently Asked Questions.](#)
2. [Applicant Statement.](#)
3. [State of Arizona Executive Orders 2020-12 and 2020-18](#)