



# Workforce Development System Technical Advisory



November 3, 2008

## Workforce Development System Technical Advisory #0 8-8

**TO:** Chairpersons of Local Workforce Investment Boards  
Chief Elected Officials  
One-Stop Operators  
Regional Representatives  
WIA Grant Recipients  
WIA Fiscal Agents  
WIA Local Area Contact Persons

**SUBJECT:** **REISSUED:** State Policy Guidelines on Data Element Validation (DEV) under the U.S. Department of Labor Employment and Training Administration's (USDOL/ETA) Common Measures Policy and Functional Alignment

### **PURPOSE:**

This Technical Advisory is issued for the following purposes:

- a. To communicate a change to New York State Department of Labor (NYSDOL) policy regarding **DEV** under functional alignment for the delivery of Workforce Investment Act (WIA) Title IB and Wagner -Peysner (W-P) workforce services
- b. To **rescind and replace** Workforce Development System Technical Advisory (WDS-TA) #06-19, State Policy Guidelines on the Implementation of USDOL/ETA's Common Measures Policy, issued December 1, 2006

### **REFERENCES:**

USDOL/ETA, Workforce Investment Act Data Reporting and Validation System User Handbook for DVRS 6.3, November 2006 USDOL/ETA, Training and Employment Notice No. 9-06, Timeline for Program Year 2005 Workforce Investment Act Performance Reporting and Program Year 2005 Data Validation (all programs ), August 15, 2006

USDOL/ETA, Training and Employment Guidance Letter No. 17-05, Common Measures Policy for the Employment and Training Administration's Performance Accountability System and Related Performance Issues , February 17, 2006

WDS-TA #06-16, Final Guidance – OSOS Modifications and Data Entry Procedures for Recording Participant Information and Services in OSOS under Common Measures and Functional Alignment, September 26, 2006

WDS-TA #06-3.2, State Policy Guidelines and Required Action for Local Workforce Investment Boards Regarding Functional Alignment for the Delivery of WIA Title IB and Wagner-Peyser Workforce Services, April 17, 2006

WDS-TA #06-19, State Policy Guidelines on the Implementation of U.S. Department of Labor Employment and Training Administration's (USDOL/ETA's) Common Measures Policy, December 1, 2006

### **BACKGROUND:**

Since NYSDOL's issuance of WDS-TA #06-19, USDOL/ETA issued a revised policy for WIA DEV per USDOL/ETA WIA Data Reporting and Validation System (DRVS) User Handbook (August 2007) and Training and Employment Notice (TEN) 9-08.

USDOL/ETA's revised DEV policy is a change from prior policy, in that it substantially reduces the administrative burden of DEV by only requiring documentation for eligibility and services elements for participants who receive more than core services for most data elements (core services include staff assisted core services as well as self service and informational activities). Therefore, NYSDOL is revising the State's DEV policy presented in WDS-TA #06-19 to align with USDOL/ETA's DEV policy.

Specifically, USDOL/ETA's policy states that:

*Documentation for eligibility and services elements is only required for participants who receive more than core services. Core services include self and informational services [and staff assisted core]. Participants who enroll in training or other intensive services must provide the required source documents for validation purposes. Documentation for outcome elements is required for all participants who receive more than self-assisted and informational activities (TEN 9-06, Attachment A, page 1).*

### **ACTIONS:**

This WDS-TA rescinds and replaces WDS-TA #06-19.

Therefore, please refer to this WDS-TA and WDS-TA #06-16, as the comprehensive NYSDOL policy on the implementation of common measures and DEV for WIA Title 1B, W-P, VETs and Trade Act Adjustment (TAA).

## **POLICY:**

**Effective July 1, 2008**, NYS policy is established (within federal guidelines) to streamline the collection and validation of participant information necessary to comply with federal reporting requirements, including eligibility determination and DEV, and to functionally align these requirements across the W -P, WIA, TAA and VETS programs.

State workforce agencies are accountable for DEV policies that align with USDOL/ETA policies. Topics covered in this technical advisory include:

- A. Requirements for Eligibility in the WIA Adult and Dislocated Worker (DW) Programs
- B. Requirements for DEV in the WIA Adult and DW Programs
- C. Requirements for Eligibility in the WIA Youth Program
- D. Requirements for DEV in the WIA Youth Program

Staff verification will be used to validate participant information across the various documentation sources.

Staff verification is intended to minimize the administrative burden associated with obtaining and retaining paper backup copies of the source documents used to validate participant information. Use of staff verification is intended to better align program resources with providing services, rather than documenting information.

Staff verification is not intended to **eliminate** paper, but **reduce** it. It will still be necessary to retain hard/electronic copies for certain data elements and/or levels of service, and Record Retention Standards for LWIA's as stated in TA 01 -27 must also be met. For example, copies of ITA/OJT contracts should continue to be kept on record. There may also be cases where it is necessary to keep copies of Date of Birth (DOB) source documentation. Also, it should be noted that these policies of staff verification are to apply to Adult/DW/TAA/VETS programs **ONLY**. Hard copies of youth files must continue to be kept on all youth participants.

## **WIA Adult and Dislocated Worker Programs**

### **A. Eligibility**

There are two levels of service that are relevant for eligibility:

1. **Self Service/Information Only** - There are no eligibility requirements for this level of service
2. **Staff Assisted Services** – Staff Assisted Core Services, Intensive Services and Training Services

The distinction between self-service / informational activities and staff assisted services is based on federal guidance in TEGL No. 17 -05, as follows:

- Self-Service and Informational Activities
  - Self-Service – Services accessed directly by the participant in a physical location (resource room) or remotely by electronic technologies
  - Informational Activities – Readily available information about the labor market to assist in identifying/achieving employment goals

Through self-service and/or informational activities, participants may only receive help from staff regarding: general instruction on how to use/access self-service tools and information; an overview of information and services available at the One-Stop Center, including tools in the resource room; and instructions on how to access the information and services. Such help does not constitute a staff assisted service, regardless of the amount of time spent with the participant.

- Staff Assisted Service

Any service requiring staff assistance that goes beyond helping the participant with self-service and/or informational activities (as discussed above) is considered a staff assisted service. A staff assisted service includes customization of labor market information to the participant; and staff assessment of the participant (e.g., assessment of skills, abilities, education/employment history, or career objectives). NYS policy is that all staff assisted services are defined as having “significant” staff involvement, per TEGL No. 17-05.

For example, a participant who is considered to have received a staff assisted service is an individual who visits a One-Stop Center and is assisted by a staff member who: 1) asks several questions to determine the individual’s education and work experience; 2) helps the individual to search for employment on a resource room computer; and/or 3) provides the individual with local occupational and economic trend information. This individual is regarded as both a W-P and WIA participant, and is included in both the W-P and WIA performance measures (TEGL No. 17 -05, Attachment D, Scenario 7).

To streamline eligibility determination for the WIA -DW program, State policy is that a UI customer “profiled as likely to exhaust their benefits” or a “UI Exhaustee” meets the eligibility requirements for the WIA DW program.

- A Local Area determination can be made within 30 days of customer

enrollment in WIA to move a customer from the DW funding stream to the Adult funding stream to override the default.

US citizenship and/or right-to-work are not program eligibility requirements for W-P or WIA (USDOL/ETA, "Reflection" document, USDOL/ETA sponsored Common Measure Training, Philadelphia, PA, March 1, 2006). In addition, citizenship information does not need to be validated.

The current version of OSOS requires completion of the citizenship field to record/register a participant in the system. Therefore, the OSOS citizenship field must be completed to allow the participant to be registered in the system. For a participant recorded as a non-U.S. citizen in OSOS, the alien registration number and expiration date must be input in OSOS, in which case a default alien registration number of "z999999999" with an expiration date of 12/31/2199 must be input.

Selective Service (SS) Registration Verification – At the time of 1st staff-assisted service, staff must verify that a male participant born after December 31, 1959 is registered with the US Military Selective Service (SS). Selective Service Registration is not a DEV requirement.

- For males 18 -25 years of age who are not registered with the selective service:
  - Staff must refer the individual to the Selective Service for registration.
  - WIA funded services can not be provided until the individual is registered. However, services funded by the W -P program may be provided.
- For males 26 years of age or older, whose selective service registration status can not be verified:
  - WIA funded services can be provided, as long as the individual discloses that they did not willfully or deliberately avoid selective service registration.
  - Staff must refer the individual to the Selective Service, and record an OSOS Comment noting the individual's statement; that the referral was made; and the date the referral was made if different from the date of data entry. No hard copy documentation is required to be maintained.

**Attachment A** provides State guidelines on the minimum demographic information for reporting on participants who receive self-service or

informational activities only.

**Attachment B** provides “Adult Program – Eligibility Guidelines” which addresses eligibility requirements and criteria for determining a participant’s eligibility to participate in the WIA (Adult and DW), TAA and VETS programs. Note that the W -P program does not have eligibility requirements.

## **B. Data Element Validation**

Data Element Validation (DEV) refers to the proper validation of information as it is captured in New York’s One Stop Operating System (NYOSOS), the State Management Information System (MIS).

1. The collection and validation of information necessary to comply with federal reporting requirements is a shared responsibility across the W -P, WIA, TAA and VETS programs. This responsibility includes assuring:
  - a. Information on a participant is reported accurately and timely in NYOSOS; and
  - b. Proper documentation of the information is obtained and recorded in NYOSOS as part of the participant’s records.
2. NYOSOS will be used to electronically collect and retain appropriate participant information, to free-up the resources previously required in obtaining and retaining paper source documentation.
3. There are three types of participant information that must be collected and validated to comply with federal reporting requirements. Not all participant information is subject to DEV.
  - **Demographic information** – Used to determine program eligibility and to report on participant characteristics / special populations.
  - **Services Information** – Used to report on the services received by a participant. Services information is generally collected through proper data entry and documentation in NYOSOS.
  - **Outcome Information** – Used to calculate performance measures and to report on outcomes achieved by participants.
    - Some outcome information may need to be obtained from the participant, such as supplemental employment information, and achievement of a degree or certificate.

- Some outcome information is obtained from cross-match with other State databases, such as employment outcomes obtained from the State quarterly UI wage record system.

The following is a list of sources for documenting participant information. The validity of each source depends upon the type of information and the level of service received by the participant.

- **Self Identification** – The participant states (self-identifies) his/her status for the particular piece of information being collected (obtained).
- **Self Attestation** – The difference between self-identification and self-attestation is signing a self-attestation form. The participant states (self-identifies) his/her status for the particular piece of information being collected (obtained). This information is recorded on a form and the participant signs and dates the form acknowledging their status. The key elements for self attestation are: (a) the participant self-identifying his/her status for the information; and (b) the participant signing and dating the form attesting to this self-identification.
- **Case Notes** – Statements recorded in OSOS Comments by staff that identify a participant's status for a specific data element, the date on which the information was obtained if different from the date of data entry and the source used to determine the status of the data element.
- **State Management Information Systems (MIS)** – In New York State, the State MIS is NYOSOS, provided the information being collected is properly recorded in the appropriate NYOSOS data fields. Proper recording of information requires that the specific, detailed information (e.g., dates, types of services and explanations of barriers to employment) is stored in the State's case management system and provides supporting evidence for the data element.
- **Cross Match** – Accessing a non-WIA MIS to find supporting evidence for the data element. Such information may be obtained via data sharing arrangements with the non-WIA MIS.

In particular, information/data available in the NYS Unemployment Insurance (UI) system and UI wage record system, and linkages to those systems will be used to comply with federal DEV requirements.

In addition, information on UI Claimants that is validated through the UI claims-taking process, and shared with NYOSOS, is considered valid for the W-P, WIA, TAA and VETS programs.

- **Official Documents** – Information is obtained from official documents

(e.g., birth certificate, driver's license, letterhead, pay stub).

**Staff Verification** – Staff Verification will be used to validate participant information across the various documentation sources.

Staff Verification is intended to minimize the administrative burden associated with obtaining and retaining paper backup copies of the source documents used to validate participant information. Use of staff verification is intended to better align program resources with providing services, rather than documenting information.

This policy is not intended to **eliminate** paper, but **reduce** it. It will still be necessary to retain hard/electronic copies for certain data elements and/or levels of service, and Record Retention Standards for LWIA's as stated in TA 01 -27 must also be met. For example, copies of ITA/OJT contracts should continue to be kept on record. There may also be cases where it is necessary to keep copies of DOB source documentation. Also, it should be noted that these policies of staff verification are to apply to Adult/DW/TAA/VETS programs **ONLY**. Hard copies of youth files must continue to be kept on all youth participants.

The staff person providing the service must ensure that participant information is being validated via staff verification, in accordance with the level of service being provided, and properly recorded in OSOS. This will allow all documentation to be maintained electronically in OSOS thereby replacing the need to keep paper records (copies) of source documentation for Adults and DW's.

Staff Verification requires staff to:

1. Identify the information to be collected (relevant data element) using an allowable documentation source.
2. Ensure the information is accurately recorded in the appropriate OSOS data field(s).
3. Record in OSOS Comments:
  - a. The information (data element) that has been validated;
  - b. The source used to validate the information;
  - c. Pertinent data from the document source; and
  - d. The date of the Staff Verification if different from the date of data entry.

Please note that to comply with Federal guidelines, a special case has been made for the validation of DOB. For any customer who is currently receiving UI, or has received UI in the past, DOB will be considered validated through the UI System. Therefore, any customer listed as an UI Claimant or Exhaustee for

the current or any previous enrollment is considered validated for DOB.

NYSDOL will implement a DOB validation policy using the "Record of cross match" with New York State Department of Motor Vehicle s (NYSDMV) for all WIA participants who receive more than self service and/or who are not UI customers. Therefore, any customer who has a valid ID issued by the NYSDMV (NYS driver's license, driver's permit or non-driver identification) will be considered validated for DOB.

For those participants whose DOB is unable to be validated via the cross -match with the UI System or NYSDMV, the DOB validation policy will be to **retain a copy** of the source document (paper or electronic).

For all participants, DOB comments should continue to be made referencing the method of validation.

The level of participant data and source documentation needed to comply with federal reporting requirements, including eligibility determinations and DEV, will depend on the level of service received by the participant.

- **Upon receipt of a Core Service:**

**Demographic Information** must be obtained from the participant and recorded in OSOS.

**Self-Identification** is acceptable source documentation for obtaining **most** demographic information for participants who receive only core services.

**Date of Birth** must be validated against specific source documents beyond self-identification.

- **Upon receipt of Intensive or Training Services** (i.e., more than core services):

**Certain Demographic Information** (e.g., veteran status and employment status at participation) must be validated against specific source documents beyond self-identification.

**Services Information** must be recorded in OSOS. Proper data entry and documentation of services in OSOS comply with DEV requirements.

- **Upon receipt of a Staff Assisted Service**

**Outcome Information** must be recorded in OSOS. Outcome information must be validated against specific source documents beyond self -

identification.

Validation of outcome information is required at the staff assisted service level because participants who receive a staff assisted service are included in performance measures for the WIA program.

The staff person providing the service must ensure that participant information is being validated via staff verification, in accordance with the level of service being provided. This will allow all documentation to be maintained electronically in OSOS thereby replacing the need to keep paper records (copies) of source documentation for Adults and DW's.

**Validity of Prior Enrollment Data** - A participant's DOB need only be validated once. In other words, if a participant's DOB was verified during a previous enrollment, the participant's DOB is considered valid in any subsequent enrollments.

Similarly, veteran status need not be validated again once the participant has been verified as a veteran. For example, if a participant's veteran status was verified as "veteran" in a previous enrollment, that participant's veteran status is considered validated in any subsequent enrollments. However, if the participant has been labeled "non-veteran," his/her veteran status must be verified at the time of a new enrollment to ensure that the status of "non-veteran" is still applicable.

All other participant information must be validated at every new enrollment in spite of any history of enrollment.

**Attachment C** provides "Adult Program – Data Element Validation Handbook" which addresses the specific data elements that must be validated for participants (demographic, services and outcomes).

## **WIA Youth Program**

### **C. Eligibility**

The eligibility requirements for an individual to be enrolled as a WIA Youth have not changed under functional alignment of New York State's workforce investment system.

**Attachment D** provides "WIA Youth Program – Eligibility Guidelines" which addresses eligibility requirements and criteria for determining a participant's eligibility to participate in the WIA Youth Program.

## **D. Data Element Validation**

DEV requirements for youth enrolled in the WIA Youth program also remain unchanged. Paper records must continue to be kept on all youth participants. Staff verification is not considered a valid method of DEV for youth participants.

**Attachment E** provides “WIA Youth Program – Data Element Validation Handbook” which addresses the specific data elements that must be validated for youth participants (demographic, services and outcomes).

- Attachment A**     [Demographic Information for Reporting on Participants Receiving Only Self-Service/Informational Activities](#)
- Attachment B**     [Adult Program Eligibility Requirements](#)
- Attachment C**     [Data Element Validation Handbook – WIA Adult, WIA Dislocated Worker, Wagner-Peyser, Trade Adjustment Assistance and Veterans Programs](#)
- Attachment D**     [WIA Youth Program Eligibility Handbook](#)
- Attachment E**     [WIA Youth Program – Data Element Validation Handbook](#)