WIOA NOTICE NO. 19-NOT-06

TO: Chief Elected Officials
Local Workforce Innovation Board Chairpersons
Local Workforce Innovation Board Staff
WIOA Fiscal Agents and Grant Recipients
WIOA Program Services Administrators
Illinois workNet® Operators
WIOA State Agency Partners
Other Interested Persons

SUBJECT: Use of Alternative Signatures During COVID-19 Pandemic

DATE: May 7, 2020

I.   PURPOSE

To transmit guidance temporarily allowing alternative methods of obtaining customer signatures during the pandemic.

II.   ISSUANCES AFFECTED

A.   References:

Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, as amended

USDOL Training and Employment Guidance Letter (TEGL) No. 39-11, Guidance on the Handling and Protection of Personally Identifiable Information (June 28, 2012)

B.   Rescissions:

None

III. BACKGROUND

Across the nation, governors are issuing Executive Orders (EO) to follow the federal emergency declaration and combat the COVID-19 crisis. Illinois is no exception and has taken an aggressive approach to curbing the progression of the virus to lessen health impacts and deaths across the State.

On March 20, 2020, Governor Pritzker issued Executive Order 2020-10 (Stay at Home Order) that, among other things, ordered Illinoisans to stay at home or at their place of residence except as allowed in the Stay at Home Order. Additionally, the Stay at Home Order directed non-essential businesses to cease operations, and alternatively encouraged businesses to continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home), if possible. Governor Pritzker issued a subsequent Executive Order, 2020-32, effective May 1, 2020, which extended these provisions of the Stay at Home Order through May 30, 2020.

Due to social distancing requirements and the need to provide services virtually, physical signatures and required documentation needed for eligibility determination may not be readily available to ensure timely services to customers.

Recognizing the need to provide services through other means, on April 29, 2020, the U.S. Department of Labor posted the following guidance regarding how career planners may determine customer eligibility remotely/virtually:

> *Eligibility determination is a critical and non-waivable function of ETA (Employment and Training Administration) programs, and grantees should keep documentation files used to determine eligibility. There are multiple mechanisms to review and save such documentation. For example, program staff can obtain and save a screenshot of the eligibility documentation to a particular participant file, if the grantee policy allows. Whatever mechanism is used, appropriate information security and privacy must be maintained. Grantees are ultimately responsible for ensuring the accuracy and validity of documents. Eligibility processes should include some type of validation (see the Workforce GPS web site at: https://www.workforcegps.org/resources/2020/03/18/23/35/Coronavirus-COVID-19-Resources).*

Additionally, on the same day the U.S. Department of Labor posted the following guidance regarding "presumptive eligibility" based on self-attestation:

> *There are multiple forms of acceptable source documentation for WIOA eligibility. Self-attestation may be used for a number of eligibility criteria as noted in ETA program and performance guidance; however, it should not be used as a first resort. Local areas and grantees should attempt to collect*

other source documentation demonstrating eligibility when possible. During this time where COVID-19 is impacting programs' ability to physically collect documentation, documentation may be accepted verbally as long as it is clearly documented in the case file.

IV. <u>COMPONENTS</u>

During the time an Executive Order, or other directive from the Illinois Governor, requires or encourages staying at home or social distancing in Illinois, Local Workforce Innovation Boards (LWIBs) may put into place local policy and procedures to allow customers to provide verbal or virtual signatures as well as to use self-attestation for "presumptive eligibility". This applies to programs funded by the U.S. Department of Labor's Employment and Training Administration, including but not limited to, the WIOA formula, rapid response, statewide activities, Trade Adjustment Assistance, apprenticeship and national dislocated worker grants. Additionally, career planners may complete applications over the phone, or virtually.

At a minimum the local policy and procedures must adhere to the provisions listed in this Notice including ensuring that all procedures to protect personally identifiable information (PII), including electronic information security protocols, are followed.

When career planners accept signatures in this manner or takes documentation verbally, they must request a follow-up email from the customer verifying the use of the signature and the information provided. Once received the career planner must upload the email as a document and include detailed case notes in the Illinois Workforce Development System (IWDS) or Career Connect as applicable. Technical instructions on uploading documents into IWDS are provided in Attachment A.

If the customer completes a hard copy application (or other document such as an eligibility document) that includes a signature and supporting source documentation for eligibility, the above procedure does not apply. The career planner must upload into IWDS any hard copy application or document received by mail or other form (e.g., picture of application).

Signatures obtained by fax, photo, electronic keypad, PIN, or software such as DocuSign that provides a secure way to electronically collect signatures from others act as physical signatures and not subject to the exceptions applicable to verbal or virtual signatures.

In the event an individual receives services before the confirmation of eligibility determination, costs associated with the services provided to the non-eligible individual are questioned costs and subject to repayment using non-federal funds.

V. ACTION REQUIRED

All Local Workforce Innovation Areas, recipients and subrecipients shall review this Notice and distribute it to all appropriate individuals within the organization.

VI. INQUIRIES

Inquiries should be directed to OET, Annamarie Dorr at AnnaMarie.Dorr@Illinois.gov, or Bryan Ellis at Bryan.Ellis@illinois.gov.

VII. EFFECTIVE DATE

This notice is effective on release.

VIII. EXPIRATION DATE

This notice will remain in effect until amended or rescinded by the Office of Employment and Training.

Sincerely,

Julio Rodriguez, Deputy Director
Office of Employment and Training

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Attachment A - Instructions for Uploading Documents in IWDS

Illinois Workforce Development System (IWDS)
Instructions for Uploading Documents

Go to the **Application Menu.** Search for the applicant record for which you will attach the document. In the bottom of the middle menu column, select "**List All Documents**". When that is selected, it will bring up the "**List All Documents**" screen.

Application Menu
Susie WIOA   Application Summary
SSN: 1234   **App LWA:**6

Printable Application

Application
- Guided Application
- Application Definition
- Assessment Summary
- Concurrent Programs
- Characteristics and Barriers
- Employment Characteristics
- Education Status
- Tests
- Public Assistance
- Family Characteristics
- Income Calculation
- Dislocated Worker Characteristics
- LWA Specific Data
- Eligibility Determination

Profile
- Contact Information
- Additional Contacts
- Private Information
- Veterans Information
- Employment History
- Credentials
- Education Status - In Program Update
- Measurable Skill Gains
- List All Documents ←

Services
- List Enrolled Services

Exit
- Exit Summary
- View Wages

From the "**List All Documents**" screen, select "**Add Document**" When that is selected, it will bring up the "**Upload Document**" screen.

List All Documents
Susie WIOA   Application Summary
SSN: 1234   **App LWA:**6

Add Document   Return

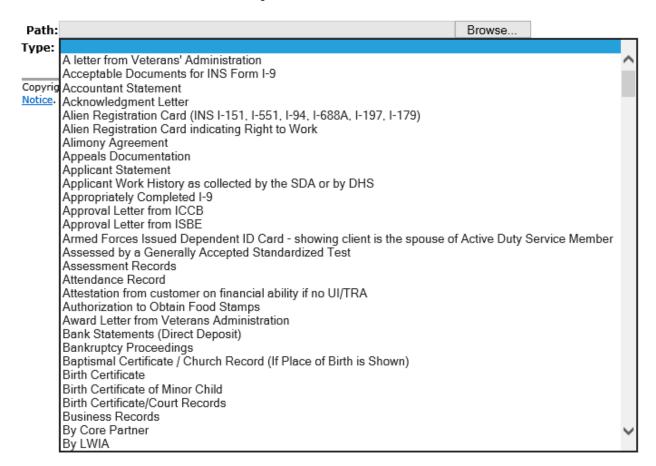| Doc ID	Screen	Document Type	Date Stored	Date Reviewed	Reviewed By
There is nothing to display.					

Add Document   Return

From the "**Upload Document**" screen on the "**Path**" line, select "**Browse**" and locate the stored document on your computer that you want to attach to the record. This is documentation you would have previously scanned to your computer, examples might be the client's signed and dated application, or a client's self-attestation to support an eligibility criteria item. Select the desired stored document from computer files and it will attach under the "**Path**" field on the screen.

Upload Document

Path:		Browse...
Type:		⌄

Upload   Return

Remain on the "**Upload Document**" screen and click on "**Type**". This will display a list of acceptable support document labels. (Note: the example below is just a partial listing, you will be able to scroll down for all possible supporting documentation options.) Select the applicable type. Click on "**Upload**" and then the upload is complete.

Upload Document

Path: Browse...

Type:

A letter from Veterans' Administration
Acceptable Documents for INS Form I-9
Accountant Statement
Acknowledgment Letter
Alien Registration Card (INS I-151, I-551, I-94, I-688A, I-197, I-179)
Alien Registration Card indicating Right to Work
Alimony Agreement
Appeals Documentation
Applicant Statement
Applicant Work History as collected by the SDA or by DHS
Appropriately Completed I-9
Approval Letter from ICCB
Approval Letter from ISBE
Armed Forces Issued Dependent ID Card - showing client is the spouse of Active Duty Service Member
Assessed by a Generally Accepted Standardized Test
Assessment Records
Attendance Record
Attestation from customer on financial ability if no UI/TRA
Authorization to Obtain Food Stamps
Award Letter from Veterans Administration
Bank Statements (Direct Deposit)
Bankruptcy Proceedings
Baptismal Certificate / Church Record (If Place of Birth is Shown)
Birth Certificate
Birth Certificate of Minor Child
Birth Certificate/Court Records
Business Records
By Core Partner
By LWIA

Copyrig
Notice.

Follow the same instructions for each document that needs to be attached to the IWDS client record.