

New Jersey

Workforce Innovation Notice 2-15

TO: Workforce Development Board Directors
One-Stop Operators
Employment Service Managers

FROM: John Bicica, Chief
Office of WIOA Technical Assistance and Capacity Building

DATE: September 11, 2015

Purpose

To provide all local workforce development boards standard elements of memorandum of understanding (MOU), and to advise that they must ensure that all agreements are signed and otherwise compliant with the provisions of WIOA as the regulations and other guidance are issued.

Background

The Workforce Innovation and Opportunity Act (WIOA) Sec.121 (a) (1) requires that each local board enter into an MOU with each one-stop partner. A single “umbrella” MOU may be developed that addresses the issues relating to the local one-stop delivery system for the Local Board, chief elected official and all partners. Alternatively, the Local Board (with the agreement of the chief elected official) may enter into separate agreements between each partner or groups of partners. **(20 CFR 678.505)** Additional guidance regarding infrastructure costs will be forthcoming.

Required Elements

20 CFR 678.500(b) provides the following elements to be included in each MOU:

(1) Description of services to be provided through the one-stop delivery system

MOUs must include a detailed description of how services are delivered to customers in the one-stop system, whether directly in the comprehensive one-stop in the local area or accessed through the system another way (including electronically). All partners are expected to participate and share proportionally in the delivery of services and associated costs. The integrated delivery of services and costs must be described in the MOU. This section should identify the policies and procedures for sharing information and reporting. See **Attachment-One-Stop Services** for a list of services.

Each entity that carries out a program or activities in a local one-stop center, described in 20 CFR 678.400 through 678.410, must use a portion of the funds available for the program and activities to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers. These payments must be in accordance with this subpart; Federal cost

principles, which require that all costs must be allowable, reasonable, necessary, and allocable to the program; and all other applicable legal requirements.

(2) A final plan, or an interim plan if needed, on how the costs of the services and the operating costs of the system will be funded, including:

(i) Funding of infrastructure costs of one-stop centers in accordance with 20 CFR 678.700 through 678.755; and

(ii) Funding of the shared services and operating costs of the one-stop delivery system described in 20 CFR 678.760

Infrastructure Costs Local Boards and one-stop partners must establish, in the MOU, a final plan for how the Local Board and programs will fund the infrastructure costs of the one-stop centers. If a final plan regarding infrastructure costs is not complete when other sections of the MOU are ready, an interim infrastructure cost plan may be included instead, as described in 20 CFR 678.715(c). Once the final infrastructure cost plan is approved, the Local Board and one-stop partners must amend the MOU to include the final plan for funding infrastructure costs of the one-stop centers, including a description of the funding mechanism established by the Governor relevant to the local area.

Required Elements Regarding Infrastructure

The MOU, fully described in 20 CFR 678.500, must contain the following information whether the local areas use either the local one-stop or the State one-stop infrastructure funding method:

(a) The period of time in which this infrastructure funding agreement is effective. This may be a different time period than the duration of the MOU.

(b) Identification of an infrastructure and shared services budget that will be periodically reconciled against actual costs incurred and adjusted accordingly to ensure that it reflects a cost allocation methodology that demonstrates how infrastructure costs are charged to each partner in proportion to relative benefits received, and that complies with chapter II of title 2 of the Code of Federal Regulations (or any corresponding similar regulation or ruling).

(c) Identification of all one-stop partners, chief elected officials, and Local Board participating in the infrastructure funding arrangement.

(d) Steps the Local Board, chief elected officials, and one-stop partners used to reach consensus or an assurance that the local area followed the guidance for the State one-stop infrastructure funding process. (e) Description of the process to be used between partners to resolve issues during the MOU duration period when consensus cannot be reached.

(f) Description of the periodic modification and review process to ensure equitable benefit among the one-stop partners. **(20 CFR 678.755)**

Definition-Infrastructure costs of one-stop centers are nonpersonnel costs that are necessary for the general operation of the one-stop center, including:

- (1) Rental of the facilities;
- (2) Utilities and maintenance;
- (3) Equipment (including assessment-related products and assistive technology for individuals with disabilities); and
- (4) Technology to facilitate access to the one-stop center, including technology used for the center's planning and outreach activities.

Local Boards may consider common identifier costs as costs of one-stop infrastructure. [20 CFR 678.700(a)]

Local Mechanism for Funding Infrastructure Costs

(a) In the local funding mechanism, the Local Board, chief elected officials, and one-stop partners agree to amounts and methods of calculating amounts each partner will contribute for one-stop infrastructure funding, include the infrastructure funding terms in the MOU, and sign the MOU. The local one-stop funding mechanism must meet all of the following requirements:

(1) The infrastructure costs are funded through cash and fairly evaluated in-kind partner contributions and include any funding from philanthropic organizations or other private entities, or through other alternative financing options, to provide a stable and equitable funding stream for ongoing one-stop delivery system operations;

(2) Contributions must be negotiated between one-stop partners, chief elected officials, and the Local Board and the amount to be contributed must be included in the MOU;

(3) The one-stop partner program's proportionate share of funding must be calculated in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200 based upon a reasonable cost allocation methodology whereby infrastructure costs are charged to each partner in proportion to relative benefits received, and must be allowable, reasonable, necessary, and allocable;

(4) Partner shares must be periodically reviewed and reconciled against actual costs incurred, and adjusted to ensure that actual costs charged to any one-stop partners are proportionate and equitable to the benefit received by the one-stop partners and their respective programs or activities.

(b) In developing the section of the MOU on one-stop infrastructure funding fully described in 20 CFR 678.755, the Local Board and chief elected officials will:

(1) Ensure that the one-stop partners adhere to the guidance identified in 20 CFR 678.705 on one-stop delivery system infrastructure costs. (20 CFR 678.705 requires the Governor to issue guidance on infrastructure funding after consultation with the state board, chief elected officials and local boards).

(2) Work with one-stop partners to achieve consensus and informally mediate any possible conflicts or disagreements among one-stop partners.

(3) Provide technical assistance to new one-stop partners and local grant recipients to ensure that those entities are informed and knowledgeable of the elements contained in the MOU and the one-stop infrastructure costs arrangement.

(c) The MOU may include an interim infrastructure funding agreement, including as much detail as the Local Board has negotiated with one-stop partners, if all other parts of the MOU have been negotiated, in order to allow the partner programs to operate in the one-stop centers. The interim infrastructure agreement must be finalized within 6 months of when the MOU is signed. If the infrastructure interim infrastructure agreement is not finalized within that timeframe, the Local Board must notify the Governor, as described in 29 CFR 678.725.

Funds Used to Pay Infrastructure Costs in Local One-stop Infrastructure Mechanism

(a) In the local one-stop infrastructure funding mechanism, one-stop partner programs can determine what funds they will use to fund infrastructure costs. The use of these funds must be in accordance with the requirements in this subpart, and with the relevant partner's authorizing statutes and regulations, including, for example, prohibitions against supplanting non-Federal resources, statutory limitations on administrative costs, and all other applicable legal requirements. In the case of partners administering adult education and literacy programs authorized by title II of WIOA or the Carl D. Perkins Career and Technical Education Act of 2006, these funds may include Federal funds that are available for State administration of adult education and literacy programs authorized by title II of WIOA or for State administration of post-secondary level programs and activities under the Perkins Act, and non-Federal funds that the partners contribute to meet these programs' matching or maintenance of effort requirements. These funds also may include local administrative funds available to local entities or consortia of local entities that have been delegated authority to serve as one-stop local partners by a State eligible agency as permitted by 20 CFR 678.415(b) and (e).

(b) There are no specific caps on the amount or percent of overall funding a one-stop partner may contribute to fund infrastructure costs under the local one-stop funding mechanism, except that contributions for administrative costs may not exceed the amount available for administrative costs under the authorizing statute of the partner program. However, amounts contributed for infrastructure costs must be allowable and based on proportionate use by or benefit to the partner program, taking into account the total cost of the one-stop infrastructure as well as alternate financing options, and must be consistent with 2 CFR chapter II, including the Federal cost principles. **(20 CFR 678.720)**

Funding Other Shared Costs under the MOU

(a) In addition to jointly funding infrastructure costs, one-stop partners listed in 20 CFR 678.400 through 678.410 must use a portion of funds made available under their programs' authorizing Federal law (or fairly evaluated in-kind contributions) to pay the additional costs relating to the operation of the one-stop delivery system, which must include applicable career services.

(b) Additionally, one-stop partners may jointly fund shared services to the extent consistent with their programs' Federal authorizing statutes and other applicable legal requirements. Shared services' costs may include the costs of shared services that are authorized for and may be commonly provided through the one-stop partner programs to any individual, such as initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and business services. Shared operating costs may also include shared costs of the Local Board's functions.

(c) These shared costs must be allocated according to the proportion of benefit received by each of the partners, consistent with the Federal law authorizing the partner's program, and consistent with all other applicable legal requirements, including Federal cost principles in chapter II of title 2 of the Code of Federal Regulations (or any corresponding similar regulation or ruling) requiring that costs are reasonable, necessary, and allocable.

(d) Any shared costs agreed upon by the one-stop partners must be included in the MOU. (20 CFR 678.760)

(3) Methods for referring individuals between the one-stop operators and partners for appropriate services and activities

This section must describe a formal, systematic approach to the referral of individuals requiring one-stop services. This systematic process must be agreed o by all partners and thoroughly explained so that all parties-partners, one-stop operator and the local board, understand the referral system, which cannot be limited to provision of information about partner services.

The referral system must require follow-up contact to verify that the customer was provided service. The MOU must describe how the referral process will connect customers to services, whether it is at the one-stop or another location. Where there is a shared case management system (such as WIOA and Labor Exchange services) the case management system must be used in the referral process, and all referrals must be recorded.

(4) Methods to ensure that the needs of workers, youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in providing access to services, including access to technology and materials that are available through the one-stop delivery

This section must include policies and procedures related to the provision of services to individuals with disabilities and other special populations within the workforce development area. Accessibility of the one-stop, both physically and programmatically must be addressed.

(5) The duration of the MOU and procedures for amending it

This section of the MOU must provide the length of the agreement. Also, since one-stop partners may find it necessary to amend the provisions of an MOU due to changes in circumstances, this section must also describe the process by which the agreement may be amended,

(6) Assurances that the MOU will be reviewed, and if substantial changes have occurred, renewed, not less than once every 3-year period to ensure appropriate funding and delivery of services.

Should there be substantial changes, a new agreement must developed and signed as appropriate.

(7) Any other provisions agreed to by the parties that are consistent with WIOA title I, the authorizing statutes and regulations of one-stop partner programs, and the WIOA regulations.

Partners may agree to additional provisions that are consistent with WIOA.

Standard Elements

Every MOU must include the following:

1. Parties to the agreement

2. Resource Sharing Agreement
3. Dispute Resolution Procedures
4. Performance and other reporting requirements
5. Severability
6. Record retention and personally identifiable information policies
7. Signatures [Local Board, one-stop partners, chief elected official(s)]

Resource Sharing Agreements

Each MOU must have a resource sharing agreement which describes how the costs of services and operating the one-stop system will be funded.

The *One-Stop Comprehensive Financial Management Technical Assistance Guide*, which was issued by the United States Department of Labor Employment and Training Administration, provides the following methods and descriptions for Resource Sharing:

Cash Payments-Under this methodology, one entity is responsible for incurring and paying for all the shared costs when payment for these costs is due. The partners determine which of them will have this responsibility, whether on a permanent, or possibly rotating basis. This entity would then become the “managing partner” for purposes of shared costs financial activity. This same entity is also responsible for maintaining the documentation for the shared costs and notifying partners of their share of the costs as they are incurred.

Full-Time Equivalents-When the costs of staff functions for common services such as intake and eligibility determination, staffing the resource center or services such as case management or job development are included in the shared costs budget, it may be more equitable to pay for these costs through Full-Time Equivalents (FTEs). Staff of the one-stop may include State or local governmental employees, employees of nonprofit organizations, for-profit commercial entities, and educational institutions. Each of these entities will have different pay scales, pay levels, and fringe benefit costs. By using FTEs as a payment method, partner organizations need not address these differing pay scales or any privacy concerns.

Goods and Services-Payment of shared cost through the provision of goods and services by each of the partner programs will likely be the most common method of payment. Using this payment method, the partners prepare the shared costs budget and allocate the costs using the agreed-upon allocation methodologies, with a resulting total shared costs attributable to each partner. Within the budget, the partners agree on how those costs will be funded. One partner may pay all the facilities costs, including rent, utilities and maintenance, while another partner provides the telephone system to be used by all the partners, and a third partner provides additional core services such as eligibility determination for all a participating partner programs. This flexibility in payment allows the partners to determine which payment method works best for their particular agency and takes into consideration the available resources of each program.

In-Kind Contributions-Under certain circumstances, partners may provide third-party in-kind contributions as resources to pay for their fair share of the costs. In-kind contributions are discussed in the cost sharing or matching provisions of the Uniform at **2 CFR 200.96 and 2 CFR 200.306**) and are defined as donation of goods, services, or volunteer time from a third party. They are not a cost to the receiving organization. They may be used only as a resource to pay for the partner agency's share of costs if their use is not prohibited by the agency's governing statute or regulations.

For a full discussion of each of these methodologies and other information regarding resource sharing and cost allocation, see the One-Stop Comprehensive Financial Management Technical Assistance Guide here: http://www.doleta.gov/grants/pdf/finaltag_august_02.pdf The Uniform Administrative Requirements may be found at 2 CFR 200 here: <http://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>

Negotiating Agreements

Local Boards and partners must enter into good-faith negotiations. Local Boards, chief elected officials, and one-stop partners may also request assistance from a State agency responsible for administering the partner program, the Governor, State Board, or other appropriate parties on other aspects of the MOU.

The Local Board must report to the State Board, Governor, and relevant State agency when MOU negotiations with one-stop partners have reached an impasse.

(1) The Local Board and partners must document the negotiations and efforts that have taken place in the MOU. The State Board, one-stop partner programs, and the Governor may consult with the appropriate Federal agencies to address impasse situations related to issues other than infrastructure funding after attempting to address the impasse. Impasses related to infrastructure cost funding must be resolved using the State infrastructure cost funding mechanism described in 20 CFR 678.730.

(2) The Local Board must report failure to execute an MOU with a required partner to the Governor, State Board, and the State agency responsible for administering the partner's program. **(20 CFR 361.510)**

Actions Required

Copies of signed MOUs, which include a description of resource sharing agreements must be submitted by December 31, 2015, to:

Office of WIOA Technical Assistance and Capacity Building
7th Floor
PO Box 055
John Fitch Plaza, Trenton, NJ 08625

A signed resource sharing agreement must be completed, and incorporated into the MOU with each partner, and submitted to the same address by January 29, 2016.

Authority

New Jersey Department of Labor and Workforce Development	X
State Employment And Training Commission	

For any questions regarding this guidance, please contact John Bicica, Chief, WIOA Technical Assistance and Capacity Building at john.bicica@dol.state.gov

Attachment

Attachment-One-Stop Services

Career Services

20 CFR 678.430 divides Career Services into the following three categories:

- **Basic Career Services**
- **Individualized Career Services**
- **Follow-up Career Services**

Basic Career Services-These are services that must be made available to all job seekers. They include informational and labor exchange services:

- Determinations of whether the individuals are eligible to receive assistance from the adult, dislocated worker or youth programs;
- Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system;
- Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs;
- **Labor Exchange services**, including—

Job search and placement assistance and, in appropriate cases, career counseling, including—

(aa) provision of information on in-demand industry sectors and occupations; and

(bb) provision of information on nontraditional employment; and

(II) appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include services described in this subsection, such as providing information and referral to specialized business services not traditionally offered through the one-stop delivery system;

- Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, in appropriate cases, other workforce development programs;
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—

(I) job vacancy listings in such labor market areas;

(II) information on job skills necessary to obtain the jobs described in subclause (I); and

(III) information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations; and

- Provision of performance information and program cost information on eligible providers of training services, provided by program, and eligible providers of youth workforce investment activities, providers of adult education, providers of career and technical education activities at the postsecondary level, and career and technical education activities available to school

dropouts, under the Carl D. Perkins Career and Technical Education Act of 2006 and providers of vocational rehabilitation services described in title I of the Rehabilitation Act

- Provision of information, in formats that are usable by and understandable to one-stop center customers, regarding how the local area is performing on the local performance accountability measures described in section 116(c) and any additional performance information with respect to the one-stop delivery system in the local area;
- Provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including childcare, child support, medical or child health assistance under title XIX or XXI of the Social Security Act, benefits under the supplemental nutrition assistance program, assistance through the earned income tax credit, and assistance under a State program for temporary assistance for needy families and other supportive services and transportation provided through funds made available under such part, available in the local area;
- Referral to the services or assistance described in subclause (I), as appropriate;
- Provision of information and assistance regarding filing claims for unemployment compensation;
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;

Individualized Career Services-These are services that must be made available if determined to be appropriate in order for an individual to obtain or retain employment, Priority for Individualized Career Services for customers funded under the Title I adult program must be provided to participants who are public assistance recipients, other low-income individuals and individuals who are basic skills deficient. These services include the following, as consistent with WIOA requirements and federal cost principles:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—
 - (aa) diagnostic testing and use of other assessment tools; and (bb) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
 - (II) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services pursuant to paragraph (3)(F)(ii), and career pathways to attain career objectives; (III) group counseling;
 - (IV) individual counseling;

- (V) career planning;
- (VI) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;
- (VII) internships and work experiences that are linked to careers;
- (VIII) workforce preparation activities;
- (IX) financial literacy services, such as the activities described in section 129(b)(2)(D);
- (X) out-of-area job search assistance and relocation assistance; or
- (XI) English language acquisition and integrated education and training programs; and

Follow-up Services-These services are provided, as appropriate, to participants in adult and dislocated worker activities placed in unsubsidized employment, for a minimum of 12 months after the first day of employment. These services include counseling regarding the workplace for participants in workforce investment activities authorized under this subtitle placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate

Training Services

Training Services may include:

- 1) Occupational skills training, including training for nontraditional employment
- 2) On-the-job training
- 3) Incumbent worker training
- 4) Programs that combine workplace training with related instruction, which may include cooperative education programs
- 5) Training programs operated by the private sector
- 6) Skill upgrading and retraining
- 7) Entrepreneurial training;
- 8) Transitional jobs
- 9) Job readiness training provided in combination with services described above
- 10) Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (1) through (7); and
- 11) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

Permissible local activities-The following activities are not required, but are permissible services under WIOA:

Funds allocated to a local area for adults and for dislocated workers may be used to provide, through the one-stop delivery system involved (and through collaboration with the local board, for the purpose of the activities described in clauses (vii) and (ix))—) customized screening and referral of qualified participants in training services described in subsection (c)(3) to employers; (ii) customized employment-related services to employers, employer associations, or other such organizations on a fee-for-service basis;

- (iii) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under paragraph (2) or (3) of section 133(b);
- (iv) customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities for such populations;
- (v) technical assistance for one-stop operators, one-stop partners, and eligible providers of training services, regarding the provision of services to individuals with disabilities in local areas, including the development and training of staff, the provision of outreach, intake, assessments, and service delivery, the coordination of services across providers and programs, and the development of performance accountability measures;
- (vi) employment and training activities provided in coordination with—
 - (I) child support enforcement activities of the State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);
 - (II) child support services, and assistance, provided by State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);
 - (III) cooperative extension programs carried out by the Department of Agriculture; and
 - (IV) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;
- (vii) activities—
 - (I) to improve coordination between workforce investment activities and economic development activities carried out within the local area involved, and to promote entrepreneurial skills training and microenterprise services;
 - II) to improve services and linkages between the local workforce investment system (including the local one-stop delivery system) and employers, including small employers, in the local area, through services described in this section; and
 - (III) to strengthen linkages between the one-stop delivery system and unemployment insurance programs;
 - (i) training programs for displaced homemakers and for individuals training for nontraditional occupations, in conjunction with programs operated in the local area;
 - (ix) activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the local board, consistent with the local plan under section 108, which services—
 - (I) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board; and
 - (II) may include—
 - (aa) developing/implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sector skills partnerships);
 - (bb) developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting workforce investment needs of area employers and workers

(cc) assistance to area employers in managing reductions in force in coordination with rapid response activities provided under subsection (a)(2)(A) and with strategies for the aversion of layoffs, which strategies may include early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors; and

(dd) the marketing of business services offered under this title, to appropriate area employers, including small and mid-sized employers;

(x) activities to adjust the economic self-sufficiency standards for local factors, or activities to adopt, calculate, or commission for approval, economic self-sufficiency standards for the local areas that specify the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;

(xi) improved coordination between employment and training activities and programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973, programs funded under part B of chapter 1 of title VII of such Act, and activities carried out by centers for independent living, as defined in section 702 of such Act; and

(xii) implementation of promising services to workers and businesses, which may include support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising.

(B) Work Support Activities for Low-Wage Workers.

(i) Funds allocated to a local area for adults and funds allocated to the local area for dislocated workers may be used to provide, through the one-stop delivery system involved, work support activities designed to assist low-wage workers in retaining and enhancing employment. The one-stop partners of the system shall coordinate the appropriate programs and resources of the partners with the activities and resources provided under this subparagraph.

(ii) **Activities**-The work support activities) may include the provision of activities described in this section through the one-stop delivery system in a manner that enhances the opportunities of such workers to participate in the activities, such as the provision of activities described in this section during nontraditional hours and the provision of onsite child care while such activities are being provided.

(2) **Supportive Services**-Funds allocated to a local area for adults and funds allocated to the local area for dislocated workers may be used to provide supportive services to adults and dislocated workers, respectively— (A) who are participating in programs with activities authorized in paragraph (2) or (3) of subsection (c); and (B) who are unable to obtain such supportive services through other programs providing such services.

(3) **Needs-Related Payments**.-Funds allocated to a local area for adults and funds allocated to the local area for dislocated workers may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such individuals to participate in programs of training services.